



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

March 28, 2024

EA-16-114

Brad Bingham, Closure Manager
Homestake Mining Company of California
P.O. Box 98, Hwy 605
Grants, NM 87020

SUBJECT: HOMESTAKE MINING COMPANY OF CALIFORNIA - NRC INSPECTION
REPORT 040-08903/2024-001

Dear Brad Bingham:

This letter refers to the U.S. Nuclear Regulatory Commission (NRC) team inspection conducted from February 26-28, 2024, at the Grants Reclamation Project in Cibola County, New Mexico. This inspection was an examination of activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of tours of the site, examinations of selected procedures and representative records, independent measurements of site radiation levels, and interviews with personnel.

The results of the inspection were presented to you and your staff at the conclusion of the onsite inspection on February 28, 2024. The enclosed report presents the results of the team inspection. No violations were identified, and no response to this letter is required.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, its enclosure, and your response if you choose to provide one will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy or proprietary information so that it can be made available to the public without redaction.

Should you have any questions concerning this inspection, please contact Dr. Robert Evans at 817-200-1234 or the undersigned at 817-200-1249.

Sincerely,



Signed by Warnick, Gregory
on 03/28/24

Gregory G. Warnick, Chief
Decommissioning, ISFSI and Operating
Reactor Branch
Division of Radiological Safety and Security

Docket No. 040-08903

License No. SUA-1471

Enclosure:

NRC Inspection Report 040-08903/2024-001

cc w/enclosure:

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 040-08903/2024-001 - DATED MARCH 28, 2024

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DOCUMENT NAME: HOMESTAKE MINING COMPANY OF CALIFORNIA - NRC INSPECTION REPORT
 40-08903/2024-001

ADAMS ACCESSION NUMBER: **ML24068S258**

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**U.S. NUCLEAR REGULATORY COMMISSION
Region IV**

Docket No.: 040-08903

License No.: SUA-1471

Report No.: 040-08903/2024-001

Licensee: Homestake Mining Company of California

Facility: Grants Reclamation Project

Location: Cibola County, New Mexico

Dates: February 26-28, 2024

Inspectors: Robert J. Evans, Senior Health Physicist
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Division of Radiological Safety and Security
Region IV

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Region IV

Approved by: Gregory G. Warnick, Chief
Decommissioning, ISFSI, and Operating Reactor Branch
Division of Radiological Safety and Security
Region IV

Attachment: Supplemental Inspection Information

Enclosure

EXECUTIVE SUMMARY

Homestake Mining Company of California
NRC Inspection Report 040-08903/2024-001

This inspection was a routine, announced U.S. Nuclear Regulatory Commission (NRC) team inspection of decommissioning activities being conducted at the Grants Reclamation Project, Homestake Mining Company's former mill in Cibola County, New Mexico. In summary, the licensee was conducting decommissioning activities in accordance with license and regulatory requirements.

Observation of Decommissioning Activities

- The licensee established and implemented procedures for controlling site activities. The inspectors specifically noted the changes to the continuous air sampler maintenance procedure that were implemented in response to a previously cited violation. Site radiation exposure rates were generally low across the site. (Section 1.2)

Occupational Radiation Protection

- The licensee's staff continued to conduct radiation protection training as required by the license and site procedures. The licensee's staff also conducted safety meetings, which was observed to be a good practice. (Section 2.2)

Security and Control of Radioactive Materials

- The licensee continued to maintain security and control of licensed material in accordance with regulatory requirements. Management of site structures and land areas was being maintained through daily observation and physical controls. (Section 3.2)

Waste Generation, Storage and Transportation

- The licensee was maintaining the evaporation ponds and conducting site burials in compliance with license and procedural requirements. (Section 4.2)

Public Dose, Effluent Releases, and Environmental Monitoring

- One previously identified violation involving continuous particulate air sampling was closed based on the corrective actions taken by the licensee since the last inspection. The licensee continued to implement the groundwater corrective action and groundwater monitoring programs as required by the license. (Section 5.2)

Management Organization and Control

- The licensee approved one change to their groundwater corrective action program since the previous inspection involving the cessation of fresh water from a local aquifer. The inspectors did not identify any detrimental safety or environmental impacts from discontinuing use of fresh water. (Section 6.2)

