

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

Michael M. Gibson, Chair  
G. Paul Bollwerk, III  
Dr. Sue H. Abreu

In the Matter of:

HOMESTAKE MINING COMPANY OF  
CALIFORNIA

(Denial of License Amendment Request)

Docket No. 40-8903-LA

ASLBP No. 23-980-03-LA-BD01

September 26, 2023

ORDER

(Notice of Hearing)

This proceeding concerns the Nuclear Regulatory Commission (NRC) Staff's August 15, 2023 denial of Homestake Mining Company of California's (HMC) December 10, 2020, license amendment application to make changes to the monitoring station configuration at HMC's Grants, New Mexico reclamation project site.<sup>1</sup> On September 5, 2023, HMC filed a hearing demand challenging the denial of its license amendment application.<sup>2</sup> On September 20, 2023, the Board held a status conference with the parties to discuss matters relating to this 10 C.F.R. Part 2, Subpart L proceeding.<sup>3</sup> At this status conference, the NRC Staff indicated that it did not

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<sup>1</sup> See Letter from Jane Marshall, Division Director, Office of Nuclear Material Safety and Safeguards, NRC, to Brad R. Bingham, Closure Manager, HMC (Aug. 15, 2023) (ADAMS Accession No. ML23186A150); Letter from Brad. R. Bingham, Closure Manager, HMC, to NRC Document Control Desk (Dec. 18, 2020) (ADAMS Accession No. ML20356A288).

<sup>2</sup> See [HMC]'s Demand for Hearing on the NRC Staff's Denial of the License Amendment Request to Change the Background Monitoring Location for Radon and Ambient Gamma Radiation for Source Materials License No. SUA-1471 (Sept. 5, 2023).

<sup>3</sup> See Tr. at 3.

oppose HMC's hearing demand.<sup>4</sup> Thus, on September 25, 2023, the Board granted HMC's hearing demand.<sup>5</sup>

In light of the foregoing, a hearing will be conducted in this proceeding at a date to be determined. The hearing will be governed by the informal hearing procedures set forth in 10 C.F.R. Part 2, Subparts C and L, 10 C.F.R. §§ 2.300–2.390, 2.1200–2.1213.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

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Michael M. Gibson, Chair  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
September 26, 2023

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<sup>4</sup> See *id.* at 4–5.

<sup>5</sup> See Licensing Board Order (Granting Hearing Demand; Deferring Scheduling Conference) (Sept. 25, 2023) (unpublished).

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Notice of Hearing)** have been served upon the following persons by Electronic Information Exchange.

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HOMESTAKE MINING COMPANY OF CALIFORNIA – Docket No. 40-8903-LA  
**ORDER (Notice of Hearing)**

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Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 26<sup>th</sup> day of September 2023