



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001**

April 2, 2019

Mr. Brad Bingham
Interim Site Manager
Grants Reclamation Project
Homestake Mining Co. of CA
P.O. Box 98/Highway 605
Grants, NM 87020

**SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION'S CLARIFICATION FOR THE
USE OF 5-SPOT INJECTION/COLLECTION PATTERN FOR SITE
REMEDICATION (DOCKET NUMBER 040-08903)**

Dear Mr. Bingham:

By letter dated October 12, 2018 (Agencywide Documents Access and Management System (ADAMS) Accession Number ML18299A082), Homestake Mining Company of California – Grants Reclamation Project (Homestake) requested clarification for the use of 5-spot injection/collection pattern for site remediation at the Homestake site in Cibola County, New Mexico. Specifically, Homestake requested clarification on whether use of the 5-spot pattern was appropriate for approval by a Safety and Environmental Review Panel (SERP) or by license amendment.

In the attached memorandum, the NRC staff clarifies how it interprets the SERP process and NRC's practice of not commenting on an outcome for a SERP as it is a licensee's responsibility under a risk-informed performance-based license. However, the NRC staff did provide clarification on whether the information provided in Homestake's request was sufficient to meet the expected requirements for an environmental report that must accompany any SERP.

The NRC staff reviewed other information (e.g., performance reports, monthly discharge reports) to verify statements in Homestake's request. Based on staff's review, as detailed in the attached memorandum, the submitted information did not include an assessment of impacts to the environment as would be expected in an environmental evaluation prepared in support of License Condition 16. In addition, Homestake's information was insufficient to counter staff's prior determination that the injection was merely dilution as the submitted information did not address this concern. Furthermore, based on that determination and assuming that the injection of treated water was a form of disposal, then an amendment would be required.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this correspondence will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me at 301-415-7777, or via email at ron.linton@nrc.gov

Sincerely,

/RA/

Ron Linton, Project Manager
Uranium Recovery and Materials
Decommissioning Branch
Division of Decommissioning, Uranium Recovery
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Docket No.: 040-08903
License Number: SUA-1471

Enclosure: Memorandum

cc: Kurt Vollbrecht (NMED)
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