

50-54  
70-687

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



Thomas C. Jorling  
Commissioner

January 19, 1994

Mr. Edward J. Truskowski  
Manager, Health Physics and  
Environmental Monitoring  
Cintichem, Inc.  
P.O. Box 816  
Tuxedo, New York 10987

Dear Mr. Truskowski:

RE: Order on Consent No. D200059005

I am writing in response to your December 6, 1993 letter to Deputy Commissioner and General Counsel Marc Gerstman regarding certain reporting requirements in Paragraph II(D) of Order on Consent No. D200059005.

Paragraph II(D) states,

Respondents shall report to the Department, by no later than the 15th day of the next succeeding month, the total activity, by radionuclide, of radioactive material released through emission points 2A and 2B (as identified in appendix B of this Order);

After the Order was signed, DEC staff and Cintichem agreed that the radionuclides to be included in the monthly report would be Xe-133, I-125, I-131, and Mo-99, all of which were detected in the releases through E.P. 2B during the first half of 1990. At that time, Cintichem was packaging xenon-133 and assembling technetium generators in Building 4.

In your December 6, 1993 letter, Cintichem has requested approval to stop assaying for xenon at emission point 2B in Building 4. You stated that there is no source term of Xe-133 on the site, and there have been no detectable releases of xenon from E.P. 2B since July 1993. Department staff toured the former xenon filling room on November 16, 1993 and found that operations there had ceased. Based on your statements, and the Department staff's observations, the Department concurs that there is no reason to monitor for Xe-133 releases from Building 4 nor to report on xenon releases from emission point 2B.

9402010187 940119  
PDR ADOCK 05000054  
W PDR

NH10 1/0

Mr. Truskowski  
January 19, 1994

Page 2

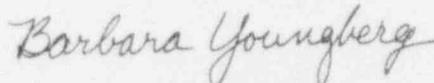
In your letter you also requested approval to stop reporting Mo-99 and I-131 releases. There is no longer a source term of iodine-125 or I-131 on the site, and Cintichem deleted I-125 from its monthly effluent report in November 1993. Given the fact that virtually all of the I-131 present on site in 1990 has now decayed, there is no reason to monitor or report on I-131 emissions from Building 4.

During our November 1993 inspection, Cintichem informed the Department that technetium generator production had ceased in June, 1993. Based on that statement and the statements in your letter, the Department concurs that there is no longer a need to report emissions of Mo-99 from Building 4.

The Department's decision on Cintichem's request applies only to the current operations in Building 4. If, in the future, Cintichem or any other party proposes to initiate operations in Building 4 that have a potential for airborne release of radioactive material, such release would be subject to regulation under 6 NYCRR Part 380. In that case, the party proposing the operation should contact the Bureau of Radiation at the above address for further information about Part 380 and its requirements.

If you have any questions, please call me at 518-457-2225.

Yours truly,



Barbara Youngberg  
Environmental Radiation Specialist  
Bureau of Radiation  
Division of Hazardous Substances  
Regulation

BY/

cc: J. Ribando, Supervisor, Town of Tuxedo  
— D. Orlando, USNRC  
R. Aldrich, NYSDOL  
R. Aldrich, DEC Region 3, HSRE  
A. Ciesluk, DEC Region 3, DRA  
B. Conlon, DEC, DEE