



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
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DALLAS, TX 75202-2733

NOV 24 2003

COPY

The Honorable Pete V. Domenici
United States Senator
201 3rd Street, NW, Suite 710
Albuquerque, NM 87102

Docket 40-8903

Dear Senator Domenici:

Thank you for your October 6, 2003, letter enclosing correspondence from Mr. Anton Allensworth-Cannaday of Milan, New Mexico, who contacted you concerning potential damage to residential property he owns in Milan. Mr. Allensworth-Cannaday's property is within a few hundred feet of the Homestake Mining Company facility, which was placed on the National Priorities List of Superfund sites in 1983. Mr. Allensworth-Cannaday believes that the Homestake Mining Company has damaged his property by injecting water into two private water wells located on his property.

The Homestake Mining Company is conducting remedial action to clean up ground water contamination under the direction and oversight of State and Federal regulatory agencies. Federal oversight of the Homestake Mining Company remedial action is governed by a 1993 Memorandum of Understanding between the Nuclear Regulatory Commission, Region IV, and the U.S. Environmental Protection Agency (EPA), Region 6.

The EPA first learned of Mr. Allensworth-Cannaday's concern a few months ago when representatives of the New Mexico Environment Department (NMED) inspected his property. The NMED indicated to the EPA that the property should be inspected by an independent structural engineer to determine the cause of observed foundation cracks and structural dislocations. The NMED also indicated that it had spoken with Homestake Mining Company and requested that it contact Mr. Allensworth-Cannaday.

In an effort to better understand the situation, the EPA Remedial Project Manager for this site has had several conversations with Mr. Allensworth-Cannaday and the Homestake Mining Company. Mr. Allensworth-Cannaday indicated that he bought the property several years ago and did not know that the underlying ground water was contaminated. He asked the EPA to help identify an independent structural engineer to inspect his home, and he requested information related to the cleanup activities at the site. Our Superfund staff sent him a copy of the EPA's September 2001 Five-Year Review Report which describes current site conditions, the areas of contamination and all ongoing remedial activities. My staff also gave him the names of several structural engineering firms listed in the Albuquerque yellow pages and suggested that he and the Homestake Mining Company mutually agree on one to perform the inspection. The Homestake Mining Company indicated to EPA that it would be willing to help Mr. Allensworth-Cannaday have his property inspected provided the inspector is adequately qualified.

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We understand that Mr. Allensworth-Cannaday is working with the Homestake Mining Company to find a qualified geotechnical engineering firm to conduct the inspection of his property. Apparently a firm has been identified which is suitable to Mr. Allensworth-Cannaday, and the details are currently being worked out between the two parties.

Ground water contamination at the Homestake Mining Company site was first discovered in the mid-1970s, and cleanup activities began soon thereafter. Under an Agreed Order with EPA, the Homestake Mining Company provided Mr. Allensworth-Cannaday and other nearby residents with hookups to the Milan municipal water supply in the mid-1980s.

Although there has been steady progress in cleaning up the ground water aquifers at the Homestake Mining Company site, it will still be several years before the work is completed. As part of this ongoing effort, water is injected into designated wells at the site, including wells located near the subdivision where Mr. Allensworth-Cannaday lives. The Homestake Mining Company informed the EPA that one of the two wells on Mr. Allensworth-Cannaday's property was used for water injection from 1990 to 1998.

Based on the EPA Remedial Project Manager's most recent contacts, we expect Mr. Allensworth-Cannaday and the Homestake Mining Company to resolve their remaining issues related to each other. We will make every effort to keep Mr. Allensworth-Cannaday informed of all ongoing remedial activities associated with the site as part of our community involvement process.

I appreciate you bringing these matters to my attention, and I hope this information is helpful to you.

Sincerely yours,



Richard E. Greene
Regional Administrator

cc: Mr. Alan Cox
Homestake Mining Company

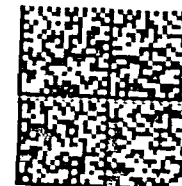
Mr. William von Till
U.S. Nuclear Regulatory Commission

Mr. David Mayerson
New Mexico Environment Department



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