



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

September 30, 2021

EA-16-114

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

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION RESPONSE TO THE
HOMESTAKE MINING COMPANY OF CALIFORNIA RESPONSE DATED
SEPTEMBER 18, 2020, CONCERNING THE AUDIT OF THE "COLLECTION FOR
RE-INJECTION MASS BALANCE/ REMOVAL ANALYSIS" REPORT,
CONFIRMATORY ORDER, EA-16-114, CONDITION 8, DOCKET 04008903,
LICENSE SUA-1471

Dear Mr. Bingham:

On March 28, 2017, the U.S. Nuclear Regulatory Commission (NRC) issued Confirmatory Order EA-16-114 (CO)¹ to the Homestake Mining Company of California (HMC, or the licensee). In accordance with Condition 8 of the CO, HMC submitted a report entitled "Collection for the Re-Injection Mass Balance/Removal Analysis" along with a cover letter dated July 26, 2017.² Subsequently, NRC staff conducted an audit of HMC's July 26, 2017, report and provided results of the audit, including recommendations, in letter dated October 29, 2019.³ In a letter dated September 18, 2020,⁴ HMC provided a response to NRC staff's recommendations resulting from the NRC audit.

Separately, on November 13, 2020, HMC submitted a letter regarding a revised groundwater corrective action program (GCAP)⁵ as required by Condition 6 of the CO. Additionally, the November 13, 2020, letter indicated HMC's intent to submit an Alternate Concentration Limit (ACL) application in the second quarter of 2021. In a letter dated July 29, 2021, HMC revised the date they intend to submit an ACL application to December 23, 2021.⁶

The NRC staff anticipates that groundwater modeling that will be presented in the ACL application will supersede (1) the November 13, 2020 GCAP, and (2) the information provided in HMC's July 26, 2017, and September 18, 2020, letters.

¹ Agencywide Documents Access and Management System (ADAMS) Accession No. ML17061A455.

² ADAMS Package Accession No. ML17212A010.

³ ADAMS Accession No. ML19221B533.

⁴ ADAMS Accession No. ML20262H284.

⁵ ADAMS Package Accession No. ML20358A192.

⁶ ADAMS Accession No. ML21210A163.

Via NRC letters dated April 30, 2021,⁷ and August 24, 2021,⁸ NRC suspended review of the GCAP submittal, pending NRC review of the ACL application. Therefore, NRC is also suspending staff's review of HMC's September 18, 2020, letter regarding HMC's condition 8 responses pending NRC review of the ACL application. If an ACL application is not submitted, or cannot be approved by the NRC, NRC will resume review of the September 18, 2020, responses.

In accordance with Title 10 of the *Code of Federal Regulations* Part 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 ADAMS. ADAMS is accessible from the NRC Web site at <https://www.nrc.gov/reading-rm/adams.html>.

If you have any questions regarding this review, please contact me at (301) 415-7777 or by e-mail to Ron.Linton@nrc.gov.

Sincerely,



Signed by Linton, Ron
on 09/30/21

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

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

cc: Homestake ListServ

⁷ ADAMS Accession No. ML21112A051.

⁸ ADAMS Accession No. ML21221A017.

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ADAMS Accession No.: ML21270A024

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