

VIRGINIA ELECTRIC AND POWER COMPANY

RICHMOND, VIRGINIA 23261

October 8, 1980

Mr. James P. O'Reilly, Director
Office of Inspection and Enforcement
U. S. Nuclear Regulatory Commission
Region II
101 Marietta Street, Suite 3100
Atlanta, Georgia 30303

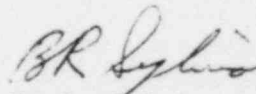
Serial No. 786
NO/RMT:ms
Docket No. 50-338
License No. NPF-4

Dear Mr. O'Reilly:

We have reviewed your letter of September 15, 1980 in reference to the inspection conducted at North Anna Power Station on June 19, 1980 and reported in IE Inspection Report No. 50-338/80-31. Our response to the specific infraction is attached.

We have determined that no proprietary information is contained in the report. Accordingly, the Virginia Electric and Power Company has no objection to this inspection report being made a matter of public disclosure.

Very truly yours,



B. R. Sylvia
Manager - Nuclear
Operations and Maintenance

Attachment

cc: Mr. J. Philip Stohr, Chief
Fuel Facility and Materials
Safety Branch

Mr. Robert A. Clark, Chief
Operating Reactors Branch No. 3
Division of Licensing

8012810038

50-338

NORTH ANNA POWER STATION
RESPONSE TO NOTICE OF VIOLATION

NRC Comment:

As required by 10 CFR 71.5, no licensee shall deliver licensed material to a carrier for transport unless the licensee complies with applicable regulations of the Department of Transportation in 49 CFR Page 170-189. 49 CFR 173.392(c) (8) states that the outside of each outside package must be stencilled or otherwise marked "Radioactive - LSA."

Contrary to the above, on June 19, 1980, the licensee delivered radioactive material to the Home Transportation Company trailer #035 (SSR #020845) without the prescribed marking.

This is Severity Level IV violation.

Response:

The violation is not correct as stated.

1. Four individuals, including a Senior Quality Assurance Inspector, an Assistant Health Physics Supervisor, a Step 7 Health Physics Technician and the Supervisor of Health Physics observed the cask prior to shipment on June 18, 1980. All four individuals confirmed that, at that time, shipment number 06-80-729A was properly labeled. Conditions normally experienced during transport may have removed the placards, i.e., adverse weather conditions.
2. The Code of Federal Regulations Title 49 Transportation revised as of October 1, 1979, Part 172.516 "Visibility and Display of Placards." (6).
"Be maintained by the carrier in a condition so that the format, legibility, color, and visibility of the placard will not be substantially reduced due to damage, deterioration, obscurement by dirt or other matter"
3. NRC IE Information Notice No. 80-32 dated August 29, 1980, Appendix B, Scenario (1) states:
"The inner packaging may be considered to be the "Package" provided the outer enclosure is not necessary to achieve compliance with the radiation level limit of 173.393 (j) (2)."
4. The cask was used only because Chem-Nuclear Services Incorporated, requested that dewatered resins be transported in a transport container. There was no regulatory basis for using a type B cask, or any other transport cask.

5. The licensee contends that the cask and liner were properly placarded, prior to the vehicle leaving the control area of Virginia Electric and Power Company's North Anna Power Station. Furthermore, the licensee maintains that they cannot be responsible for the transport vehicle after the vehicle leaves our control area.
6. The licensee further contends that the violation is not warranted.