

August 15, 2011

MEMORANDUM TO: R. W. Borchardt
Executive Director for Operations

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

SUBJECT: STAFF REQUIREMENTS – SECY-11-0019 – SENIOR
MANAGEMENT REVIEW OF OVERALL REGULATORY
APPROACH TO GROUNDWATER PROTECTION

The Commission has approved the Senior Management Review Group (SMRG) approach to groundwater protection as provided below.

The Commission has approved the SMRG recommendation not to incorporate the voluntary industry initiative on groundwater protection into the regulatory framework. The staff should, instead, monitor the effectiveness of the industry initiatives.

The staff should make it clear in its stakeholder engagements that, while the agency will continue to monitor the industry's voluntary initiatives, no changes to the regulatory framework are currently being contemplated. The staff is cautioned to remember that its purpose is to monitor these efforts, not to regulate them. If the staff finds that the voluntary initiatives are not conducted in a committed and enduring fashion, the staff should present information to this effect to the Commission which can and, if necessary, will revisit this matter.

Revising the Current Radiological Effluent Performance Indicator in the Reactor Oversight Program

The Commission will address this issue and provide guidance in the staff requirements memorandum (SRM) on SECY-11-0076, "Improving the Public Radiation Safety Cornerstone of The Reactor Oversight Process," which is currently under Commission review.

Participating in Consensus Standards Development

The Commission approves the SMRG's recommendation for the staff to continue its efforts to work with consensus standards organizations to have certain provisions

related to inspecting and maintaining safety related buried piping incorporated into ASME code cases and NACE standards.

If, based on its participation in consensus standard activities the staff determines that revisions to the agency's regulations are necessary to incorporate changes to the ASME codes related to groundwater protection, the staff should seek Commission approval via a notation vote paper.

The staff should enhance public education and awareness of issues related to groundwater contamination. Given the significant overlap in regulatory functions, the staff should engage proactively with stakeholders including relevant federal agencies, tribal, state and local governments to provide for clarity of this issue and awareness of the NRC's regulatory program.

Additionally, the staff should continue to work with industry in developing protocols for the NRC to remain aware of industry progress in implementing and overseeing its self-imposed initiative. To achieve these ends, the staff should provide, for Commission review and approval, options to revise its approach to groundwater protection. The options paper should comprehensively present all activities contemplated, associated milestones, anticipated resources, and a high-level communications plan. The options should consider the appropriate, risk-informed regulatory footprint for the NRC in this area and balance the resources applied to it against the range of safety significant issues before us as a regulator.

(EDO)

(Suspense Date: 3/31/12)

cc: Chairman Jaczko
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff
OGC
CFO
OCA
OPA
Office Directors, Regions, ACRS, ASLBP (via E-Mail)
PDR