

University of Cincinnati



'93 DEC 27 P2:39

University of Cincinnati

Radiation Safety Office

Radiation Safety Lab

231 Bethesda Avenue
Cincinnati, Ohio 45267-0591
Phone: (513) 558-4110
Fax: (513) 558-9905

3

Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
Attn: Docketing and Service Branch

December 22, 1993

Subject: Comment/Federal Register Vol 58, No. 201

Sir/Madam:

The University of Cincinnati provides the following comments on the "Petition for Rulemaking: Notice of Receipt" published in the Federal Register, Vol 58, No. 201, Wednesday October 21, 1993. The petition made two points in regards to the disposal of radioactive materials via the sanitary sewer system: point one, licensees should be required to provide 24 hours advance notification to the appropriate sewage treatment plant; and point two, waste which has entered the sanitary waste stream should be exempt for 10 CFR 20.303 and 10 CFR 20.2003.

It is the opinion of the University of Cincinnati that requiring licensees to contact the appropriate sewage treatment plant prior to disposal of radioactive materials into the sanitary sewer system places an unnecessary burden on the licensee and does not increase safety or reduce radiation exposure to the personnel, the public or the environment. The petition as published does not list minimum quantities for this notification and there is no indication that persons receiving radioactive materials for medical treatment would be exempt from the rule. 10 CFR 20 was written to provide overall radiation protection for personnel and the public. In addition, 10 CFR 20.1101 specifically requires that licensees use procedures to maintain doses to personnel and the public as low as is reasonably achievable. It should also be noted that local sewer authorities already have the ability to individually place this or any more restrictive requirement on any licensee. It is the opinion of the University of Cincinnati that this type of requirement should be initiated by the local sewer authority and not the NRC. It is also the opinion of the University of Cincinnati the NRC should provide guidance to local sewer authorities to ensure that the local sewer authorities rules are developed from scientific data and not from fear.

It is the opinion of the University of Cincinnati that the NRC needs to review its regulation and determine at what point in time

radioactive material is no longer under regulatory control. Regulatory conflict, especially in regards to waste disposal, continues to cause problems for licensees and the public. Medical licensees already face the problem where persons receiving radioactive materials are exempt from licensee control, but items contaminated with their blood or other body fluids (and likewise contaminated with radioactive material) are not exempt from the rules for disposal of radioactive materials. Point two is just another example where material approved by the NRC as being released from licensee control (in this case disposed of by the licensee to the sanitary sewer) but disposal or treatment performed on the material farther down the processing chain violates other portion of NRC regulations (in this case incineration of radioactive material regulations). The University of Cincinnati suggest that the NRC exempt from regulatory control all radioactive material which has been disposed of or released from licensee control in accordance NRC rules and/or regulation.

Sincerely,



Victoria Morris, M.S., CHP
Radiation Safety Officer
University of Cincinnati

c: C. Kupferberg
R. Millard