

U.S. NUCLEAR REGULATORY COMMISSION
REGION I

Report No. 50-244/90-18

Docket No. 50-244

License No. DPR-18


Licensee: Rochester Gas and Electric Company
49 East Avenue
Rochester, New York 14649

Facility Name: Robert E. Ginna Nuclear Power Plant

Inspection At: Barnwell, South Carolina


Inspection Conducted: July 19, 1990

Inspectors:



J. Furia, Radiation Specialist, Effluents Rad- 8/25/90
iation Protection Section (ERPS), Facilities date
Radiological Safety and Safeguards Branch (FRSSB)
Division of Radiation Safety and Safeguards (DRSS)

Approved by:



R. Bores, Chief, ERPS, FRSSB, DRSS 8/24/90
date

Inspection Summary: Inspection on July 19, 1990 by a representative of the State of South Carolina Department of Health and Environmental Control.

Areas Inspected: Rochester Gas and Electric Company was the originator of a waste shipment which was inspected at the Barnwell Disposal Site at Barnwell, South Carolina.

Results: One violation was identified (shipment of byproduct material in a form not authorized by Agreement State license and failure to provide structural stability for waste to be buried).



DETAILS

On July 13, 1990, Rochester Gas and Electric Company shipped from the Robert E. Ginna Nuclear Power Plant a container of spent dewatered resins. This shipment, number 90-37, contained 107 Curies of principally mixed fission and activation products, contained in a polyethylene High Integrity Container (poly-HIC), placed inside a CNSI model 8-120B shipping cask. Upon receipt inspection of this cask and its contents on July 19, 1990 at the Barnwell Disposal Site at Barnwell, South Carolina, it was found that some resin was present outside the poly-HIC but within the shipping cask.

10 CFR 30.41(c) requires that a licensee transferring licensed materials to another licensee, including an Agreement State licensee, ensure that the receiving licensee be authorized to accept the material. Condition 60 of license 097, issued by the State of South Carolina for the operation of the Barnwell Disposal Site, requires that no loose radioactive waste be within a shipping cask. Additionally, 10 CFR 61.56(b)(1) requires that waste be placed in a disposal container in order to have structural stability after disposal. This is an apparent violation (50-244/90-18-01).

Mr. A. Herman, Radwaste Supervisor for the Robert E. Ginna Nuclear Power Plant was informed of this apparent violation of NRC requirements in a telephone conversation with Mr. J. Furia of the Region I Office on August 13, 1990.

The licensee was issued a fine of \$ 1000.00 for this violation, as stated in the South Carolina Department of Health and Environmental Control letter to Rochester Gas and Electric Company, dated July 31, 1990.



July 31, 1990

CERTIFIED MAIL

Mr. Alan L. Herman
Health Physicist
Rochester Gas & Electric Corporation
89 East Avenue
Rochester, NY 14649

Dear Mr. Herman:

An investigation conducted on July 19, 1990 by the S.C. Department of Health and Environmental Control revealed that a shipment of radioactive waste received at the Chem-Nuclear Systems, Inc. burial facility in Barnwell, SC was in noncompliance with applicable state and federal regulations.

The violation is identified as follows:

Radioactive Waste Shipment No. 0790-117, classified as Radioactive Material, LSA, nos, described as Dewatered Resins with Metal Oxides, packaged in a 8-120-B shipping cask, and transported as Exclusive Use, was found to have loose contaminated material present inside the shipping cask in excess of regulatory limits. This is contrary to the requirements of S.C. Radioactive Material License 097, Condition 60, and constitutes a violation of Section 1.2, Department Regulation 61-83.

Please be informed that pursuant to Section 13-7-180, S.C. Code of Laws, 1976 (as amended), and Section 7.3 of the Department's Regulations for the Transportation of Radioactive Waste Into or Within South Carolina, you are hereby assessed a civil penalty of One Thousand Dollars (\$1,000.00).

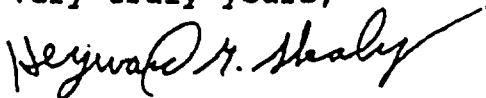
Further, you are required to investigate this matter and submit corrective measures to ensure future compliance with all applicable state and federal regulations.

If you do not wish to appeal this decision, payment of the civil penalty submitted no later than August 20, 1990, and made payable to the S.C. Department of Health and Environmental Control. Information concerning corrective measures and procedural modifications shall be submitted accordingly.

Mr. Alan L. Herman
Rochester Gas & Electric Corp.
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You are entitled to a full administrative hearing upon request and have 20 days from the date of this letter to make such application. However, should you wish to discuss this matter with us in an informal setting, representatives of this Bureau will be made available to meet with you at a mutually convenient time. Should you desire such a conference or wish to request a formal administrative hearing, please contact Mr. Virgil R. Autry of the Bureau of Radiological Health at (803) 734-4633.

Very truly yours,



Heyward G. Shealy, Chief
Bureau of Radiological Health

MAY/ac

cc: Bill House, CNSI
Robert Trojanowski, USNRC Region II