



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

July 14, 2021

EA-16-114

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

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION, APPROVAL OF PERFORMANCE-BASED LICENSE CONDITION FOR THE HOMESTAKE MINING COMPANY OF CALIFORNIA, GRANTS RECLAMATION PROJECT, AMENDMENT 57 TO MATERIALS LICENSE SUA-1471, EA-16-114, DOCKET NUMBER 040-08903

Dear Mr. Bingham:

Enclosed, please find the U.S. Nuclear Regulatory Commission (NRC) Safety Evaluation Report for the Homestake Mining Company of California (HMC) request for amendment to license No. SUA-1471 regarding a proposed performance-based license condition incorporating a Safety and Environmental Review Panel (SERP) at the Homestake Grants Reclamation Project. Also enclosed is Amendment 57 to Source Materials License SUA-1471, which revises License Condition (LC) 16 and LC 42 to incorporate this performance-based license condition and revises LC 10 to add a reference to a table that was inadvertently removed from the license in a past license amendment.

The need for an amendment request for the use of the SERP was identified in HMC's self-assessment dated August 31, 2020,<sup>1</sup> in response to NRC Confirmatory Order EA-14-116,<sup>2</sup> conditions 3 and 4. Recommendation 6 and 8 of the NRC audit of the HMC self-assessment indicated HMC should submit a license amendment requesting a change to License Condition 16 to a performance-based license condition that incorporates a SERP.<sup>3</sup> By letter dated August 12, 2020,<sup>4</sup> HMC submitted a license amendment application to the NRC staff for review and approval. Specifically, HMC is proposing to add performance-based licensing into its licensing basis by allowing the use of a SERP. HMC is requesting that LC 16 and LC 42 be amended by

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<sup>1</sup> Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML18248A265.

<sup>2</sup> ADAMS Package Accession No. ML17060A752.

<sup>3</sup> ADAMS Accession No. ML19120A145.

<sup>4</sup> ADAMS Package Accession No. ML20225A280.

adding language allowing the use of a SERP. The NRC staff reviewed the proposed language to be added license SUA-1471 by HMC and finds it acceptable.

Based on the NRC staff's review as noted above, Source Materials License SUA-1471 is amended by revising LC 16 and LC 42 to incorporate HMC's performance-based license condition and the ability to use a SERP. In addition, LC 10 was revised to add a reference Table 3 that was inadvertently removed from the license as part of Amendment 31.<sup>5</sup> All other conditions of the license remain the same. The aforementioned modifications to LC 10, LC 16 and LC 42 are provided as Amendment No. 57 to Source Materials License SUA-1471 (enclosed).

This licensing action meets the categorical exclusion provision for administrative changes in 10 CFR Part 51.22(c)(11). Therefore, no further environmental review is required for this action.

HMC agreed to these changes in an e-mail dated June 8, 2021.<sup>6</sup>

In accordance with 10 CFR 2.390 of the 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 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>.

If you have any questions regarding this letter or the enclosures, please contact Mr. Ron C. Linton at (301) 415-7777 or by e-mail to [ron.linton@nrc.gov](mailto:ron.linton@nrc.gov).

Sincerely,



Signed by Von Till, Randolph  
on 07/14/21

Bill Von Till, Chief  
Uranium Recovery and Materials  
Decommissioning Branch  
Division of Decommissioning, Uranium Recovery  
and Waste Programs  
Office of Nuclear Materials Safety  
and Safeguards

Docket No.: 04008903  
License No.: SUA-1471

Enclosures:

1. Safety Evaluation Report

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<sup>5</sup> ADAMS Accession No. ML080030065.

<sup>6</sup> ADAMS Accession No. ML21159A204.

2. License Amendment No. 57

cc: K. Vollbrecht (NMED) (via ListServ)  
C. Burrus (OSE) (via ListServ)  
M. Purcell (EPA) (via ListServ)  
B. Tsosie (DOE) (via ListServ)  
Homestake Listserv

Homestake Mining Company - Approval of Performance-Based License Condition, License Amendment 57, Materials License SUA-1471 DATE July 14, 2021

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**ADAMS Accession No.: ML21155A082; Ltr ML21155A088**

**\* via email**

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