

June 21, 2002

Dr. Lewis Cuthbert, President
Alliance For A Clean Environment
P.O. Box 3063
Stowe, Pennsylvania 19464

Dear Dr. Cuthbert:

As requested in your March 20, 2002, fax to John Greeves, Director, Division of Waste Management, we are providing copies of inspection reports related to an occurrence involving five bags of radioactive material that were mistakenly transferred from Exelon Corporation's Limerick Generating Station (Exelon-LGS) to the Pottstown Landfill on March 11, 2002. Section 2PS2 of NRC Report No. 50-352; 50-353/02-03 and Section 4OA3 of NRC Report No. 50-352; 50-353/02-02 (enclosed) describe NRC's review and evaluation of this issue. This matter was previously discussed with you in a telephone discussion with Dr. Shanbaky of our office on March 21, 2002.

Relative to your question about the "kinds and level of radiation in wastes, permitted by NRC to enter landfills," NRC regulations prohibit NRC licensee's from disposing of any radioactive material, except as specifically authorized. Exelon-LGS is not authorized to dispose of any radioactive materials at the Pottstown Landfill. To assure proper control, NRC requires licensees to secure radioactive materials from unauthorized removal. Though the five bags containing radioactive materials were not purposely released by Exelon for disposal to the Pottstown Landfill, or actually disposed of at the landfill, NRC determined that Exelon failed to adequately secure the radioactive materials from unauthorized removal, which constituted a violation of NRC requirements.

NRC inspectors reviewed this issue as part of our routine inspection process. The NRC determined that this occurrence was of very low safety significance and did not affect the health and safety of members of the public or impact the environment. Appropriately, the finding was documented as a non-cited violation in accordance with NRC's Enforcement Policy. As a result of this occurrence, Exelon-LGS established corrective actions to prevent recurrence.

Dr. Lewis Cuthbert

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We appreciate your interest in this matter. If you have additional questions or concerns, you may contact me at (610) 337-5114.

Sincerely,

/RA/

John R. White, Chief
Radiation Safety and Safeguards Branch
Division of Reactor Safety

Enclosures:

1. NRC Inspection Report 50-352; 50-353/02-02
2. NRC Inspection Report 50-352; 50-353/02-03

cc w/enclosure:

Joseph Feola, Director
Southeast Regional Office
Pennsylvania Department of Environmental Protection

Dr. Lewis Cuthbert

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