Follow-up of Confirmatory Action Letters or Orders

- The inspectors reviewed the status of Confirmatory Order EA-16-114. Order Conditions 1, 2, 3, 8, 9, 11, 13, 14, and 15 were previously evaluated and were determined to be satisfied. Order Conditions 4, 7, 10 and 12 were previously evaluated and determined to be satisfied but may have future actions, thus, these conditions are subject to review in future inspections. During this inspection, Order Conditions 7, 10 and 12 were reviewed and continue to be satisfied but have future actions and may be subject to review during future inspections. In addition, Order Conditions 5, 6, and 16 remain open. (Section 7.2)

Report Details

Site Status

The Homestake Mining facility was a conventional uranium mill that operated from 1958-1990. Tailings generated from milling operations were placed in two onsite impoundments, the large tailings pile (LTP) and the small tailings pile (STP). The mill was decommissioned in 1993-1994, and cleanup of wind-blown tailings was completed in 1995. The side slopes of the LTP have been covered with the final radon barrier and erosion protection layer. An interim cover is being maintained on top of the LTP.

Site features include three evaporation ponds and two collection ponds. Evaporation pond EP-1 was dry during the inspection, while ponds EP-2 and EP-3 were in service. Since the previous inspection, conducted in September 2023 (Agencywide Documents Access and Management System Accession No. ML23297A270), the licensee added soil on the embankments of pond EP-1, installed access roads within the pond, and removed the enhanced evaporation units from the pond. This work started in the summer of 2023 and was completed by December 2023.

At the time of the inspection, the licensee continued to implement its ground water corrective action program (GCAP). The licensee continued to use fresh water from the San Andres Glorieta (SAG) aquifer to supplement the reverse osmosis (RO) system discharge to the injection wells associated with the GCAP. The licensee previously decommissioned the zeolite water cleanup system due to problems associated with algae growth within the zeolite beds. The corrective action program systems were operating at levels consistent with the evaporative capacity of the two operating evaporation ponds. The licensee decreased the use of SAG water in the corrective action program, which subsequently decreased the groundwater treatment rate.

The licensee has not abandoned any wells in 2024. Although, plugging and abandonment plans have been submitted for 40 wells to the New Mexico Office of the State Engineer. These wells are in neighborhoods south of the site and were formerly privately-owned wells on properties that are now owned by the licensee.

By correspondence dated July 28, 2023 (ML23222A171), the licensee submitted a license amendment request to the NRC for the LTP evapotranspiration cover design. The NRC notified the licensee by correspondence dated October 18, 2023 (ML23283A044) that it had completed the acceptance review of the application. If the application is subsequently approved by the NRC, the licensee plans to construct the final cover on the LTP using the design specified in this application package.

1 Observation of Decommissioning Activities (Inspection Procedure 87654)

1.1 Inspection Scope

Observe several work activities to verify written procedures, license commitments, and regulatory requirements are being followed.

1.2 Observations and Findings

License Condition 23 states, in part, that standard procedures shall be established for all activities involving radioactive materials that are handled, processed, or stored. The inspectors conducted a detailed walkdown with licensee staff of several operating

procedures to ensure that site activities were being conducted in accordance with approved site procedures.

The inspectors walked down the RO system and supporting equipment using the instructions provided in the licensee's standard operating procedure SOP-4, "Reverse Osmosis Operations Monitoring," revision 4. Although the licensee's experienced staff were able to complete the required tasks specified in SOP-4, the inspectors noted that SOP-4 was not written in a manner to allow for newer staff, or staff who seldomly perform the job, to complete the tasks solely by using the SOP. The licensee acknowledged that the procedure should be updated accordingly. System parameters (flows, pressures, etc.) were noted by the inspectors to be in accordance with procedural and design requirements.

The inspectors also reviewed and walked down procedure SOP-29, "Procedure for Pebble Box Cleaning and Lime Plant Maintenance," revision 2. The procedure provided sufficient instructions for cleaning the pebble box, but the procedure had a conflict with another procedure related to how many times a day the pebble box needed to be cleaned. The licensee acknowledged the need to resolve the discrepancy between the two procedures.

Additionally, the inspectors observed site personnel performing procedure SOP-15, "Post-Treatment Tank (SP-2) Water Sampling, Analysis and Reporting Requirements," revision 6. The personnel followed the instructions provided in the procedure and were knowledgeable about the equipment they were operating and/or samples they were collecting. No significant findings were identified.

