

# **ATTACHMENT 1**

**Northeast Ohio Regional Sewer**

**District Petition Dated August 2, 1993**



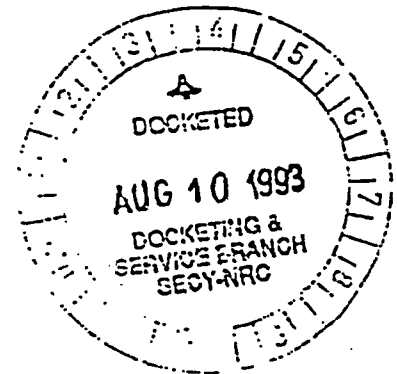
20-22  
(58 FR 54071)  
**Northeast Ohio Regional Sewer District**

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August 2, 1993



Mr. Samuel Chilk  
Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Attention: Chief  
Docketing and Service Branch

Re: 10 CFR 2.802 Petition for Rulemaking

Dear Secretary Chilk:

The Northeast Ohio Regional Sewer District's ("District") Southerly Wastewater Treatment Center has been contaminated by disposal of Cobalt-60 into the sanitary sewer system. The characterization and remediation of this contamination is ongoing and will cost the District, at a minimum, in excess of one million dollars. The remediation costs could rise into the billions of dollars if off-site disposal of the contaminated ash is required.

The District is not the first sewage treatment authority to experience radioactive contamination at a treatment plant. The NRC has previously documented problems at Tonawanda and Grand Island, NY, Lansing, MI, Oak Ridge, TN, Royersford, PA, and Washington, D.C. The NRC has also recently investigated an occurrence in Youngstown, Ohio. This list does not include all contaminated facilities in Agreement states. The possibility also exists that contamination exists undetected at other treatment plants, as it did at Southerly for nearly 10 years.

It is our understanding that the NRC is undertaking a general review of the regulatory scheme as it relates to this problem. Regardless of what other revisions may be made to the sanitary disposal rules, the District hereby petitions the NRC to revise 10 CFR 20.303 (and 10 CFR 20.2003) to require that all licensees provide not less than 24 hours advance notice to the appropriate sewage treatment plant prior to releasing radioactive material to the sanitary sewer system.

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PDR PRM  
20-22 PDR

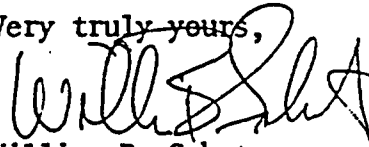
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The District also requests that 10 CFR 20.305 (and 10 CFR 20.2004), which prohibit the incineration of radioactive waste without NRC approval, be revised to explicitly exempt materials that enter the sanitary waste stream under 10 CFR 20.303 (and 10 CFR 20.2003). This revision would clarify that the NRC does not intend to inhibit the operation of over 200 sewage sludge incinerators across the nation due to the discharges of its licensees.

Your prompt response to this petition for rulemaking would be appreciated as this is a matter of great concern to the District.

Very truly yours,



William B. Schatz  
General Counsel

WBS/td

cc: Richard Bangart  
Philip Olson  
John Martin  
Ken Kirk  
Senator Glenn  
Senator Metzenbaum  
Representative Hoke  
Representative Stokes  
Erwin Odeal  
Thomas Lenhart  
Barry Koh

(chilk)