



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001**

February 5, 2019

ALL AGREEMENT AND NON-AGREEMENT STATES
STATE LIAISON OFFICERS

NOTICE OF REQUEST FOR COMMENT: GROUND WATER PROTECTION AT URANIUM
IN SITU RECOVERY FACILITIES (STC-19-009)

Purpose: To provide notification of the U.S. Nuclear Regulatory Commission's (NRC's) request for comment in the *Federal Register* relating to the Ground Water Protection at Uranium *In Situ* Recovery (ISR) Facilities rulemaking.

Background: The NRC currently regulates ISR operations through the application of site-specific license conditions that are based on regulations that primarily focus on conventional uranium mills. The NRC initiated rulemaking in 2006 to develop requirements that would provide regulatory consistency and improve the efficiency of the ISR licensing process. The NRC placed this rulemaking on hold in 2010 while the U.S. Environmental Protection Agency (EPA) considered rulemaking on the same topic. Because the EPA decided in 2018 to discontinue its rulemaking, the NRC is now conducting an assessment of the requirements in Title 10 of the *code of federal regulations* (10 CFR) Part 40 Appendix A, pertaining to the licensing of ISRs and is requesting input from members of the public about the topics discussed in the "Request for Comments" section of the enclosed *Federal Register* notice (FRN). The information received from this request will be factored into the decision whether to continue this rulemaking.

Discussion: Enclosed with this letter is the FRN supporting the assessment of the requirements in 10 CFR Part 40 Appendix A pertaining to the licensing of ISRs. The FRN was published in the *Federal Register* (84 FR 574) on January 31, 2019, and posted on the Federal e-rulemaking portal <http://www.regulations.gov> under Docket No. NRC-2008-0421. The FRN can also be accessed at: <https://www.federalregister.gov/documents/2019/01/31/2019-00435/ground-water-protection-at-uranium-in-situ-recovery-facilities>.

Comments on the assessment are due by March 4, 2019, and the FRN details how to submit comments.

If you have any questions regarding the Ground Water Protection at Uranium ISR Facilities rulemaking or this correspondence, please contact the individual named below:

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Sincerely,

**/RA/
T.Clark for**

Patricia K. Holahan, Director
Division of Rulemaking
Office of Nuclear Material Safety
and Safeguards

Enclosure:
As stated

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