

**From:** [Buckley, John](#)  
**To:** [Sarah Fields](#)  
**Subject:** RE: Inquiry: Homestake Mill CAP - Docket No. 40-8903  
**Date:** Thursday, July 19, 2012 8:18:00 AM

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Hello Ms. Fields. Thank you for your inquiry regarding the Homestake site. The answers to your questions are provided below.

Q1: Is this comment period part of the Environmental Assessment process?

A1:

The public comment period on Revision 2 of the updated Homestake Corrective Action Program (CAP) has been extended until October 1, 2012. The public comment period is not part of the EA process.

Q2: Were the comment periods noticed in the *Federal Register*?

A2:

Homestake submitted the updated CAP as required by License Condition 35B on December 15, 2006, for NRC review and approval (ADAMS No. ML070240350). NRC noticed receipt of the updated CAP and offered an opportunity for hearing on March 15, 2007 (ADAMS No. ML120860197). The opportunity for public comment and opportunity for hearing ended on May 14, 2007. At about the same time, Homestake submitted a license amendment for construction and operation of a third evaporation pond (EP3). Due to limited resources the NRC was unable to work on Homestake's EP3 and CAP license amendments concurrently. The license amendment for EP3 was determined to have a higher priority and review of the updated CAP was postponed. The NRC completed its review of the updated CAP on February 4, 2010, and requested Homestake to provide additional information in response to NRC comments (ADAMS No. ML100320466). On March 15, 2012, Homestake submitted Revision 2 of the updated CAP which incorporates NRC's request for additional information and comments received by EPA and New Mexico Environment Department (NMED) (ADAMS No. ML120890113). It is Rev. 2 of the updated CAP which is currently under review by NRC, EPA, NMED, and the public. Since this revision incorporates NRC, EPA, and NMED comments on the updated CAP and is not a new licensing action, a *Federal Register* Notice is/was not required. NRC held a public meeting to discuss Rev. 2 of the CAP in Grants, NM on June 7, 2012. A representative of the public interest group Bluewater Valley Downstream Alliance (BVDA) requested that the public comment period on the CAP be extended to August 31, 2012. NRC recently informed BVDA that the public comment period would be extended until October 31, 2012.

Q3: Will the draft NRC EA on the revised CAP be available for public comment?

A3:

Yes. During the public meeting, NRC stated that it would make the draft Environmental Assessment available for public review and comment.

Q4: Has the NRC determined that the CAP application is "complete."

A4:

On March 5, 2007, the NRC completed its "acceptance review" of the updated CAP. Based on the acceptance review, the staff determined that the CAP contained sufficient information to begin a formal detailed technical review. This does not mean the CAP is "complete" or approved. NRC approval of the CAP will only occur after NRC determines

that the CAP meets NRC requirements and is protective of human health and the environment.

Q5: Has the receipt of the CAP and opportunity for affected persons to request a hearing been published in the *Federal Register*.

A5: See A2 above. The opportunity to request a hearing ended on May 14, 2007.

Q6: If so, what date?

A6: See A2 above.

Q7: If not, does the NRC intend to publish such a notice in the *Federal Register*.

A7: Not applicable.

If you have additional questions, please contact me by email or call me at 301-415-6607.

A copy of this email will be made publicly available in NRC's Agency-wide Document Access and Management System (ADAMS).

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**From:** Sarah Fields [<mailto:sarah@uraniumwatch.org>]  
**Sent:** Wednesday, July 18, 2012 12:17 PM  
**To:** Buckley, John  
**Subject:** Inquiry: Homestake Mill CAP - Docket No. 40-8903

Dear Mr. Buckley,

I have been reviewing some of the NRC Homestake records on ADAMS.

I see on slides that you presented at the NRC Homestake meeting in June that the comment period on the Revised CAP has been extended to July 27 of this year.

A few Questions:

1. Is this comment period part of the Environmental Assessment process?
2. Were the comment periods noticed in the *Federal Register*?
3. Will the draft NRC EA on the revised CAP be available for public comment?
4. Has the NRC determined that the CAP application is "complete."
5. Has the receipt of the CAP and opportunity for affected persons to request a hearing been published in the *Federal Register*.
6. If so, what date?

7. If not, does the NRC intend to publish such a notice in the *Federal Register*.

Thank you for your reply to this inquiry.

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