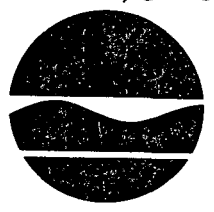


O. Orlando  
70-687



Thomas C. Jorling  
Commissioner

New York State Department of Environmental Conservation  
50 Wolf Road, Albany, New York 12233

SEP 21 1993

Mr. J. J. McGovern  
President/Plant Manager  
Cintichem, Inc.  
P.O. Box 816  
Tuxedo, New York 10987

Dear Mr. McGovern:

Re: Order on Consent #D200059005  
Amendment No. 2

The Bureau of Radiation has reviewed Cintichem's July 12, 1993 request from Ms. Evelyn Akiwumi-Assani for modification of the sampling requirements established in the Order on Consent (#D200059005), as amended in March 1993.

Ms. Akiwumi-Assani had requested approval to composite up to five samples collected, in any 12-hour period, from the retention pond (S-12) or the 5K waste water tanks. We have reviewed the analysis and data submitted with her request. The data indicate that the concentration of Sr-90 in the retention pond and the tanks during heavy rains does not vary significantly over a twelve-hour period. Analysis of a composite sample will be adequate to estimate the Sr-90 in the water released. Because the Sr-90 assay procedure has a minimum detectable activity of  $7 \text{ E-10 } \mu\text{Ci/ml}$ , the compositing of five samples would not mask a concentration in any one sample that approached ten percent of MPC. Therefore, your request is approved. Amendment No. 2 of the Order on Consent is enclosed.

In her letter, Ms. Akiwumi-Assani referenced the requirements of Paragraph V(B)(B) of the Order with regard to release of water from the tanks. Paragraph V(B)(B) was written to address sampling and analysis for gamma-emitters prior to release of the waste water in the tanks. Requirements for Sr-90 analyses are set in Paragraph III(B) of the March 1993 amendment. Therefore, the enclosed amendment refers to Paragraph III(B).

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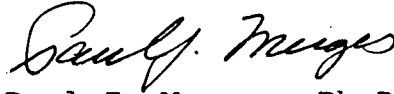
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Mr. J.J. McGovern

Page 2

Amendment #2 of Order on Consent #D200059005 is enclosed. If you have any questions, please contact Barbara Youngberg of this Bureau at 518-457-2225.

Sincerely yours,



Paul J. Merges, Ph.D.  
Chief, Bureau of Radiation  
Division of Hazardous Substances  
Regulation

enc.

cc: A. Dorozynski, Supervisor, Town of Tuxedo  
R. Aldrich, NYSDOL  
N. Orlando, NRC

STATE OF NEW YORK  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
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In the Matter of Violations of the  
Environmental Conservation Law("ECL"),  
Articles 3, 17, 19, and Parts 201, 380, 703,  
750-757 of Title 6 of the Official Compilation  
of Codes, Rules, and Regulations of the  
State of New York ("6 NYCRR") by:

ORDER ON CONSENT  
Case #D200059005

AMENDMENT NO. 2

CINTICHEM, INC., and MEDI-PHYSICS, INC.,

Respondents.

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Pursuant to Paragraph X of the March 1993 Amendment of Order  
on Consent #D200059005, Paragraph III of the March 1993 Amendment  
of Order on Consent #D200059005 is amended as follows:

1. Subparagraph (B)(1) is amended to read,

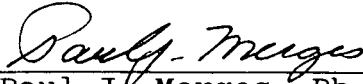
(B) Sampling and analysis for strontium-90 (Sr-90)

(1) Respondents shall sample and analyze for Sr-90 weekly, at the drinking water inlet of the reservoir and at S-4. Respondents shall sample the water in the retention pond (S-12) before each batch release of the retention pond and shall analyze those samples for Sr-90. During periods of heavy rainfall, up to five samples collected in a 12-hour period may be composited for Sr-90 assay. During continuous pumping of the retention pond (as specified in Paragraph V(A)(1)(b) of the Order issued June 6, 1990), an aliquot from each of the hourly samples collected for gamma analysis will be composited for Sr-90 assay.

2. A new subparagraph, (B)(3) is added, to read,

(3) Respondents shall sample and analyze for Sr-90 all water released through outfall 001 to determine the concentration and total activity of Sr-90 released. During periods of heavy rainfall, up to five samples collected from the 5K tanks in a 12-hour period may be composited for Sr-90 assay.

9/21/93  
Date

  
\_\_\_\_\_  
Paul J. Merges, Ph.D.  
Chief, Bureau of Radiation  
Division of Hazardous Substances  
Regulation