

From: "Meyer, Lisa, DCA" <lisa.meyer@state.nm.us>
To: "Ron Linton" <RCL1@nrc.gov>
Date: 06/08/2007 1:21:48 PM
Subject: RE: Homestake Mining Co. Evap Pond #3 Cibola County, NM HPDLog 81253

Good morning Ron,
Yes, I found it! That project was sent to one of our new reviewers last July and he concurred with site eligibility and effect recommendations (attachment 1). Looking at the file, however, I see that the consultation letter had not come from NRC, the agency responsible for consultation. So, I have provided a new concurrence on the NRC letter and attached a discovery clause (attachment 2). Nothing else is needed. This fulfills NRC's Section 106 responsibility.

Thank you,
Lisa M. Meyer, M.A., RPA
Manager, Preservation Planning & Compliance Program
For the State Historic Preservation Officer

State of New Mexico
Department of Cultural Affairs
Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Ste 236
Santa Fe, NM 87501
505.827.7824; fax-827.6338
www.nmhistoricpreservation.org

From: Ron Linton [mailto:RCL1@nrc.gov]
Sent: Tuesday, June 05, 2007 5:31 AM
To: Meyer, Lisa, DCA
Subject: Re: Homestake Mining Co. Evap Pond #3 Cibola County, NM HPDLog 81253

Lisa:
I spoke to Louis Bridges with Kleinfelder Inc, a consultant to Homestake Mining, and he indicated that an original of the Cultural Resources Inventory (CRI) was sent to the NM Historic Preservation Division on July 24, 2006. Attached is a transmittal letter that went along with that submission he provided to me. I didn't realize that this report was previously sent directly by Kleinfelder. Can you look to see if you have the original in your files? We didn't get the application for the pond license amendment until early November 2006 and haven't been able to begin the full technical review until this spring, which accounts for the time lapse on our part. The attachment to the CRI as noted in the transmittal letter may have the other documentation on the 11 newly recorded sites and the 1 updated site record you requested, but I'm not sure.

Let me know if you have success or not. Thanks.

Ron C. Linton
Senior Groundwater Hydrologist/Project Manager
U.S. Nuclear Regulatory Commission
Office of Federal and State Materials
and Environmental Management Programs
Mail Stop T-7E18
11545 Rockville Pike
Rockville, Maryland 20852-2738.
301-415-7777 phone
301-415-5398 fax
rcl1@nrc.gov

>>> "Meyer, Lisa, DCA" <lisa.meyer@state.nm.us> 06/04/2007 9:50 AM >>>

Good morning Ron,
The State Historic Preservation Officer (SHPO) is in receipt of your submittal for the above referenced undertaking. Unfortunately the submittal is incomplete. The report submitted appears to be a copy and the photographs cannot be seen. We will need original photographs or the original report with clean digital photos to review. Also, missing are site records for the 11 newly recorded sites, and the 1 updated site record for the previously recorded site. In addition, we will need the results of your tribal consultation efforts before providing comment, as the tribes are, like the archaeologists, assisting NRC with its historic property identification efforts and it is necessary for the SHPO to consider that information for the overall project effects.

Unfortunately the SHPO will not be able to provide comment at this time. The SHPO will be happy to review the submittal under the mandated 30-day review period when all information has been received. If you have any questions please feel free to call me. Thank you.

Sincerely,

Lisa M. Meyer, M.A., RPA
Manager, Preservation Planning & Compliance Program
For the State Historic Preservation Officer

State of New Mexico
Department of Cultural Affairs
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Mail Envelope Properties (4669901C.A31 : 9 : 43569)

Subject: RE: Homestake Mining Co. Evap Pond #3 Cibola County, NM HPDLog
81253
Creation Date 06/08/2007 1:21:22 PM
From: "Meyer, Lisa, DCA" <lisa.meyer@state.nm.us>
Created By: lisa.meyer@state.nm.us

Recipients

nrc.gov
TWGWPO01.HQGWDO01
RCL1 (Ron Linton)

