

JUL 02 1981

Docket No. 50-277
50-278
EA-81-31

Philadelphia Electric Company
ATTN: S. L. Daltroff
Vice President
2301 Market Street
Philadelphia, PA 19101



Gentlemen:

This will acknowledge receipt of your letter dated June 18, 1981, in response to our letter, with enclosed Notice of Violation, dated May 20, 1981. We have no further questions at this time regarding your corrective actions. These actions were reviewed during inspections 50-277/81-06 and 50-278/81-06.

Your letter requested us to review the significance of the violation that we categorized at Severity Level III in our Notice of Violation, with a view toward reclassifying the violation at a lower severity level due to its apparent insignificance. Contrary to your view, the NRC considers breaches of package integrity to be significant. It is unacceptable for material to be transported without proper packaging because of the potential for exposing individuals, both on the public highway and at the burial site, to the radioactive content of the packages transported. Had the actual consequences of the event been more significant, additional enforcement action would have been considered, regardless of the actions taken by the State.

You also commented that one of the reasons for breaching of the packages included truck vibration, which is a condition considered to be normally incident to transportation. Package integrity must be sufficient to withstand conditions normally incident to transportation.

We find no basis in fact to reduce the severity level as you suggested; the violation therefore remains a Severity Level III violation.

Sincerely,

Original signed by
Dudley Thompson, Director
Enforcement and Investigations
Office of Inspection and Enforcement

8108180035 810702
PDR ADUCK 05000277
Q PDR

*Mount &
J. Lieberman
(jlm)*

OFFICE	EI:VE	ELD	EI:D			
SURNAME	J. Metzger/bts	J. Lieberman	D. Thompson			
DATE	7/1/81	7/2/81	7/2/81			

In accordance with Section 2.790 of the NRC's "Rules of Practice", Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosures will be placed in the NRC's Public Document Room.

Sincerely,

[Handwritten signature]
R. C. Young

Victor Stello, Jr.
Director
Office of Inspection and Enforcement

Enclosure:
Appendix A, Notice of Violation

Distribution:

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- JCrooks, OMPA
- JCummings, OIA
- Enforcement Coordinators, RI, RII, RIII, RIV, **RV**
- IE Files
- Central Files
- ~~A Puglise, CON L-316~~
- EI Reading File
- EDO Reading File
- RECunningham, FCMS

Department of Environmental Resources
ATTN: Thomas M. Gerusky
Director
Bureau of Radiation Protection
P. O. Box 2063
Harrisburg, PA 17120

Department of Justice
ATTN: Hon. Edward G. Biester, Jr.
Attorney General
16th Fl, Strawberry Square
Harrisburg, PA 17101

Public Utility Commission
ATTN: Chairman
104 North Office Bldg
Harrisburg, PA 17120

WPU:JD EI: *[initials]* *[initials]*
5/1/81 JMetzger Brockett
THOM8(E) 5/5/81 5/5/81

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D:EI:IE
DThompson
5/11/81

[Handwritten signature]
R. Mount
ELD for
JMurray
5/5/81
(fru)

DD: *[initials]*
RCDeYoung
5/12/81

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VStello
5/12/81