

EPA REGION 6 RESPONSE TO CCNS SUBMISSION

EXHIBIT A

**U.S. Environmental Protection Agency (EPA) Public Notice of Draft NPDES Permit and
Public Meeting, dated June 29, 2013**

U.S. Environmental Protection Agency (EPA)
Public Notice of Draft NPDES Permit and Public Meeting

June 29, 2013

This is to give notice that the EPA, Region 6, has formulated a Draft Permit for the following facility under the National Pollutant Discharge Elimination System (NPDES). Development of the draft permit was based on a preliminary staff review by EPA, Region 6, and consultation with the State of New Mexico. The State of New Mexico is currently reviewing the draft permit. The permit will become effective no sooner than 30 days after the close of the comment period unless:

- A. The State of New Mexico denies certification, or requests an extension for certification prior to that date.
- B. Comments received by August 13, 2013, in accordance with §124.20, warrant a public notice of EPA's final permit decision.
- C. A public hearing is held requiring delay of the effective date.

EPA's contact person for submitting written comments, requesting information regarding the draft permit, and/or obtaining copies of the permit and the Statement of Basis or Fact Sheet is:

Ms. Diane Smith
U.S. Environmental Protection Agency
Permit Processing Team (6WQ-NP)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733
(214) 665-2145
smith.diane@epa.gov

EPA's comments and public hearing procedures may be found at 40 CFR 124.10 and 124.12 (48 Federal Register 14264, April 1, 1983, as amended at 49 Federal Register 38051, September 26, 1984). The comment period during which written comments on the draft permit may be submitted extends for 45 days from the date of this Notice. During the comment period, any interested person may request a Public Hearing by filing a written request which must state the issues to be raised. A public hearing will be held when EPA finds a significant degree of public interest.

EPA will notify the applicant and each person who has submitted comments or requested notice of the final permit decision. A final permit decision means a final decision to issue, deny, modify, revoke or reissue, or terminate a permit. Any person who filed comments on or participated in a public hearing on the draft permit may appeal the Agency's final permit decision. However, the request must be submitted within 30 days of the date of the final permit decision and be in accordance with the requirements of 40 CFR 124.19.

Further information including the administrative record may be viewed at the above address between 8 a.m. and 4:30 p.m., Monday through Friday. It is recommended that you write or call to the contact above for an appointment, so the record(s) will be available at your convenience.

The draft permit(s) are available on the New Mexico NPDES Public Notices website at: <http://www.epa.gov/region6/water/npdes/publicnotices/nm/nmdraft.htm>

**AUTHORIZATION TO DISCHARGE TO WATERS OF THE UNITED STATES,
NPDES PERMIT NO. NM0028355.**

The applicant's mailing address is:

U.S. Department of Energy Los Alamos Site Office
3747 West Jemez Road
Los Alamos, NM 87544

Under the Standard Industrial Classification (SIC) Codes 9922, 9711, 9661, and 9611, the applicant currently operates a large multi-disciplinary facility which conducts national defense research and development, scientific research, space research and technology development, and energy development. The facility is located in Los Alamos County, New Mexico. The discharges are to receiving waters consisting of various tributaries in Waterbody Segment Code No. 20.6.4.126 and 20.6.4.128 of the Rio Grande Basin. Significant changes from the permit previously issued June 8, 2007, with an effective date of August 1, 2007, and an expiration date of July 31, 2012, are:

- A. Eliminate six Outfalls 02A129, 03A021, 03A028, 03A130, 03A158, and 03A185;
- B. Delete Water Quality-based effluent limitations (WQBEL) for aluminum at Outfall 001;
- C. Establish WQBEL for copper and zinc based on 50 mg/l of hardness and set hardness limitation of ≥ 50 mg/l at Outfall 051;
- D. Delete WQBEL and total phosphorus limit at Outfall 03A022;
- E. Delete all WQBEL, except for TRC, at Outfalls 03A027, 03A113, 03A181, and 03A199;
- F. Establish WQBEL for arsenic and selenium at Outfall 03A048;
- G. Add WQBEL for arsenic and cyanide at Outfall 03A160;
- H. Add WQBEL for selenium and cyanide at Outfall 03A199;
- I. Establish new critical dilutions at Outfalls 03A027 and 03A199;
- J. Delete Whole Effluent Toxicity (WET) testing requirements for Outfalls 03A048, 03A113, 03A160, and 03A181;
- K. Establish WET limit at Outfall 051; and
- L. Change sampling location of Outfall 13S.

PUBLIC MEETING INFORMATION: EPA Region 6 will be holding an informal public meeting which will include a presentation on the proposed permit and a question and answer session. Because informal public meetings accommodate group discussion and question and answer sessions, public meetings have been used for some major permitting

actions and appear to be more valuable than formalized public hearings in helping the public understand a proposed permit and in identifying the issues of concern. Written, but not oral, comments for the administrative record will be accepted at the public meeting. Written comments generated from what was learned at the public meeting (or from discussion with someone who did attend) may also be submitted any time up to the end of the comment period.

Time: 6:00 pm
Date: Tuesday, July 30, 2013
Place: Holiday Inn Express and Suites
Meeting Room
60 Entrada Drive
Los Alamos, NM 87544

State Certification

This Notice also serves as Public Notice of the intent of the New Mexico Environment Department, Surface Water Quality Bureau to consider issuing Clean Water Act (CWA) Section 401 Certification. The purpose of such certification is to reasonably ensure that the permitted activities will be conducted in a manner that will comply with applicable New Mexico water quality standards, including the antidegradation policy, and the statewide water quality management plan. The NPDES permit will not be issued until the certification requirements of Section 401 have been met.

If you want to comment on State Certification submit written comments within the 45 day period to:

Bruce Yurdin
Manager, Point Source Regulation Section
Surface Water Quality Bureau
New Mexico Environment Department
P.O. Box 5469
1190 Saint Francis Drive
Santa Fe, NM 87502-5469
Phone (505) 827-2795
Fax (505) 827-0160
bruce.yurdin@state.nm.us