Post Office

TWGWPO01.HQGWDO01

Route

nrc.gov

Files	Size	Date & Time
MESSAGE	5029	06/08/2007 1:21:22 PM
TEXT.htm	7888	
Homestake2.pdf	151358	
Homestake1.PDF	81701	
Mime.822	335047	

Options

Expiration Date: None
Priority: Standard
ReplyRequested: No
Return Notification: None

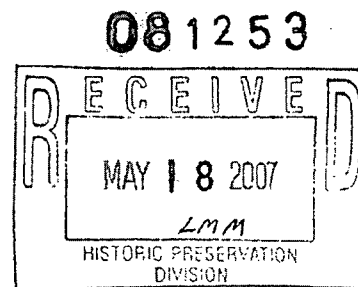
Concealed Subject: No
Security: Standard



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 11, 2007

Katherine Slick, Director
State Historic Preservation Office
Department of Cultural Affairs
Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, NM 87501



SUBJECT: SECTION 106 CONSULTATION FOR THE HOMESTAKE MINING COMPANY
OF CALIFORNIA PROPOSED EVAPORATION POND #3, CIBOLA COUNTY,
NEW MEXICO

Dear Ms. Slick:

The Homestake Mining Company of California (HMC) is proposing to build an evaporation pond on a 33-acre site in Cibola County, New Mexico, as part of a long-term groundwater restoration effort at the facility. The purpose of the pond is to add evaporative capacity, allowing HMC to extract contaminated groundwater at higher pumping rates; this will expedite the groundwater cleanup. The proposed location for the pond and alternatives is on private land adjacent to the HMC facility, located north of the City of Grants, in Section 26, T12N, R10W (Figure 1). HMC currently manages a groundwater restoration program subject to U. S. Nuclear Regulatory Commission (NRC) License SUA-1471, and New Mexico Environment Department Discharge Plans, DP-200 and DP-725.

HMC has applied for an amendment to the NRC Site License to add a new evaporation pond and expand the NRC-licensed site boundary. HMC has prepared an Engineering Design Package and Environmental Report in support of the amendment request that can be found at <http://www.nrc.gov/reading-rm/adams/web-based.html>, and by searching under ML063050641. The Environmental Report for the proposal can be found by searching under ML070850561. If you have difficulty accessing this information, you may contact the Public Document Room Librarian at 1-800-397-4209. Additionally, HMC provided pre-consultation information to you in a letter dated July 24, 2006, outlining the proposed amendment request.

As required by 36 CFR Part 800, the NRC is requesting the views of the State Historic Preservation Officer on further actions to identify historic or cultural properties that may be affected by the NRC-proposed action of granting the proposed license amendment to construct a third evaporation pond and expand the NRC-licensed site boundary. The area of potential effects includes areas in the immediate area of the HMC-licensed area and areas surrounding the facility. HMC has conducted a cultural resource survey based on the proposed alternatives for the evaporation pond locations (enclosed). Please note that the Cultural Resources Survey is not an NRC publicly available document. HMC has also recommended an archaeological monitoring plan be designed and implemented if the evaporation pond is located at Alternative B. HMC and NRC have initiated consultation with the seven Native American Tribes listed on the New Mexico Department of Cultural Affairs website. Those tribes are: Acoma Pueblo; Hopi Tribe; Isleta Pueblo; Mescalero Apache Tribe; Navajo Nation; White Mountain Apache Tribe;

K. Slick

- 2 -

and Zuni Pueblo. There are no structures associated with any of the evaporation pond alternatives listed. NRC would appreciate any information that you can provide with respect to any traditional religious or cultural sites, or other historic or archaeological sites of importance to the State that may be within the area.

After assessing the information provided by you, we will determine what additional actions are necessary to comply with the Section 106 process. If you have any questions, please contact me at 301-415-7777, or by e-mail, at rcl1@nrc.gov.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,



Ron C. Linton
Project Manager
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 040-08903
License No.: SUA-1471

Enclosure: Survey

This undertaking will not have an adverse effect on
registered or eligible properties.

 6/8/07
for NM State Historic Preservation Officer

* On July 31, 2006 our office concurred that 3 sites are eligible, 6 are not eligible and 3 are undetermined for eligibility to the National Register, as discussed in the report.

