



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS TX 75202-2733

JUL 20 2011

The Honorable Jeff Bingaman  
United States Senate  
Washington, D.C. 20510

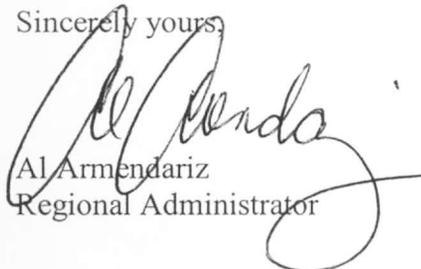
Dear Senator Bingaman:

Thank you for your letter dated June 6, 2011, to the U.S. Environmental Protection Agency (EPA) Administrator Lisa P. Jackson regarding the Remedy Site Evaluation Report recommendations and the statistical sampling of background concerns for the Homestake Superfund site. Your letter was forwarded to me for reply because New Mexico is within the jurisdiction of Region 6.

On July 8, 2011, the EPA sent a letter to the Nuclear Regulatory Commission (NRC) giving it a notification of deficiency under the Memorandum of Understanding between the EPA and the NRC Region IV. Specifically there are several instances where the NRC activities may not comply with the Comprehensive Environmental Response, Compensation, and Liability Act. Enclosed for your information is a copy of the letter from the EPA to the NRC which specifically delineates the EPA's concerns.

I hope this is helpful in addressing the concerns of your constituent. If you have any further questions, please contact me at (214) 665-2100, or your staff may contact Ms. Cynthia Fanning at (214) 665-2142.

Sincerely yours,



Al Armendariz  
Regional Administrator

Enclosure

cc: Mr. Larry Camper  
Nuclear Regulatory Commission

The Honorable Ben R. Lujan  
United States House of Representatives

The Honorable Tom Udall  
United States Senate

The Honorable Steve Pearce  
United States House of Representatives

The Honorable Martin Heinrich  
United States House of Representatives