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DOCKET NUMBER
PROPOSED RULE PR 20
(59FR 9146)

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

ATTENTION: Docketing and Services Branch

SUBJECT: Disposal of Radioactive Material by Release into Sanitary Sewer Systems.
59 Fed. Reg. 9146 - February 25, 1994
Request for Comments

On February 25, 1994 (59 FR 9146), the Nuclear Regulatory Commission published for public comment an advance notice of proposed rulemaking (ANPR) titled "Disposal of Radioactive Material by Release into Sanitary Sewer Systems." Notice requests comments that will be utilized by the Commission to determine if there is a need to amend the regulations for release of radionuclides to sanitary sewers from licensed facilities.

Florida Power and Light Company (FPL), as the licensed operator of two nuclear power plant units in Dade County, Florida and two nuclear power plant units in St. Lucie County, Florida, submits the following comments regarding the subject Federal Register Notice.

No changes to the regulations in this area should be considered at this time. A revision to 10 CFR 20 that affects these releases went into effect on January 1, 1994. Also, on January 28, 1994, the NRC issued Information Notice 94-07 on "Solubility Criteria for Liquid Effluent Releases to Sanitary Sewage under the Revised 10 CFR Part 20". It is too early to determine if these changes will have any effect on the form and quantity of radioactive material released to sanitary sewers. FPL believes it is important to determine the effects of the above changes prior to amending the regulations.

The NRC has not demonstrated that further changes to the regulations are required at this time. The contamination incidents described in the ANPR appear to be somewhat isolated and in most cases can be attributed to a single licensee. By the NRC's admission, each case has had negligible effect on the health and safety of the general public. Quantities and concentrations of radionuclides appear to be within current regulatory limits. Radiation exposures to the general public

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appear to be within NRC guidelines and limits. Also, the quantities and concentrations of radionuclides at affected facilities appear to be within 10 CFR 30 limits for general licensees. Finally, the NRC has not demonstrated that the revisions described above will not further reduce effluents from licensed facilities.

Prior to making any further revisions to these regulations, the NRC should evaluate the effect the revisions will have on occupational radiation exposures to workers at licensed facilities due to processing, treatment, packaging, and storage of sewage in preparation for disposal. Additionally, the NRC should evaluate the cost/benefit of alternatives to release into sanitary sewers and the impact of the potential burden on low level nuclear waste disposal facilities. Sewage sludge has proven to be very difficult and expensive to process into a form that is acceptable to nuclear disposal sites, while there is negligible added benefit to the general public. Furthermore, several areas of the country do not have access to nuclear disposal sites at this time and would be forced to store the material on site indefinitely.

The following are additional comments regarding the specific questions asked by the NRC in the discussion:

The revised regulations should not take into consideration new technologies for processing sewage. The NRC does not know at this time which, if any, of these technologies will ultimately be used. Neither does the NRC know when any of these technologies will be available or when they are likely to be implemented or installed. Considering the large capital investment in current sewage treatment plants, it is not likely that any of these technologies would see any wide-spread use within the next 10 to 15 years. Therefore, it is too early for serious consideration of new technologies.

It would not be practicable to give a 24-hour advance notification when releasing radioactive material to sanitary sewers. In most cases, releases to sewer systems are continuous and involve very small quantities of radioactive material. In all cases, since releases are small, advance notification would serve no practical purpose and would increase the regulatory burden on licensees. FPL agrees that material released to sanitary sewers should be exempt from requirements for NRC approval for incineration, since the impact on the health and safety of the general public is negligible.

Limitations on radionuclide releases to sanitary sewers should not be based upon an individual being exposed by the ingestion of water from the sewer outfall. It is unrealistic to consider that any individual would ingest up to 2 liters per day of raw sewage on a continuous basis. Even treated sewage effluent is limited by most local regulations to agricultural use only. Local regulations also prohibit human consumption of sewage effluent within certain distances downstream of an outfall. The NRC should determine a typical downstream distance for human consumption and use this for the basis for estimating individual ingestion exposures.

FPL appreciates the opportunity to comment on this issue.

Very truly yours,

D. N. Paduano Jr

for W. H. Bohlke
Vice President
Nuclear Engineering and Licensing

WHB/PJS/spt