Finally, the inspectors toured the site and observed selected airborne particulate "hi-vol" and radon sampling stations. The samplers were found to be in good working order and in the appropriate locations as specified in site drawings. The inspectors reviewed procedure SOP-20, "Environmental Monitoring Program Except Groundwater (EM-2)," revision 21, specifically part 2.F, "Air Sampler Maintenance and Calibrations," where the inspectors noted changes to ensure compliance with License Condition 10 for continuous air particulate monitoring. The inspectors noted the procedural requirement to only switch out one air particulate sampler for maintenance/calibration at a time, staggering of maintenance/calibration, and having two spare air particulate sampling units with readily available spare parts. These changes were implemented in response to a previously cited violation (see Section 5.2.a below).

The inspectors conducted independent radiological surveys during site tours using a RadEye G survey meter (serial number 13421, calibration due date of 8/11/24). The background values ranged from 12-15 microrem per hour ($\mu\text{R/hr}$). The top of the LTP ranged from 20-30 $\mu\text{R/hr}$, depending on location. The top of the LTP has an interim cover pending construction of the final cover. The RO building, the location where groundwater cleanup equipment is located, ranged from 10-20 $\mu\text{R/hr}$. The northeastern corner of the evaporation pond EP-1 ranged from 10-20 $\mu\text{R/hr}$. During previous inspections, this location was identified as the location with the highest onsite exposure rates, but these exposure rates were noted to be significantly lower due to the recent addition of cover soil on the embankments of the pond. The highest exposure rate was identified on the road near the STP trash pits, ranging from 15-34 $\mu\text{R/hr}$. No area was identified that met the definition of a radiation area (5,000 $\mu\text{R/hr}$).

1.3 Conclusions

The licensee established and implemented procedures for controlling site activities. The inspectors specifically noted the changes to the continuous air sampler maintenance procedure that were implemented in response to a previously cited violation. Site radiation exposure rates were generally low across the site.

2 Occupational Radiation Protection

2.1 Inspection Scope

Assess trends in radiation protection performance and verify that the licensee implemented its radiation protection program in accordance with license commitments, procedures, and regulatory requirements.

2.2 Observations and Findings

The inspectors reviewed records for radiation protection and safety training conducted since the previous inspection. Annual refresher training was conducted by the radiation safety officer and alternate radiation safety officer for all employees and contractors in December 2023. The inspectors verified that radiation protection training had been conducted in accordance with license and procedural requirements.

Weekly safety meetings were conducted by the alternate radiation safety officer and attended by available staff. The meetings covered radiation, occupational, or environmental safety topics. Two safety meetings were presented by other staff or entities. The inspectors reviewed the 23 safety meetings topics and sign-in sheets for meetings conducted since the last inspection. The NRC staff determined these weekly safety meetings were not required but were a good practice.

2.3 Conclusions

The licensee's staff continued to conduct radiation protection training as required by the license and site procedures. The licensee's staff also conducted safety meetings, which was observed to be a good practice.

3 Security and Control of Radioactive Material (Inspection Procedure 87654)

3.1 Inspection Scope

Observe the licensee's security and control of radioactive material to verify compliance with license and regulatory requirements.

3.2 Observations and Findings

During site tours, the inspectors observed the status of site security, in part, to confirm compliance with 10 CFR 20.1801 and 1802 requirements. Site fences, gates, and perimeter postings were being maintained. Licensee staff conducted daily routine site tours, in part, to ensure that gates were closed, and fences were in good condition. The inspectors noted that the perimeter gates and fences were posted with the appropriate

caution signs. The licensee also maintained control over site structures with the use of security cameras and alarms.

3.3 Conclusions

The licensee continued to maintain security and control of licensed material in accordance with regulatory requirements. Management of site structures and land areas was being maintained through daily observation and physical controls.

4 Waste Generation, Storage, and Transportation (Inspection Procedure 87654)

4.1 Inspection Scope

Observe site features to ensure that the licensee was managing wastes in accordance with license and procedural requirements. Since the licensee had not recently shipped radioactive wastes, this program area was not reviewed.

