



# **NRC's Role & Responsibility for Homestake Reclamation Activities**

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# Regulatory History

- 1958 – HMC was licensed by the Atomic Energy Commission (AEC) to process uranium
- 1973 – New Mexico became an Agreement State
- 1973 – June 1986: Activities at Homestake site regulated by State of New Mexico
- September 1983 – Homestake site is added to EPA's National Priority List (NPL)
- June 1986 – State returns licensing authority to NRC

# Regulatory Roles

- NRC has regulatory authority for the HMC site as described in NRC by-product materials License No. SUA-1471.
- EPA has regulatory authority at the HMC site under CERCLA.
- State of New Mexico has regulatory authority over the decommissioning activities at the HMC site, through the issuance of Discharge Permits DP-200 and DP-725.

# Integrated Regulatory Process

- NRC/EPA Memorandum of Understanding
- CAP to Include Regulatory Needs of NRC, EPA, and NMED
- Executive Steering Committee (ESC)

# NRC / EPA Memorandum of Understanding

- December 1993 - NRC and EPA sign Memorandum of Understanding (MOU) establishing the regulatory roles and responsibilities for each agency during remediation of the HMC site.
  - NRC designated as the lead regulatory agency for the byproduct material disposal area reclamation and closure activities.
  - EPA has responsibility to monitor all reclamation activities to assure that activities conducted under NRC's regulatory authority will allow attainment of applicable or relevant, and appropriate requirements under CERCLA.
  - EPA and NRC agreed that conformance with 10 CFR Part 40, Appendix A, will generally assure conformance with CERCLA requirements.

# Executive Steering Committee

- NRC Initiated
- Senior managers from NRC, EPA, and NMED
- Purpose is to resolve differences of opinion between regulatory agencies
- Meetings in 8/08, 10/11, and 6/12

# Conclusion from June 6, 2012 ESC Meeting

- NRC/EPA/NMED are cooperating to ensure the CAP meets all agencies requirements.
- HMC site is complex because the reclamation must meet UMTRCA and CERCLA requirements.
- The agencies plan to prepare a Communication Plan which will address community involvement.
- The agencies plan to re-visit the issues surrounding land application.

# Continue with ESC meeting

## Conclusion

- EPA is re-examining the need to prepare Records of Decision for Operable Units 1 and 2.
- ESC meeting minutes will be made publicly available.
- Homestake is conducting a Feasibility Study for re-locating the large Tailings Pile. The results of the study are due in June 2012.



# Criticisms of NRC

- NRC does not care about the health and welfare of the community
- NRC is only interested in supporting Homestake
- Public has no confidence in NRC and does not trust its processes

# NRC Mission Statement

- To license and regulate the nation's civilian use of byproduct, source, and special nuclear materials in order to ensure the adequate protection of public health and safety, promote the common defense and security, and to protect the environment.