



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

**REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511**

June 4, 2020

EA-20-083

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

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

Dear Mr. Pierce:

This letter acknowledges your May 22, 2020, correspondence (Agencywide Document and Access Management System (ADAMS) Accession No. ML20147A648) in response to U.S. NRC Inspection Report 040-08903/2016-001 (ADAMS Accession No. ML17088A761) dated April 20, 2017, and subsequent letters from the NRC dated March 17, 2020 (ML20080J188), and April 24, 2020 (ADAMS Accession No. ML20115E462). In the inspection report, the NRC documented a Severity Level IV violation (VIO) that was the subject of your response: VIO 040-08903/1601-01, Exceedance of radon flux limit from large tailings pile. The cover letter to the inspection report requested you to respond in writing within 30 days if you contested any of the violations.

On May 16, 2017, the NRC received a letter (ADAMS Accession No. ML17143A271) from you accepting the violation and providing proposed corrective actions. As discussed in our March and April 2020 letters, this violation remains open due to your failure to take adequate action towards restoring compliance. In response, on May 22, 2020, the NRC received a letter from you contesting the violation cited in the inspection report. The NRC is currently reviewing your basis for contesting the violation in accordance with Section 2.3.7 of the Enforcement Manual. Accordingly, we will provide the results of our evaluation by written response within 100 days of the receipt of your most recent letter.

Your May 22, 2020, letter also requested a 90-day extension to address the original radon flux notice of violation. As the violation is the subject of the dispute, a discussion of corrective actions will not be required until the results of our evaluation are communicated to you.

In accordance with 10 CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding," of the NRC's "Agency Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC's Public Document Room or from the Publicly Available Records (PARS) component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

A handwritten signature in black ink, appearing to read "Heather J. Gepford". The signature is fluid and cursive, with a large, sweeping loop at the end.

Heather J. Gepford, Ph.D., CHP, Chief
Materials Licensing & Decommissioning Branch
Division of Nuclear Materials Safety

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

cc:

M. Hunter, New Mexico Environmental Dept.
S. Rodriguez, New Mexico Environmental Dept.
B. Tsosie, U.S. Department of Energy

HOMESTAKE MINING COMPANY OF CALIFORNIA – ACKNOWLEDGMENT OF RESPONSE
 TO NRC INSPECTION REPORT 040-08903/2016-001 AND DISPUTED NOTICE OF
 VIOLATION DATED – JUNE 4, 2020

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ADAMS ACCESSION NUMBER: ML20156A408

<input checked="" type="checkbox"/> SUNSI Review By: HJG	ADAMS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Sensitive <input checked="" type="checkbox"/> Non-Sensitive	<input type="checkbox"/> Non-Publicly Available <input checked="" type="checkbox"/> Publicly Available	Keyword NRC-002
OFFICE	C:ACES	C:MLDB		
NAME	JRGroom	HJGepford		
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DATE	6/4/2020	6/4/2020		

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