4.2 Observations and Findings

a. Status of Evaporation Ponds

The inspectors observed the status of evaporation pond EP-1. Since the September 2023 inspection (ML23297A270), the licensee installed at least six inches of borrow material on the slopes of the pond to protect the liner from further degradation. The licensee also installed access roads (causeways) to allow for removal of the enhanced evaporation units located in the pond, to allow for refurbishment of the units. This work was conducted under the licensee-approved Safety and Environmental Review Panel (SERP), "EP1 Liner Interim Cover and Enhanced Evaporation Unit Utilization," dated June 13, 2023. The work appeared to be of sufficient quality, and no significant rilling or erosion was noted on the side slopes.

During the inspection, the surface of pond EP-1 was dry, and the pond contained residual lime material over evaporative salts. The inspectors questioned whether the lime material was a radiological hazard since it was susceptible to being blown out of the pond on windy days. The licensee's representatives stated that they had conducted radiological surveys and concluded that the radiation level of the lime material was only slightly above background levels. In addition, the licensee's representatives indicated that they planned to collect samples of the material for analysis. The inspectors reviewed recent particulate air sampling results from nearby sampling stations. The results indicate no increases in radioactivity levels after completion of the construction work on EP-1.

At the time of this inspection, the licensee's staff had not determined if they will resume the pumping water from EP-2 to EP-1. Based on the current treatment rate with reduced SAG water usage, the evaporative capacity of the site should not be exceeded. The licensee explained that the evaporators can be refurbished and restored in EP-1, so that EP-2 water can be pumped to and evaporated in EP-1. This effort, if needed, will help keep the salts at the bottom of EP-1 wet, allow for increased site-wide evaporation, and minimize risk of leakage from EP-1.

License Condition 36B states, in part, that reclamation shall be completed as expeditiously as is reasonably achievable. Dating back to 2012, the evaporative capacity of the site ranged from 153 gallons per minute (gpm) to 225 gpm with all three evaporation ponds in service. Without the use of EP-1, the current evaporative capacity of the site is approximately two-thirds of the previous capacity (i.e., approximately 100 to 150 gpm). The groundwater treatment capacity at the site decreased commensurately to approximately 420 gpm, as the RO operates at approximately 75% efficiency (i.e., approximately 105 gpm of brine goes to the evaporation ponds).

At the time of the inspection, the site was treating groundwater at a rate of 470 gpm, as this is the minimum flow rate for RO-3. The licensee plans to decrease the flow rate by using a different RO skid which operates at 300 gpm. Thus, on an annualized average, the licensee plans to implement a 420 gpm treatment rate. The NRC will continue to evaluate the licensee's groundwater treatment rate to verify that the site remains in compliance with License Condition 36B requirements.

b. Onsite Disposal of Wastes

Decommissioning-related wastes were being disposed in trash pits at the STP. Additional waste material, primarily piping and large components, were staged for disposal at the STP. These waste disposal and storage areas were located within the licensee's-controlled area.

The inspectors conducted a walkdown of standard operating procedure SOP-22, "Procedure for Onsite Disposal of Radiologically Impacted Wastes," revision 2. The procedure provided instructions for trash pit construction, operation, and closure. The inspectors observed trash pits 2024-P1 and 2022-P1 on the STP. Trash pit 2022-P1 was covered with soil and was no longer in use. At the time of the inspection, the licensee was using trash pit 2024-P1 and not actively disposing of material in the trash pit.

The inspectors reviewed the documentation for each distinct batch or lift of wastes that was placed in the trash pits. The inspectors reviewed four 2023 Trash Pit Disposal and Inventory Forms and EDF-5 Radiation Survey Forms dated with the date of disposal. The disposed material included lime wastes. The inspectors reviewed 22 additional burial forms for 2024. Most 2024 burials were for drill cuttings from the dual domain borehole project, one was for trash bags and pumps, and a few included RO plant wastes.

All forms reviewed contained the location of the trash pit used and photographs of the waste being buried, as required by the SOP. However, three of the forms included documentation errors. The individual who created the forms conducted the required surveys but documented the results using the wrong scaling factors. The errors were identified and corrected by the reviewer of the forms, and the individual that originally documented the measurements was retrained on survey meter use. This observation indicated that the licensee's staff was diligent in its review of completed survey records. In summary, the inspectors concluded that the licensee was conducting site burials in accordance with License Condition 10 and procedural requirements.

4.3 Conclusions

The licensee was maintaining the evaporation ponds and conducting site burials in compliance with license and procedural requirements.

