

October 31, 2005

## MEETING REPORT

TO: Gary Janosko, Chief  
Fuel Cycle Facilities Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

FROM: William von Till /RA/  
Uranium Processing Section  
Fuel Cycle Facilities Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

DATE: October 20, 2005

TIME: 6:00 pm

PLACE: Cibola County Building, Grants, New Mexico

PURPOSE: Discussion of a Proposal to Revise Groundwater Background Values at the Homestake Uranium Mill and Tailings Site Grants, New Mexico.

### DISCUSSION:

By letter dated July 18, 2005, the Murray Acres Community Association requested a public meeting to discuss a proposed licensing action for the Homestake site. Homestake had requested to revise their background groundwater quality standards based on additional data.

The U.S. Nuclear Regulatory Commission (NRC) held the meeting at 6:00 pm on October 20, 2005 in the Cibola County building located in Grants, New Mexico. The meeting was publicly noticed on October 3, 2005, and ads were placed in The Cibola County Beacon, and The Grants Edition Daily to give residents further notice. William von Till, the project manager, and Chip Cameron, facilitator, were present for the NRC. In addition, staff from the U.S. Environmental Protection Agency (EPA), and the New Mexico Environmental Department (NMED) were also present and participated in presentations and answering questions. This public meeting was led by EPA Region 6 with participation from the NRC, and State of New Mexico. The agenda can be found as Enclosure 1. The slide presentation will be added to the docket at a later date.

Approximately 50 members of the public were present.

Following the agenda, the NRC, Homestake, and NMED staff made short presentations then used the majority of the meeting for questions and comments.

#### PUBLIC COMMENTS:

Public comments were many, and focused on the following major topics:

1. Many members of the public were concerned that the NRC, EPA, and NMED's definition of background water quality allowed Homestake to consider other sources of contamination into the background calculation. Background groundwater quality is defined by the NRC as:

"Background water quality is defined as the chemical quality of water that would be expected at a site if contamination had not occurred from the uranium milling operation." (Page 4-12 NUREG 1620)

Members of the public were concerned that the calculations resulted in the standards being higher numbers. The NRC explained that, for the alluvial aquifer, Homestake used nine wells to calculate the background values over a period of ten years as opposed to the original calculation of three samples for one well. The NRC further explained that using groundwater quality data from nine wells over ten years has a much better scientific basis and more accurately represents background water quality than data from one well and three samples.

2. Members of the public were concerned that they may be using contaminated water. The NRC and NMED stated that a program was implemented to survey, and test water wells in the community to determine if anyone was being exposed to contaminated water as a result of mill operations. An alternate water supply was installed, and a settlement agreement occurred in the 1980s in order to prevent exposure to contaminated water. Since that time, however, some residents may have drilled new wells in the area. The NRC, EPA, and NMED initiated a program to determine the extent of new wells and to implement a testing program. Water samples were collected by the EPA and NMED in September. The results have not been determined at the time of this Memo.
3. Residents were concerned about other sources of contamination from historic mining operations. The NRC stated that they have no regulatory authority over mining, and referred the question to NMED. NMED stated that they are aware of the problem, that mining contamination is a State-wide problem, and that no resources were currently in place to properly investigate the situation.
4. Some residents wondered why samples used for background were not taken in the Rio San Jose and Lobo Creek alluvial aquifer. The NRC and NMED stated that these two aquifers were not upgradient from the mill site, and that the San Mateo was the proper aquifer to be used for calculations. The NRC and NMED evaluated data submitted by one of the residents, however, the samples were not upgradient from the site or were not in the alluvial aquifer.

