

January 28, 2014

Ms. Diana D. Sandoval
Ground Water Pollution Section
New Mexico Environment Department
Harold Runnels Building Room N2300
1190 St. Francis Drive
P.O. Box 26110
Santa Fe, NM 87502

SUBJECT: COMMENTS ON PROPOSED DISCHARGE PERMIT DP-200 FOR THE
HOMESTAKE MINING COMPANY OF CALIFORNIA URANIUM MILLSITE,
MILAN, NM (LICENSE SUA-1471, DOCKET NO. 40-8903)

Dear Ms. Sandoval:

By letter dated December 10, 2013, the New Mexico Environment Department (NMED) provided notice to the U.S. Nuclear Regulatory Commission (NRC) that it planned to approve Ground Water Discharge Permit DP-200 for Homestake Mining Company of California (HMC) site located in Milan, NM (Agencywide Documents Access and Management System (ADAMS) Accession No. ML14009A301). The NRC staff has reviewed the proposed DP-200 and submits the following comments for your consideration:

1. Section I, page 3 of 34 – The draft permit states that applicable site ground water standards for certain contaminants of concern are provided in Table 1. Table 1, which is rendered on page 28 of 34, is inconsistent with License Condition (LC) 35B of NRC License SUA-1471. Table 1 does not cite background concentrations for molybdenum or vanadium, and although there is a concentration level provided for molybdenum in the cited New Mexico Administrative Code, there does not appear to be one for vanadium. In addition, the Table 1 concentrations for nitrate are different from NRC LC 35B.
2. Section III, page 8 of 34 – states that the maximum freshwater injection rate into the Large Tailing Pile is 450 gpm. This rate is inconsistent with the 400 gpm maximum injection rate approved in paragraph 10 of Section IV of the draft discharge permit (page 11 of 34).
3. Table 4, page 30 of 34 – The maximum allowable constituent concentrations for selenium, sulfate, and Total Dissolved Solids in land-applied groundwater are less than the background values established in Table 1 (page 28 of 34). The NRC staff notes that these values are also inconsistent with LC 35B of NRC License SUA-1471.

In accordance with 10 CFR 2.390 of NRC's "Agency Rules of Practice and Procedure," 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 ADAMS. ADAMS is accessible from the NRC Web site at: <http://www.nrc.gov/reading-rm/adams.html>.

D. Sandoval

2

If you have any questions regarding this letter, please contact me at (301) 415-6634, or by e-mail at Jack.Parrott@nrc.gov.

Sincerely,

/RA/

Jack D. Parrott, Senior Project Manager
Reactor Decommissioning Branch
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.: 40-8903
License No.: SUA-1471

cc: Homestake Distribution List

D. Sandoval

2

If you have any questions regarding this letter, please contact me at (301) 415-6634, or by e-mail at Jack.Parrott@nrc.gov.

Sincerely,

/RA/

Jack D. Parrott, Senior Project Manager
Reactor Decommissioning Branch
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.: 40-8903
License No.: SUA-1471

cc: Homestake Distribution List

DISTRIBUTION:

DWMEP r/f BSpitzberg, R IV LGersey, R IV

ML13364A123

OFFICE:	DWMEP	DWMEP	OGC	DWMEP	DWMEP
NAME:	JParrott	CHolston	BJones	BWatson	JParrott
DATE:	01/7/2014	01/7/2014	01/23/2014	01/28 /2014	01/28/2014

OFFICIAL RECORD COPY