

THE UPJOHN COMPANY

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NRC License No. 21-00182-03
7000 Portage Road
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UPJOHN LABORATORIES
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January 3, 1994

Mr. Samuel J. Chilk
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Attn: Docketing and Service Branch

Re: Northeast Ohio Regional Sewer District: Petition for Rulemaking - Docket No. PRM-20-22

Dear Secretary Chilk:

This letter is in response to the Notice in the Federal Register Vol. 58, No. 201, dated October 20, 1993, regarding the Northeast Ohio Regional Sewer District's request to require NRC licensees to provide 24 hours' advance notice to sewage treatment plants before releasing radioactive materials to them.

Industry has an obligation to limit potential pollution. To this end, it is essential to the effective treatment of wastewater that industries inform the operators of treatment facilities of the types and quantities of wastes (including radioisotopes) being released.

The Upjohn Company releases radioactive material to a wastewater treatment facility operated by the City of Kalamazoo, Michigan, in accordance with 10CFR20.2003. We maintain a close working relationship with the management of the Kalamazoo Water Reclamation Plant and we cooperate to monitor and reduce potential pollutants. Consequently, treatment-plant management is aware of the type and volume of our radioactive releases.

Information contained in your Notice suggests that all licensees discharge radioactive materials to sanitary sewers in a "batch" mode. We use radioactive materials in continuous drug research and development processes and as such, our discharges of radioactive materials to the sanitary sewer tend to be continuous as well. It would be difficult, if not impossible, for The Upjohn Company to schedule radioactive releases on a "batch" basis.

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When it is known to all affected parties that a discharge is continuous, both the benefit and the practicality of 24-hour notification are questionable. As worded, the proposal implies that daily notification, even for a continuous discharge, would be necessary. This would be an unproductive burden on us as a licensee, and we believe, a nuisance to the treatment facility operator as well. Assuming that the intent of the proposal is to ensure that radioactive waste streams are accurately characterized, in the case of continuous releases this can be accomplished more effectively in other ways.

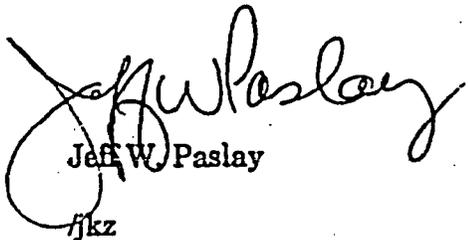
In Upjohn's case, for example, providing the treatment facility with a historical perspective on the use and discharge of radioisotopes, along with an annual plan for future releases, should enable facility management to adequately protect both the environment and the treatment system. Upjohn suggests adoption of a regulation requiring continuous dischargers of low-level radioactive waste to file an annual report describing anticipated releases.

We ask that you reject the proposal as written, at least as it affects licensees who are continuous dischargers, and that you consider requiring a prospective evaluation and an annual notification. Additionally, any revision of the regulation should not prevent a licensee from releasing on a continuous basis as long as the limits of 10CRF20.2003 are not exceeded.

Should you have any questions regarding our position, please contact me.

Sincerely,

THE UPJOHN COMPANY



Jeff W. Paslay

cc: Bruce Minsley, Kalamazoo Utilities Department