



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

January 17, 2020

Mr. David W. Pierce
Closure Manager
Homestake Mining Co. of California
Grants Reclamation Project
P.O. Box 98, Highway 605
Grants, NM 97020

SUBJECT: HOMESTAKE MINING COMPANY OF CALIFORNIA RESPONSE TO NRC
INSPECTION REPORT 040-08903/2019-002 AND NOTICE OF VIOLATION

Dear Mr. Pierce:

On November 22, 2019, the U.S. Nuclear Regulatory Commission (NRC) cited Homestake Mining Company for violations of NRC requirements associated with failure to have procedures documenting processes for handling radioactive materials and failure to maintain calibrated instruments used for radiation measurement.

The NRC Inspection Report 040-08903/2019-002 with enclosed Notice of Violation (Notice) required you to respond in writing within 30 days (Agencywide Documents Access Management System [ADAMS] Accession No. ML19232F639). In a letter dated December 20, 2019, you provided a response to the Notice of Violation (ADAMS Accession No ML19361A030).

After reviewing the information provided in your response to Violation 040-08930/2019-02-002, failure to develop [standard operating procedures] for activities involving radioactive material, we have concluded that your completed and proposed actions appear to adequately address the regulatory non-compliance identified in the inspection report. We will review your implementation of these corrective actions during a future inspection to determine whether full compliance has been restored and whether compliance is maintained.

In your response, you characterized Violation 040-08930/2019-02-001, failure to maintain instrument calibration, as a minor procedural deficiency based on a typographical error on the calibration documentation. The original electronic calibration data was provided in Attachment 1 of your response. Since this data was not available for the NRC inspectors to review during the inspection, we consider this new information. Based on our review of this new information, we agree that this documentation confirms the instrument in question was properly calibrated, although the serial numbers on the calibration certificate and label were incorrectly transcribed. Therefore, this issue is recharacterized as a minor violation, rather than Severity Level IV.

It should be noted that the typographical errors in the instrument calibration documentation were recognized by your staff months prior to our inspection, but the staff had not taken action to obtain corrected documentation. Prompt action to resolve errors upon identification by your organization is the expectation of the NRC; it should not require an NRC violation for your organization to correct identified issues.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice and Procedures," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's ADAMS, accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Heather J. Gepford, PhD, CHP, Chief
Materials Licensing and Decommissioning
Branch
Division of Nuclear Materials Safety

Docket No.: 040-08903
License No.: SUA-1471

cc:

M. Hunter, New Mexico Environmental Department
S. Rodriguez, New Mexico Environmental Department
B. Tsosie, U.S. Department of Energy

HOMESTAKE MINING COMPANY OF CALIFORNIA, RESPONSE TO NOTICE OF
VIOLATION AND NUCLEAR REGULATORY COMMISSION INSPECTION REPORT
040-08903/2019-02 – JANUARY 17, 2020

Distribution:

SMorris, ORA
MShaffer, ORA
MMuessle, DNMS
LHowell, DNMS
HGepford, MLDB
MPoston, MLDB
REvans, MLDB
ARoberts, MLDB
BVonTill, NMSS/DUWP/URLB
GAlexander, NMSS/DUWP/RTAB
RLinton, NMSS/DUWP/URLB

cc:

Michelle Hunter, Chief
Groundwater Quality Bureau
New Mexico Environmental Department
Harold Runnels Building
1190 S. Saint Francis Drive
Santa Fe, NM 87502
michelle.hunter@state.nm.us

Santiago Rodriguez, Chief
Radiation Control Bureau
New Mexico Environmental Department
P.O. Box 5469
Santa Fe, NM 87502-5469
santiago.rodriquez@state.nm.us

Bernadette Tsosie, Program Manager
U. S. Department of Energy
Office of Legacy Management
2597 Legacy Way
Grand Junction, CO 81503
bernadette.tsosie@lm.doe.gov

ADAMS ACCESSION NUMBER: ML20017A180

☒ SUNSI Review

ADAMS:

☐ Non-Publicly Available

☒ Non-Sensitive

Keyword:

By: MRP

☒ Yes ☐ No

☒ Publicly Available

☐ Sensitive

NRC-002

OFFICE	DNMS/MLDB	DNMS/MLDB	C:MLDB
NAME	ARoberts	MPoston	HGepford
SIGNATURE	/RA by HJG/	/RA by HJG/	/RA/
DATE	1/17/20	1/17/20	1/17/2020

OFFICIAL RECORD COPY