

October 23, 2002

Mr. Michael R. Fuller
Manager, Health Physics and Engineering
UniTech Services Group, Inc.
295 Parker Street
P. O. Box 51957
Springfield, MA 01151

Dear Mr. Fuller:

I am responding to your June 24, 2002 letter regarding the principal U.S. Nuclear Regulatory Commission (NRC) and Agreement State requirements that would apply to a licensed activity that you were evaluating. You indicated that the activity involves supplying disposable protective clothing to NRC and Agreement State licensees, and providing a disposal service for the used/contaminated disposable protective clothing. The disposal service involves dissolving of the disposable protective clothing in liquid which is subsequently treated and discharged to a sanitary sewer. Any remaining solid residue is then disposed of in a licensed radioactive waste disposal facility.

As indicated in your letter, in evaluating the regulatory requirements that would affect the activity, you assumed that the disposable protective clothing being returned for disposal would be considered radioactive waste. After comparing your evaluation to the State of Alabama's regulation of Eastern Technologies, Inc. (ETI), a licensee who conducts this activity, you identified differences between the results of your evaluation and Alabama's regulation of ETI.

Specifically, you observed that the license Alabama issued to ETI does not specify that ETI is authorized to treat and dispose of radioactive waste. You also noted that published literature on ETI's disposal business does not contain any indication that customers who transfer disposable protective clothing back to ETI for treatment and disposal would be subject to regulations covering the transfer of radioactive waste.

We reviewed current NRC nuclear laundry licensees. We did not identify any NRC licensee authorized for laundry activities which involve dissolving of disposable protective clothing. A typical nuclear laundry licensee is authorized to collect, launder and decontaminate contaminated clothing and other launderable non-apparel items. Based on 10 CFR §20.2003, a nuclear laundry licensee is authorized to dispose of radioactive waste by release into sanitary sewerage. Generally, a nuclear laundry licensee is not authorized to possess or transfer for disposal radioactive waste except that generated as a result of laundering activities, such as solid residue waste from the water treatment or air exhaust systems. The solid residue resulting from laundry activities must be disposed of in accordance with license requirements and 10 CFR §20.2001 which usually results in transfer to a licensed radioactive waste disposal facility.

Solid residue waste, such as sludge and lint from the water treatment or air exhaust systems, and process liquids, are considered to be part of the waste generated as a result of the nuclear

laundry operation. Rejected laundry items, such as coveralls and rubber shoe covers, that are unusable or contaminated with residual radioactivity exceeding the pre-set radiation limits for reuse, are returned to the customers for treatment and disposal in accordance with the customers' waste management program. The State of Alabama concluded that zippers, in the case of dissolved disposable protective clothing, are more like residue from the laundry process and, therefore, allows ETI to send them directly for disposal as radioactive waste. The NRC finds this approach acceptable. NRC would also find acceptable an approach where the zippers would be treated like unusable material similar to rejected laundry items, noted above, that are returned to the customers for treatment and disposal. Thus, in either case, we do not consider a nuclear laundry facility including one engaged in laundering and dissolving of disposable protective clothing to constitute a waste receipt or processing facility.

You further indicated that when UniTech evaluated a waste disposal business some years ago, the potential regulatory requirements described by the NRC staff were a significant factor in your decision not to enter that business.

Our records indicate that the waste disposal business that you evaluated some years ago is different from the protective clothing laundering and dissolving activity that you raised in this letter. The business you proposed at that time involved free release of laundered and monitored plastic material for non-radioactive burial at sanitary landfills. That business activity is clearly not part of routine nuclear laundry activities and an Environmental Assessment would be required because the activity is not covered by a categorical exclusion in 10 CFR §51.22.

If you have any questions regarding the correspondence, please contact me at (301) 415-3340 or Kevin Hsueh at (301) 415-2598.

Sincerely,

/RA/

Paul H. Lohaus, Director
Office of State and Tribal Programs

cc: Kirksey E. Whatley, Director
Office of Radiation Control
Alabama Department of Public Health

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