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REGION I

Merck & Co., Inc.  
P.O. Box 4  
West Point, PA 19486-0004

2006 JUN -5 PM 12: 59

May 30, 2006

Br. 2



Mr. James Dwyer  
Nuclear Materials Safety Branch  
Region I  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406-1415

Dear Mr. Dwyer:

03033524

Merck & Co., Inc. would like to amend Radioactive Materials License No. 37-01531-07 to allow radioactive waste from our Rahway site (NRC License No. 29-00117-06) to be transported to the West Point site and incinerated. Merck & Co., Inc. would like to have the option to capture the potential cost savings of not operating, maintaining, and permitting the incinerator at the Rahway site when the incinerator units at West Point can provide the same service.

All incinerator operations will be carried out consistently with Conditions 29 & 30 of NRC License No. 37-01531-07, the incinerator program described in application dated May 25, 2005, and all state and local permits for the operation of the incinerators at West Point. The concentration of radionuclides released will be evaluated by sampling and analysis, or calculated using the conservative assumption that all activity charged to the incinerator is released in the air effluent. Calculations of concentrations of radioactive material in the effluent air are performed for all radionuclides incinerated using the actual amounts of radioactivity incinerated or released. Our incinerator operations will be maintained in full compliance with the constraint rule as described in 10 CFR 20.1101(d) such that no member of the general public will receive a dose exceeding 10 millirem in a year.

All ash generated as a result of incinerating radioactive material will be handled in accordance with Condition 30 of License No. 37-01531-07

If you have any questions or concerns regarding this amendment request, please contact John Miller at (215) 652-7926.

Yours sincerely,

A handwritten signature in cursive script that reads "Greg Reinhard".

Greg Reinhard, DVM  
Executive Director – Global Research Safety & Compliance

138949  
NMSS/RGNI MATERIALS-002

This is to acknowledge the receipt of your letter/application dated

5/30/2006, and to inform you that the initial processing which includes an administrative review has been performed.

Amendment 37-01531-07 There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

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A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 138949.  
When calling to inquire about this action, please refer to this control number.  
You may call us on (610) 337-5398, or 337-5260.