



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

COMMISSION
CORRESPONDENCE

December 3, 1980

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The Honorable J. Joseph Garrahy
Governor of Rhode Island
Providence, Rhode Island 02903

Dear Governor Garrahy:

Thank you for your letters of October 4, 20 and 28, 1980 in which you discussed your concerns about problems involving the transportation and disposal of low-level radioactive wastes from the United Nuclear Corporation (UNC), Wood River Junction facility. You requested that the NRC conduct an inquiry into the circumstances which resulted in the ban of UNC shipments in the State of Nevada. We share your concern in this matter and have been conducting a continuing investigation. Results of our investigation will be made public through the NRC inspection report concerning this matter. Enforcement action to be taken will be transmitted to the licensee as a part of this inspection report. Since your initial inquiry, members of my staff have had numerous contacts with Mr. Grant and other members of your staff in order to keep the State of Rhode Island updated with regard to developments at UNC.

In your letter of October 4, 1980, you made several requests of the NRC with regard to the ban on UNC shipments. These are addressed in the attachment to this letter. In your letter of October 20, 1980, you outlined a proposed program to ensure that decontamination procedures proceed expeditiously with full involvement by the State and the Citizen Advisory Committee. Our comments on the five-point program outlined in your October 20 letter are also provided in the attachment.

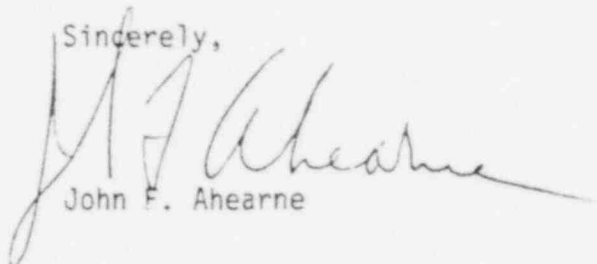
As you are aware, on November 12, 1980, NRC staff met at the State Capitol with members of your staff and members of the Citizens Advisory Committee. We believe this was an extremely productive meeting. Plans were made for the State and NRC to conduct a joint public meeting in order to discuss with the public the various aspects of the current situation at UNC. This meeting was held on December 2, 1980. Mr. Grant also discussed with my staff the various concerns you expressed in your letters of October 4, 20 and 28, 1980. I understand your concerns with regard to NRC's role in this matter have been addressed to the State's satisfaction. The results of these discussions are summarized in NRC's comments on your five-point program in the attachment.

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The Honorable J. Joseph Garrahy - 2 -

I am pleased to note that our staffs have been able to work together in addressing our mutual concerns. I look forward to continuing this relationship.

Sincerely,

A handwritten signature in cursive script, appearing to read "John F. Ahearne". The signature is written in dark ink and is positioned above the printed name.

John F. Ahearne

Enclosure
As stated

Attachment

REQUESTS OF THE NRC IN GOVERNOR GARRAHY'S LETTER OF OCTOBER 4, 1980

1. "NRC assign an inspector to the UNC site to oversee the unloading of trucks which return to Wood River Junction from Beatty, Nevada, and inspect the drums when open."

Current Status

This action has been completed. NRC had inspectors onsite at Wood River Junction during the weeks of October 14-17 and October 20-24, 1980. These inspectors observed the unloading of each truck as it returned to the licensee's facility. These trucks were either enroute to or had been rejected at the Beatty, Nevada, burial site. Each container, which had been identified as leaking at the burial site, has been opened, examined and sampled. All containers have been examined for evidence of leakage and many containers, selected randomly, were also opened and inspected.

2. "NRC assign an inspector to the UNC site in cooperation with State inspectors in monitoring UNC's waste processing and packaging operations with a view toward insuring the integrity of the processes in achieving compliance with State of Nevada regulations. My sole aim is to expedite the recertification process through which UNC must go before regaining permission to dump at Beatty."

