

INFORM

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RESPONSIBLE MINING

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Attn: Document Control Desk
c/o Mr. John Buckley
Mail Stop T-8F5
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Via email to: 10hn.Buckley@nrc.gov

Re: Comments on the Revised Updated Corrective Action Plan for Homestake Mining Company,
License No. SUA-1471, Docket No. 40-8903

Dear Mr. Buckley,

Thank you for the opportunity to submit comments on the Revised Updated Corrective Action Plan for the Homestake Mill Superfund site in Milan, New Mexico. The Information Network for Responsible Mining (INFORM) is a Colorado-based citizens organization that advocates for responsible hardrock mining practices and protection of affected communities and the environment. INFORM actively participates in local, state and federal permitting and reviews of uranium mining and milling issues and is concerned about the expansion of uranium operations throughout the Southwest as well as the existing problems and concerns with historic uranium sites. These concerns include the impacts to human health and nearby communities, ground and surface water, air quality, wildlife and ecosystems, as well as potential socioeconomic and cultural impacts to residents, agriculture and regional conservation-based resource economies.

INFORM is concerned with the lengthy history of noncompliance at the Homestake Superfund site and the continuing failure to effectively remediate the mill site in order to prevent harmful impacts to the surrounding communities and the environment. Since 1979 -- a period of 33 years -- the remediation efforts undertaken by the Homestake-Barrick Gold Corporation have failed to result in complete compliance of standards and significant problems remain. The Homestake site has many close neighbors, who are exposed to airborne particulates and soil deposition, high levels of radon releases, groundwater contamination and an undetermined plume of contaminants that all have the potential to create significant harm to these communities. The

area's alluvial aquifer is already contaminated and contaminants also appear to be encroaching the San Andres-Glorietta Aquifer, which would present an unacceptable and intractable environmental problem. About 4,000 people depend on this aquifer for their drinking water.

After such a lengthy period of failing to achieve the best and highest results at the Homestake Superfund site, the Nuclear Regulatory Commission now has an excellent opportunity to pause and completely rethink its approach. For this reason, INFORM urges NRC to conduct a thorough Environmental Impact Statement and to develop the strongest possible Corrective Action Plan for the Homestake site that will fully protect the environment and achieve a meaningful reclamation for the residents who live nearby. This is an important goal to consider, as many of these residents are Native American or members of minority groups who have already been unfairly and disproportionately burdened by the legacy of uranium contamination that Homestake represents. In the Environmental Impact Statement, NRC should carefully consider and study as an alternative the complete removal of tailings and other waste permanently from the site.

Since 1995, after the original date for complete reclamation and release came and went, a flushing regime has been in place at Homestake in an attempt to reduce the release of uranium from the tailings pile, despite the unproven longterm benefits to this technique. In fact, once flushing ceases in 2014, it is likely that uranium levels will rebound and continue to contaminate offsite areas because uranium will inevitably continue to leach from the unlined tailings pile into the foreseeable future. Groundwater standards have only recently become compliant due to the blending of aquifer water with contaminated water, underscoring the temporary nature of this solution. The ongoing use of treated contaminated water for crop irrigation is also somewhat dubious, as it increases the likelihood that groundwater supplies will gradually become contaminated from that practice over time. All of these factors contribute to the unlikelihood that the site can be released on schedule in 2017.

The proposed action warrants a full Environmental Impact Statement because it will cause significant environmental, health and socioeconomic impacts. A thorough analysis and careful, considered development of a strong Corrective Action Plan now is also the most fiscally prudent choice in the long run. Under the National Environmental Policy Act, an EIS is required when a project has significant short and longterm effects; when a single reclamation action is comprised of interdependent acts; when the cumulative impacts are significant; when public health, safety and the environment are significantly affected; and when the action will have effects upon the human environment that are controversial.

The Homestake project meets all of these requirements. Nevertheless, the existing Reclamation Plan has relied on an 18-page Environmental Analysis conducted in 1993 that can now only be characterized as insufficient and out of date. Furthermore, the existing efforts to reclaim the site have all been cobbled together and assembled without benefit of the deep, comprehensive study that will truly be needed to address Homestake's problems. Residents have not been able to fully participate in developing a reclamation plan that is truly sensitive to all the

needs of their communities. The 1993 EA and associated Finding of No Significant Impact document did not adequately address all the environmental impacts of the Reclamation Plan and has proved insufficient over time to meeting reclamation goals. It is clear that this path has not resulted in a satisfactory cleanup, but developing an Environmental Impact Statement would be a first step toward addressing those shortcomings.

We appreciate the opportunity to comment on the Homestake Corrective Action Plan and your review of these issues. Thank you again for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Thurston". The signature is written in black ink and is positioned above the printed name.

Jennifer Thurston
Director
Information Network for Responsible Mining