

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

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In re:)	
)	
U.S. Department of Energy and Triad)	NPDES Appeal No. 22-01
National Security, LLC)	
)	
Permit No. NM0028355)	
_____)	

DECLARATION OF RUBEN ALAYON-GONZALEZ

I am an Environmental Engineer with the Water Division of the Region 6 office of the U.S. Environmental Protection Agency (“EPA”).

I am the primary EPA staff member responsible for review of the application for reissuance of National Pollutant Discharge Elimination System (“NPDES”) Permit No. NM0028355. I began work on this permit in January 2021, upon the retirement of the previously assigned staff member.

In response to the Order Requesting Clarification issued by the Environmental Appeals Board on August 24, 2022, I have performed a document search and review of records pertaining to 2021 and 2022 discharge monitoring reports for NPDES Permit No. NM0028355.

When reviewing data submitted via discharge monitoring reports for Permit No. NM0028355, I typically use the website icis.epa.gov, and may also occasionally use echo.epa.gov. In using these websites, I at times view the data on one of the two aforementioned websites, without also generating a report, though I may also export the data, thereby creating a new document.

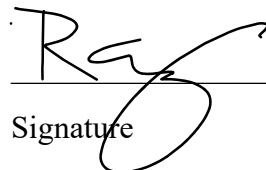
A documents search reflects that I exported a discharge monitoring report summary on March 8, 2022. A review of this document shows that the date parameters included all discharges from 2017 through 2021. To the best of my knowledge and belief, I uploaded this document on the same day, or in the days immediately following, to the public EPA website designated for NPDES Permit. No. NM0028355: <https://www.epa.gov/nm/los-alamos-national-laboratory-lanl-industrial-wastewater-permit-final-npdes-permit-no-nm0028355>. In addition to uploading this document to the public website, I stored a copy of the document in an electronic folder designated for the administrative record for Permit No. NM0028355.

Monthly discharge monitoring reports are required by Permit No. NM0028355. This requirement is part of the permit issued in 2015 and is again required with the 2022 reissuance.

The U.S. EPA's 2010 NPDES Permit Writers' Manual directs permit writers evaluating applications for permit reissuance to review discharge monitoring reports.

I considered the 2021 discharge monitoring reports in the final determination on the final issuance of Permit No. NM0028355, as they confirm and support determinations in the draft permit. I did not consider discharge monitoring reports for 2022 discharges.

To the best of my knowledge and belief, the foregoing is accurate and complete.



Signature

Dated: August 31, 2022