Current Status

The NRC inspectors onsite reviewed the licensee's procedures for processing and packaging lagoon waste prior to shipping to the burial site. As a result of this review, the licensee shut down the processing operation on October 8, 1980 and in a letter dated October 8, 1980 to the NRC, stated that the processing operation would not be restarted until:

- a. existing procedures are revised to accurately reflect current practices, or new procedures are generated, whichever is applicable, and
- b. lagoon process personnel are fully trained in the application of the modified or new procedures.

The lagoon sludge processing operation was restarted again with NRC concurrence on October 16-17, 1980 but was later shut down for the winter. NRC inspectors will continue to monitor these operations and procedures on an "as-needed" basis.

3. "Continue to provide close cooperation, assistance and advice to me and my office as I coordinate the implementation of a program to insure that this does not happen again and that UNC gets recertified as soon as possible."

Current Status

NRC personnel are continuing to supply information to the State as appropriate information is generated.

NRC COMMENTS ON FIVE-POINT PROGRAM IN GOVERNOR GARRAHY'S LETTER OF OCTOBER 20, 1980

1. "The state will join NRC in conducting an inquiry. I have directed the Division of Radiological Control in the Department of Health to completely debrief officials at UNC and obtain from them detailed information concerning the procedures used by United Nuclear for processing and packing this waste. I also want to find out what went wrong and why."

Current Status

The initial phase of the NRC inspection concerning this matter has been completed. State Department of Health personnel participated in the survey of the shipments which were returned to the UNC site. At the November 12, 1980 meeting between the State and the NRC, it was decided that the Department of Health would be informed of, and invited to, all subsequent NRC inspection visits to the site regarding this matter.

2. "The technical experts in the Department of Health, my staff, the Citizens Advisory Committee and NRC officials would review, analyze and discuss this information with United Nuclear. The State team, the Citizens Advisory Committee and NRC will make recommendations, if any are warranted, to United Nuclear with regard to improving its operations so that this incident does not recur. It is essential that UNC's processing and packaging procedures incorporate sufficient quality assurance to prevent occurrences such as those that resulted in the rejection of shipments by Nevada."

Current Status

There are two paths by which this can be accomplished. First, during subsequent NRC inspection visits in which the State participates, the State would have an opportunity to provide comments on the UNC operations to NRC. Secondly, at the public meeting on December 2, 1980 the CAC and the public will have an opportunity to analyze the current information and make recommendations for improvement.

3. "I want the NRC to monitor the operations closely over a period of time to ensure that they work properly. After close inspection and continual monitoring of the operations when they start, I still want the operations and procedures checked from time to time by NRC to ensure high quality is maintained."

Current Status

When waste packaging and shipment operations resume at UNC, the NRC will be present onsite to ensure that all operations are in strict compliance with the licensee's own procedures and applicable regulatory requirements. This presence onsite will be maintained until the NRC is convinced that the licensee is capable of properly conducting waste packaging and shipment operations. After this initial phase of continuous onsite presence, the NRC Office of Inspection and Enforcement will conduct periodic, unannounced inspections to ensure continued regulatory compliance.

4. "As a minimum, I want to see a program under which every single container of waste prepared by UNC from now on is individually inspected, before it is sealed and shipped, by the NRC or a special quality assurance technical consultant hired by UNC."

Current Status

Item 3 above discusses what NRC's role will be in this regard. Additional third party inspections of waste packages as a condition for release from the UNC site, into the State in which the burial ground is located, or acceptance by the burial ground operator is a matter that should be negotiated separately by State agencies or the burial ground operator with UNC.

5. "At this point, I want the Division of Public Utilities and Carriers, the Department of Health, the Department of Transportation and the Defense Civil Preparedness Agency to coordinate a review of the manner in which UNC truckers have used the permits issued to them to transport radioactive materials on state highways. This permit is issued by the Public Utilities Commission."

Current Status

This area of regulation is clearly the responsibility of the State and the other named agencies. The NRC should be informed when the ban on issuance of highway use permits for radioactive waste shipments originating from UNC is lifted. This ban was explained in Governor Garrahy's letter of October 28, 1980.