

April 28, 2006

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - SECY-06-0049 - ACTIONS RELATED
TO REGULATION OF MAXIMUM CONTAMINATION LEVELS
FOR URANIUM IN DRINKING WATER

The Commission has approved the staff's plans to develop a new general license specific to drinking water treatment facilities, but has disapproved its issuance as an interim final rule. Instead, the staff should follow the normal proposed rule / final rule process with a goal of completing this action in 20 months. The staff should be sure to fully engage stakeholders such as the water treatment industry, the Environmental Protection Agency, the Agreement States, and the public in the rulemaking process and make this effort a positive example of NRC public outreach.

(EDO)

(SECY Suspense: 12/31/07)

The Commission has approved the issuance of a generic communication to describe NRC expectations with regard to water treatment facilities. The generic communication should be issued in partnership with the Agreement States to each community water system on EPA's mailing list and should describe the NRC's expectations of the facility while the staff prepares a proposed rule. The staff should take particular care to clearly address NRC's expectations for disposal of uranium-bearing materials.

The staff should consider an appropriate communication to non-Agreement States. Even though the NRC regulates activities in these states, our actions could have a direct impact on an industry vital to the State's interest; and we should inform them of our activities and the justification for these actions.

The Commission has approved the use of enforcement discretion until a new general license is implemented. Enforcement discretion should continue to apply at each community water system that meets the expectations stated in the proposed generic communication.

The staff should explore with Agreement States the reciprocity issue raised in the discussion of Option 1A in Enclosure 4.

The Commission has approved the staff's plan to continue to review the R.M.D. Operations, LLC, license application as a multi-site service provider. The staff should keep the Commission informed of the effort and should forward promptly to the Commission an analysis and recommendations regarding all policy or legal matters on this license application.

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
OGC
CFO
OCA
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR