



For Immediate Release

Tuesday, June 27, 2023

### Media Contacts

Eric Jantz, Senior Staff Attorney, New Mexico Environmental Law Center, [ejantz@nmelc.org](mailto:ejantz@nmelc.org), (505) 980-5239

Susan Gordon, Coordinator, Multicultural Alliance for a Safe Environment (MASE), [sgordon@swuraniumimpacts.org](mailto:sgordon@swuraniumimpacts.org), (505) 577-8438

## **Nuclear Regulatory Commission (NRC) Issues Rare Denial to Uranium Company Seeking to Walk Away from Groundwater Cleanup**

### **Homestake/Barrick Gold Request for “Alternate Concentration Limits” at Grants Reclamation Project Not Accepted by NRC**

*Albuquerque, NM* —The Nuclear Regulatory Commission (NRC) recently took the unusual step of denying a License Amendment Request from Homestake Mining Company for Alternative Concentration Limits, which allow corporations to avoid cleaning up contaminated groundwater to pre-operational conditions.

Alternate Concentration Limits were originally intended to be viewed as an exception to the general rule that mills must restore groundwater to pre-operational conditions, but the NRC has regularly approved ACL applications that make it possible for mill operators to walk away from their clean up obligations.

The denial is good news to nearby community residents, who greeted the NRC decision with cautious optimism.

Homestake is a subsidiary of Barrick-Gold, a multi-billion-dollar global corporation with the financial means to fully remediate the groundwater plumes seeping from Homestake’s toxic waste piles. Homestake/Barrick-Gold operated a uranium mill and several uranium mines in the Grants Uranium District of New Mexico from the 1950s until 1990.

The Homestake Superfund site is located about 5 miles northwest of Grants, NM. Two massive tailings piles totaling 22 million tons cover more than 200 acres. The largest pile is approximately 100 feet high and adjoins San Mateo Creek.

During the NRC public meeting on June 15, 2023, NRC discussed Homestake/Barrick-Gold's inadequate responses to the ACL application which included: Homestake's lack of information about the buyout of property and residential homes adjacent to the Superfund site; missing data regarding precipitation, the rate of aquifer recharge, the percolation of water through the waste piles and seepage; and questionable groundwater modeling assumptions.

NRC acknowledges that widespread groundwater contamination across multiple aquifers at the Superfund site may pose a significant risk to future generations if it is left untreated. NRC stated that Homestake's groundwater modeling may be failing to account for the potential movement of contaminated groundwater offsite. NRC disagrees with Homestake's conclusion that future remediation efforts will not be beneficial when contaminants continue to be removed under the current groundwater treatment system.

Susan Gordon, Coordinator for the Multicultural Alliance for a Safe Environment, stated, "This should serve as a wake-up call to Homestake/Barrick-Gold. They have been scaring the neighbors with threats that they plan to walk away in two years. Surprisingly, agencies are beginning to do their jobs. Homestake will have to clean up the groundwater to a more protective level and continue to remove uranium from the waters they contaminated in perpetuity."

Eric Jantz, Senior Staff Attorney with New Mexico Environmental Law Center, responded to the denial: "We applaud the NRC's decision and hope this is a new era of hard-nosed skepticism of Homestake/Barrick-Gold's attempt to walk away from their obligation to clean up their mess. We will continue to advocate with the NRC that community health and potable groundwater must be the guiding goals of clean up."

The Homestake/Barrick-Gold uranium milling operation might be long-defunct, but the radioactive waste piles that remain continue to contaminate several groundwater aquifers, posing an imminent threat to nearby residents and downstream communities.

After promising concerned residents in the 1970s that the site would be cleaned up in ten years, Homestake now contends that further remediation of the site is "technically infeasible." The company is attempting to buy out neighboring property owners and residences in an attempt to expand site boundaries and exempt the company from continuing its remediation efforts to contain and treat the mobile groundwater contaminant plumes seeping from the toxic waste piles to the current site groundwater quality standards.

Impacted community members want the regulatory agencies to isolate the sources of contamination—seepage from underneath the two unlined tailing piles. Moving the piles to a lined containment location may be the best available technology to isolate

the contamination from the surface water and groundwater sources utilized by the surrounding communities for agriculture and municipal water supplies.

NRC's May 17, 2023 letter (attached) to Homestake denying the ACL request can be accessed on [ADAMS](#) under the accession number: ML23119A006

The NRC's talking points for the June 15, 2023 meeting can be accessed on ADAMS under the accession number: ML23160A024 or this link <https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML23160A024>

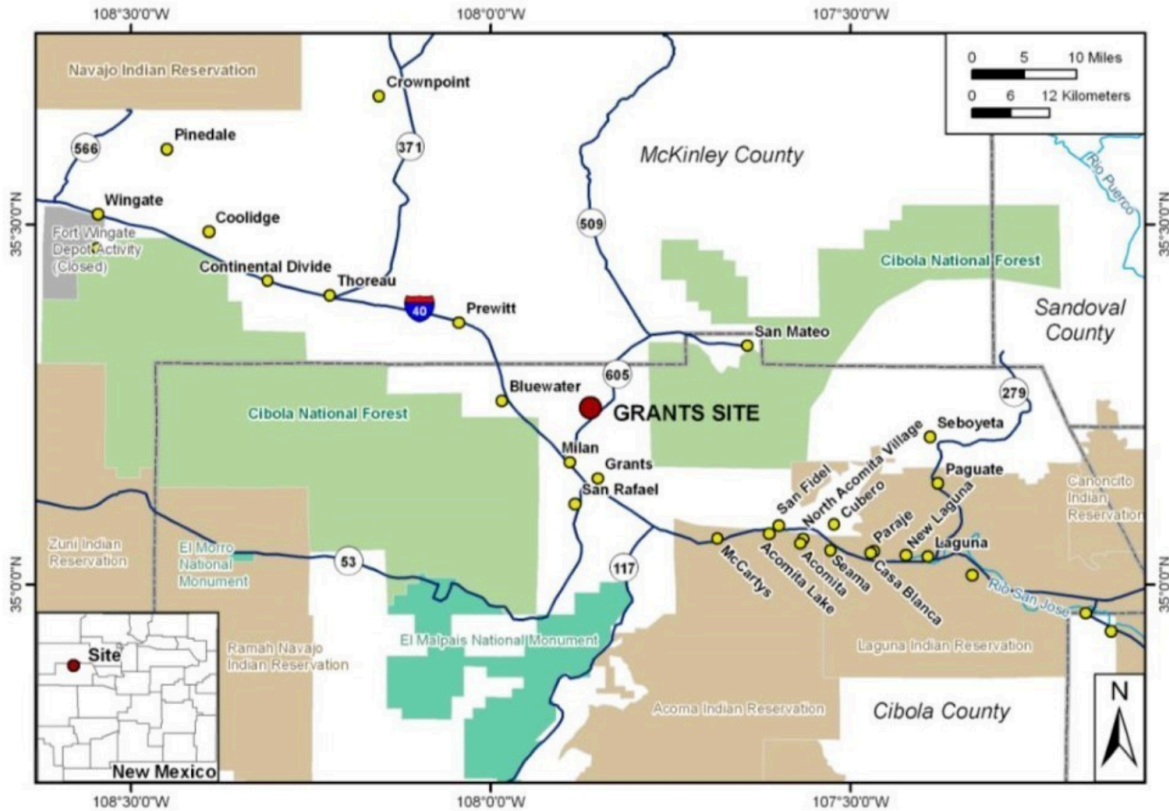


Figure 1: Grants Uranium Mill Site Location Map

###