5. A resident was concerned that their children were sick, and that they thought it could be due to the water they drank from the well. The NRC and NMED stated that a sampling program was initiated to determine if any residents were using well water contaminated by the mill and that action would be taken if it was determined that well water was being used for drinking water that has been contaminated by the mill. Results have not been received by the NRC at the time of this Memo of water well testing. The NRC stated that their number one priority was to make sure that no one was drinking contaminated water as a result of mill operations. This is the reason the NRC, EPA, and NMED implemented their water well survey and sampling program. On October 27, 2005, the NRC received data from the well of the resident that was concerned that their children may be sick due to the water they drink from their well. According to the analysis, uranium concentrations are below the EPA Safe Drinking Water Act Maximum Concentration Limit of 0.03 mg/L. In addition, other metals such as selenium, arsenic, lead, silver, copper, vanadium, and other radionuclides such as thorium and radium 226 and 228 are all below the EPA Safe Drinking Water Act Maximum Concentration Limits.
6. A reporter asked questions about the price of uranium increasing and that new in-situ leach uranium facilities may come into the area. The NRC stated that they had not received any additional applications for ISL facilities in New Mexico and the only license is for the Hydro Resources facility, however, due to the increase in the price of uranium, companies may have interests in future uranium mining in the region.
7. Other questions centered on remediation efforts at the site that included the following:  
Why is it taking so long to clean up the groundwater? What progress has been made? Will the contamination ever be cleaned up? Why wasn't more done in the 1970s?  
  
The NRC stated that the licensee is required to clean up groundwater to the standards in the license before they can terminate the license; it takes a long time to remediate groundwater contamination in multiple aquifers; that the licensee has recently made improvements in groundwater recovery by adding an additional treatment building; and that federal regulations were not in place until 1978.
8. Other questions focused on reclamation of the tailings impoundments and site closure. The NRC and Homestake explained the reclamation process and that the current milestone is for the reclamation to be completed by 2014. However, this date depends on the progress of groundwater remediation and may be adjusted accordingly.

9. Residents were concerned that their property values were affected by the contamination and some residents said they were unaware of the problem when they recently moved to the area. The NRC does not have the authority to control real estate sales in the County and currently there are no institutional controls in place to stop residents from drilling new wells. The regulatory agencies will look into additional methods to avoid future exposure to groundwater contamination from the mill. The sampling program and public outreach that has occurred are two ways the agencies have used to inform residents of the situation, to identify potential exposure, and take action to protect human health.

Docket 40-8903  
License SUA-1471

Enclosure: Meeting agenda

October 31, 2005

9. Residents were concerned that their property values were affected by the contamination and some residents said they were unaware of the problem when they recently moved to the area. The NRC does not have the authority to control real estate sales in the County and currently there are no institutional controls in place to stop residents from drilling new wells. The regulatory agencies will look into additional methods to avoid future exposure to groundwater contamination from the mill. The sampling program and public outreach that has occurred are two ways the agencies have used to inform residents of the situation, to identify potential exposure, and take action to protect human health.

Docket 40-8903  
License SUA-1471

Enclosure: Meeting agenda

DISTRIBUTION:  
FCFB r/f

**ML053000560**

<b>OFC</b>	FCFB		FCFB		FCFB	
<b>NAME</b>	WvonTill		BGarrett		UPS Acting Chief	
<b>DATE</b>	10/30/05		10/31/05		10/31/05	

OFFICIAL RECORD

MEETING AGENDA  
Homestake Public Meeting  
Grants, New Mexico  
October 20, 2005  
6:00 pm to 8:30 pm  
Cibola County Center - Convention Room

Purpose: Discussion of proposal to revise groundwater background values at the Homestake uranium mill and tailings site Grants, New Mexico.

Outcome: To provide the public a common understanding of the regulatory review and process of revising background groundwater standards at the Homestake site and to listen to public comments and concerns.

Process:

- 6:00 Introductions and opening remarks (von Till/Cameron-NRC)
- 6:05 Regulatory and review process (von Till-NRC)
- 6:25 Site conditions and background proposal methodology (Al Cox - Homestake)
- 6:35 NMED review of proposal (NMED)
- 6:45 Status of domestic water and sampling program (NMED)
- 6:55 Questions
- 8:30 Adjourn

Enclosure