



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

March 17, 2020

Mr. David W. Pierce, Closure Manager
Homestake Mining Co. of California
Grants Reclamation Project
P.O. Box 98, Highway 605
Grants, NM 97020

**SUBJECT: HOMESTAKE MINING COMPANY OF CALIFORNIA RESPONSE TO NRC
INSPECTION REPORT 040-08903/2016-001 AND NOTICE OF VIOLATION**

Dear Mr. Pierce:

On April 20, 2016, the U.S. Nuclear Regulatory Commission (NRC) cited Homestake Mining Company for violations of NRC requirements associated with failure to collect a sufficient number of radon flux samples, correctly calculate the radon flux average value and maintain the radon flux below the standard specified in the license and regulations for the large tailings pile.

The NRC Inspection Report 040-08903/2016-001 required you to respond in writing within 30 days (Agencywide Documents Access Management System [ADAMS] Accession No. ML17088A761). In a letter dated May 16, 2017, you provided a response to the Notice of Violation (ADAMS Accession No. ML17143A271) indicating you had added additional interim cover for the large tailings pile and would provide additional information on the proposed path forward upon the completion of modeling using the "RADON" or "RAECOM" computer code for modeling the radon flux. On September 13, 2017, you submitted a request (ADAMS Accession No. ML17264A070) to defer compliance with the radon flux requirement until the groundwater restoration activities onsite were complete. By letter dated October 19, 2017, the NRC denied your request (ADAMS Accession No. ML17292A953) based on the lack of sufficient detail to allow the NRC to conduct a technical review.

In the October 19, 2017, letter it was agreed that you could use the radon monitoring procedure provided in your September 13, 2017, response until a longer term solution was identified to address the radon flux exceedances. As of the date of this letter, your organization has not provided additional solutions to address the radon flux exceedances and this violation remains open due to your failure to continue to take action towards compliance. Therefore, in accordance with the requirements of 10 CFR 2.201, Homestake Mining Company of California, is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington DC 20555-0001, with a copy to the Regional Administration, Region IV, 1600 East Lamar Blvd., Arlington, TX 76011-4511, within 30 days of the date of this letter.

The reply should be clearly marked as a "Reply to a Notice of Violation," and should include: (1) the corrective actions that have been taken and the results achieved, (2) the corrective steps that will be taken, and (3) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received with the time specified in this letter, an order or demand for information may be used requiring information as to why the license should not be modified, suspended, revoked, or why such other action as may be proper should not be taken.

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

Sincerely,

/RA/

Heather J. Gepford, PhD, CHP, Chief
Materials Licensing and Decommissioning Branch
Division of Nuclear Materials Safety

Docket No.: 040-08903

License No.: SUA-1471

cc:

M. Hunter, New Mexico Environmental
Department

S. Rodriguez, New Mexico Environmental
Department

B. Tsosie, U.S. Department of Energy

HOMESTAKE MINING COMPANY OF CALIFORNIA, RESPONSE TO NOTICE OF VIOLATION
AND NUCLEAR REGULATORY COMMISSION INSPECTION REPORT 040-08903/2016-01 –
[DATE]

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ADAMS ACCESSION NUMBER: **ML20080J188**

☒SUNSI Review: ADAMS: ☐ Non-Publicly Available ☒Non-Sensitive Keyword:
By: MRP ☒ Yes ☐ No ☒ Publicly Available ☐ Sensitive

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