5 Public Dose, Effluent Releases, and Environmental Monitoring (Inspection Procedure 87654)

5.1 Inspection Scope

Verify that the licensee is implementing the environmental monitoring program in accordance with license and regulatory requirements. Review the licensee's groundwater corrective action program to verify compliance with license and regulatory requirements.

5.2 Observations and Findings

a. (Closed) Violation 040-08903/2023-01-01: Failure to perform continuous air particulate monitoring

During the March 2023 inspection (ML23137A150), the NRC identified a violation involving the licensee's failure to conduct continuous air particulate monitoring at the seven sample stations in accordance with License Condition 10 and site procedures. In response, the licensee identified proposed corrective actions to prevent recurrence of the violation (ML23172A107). The corrective actions included procurement of a spare air sampler in case one of the operating samplers experienced a failure. The licensee received the spare sampler in April 2023, allowing it to restore compliance at that time.

Since April 2023, the licensee experienced an additional failure that prevented it from maintaining continuous air sampling. Due to the lack of spare parts for the second failure, the NRC left this violation open during the September 2023 inspection (ML23297A270).

Since the September 2023 inspection, the licensee ordered a second spare air sampler and other critical spare parts. The inspectors observed the two spare samplers and extra spare parts. Thus, the licensee should have sufficient spare parts and samplers if it experiences more than one failure at a time. The inspectors also noted that the licensee updated the operating procedure to include enhanced instructions for air sampler maintenance and calibrations, to ensure continuous air sampling at all seven locations.

b. Groundwater Monitoring and Corrective Action Program

During the inspection, the licensee continued to pump contaminated groundwater from both onsite and offsite collection wells as part of its approved GCAP. The offsite extraction wells consist of one well in the north offsite area and two wells in the south offsite area for plume containment. The bulk of the uranium mass removal was from onsite wells. The current combined well flow rate (onsite and offsite) was 470 gpm with 80-90 gpm coming from offsite wells and the remainder from onsite wells. The licensee stated that its planned target flowrate of 420 gpm, consisting of 350 gpm onsite and 70 gpm offsite, is based on the current evaporative capacity of operating evaporation ponds EP-2 and EP-3.

Fresh water from the SAG aquifer continued to be added to the injection flow at the post treatment tank. However, the licensee discussed that they have significantly decreased SAG water usage and are planning to eventually stop the addition of SAG water. To completely stop using SAG water, the licensee stated that they need to first address piping logistics (e.g., replumbing and addition of heat tape to avoid freezing pipes).

The licensee stated that contaminant concentrations in several of the S wells (i.e., western edge of the LTP) and B wells (i.e., southern edge of the LTP) have increased, which could be due to the decreased treatment rate in 2019 and 2020 or natural variability. The licensee stated that due to ongoing changes in collection and injection wells in that area, it is difficult to determine trends over short periods of time. NRC staff noted that increasing contaminant concentrations in these wells would be consistent with decreasing collection and injection of freshwater and the conceptual model of a secondary source term in the low permeability zones. If the low permeability zones are a significant source of contamination and if contaminant release from those zones is diffusion controlled, then lower pumping rates would result in increased concentrations. NRC staff will continue to monitor the licensee's corrective action program, including potential trends.

The licensee provided a presentation on water table elevation monitoring data as part of their GCAP. The licensee discussed that with the decrease in SAG water usage, they are currently collecting more alluvial groundwater than they are injecting. Accordingly, the water table elevation is expected to continue to decrease. Although the water table elevation has been dropping, the water table elevation measurements between the reversal well pairs (i.e., wells DZ-KZ, BA-B, S5-S2, SP-SO, and SM-SN) illustrate the maintenance of the hydraulic gradient reversal. NRC staff will continue to monitor groundwater monitoring data, including maintenance of the hydraulic barrier.

5.3 Conclusions

One previously identified violation involving continuous particulate air sampling was closed based on the corrective actions taken by the licensee since the last inspection. The licensee continued to implement the GCAP and groundwater monitoring program as required by the license.

6 Management Organization and Control (Inspection Procedure 87654)

6.1 Inspection Scope

Review facility changes, tests and experiments authorized by the Safety and Environmental Review Panel (SERP). Verify that the licensee has implemented the appropriate programs for management oversight and control of decommissioning activities.