* Please see attached "Discovery Claims".

Thank you.



BILL RICHARDSON
Governor

STATE OF NEW MEXICO
**DEPARTMENT OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION**

BATAAN MEMORIAL BUILDING
407 GALISTEO STREET, SUITE 236
SANTA FE, NEW MEXICO 87501
PHONE (505) 827-6320 FAX (505) 827-6338

DISCOVERY CLAUSE

In the event that bones or prehistoric or historic archaeological materials are uncovered during construction or earth-disturbing activities, cease work immediately and protect the remains from further disturbance. If bones are found, immediately notify local law enforcement and the Office of the Medical Investigator pursuant to 18-6-11.2C (Cultural Properties Act NMSA 1978).

In accordance with 18-6-11.2C and/or 36 CFR 800.13(b) (Protection of Historic Properties), notify the State Historic Preservation Officer (SHPO) or the State Archaeologist immediately.

In either case, the Agency and the SHPO, in consultation with an archaeologist who holds state unmarked human burial excavation and survey permits, will determine the necessary steps to evaluate significance, document, protect or remove the material or remains, in compliance with law. Call the SHPO or State Archaeologist at (505) 827-6320.



Alan D. Cox
Project Manager - Grants

24 July 2006

State of New Mexico
Department of Cultural Affairs
Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, NM 875501

Attn: Ms. Katherine Slick, State Historic Preservation Officer

RE: **Homestake Mining Company of California**
Grants Reclamation Project
– Archaeological / Cultural Resources Inventory for Proposed Alternative Siting
Locations associated with Pond Construction Project

Dear Ms. Slick:

Homestake Mining Company of California (HMCo) is in the early planning and design engineering / siting process to construct an additional evaporation pond at the Grants Reclamation Project north-northeast of Milan, NM to assist in final project reclamation and closure at a uranium milling complex that was operated by HMCo and others from the late 1950's through the early 1990's. As part of the process, HMCo is required to submit design plans and other documentation to the Nuclear Regulatory Commission (NRC) to facilitate the review and approval process for the pond as required under our federal NRC Radioactive Materials License. Due to the fact that the review process involves a federal action pursuant to the National Environmental Policy Act (NEPA), the NRC must follow the requirements of the Act during review and evaluation of the proposal. As part of that process, NRC will be required to enter into a formal consultation process with other agencies and entities that have interest in the proposed project.

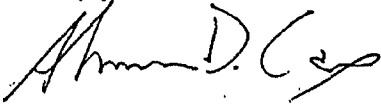
Enclosed please find the following documents that are intended to facilitate the NRC NEPA review and consultation process that will include formal consultation and communications with your office:

1. **"Cultural Resources Inventory of 350 Acres for the Homestake Mining Company in Cibola County, New Mexico"** – July 2006; and
2. **Attachments** for the above document that includes: a) NMCRIS Investigation Abstract Form; b) Laboratory of Anthropology Site Forms; and c) Archival Photographs

I look forward receiving your input through the consultation process with NRC to assure that any required or necessary measures are taken during the construction project to protect archaeological or cultural resources of importance. We trust that our "early-on" communication activities, and provision of these documents at this time, will assist your office in working with NRC during that process.

Thank you for your time and attention on this matter. If you or any staff members in the SHPO office have any questions, please contact me at the Grants site (505) 287-4456 ext. 25 or via cell phone at (505) 400-2794.

Sincerely yours,



HOMESTAKE MINING COMPANY OF CALIFORNIA
Alan D. Cox
Project Manager
– Grants Reclamation Project

Cc: R. Linton – U.S. Nuclear Regulatory Commission – Rockville, MD (w/o enclosure)

- A. Kuhn – Kleinfelder, Inc., Albuquerque (w/o enclosure)
- L. Bridges – Kleinfelder, Inc., Hotchkiss, CO (w/o enclosure)
- R. Chase – SLC (w/o enclosure)
- D. Deisley – SLC (w/o enclosure)
- B. Ferdinand – SLC (w/o enclosure)

RECEIVED
JUL 26 2006