



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

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

December 12, 2013

Larry W. Camper, Director  
Division of Waste Management & Environmental Protection  
United States Nuclear Regulatory Commission  
Mail Stop: T8F5  
Washington, DC 20555-0001

Dear Larry:

The purpose of this letter is to propose improved coordination between our two agencies at the Homestake Mining Company Superfund Site. Recent events underscore the need for improvement in this area. On November 5, 2013 we received a copy of the October 24, 2013 Nuclear Regulatory Commission response to a petition by the New Mexico Law Center dated August 26, 2013. The NRC response indicates that a revised Corrective Action Plan has not been released because EPA did not provide requested regulatory information and that the NRC is still waiting for EPA to indicate whether or not its regulatory requirements are missing.

Superfund law requires EPA to make remedy decisions based upon a number of factors including all Applicable or Relevant Appropriate Requirements. A list of potential Requirements affecting remedies at the Homestake site was sent to the NRC on October 30, 2012, so we believe that we had responded to this issue some time ago. Your response to the petition also included extensive commentary on EPA's draft risk assessment and assertions that not enough data was collected and those analyses were not sufficient. We disagree with those perspectives and are concerned that others reading the document might not understand that those are solely NRC's opinion.

I believe that both of these types of problems could be avoided in the future if we shared confidential drafts of responses to issues where overlapping authorities are present. There will be numerous opportunities for improved coordination as the NRC publishes its Corrective Action Plan, EPA completes the risk assessment and the review of the information provided by the Homestake Mining Company for remedy decisions for the tailing and groundwater. As agreed in our August 14, 2013 meeting, we are giving these matters high priority.

If you wish to discuss my proposal or comment on the idea, please contact me at (214)789-1879.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Edlund', with a long horizontal flourish extending to the right.

Carl Edlund, P.E.  
Director,  
Superfund Division

cc: Erika Schwender, NMED  
Phyllis Bustamante, NMED  
Jerry Schoeppner, NMED