



Grants Office

Alan D. Cox
Project Manager

07 May 2013

Mr. Larry W. Camper, Director
Division of Waste Management and Environmental Protection
c/o Document Control Desk
Fuel Cycle Facilities Branch (Mailstop T8-A33)
Division of Fuel Cycle Safety and Safeguards
Office of Nuclear Materials Safety and Safeguards
U. S. Nuclear Regulatory Commission
11545 Rockville Pike
Two White Flint North
Rockville, MD 20852-2738

RE: **Grants Reclamation Project**
Docket No. 40-8903
License No. SUA-1471

Exercise of Discretion

Dear Mr. Camper:

Thank you for your letter dated April 8, 2013. Homestake Mining Company (HMC) has reviewed and agrees with your conclusion that it is appropriate for NRC to "use discretion to not take enforcement action against HMC for not meeting the milestone dates presented in LC 36 of the License SUA-1471, Amendment 45." We understand this to mean that HMC is not in violation of LC 36 as the HMC Corrective Action Plan (CAP) amendment has been in timely renewal since December 15, 2006 when it was submitted to NRC for its review and ultimate approval.

As your letter properly recognizes, HMC's inability to meet the milestone dates arises from NRC's extended and ongoing review of HMC's proposed CAP. We thank you for your clarification that "HMC is not required to take any licensing action associated with these milestone dates prior to approval of an updated CAP."

We appreciate NRC's diligence and patience in attempting to address concerns with the CAP expressed by EPA, NMED, and the public since the CAP was first submitted in 2006. We also look forward to any comments you may have regarding the updated CAP submitted in March 2012, or the Decommissioning and Reclamation Plan (DRP), submitted in March 2013.

Please do not hesitate to contact us if we can be of any assistance in your review of these documents or in any other way. If you have any questions at this time, please contact me in our Grants office at (505) 287-4456 Ext. 25 or via cell phone at (505) 400-2794.

Sincerely,

HOMESTAKE MINING COMPANY
OF CALIFORNIA
Alan D. Cox
Project Manager / RSO

xc: J. Buckley – NRC Site Manager

B. Ferdinand – SLC
J. Giraudo – SLC
P. Malone – SLC

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