

Status of NRC's Activities Related to Uranium Removal from Drinking Water

*Project Manager: Gary Comfort
U.S. Nuclear Regulatory Commission (NRC)
Office of Federal and State Materials and Environmental
Management Programs
(301) 415-8106
gcc1@nrc.gov*



EPA Radionuclides Training

NRC's Jurisdiction

- **Atomic Energy Act of 1954, as amended**
 - Defines Source Material
 - Limits to “after removal from its place in nature”
- **10 CFR Part 40, “Source Material”**
 - NRC's regulations for source material

Existing Methods of Regulation

➤ Exemptions

- <0.05 percent by weight (10 CFR 40.13(a))
- Unprocessed source material (10 CFR 40.13(b))

➤ General License (10 CFR 40.22)

- <15 pounds at one time
- <150 pounds per year
- Exempt from requirements of 10 CFR Parts 19, 20, 21
- No reporting requirements

Existing Methods of Regulation

(cont)

➤ **Specific Licensing**

- Very comprehensive oversight
- Requires application and issuance of license
- Can be resource intensive for applicants and regulatory agencies

NRC Activities

- Enforcement Discretion
- General License
- Interagency Jurisdictional Working Group

Enforcement Discretion

- **What does “enforcement discretion” mean?**
 - A CWS operator is not required to obtain a license from NRC at this time as long as the CWS operator meets the conditions in the RIS
 - Only applies to facilities in NRC non-Agreement States

Regulatory Issue Summary (RIS) issued on Sept 14, 2006 (RIS-06-020)

- Sent to State Liaison Officers and Radiation Protection Contacts in each State
- Published in the Federal Register (71 Fr 55520)

Regulatory Information Summary Conditions

- Notification
- Recordkeeping
- Storage, Transfer, and Disposal
- Processing Restrictions
- Posting and Labeling
- Decommissioning

Status of General License Rulemaking

- Originally Planned to Issue Proposed Rule in Spring '07
 - Rulemaking currently postponed
- Content of General License
 - Similar to RIS requirements
 - Consideration of Requiring Decommissioning Financial Assurance
 - Disallowing use of 10 CFR 40.22 general license
 - Concern of Limited Disposal Opportunities

Interagency Jurisdictional Working Group (IJWG)

- Originally operated in 2000-2003
- Comprised of NRC, EPA, OSHA, DOE, MSHA, States, etc.
- Recommended in SECY-03-0068 to “limit NRC authority to uranium and thorium that have been extracted or purposely concentrated for the use of the uranium or thorium”

Future of IJWG

- Plan to contact impacted agencies at high levels to see if still agreement
- Will propose legislation for Congress
- Seeking alternatives to legislation
- If not successful, rulemaking will restart

Background Information

- **SECY-06-0049, “Actions Related to Regulation of Maximum Contamination Levels for Uranium in Drinking Water”**
- **RIS 2006-20, “Guidance for Receiving Enforcement Discretion When Concentrating Uranium at Community Water Systems”**
- **See www.nrc.gov for these and other discussed documents**

Questions?