6.2 Observations and Findings

License Condition 16 authorizes the licensee to make changes to their programs under the review of a SERP if certain conditions are met. The inspectors reviewed one SERP decision made since the previous inspection. The inspectors reviewed SERP Report, "Cessation of SAG Water Usage," dated September 26, 2023, which authorized the

proposed efforts to discontinue the use of water from the SAG. During the inspection, the licensee was still using SAG water as part of the GCAP.

The inspectors reviewed the basis for SAG water usage. The SERP referenced the approved Groundwater Corrective Action Plan dated September 15, 1989 (ML19327B633), modified by the RO system plan dated January 15, 1998 (ML20198Q589), and modified by the zeolite water treatment system plan dated December 11, 2017 (ML17361A007).

In the 1989 GCAP, the method of restoration consisted of collection wells to remove contaminated groundwater and the downgradient injection of freshwater to maintain a gradient reversal for plume control. In the 1998 document, the licensee stated:

The RO product water will be mixed with the San Andres (fresh water supply) water to meet the total injection rate and the injection concentrations.

In order to maintain desired groundwater gradient reversals for controlling movement of the contaminated plume, groundwater from an uncontaminated deeper aquifer (San Andres aquifer) is pumped and injected into the alluvial aquifer through a series of injection wells.

Pure RO product water, fresh water from the deep San Andres aquifer, or a mixture of the two sources of water may be used for this purpose.

In the GCAP, the licensee stated that the SAG water will be used or may be used as part of the GCAP. The intent of SAG water addition was to ensure that treated groundwater will meet the groundwater protection standards and that the hydraulic gradient reversal will be maintained. The licensee continued to monitor SP-2 to ensure that treated groundwater meets the site standards prior to injection and monitor the reversal well pairs to ensure that the hydraulic gradient reversal is maintained. The inspectors did not identify any safety or environmental impacts from this proposed action at this time.

6.3 Conclusions

The licensee approved one change to their GCAP since the previous inspection involving the cessation of fresh water from the SAG aquifer. The inspectors did not identify any detrimental safety or environmental impacts from discontinuing use of fresh water.

7 Follow-up of Confirmatory Action Letters or Orders (Inspection Procedure 92703)

7.1 Inspection Scope

On March 28, 2017, the licensee agreed to, and was issued, Order EA-16-114 (ML17060A752) as a result of alternative dispute resolution mediation. Section V of the Order includes 16 conditions with actions the licensee was required to implement. The NRC reviewed the status of the Order Conditions during this inspection. The Order requirements are referenced in License Condition 44.

7.2 Observations and Findings

a. Condition 5

Condition 5 of the Order, requires, in part, that any changes or additions to the license or procedures resulting from this Order will be submitted to the NRC as a license amendment request for NRC approval or an update to the appropriate licensee procedure after notification to the NRC. The licensee's requirement to submit a revised GCAP is contained in Condition 6.

By letter dated September 13, 2023 (ML23233A105), the NRC relaxed Confirmatory Order Condition 6 to allow for the submittal of a crosswalk, in lieu of a revised GCAP submittal. The letter established a deadline of March 29, 2024, for submittal of the crosswalk. Condition 5 of the Order will remain open until the NRC has reviewed the licensee's crosswalk submittal.

b. Condition 6

Condition 6 of the Order requires, in part, the licensee to submit a revised GCAP to the NRC by the end of calendar year 2018, including amendments to the license approved by that date. By letter dated September 13, 2023 (ML23233A105), the NRC relaxed Confirmatory Order Condition 6 to allow the submittal of a crosswalk, in lieu of a revised GCAP submittal. The letter established a deadline of March 29, 2024, for the crosswalk submittal. Condition 6 of the Order will remain open until the NRC has reviewed the licensee's crosswalk submittal.

c. Condition 7

Condition 7 of the Order requires, in part, that the licensee conduct annual refresher training for all individuals (employees and vendors, commensurate with their duties) engaged in licensed activities. Section (a) of this condition required initial and annual training to address awareness and understanding of regulatory and license requirements, including but not limited to informing licensee employees of the jurisdiction of the NRC, the U.S. Environmental Protection Agency, and the New Mexico Environment Department over the Grants Reclamation Project. Section (b) of this condition required the licensee to maintain documentation for each training session conducted.

The inspectors reviewed the status of the licensee's training program under this condition. The licensee conducted Regulatory Framework training as part of its Health, Safety and Environmental Orientation training given annually to licensee employees. This training was provided and documented on December 12, 2023. The NRC determined that the licensee continues to comply with the requirements of Condition 7.

d. Condition 10

Condition 10 of the Order requires that in the event of a future non-compliance related to the groundwater protection standards, the licensee will perform a similar assessment of the impacts of the non-compliance. The licensee will report the incident to the NRC in accordance with License Condition 40 within 30 days of receipt of initial and confirmatory laboratory results. Order Condition 10 is determined to be satisfied but has ongoing actions and may be subject to future inspections. The licensee reported no exceedances since the last inspection and therefore did not need to perform a similar assessment.

The NRC determined that the licensee continues to comply with the requirements of Condition 10.

e. Condition 12

Condition 12 of the Order requires that the licensee develop written procedures to ensure that the licensee will sample all required composite samples from Sample Point 2 (SP2) monthly and will report the results of those sample results in the semi-annual and annual reports required by License Conditions 15 and 42.

The licensee uses written procedure SOP-15 for Post-Treatment Tank Water Sampling, Analysis and Reporting Requirements. The procedure outlines the monthly and weekly sampling process and reporting requirements. The licensee did not have any exceedances for SP-2 since the last inspection as noted in the draft semi-annual report. The NRC determined that the licensee continues to comply with the requirements of Condition 12.

f. Condition 16

Condition 16 of the Order requires the licensee to provide an integrated table that sets forth all actions taken pursuant to the Order. An updated integrated table will be provided semi-annually, until all license and procedure changes under the Order are completed. The last two integrated tables were provided to the NRC by letters dated April 6, 2023 (ML23101A079), and October 31, 2023 (ML23304A251). Condition 16 of the Order will remain open until all license and procedure changes under the Order are satisfied.

7.3 Conclusions

The inspectors reviewed the status of Confirmatory Order EA-16-114. Order Conditions 1, 2, 3, 8, 9, 11, 13, 14, and 15 were previously evaluated and were determined to be satisfied. Order Conditions 4, 7, 10, and 12 were previously evaluated and determined to be satisfied but may have future actions, thus, these conditions are subject to review in future inspections. During this inspection, Order Conditions 7, 10 and 12 were reviewed and continue to be satisfied but have future actions and may be subject to review during future inspections. In addition, Order Conditions 5, 6, and 16 remain open.

8 Exit Meeting Summary

The inspectors presented the inspection results to the licensee's representatives at the conclusion of the onsite inspection on February 28, 2024. During the inspection, the licensee did not identify any information reviewed by the inspectors as proprietary.

SUPPLEMENTAL INSPECTION INFORMATION

Partial List of Persons Contacted

Licensee

A. Arguello, Hydrologist
B. Bingham, Closure Manager
E. Burch, Project Manager
C. Farr, Radiological Support, Environmental Restoration Group, Inc.
B. Fox, Environmental Specialist
D. Lattin, Program Manager, Barrick
K. Martinez, Alternate Radiation Safety Officer

New Mexico Environment Department

A. Maurer, Water Resource Manager
A. Rheubottom, Water Resource Professional III

U.S. Department of Energy

J. Graham, UMTRCA Title II Site Lead/Scientist

U.S. Environmental Protection Agency

S. Appaji, Remedial Project Manager, Region 6

Inspection Procedures (IPs) Used

IP 87654	Uranium Mill, In-Situ Recovery, and 11e.(2) Byproduct Material Disposal Site Decommissioning Inspection
IP 92703	Follow-up of Confirmatory Action Letters or Orders

Items Opened, Closed and Discussed

Opened

None

Closed

040-08903/2023-01-01	VIO	Failure to perform continuous air particulate monitoring
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Discussed

None

List of Acronyms Used

ADAMS	Agencywide Documents Access and Management System
CFR	Code of Federal Regulations
CO	Confirmatory Order
EA	Enforcement Action
EP	evaporation pond
GCAP	Groundwater Corrective Action Program
gpm	gallons per minute
IP	Inspection Procedures
LTP	large tailings pile
μR/hr	micro-rem per hour
NRC	U.S. Nuclear Regulatory Commission
SERP	Safety and Environmental Review Panel
SOP	standard operating procedure
STP	small tailings pile
VIO	violation