



Portland General Electric Company

James E. Cross Vice President, Nuclear

November 21, 1990

Trojan Nuclear Plant  
Docket 50-344  
License NPF-1

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington DC 20555

Dear Sirs:

Reply to a Notice of Violation

Your letter of October 29, 1990 transmitted a Notice of Violation associated with Nuclear Regulatory Commission (NRC) Inspection Report 50-344/90-31.

Attachment 1 to this letter contains Portland General Electric Company's response to the violation contained in the inspection report.

Sincerely,

Attachment

c: Mr. John B. Martin  
Regional Administrator, Region V  
U.S. Nuclear Regulatory Commission

Mr. David Stewart-Smith  
State of Oregon  
Department of Energy

Mr. R. C. Barr  
NRC Resident Inspector  
Trojan Nuclear Plant

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REPLY TO A NOTICE OF VIOLATION

Violation

During an inspection conducted on October 1-5, 1990, a violation of Nuclear Regulatory Commission (NRC) requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions", Title 10 of the Code of Federal Regulations, Part 2 (10 CFR 2), Appendix C (1990), the violation is listed below:

10 CFR 30.41, "Transfer of Byproduct Material", states in part:

- (c) Before transferring byproduct material to a specific licensee of . . . an Agreement State . . . the licensee transferring the material shall verify that the transferee's license authorizes the receipt of the type, form, and quantity of byproduct material to be transferred.

Contrary to the above, from April 23, 1990, to May 30, 1990, the Portland General Electric Company (PGE) completed five shipments transferring radioactive byproduct material to a licensee of the State of Washington, and failed to verify that the transferee's license authorized receipt of the type, form, and quantity of byproduct material transferred. The recipient was not authorized, pursuant to their State of Washington license, to receive radioactive material in plastic bags for sorting and decontamination.

This is a Severity Level IV violation.

Response

PGE acknowledges the violation.

1. Reason for the Violation:

From April 23, 1990 to May 30, 1990, PGE improperly verified the authorization of a transferee's license prior to shipment of dry active waste as directed by 10 CFR 30.41(c).

The reason for the improper verification was a failure by the Acting Radioactive Waste Unit Supervisor to obtain confirmation that the transferee's license (from Washington State) authorized the receipt of the type, form, and quantity of by-product material prior to the first shipment in April of 1990, as directed by 10 CFR 30.41(d)(5). A Radioactive Waste Technician properly raised the concern to his Supervisor, in conformance with PGE management expectations, however,

the Acting Radioactive Waste Unit Supervisor relied on this own knowledge and the transferee's verbal interpretation of its license to base his decision for shipment.

2. Corrective Steps That Have Been Taken and the Results Achieved.

Locked controls were placed on the Trojan byproduct material in storage at the transferee's facility. Shipments to the transferee were suspended.

The Acting Radwaste Unit Supervisor was counseled on management expectations with respect to following through with regulatory agencies when questions are raised concerning a vendor's license or qualifications.

The transferee's license has been amended by the State of Washington to authorize storage of the material received from Trojan.

PGE's purchase order to the transferee was amended to delete sorting services.

The inspection report expressed a concern that a contributing cause to the shipment problems may have been a perception of management pressure to reduce waste output and therefore, workers were reluctant to bring their concern to the attention of management. As a result of the concern, PGE Radiation Protection management discussed this issue with the Radwaste Group. It was emphasized that all radioactive waste shipments shall be fully compliant with the regulations. If any uncertainty exist, it shall be fully explored prior to the shipment.

The State of Washington amended the transferee's license again on November 15, 1990, authorizing the drum compaction of PGE's dry active waste for subsequent super compaction. On November 16, 1990, PGE removed the locked controls on the C-Van storage containers and authorized the transferee to begin the in-drum compaction process.

The result of these corrective actions is that Trojan is no longer in violation of 10 CFR 30.41.

3. Corrective Steps That Will Be Taken to Avoid Further Violations.

A procedure revision to Radiation Protection Manual Procedure (RPMP)-1 will be completed to require independent verification through quality control checks ensuring that transferees are authorized to receive the shipment of byproduct material, per the requirements of 10 CFR 30.41(c). The revision will include a precautionary note requiring that the cognizant licensing agency (Commission or Agreement State) be contacted to resolve questions

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or license conflicts prior to shipment. The procedure revision will be completed by December 15, 1990.

4. The Date When Full Compliance Will Be Achieved.

PGE is in compliance with the requirements of 10 CFR 30.41 as verified by the amendment to the transferee's license by the State of Washington on August 15, 1990.

WJW/bsh  
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