

JUL 3 0 1982

Docket No. 50-320

GPU Nuclear Corporation  
ATTN: Mr. J. J. Barton  
Acting Director of TMI-2  
P.O. Box 311  
Middletown, PA 17057

Gentlemen:

Subject: Inspection 50-320/82-06

This refers to the special safety inspection conducted by Dr. M. Shanbaky of this office on May 12 - 28, 1982, of activities authorized by NRC License DPR-73 and to the discussions of our findings held by Dr. Shanbaky with Messrs. J. Chwastyk, G. Kunder, and other members of your staff at the conclusion of the inspection, and to a subsequent telephone discussion between Dr. Shanbaky and yourself on June 17, 1982. The inspection includes findings by a resident inspector for the State of Washington on May 5, 1982, of a shipment of LSA (low specific activity) radioactive waste shipped from your facility in Middletown, Pennsylvania, to the U.S. Ecology burial site in Richland, Washington. The findings of the State of Washington were relayed to the NRC Region V office on May 5, 1982. The State of Washington and the NRC Region V Inspection Reports are attached to the NRC Inspection Report enclosed with this letter.

Areas examined during this inspection are described in the NRC Region I Inspection Report which is enclosed with this letter. Within these areas, the inspection consisted of selective interviews with personnel, selective examination of procedures and representative records, and observations by the inspector.

Based on the results of these inspections, it appears that one of your activities was not conducted in full compliance with NRC requirements, as set forth in the Notice of Violation, enclosed herewith as Appendix A. The violation has been categorized by severity level in accordance with the NRC Enforcement Policy (10 CFR 2, Appendix C) published in the Federal Register Notice (47 FR 9987) dated March 9, 1982. You are required to respond to this letter and in preparing your response, you should follow the instructions in Appendix A.

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The violation for which you have been cited has already been the subject of enforcement action by the State of Washington. On May 5, 1982, the State of Washington suspended your burial permit for a period of thirteen days from May 5, 1982, to May 18, 1982. You were also required to submit evidence that adequate measures had been implemented to assure compliance with all applicable provisions of State and Federal law.

In view of the circumstances surrounding this matter, we have exercised our discretion under the NRC Enforcement Policy and have chosen to issue at this time the enclosed Notice of Violation.

After reviewing your response to this Notice of Violation and your proposed corrective actions, the NRC will determine whether further action is necessary in order to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.790(a), a copy of this letter and the enclosures will be placed in the NRC Public Document Room unless you notify this office, by telephone, within ten days of the date of this letter and submit written application to withhold information contained therein within thirty days of the date of this letter. Such application must be consistent with the requirements of 2.790(b)(1). The telephone notification of your intent to request withholding, or any request for an extension of the 10 day period which you believe necessary, should be made to the Supervisor, Files, Mail and Records, USNRC Region I, at (215) 337-5222.

The responses directed by this letter and the accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Your cooperation with us in this matter is appreciated.

Sincerely,

Original Signed By:

Richard W. Starostecki, Director  
Division of Project and Resident  
Programs

Enclosures:

1. Appendix A, Notice of Violation
2. NRC Region I Inspection Report Number 50-320/82-06
3. NRC Region V Inspection Report 15000046/82-06
4. Department of Social and Health Services, State of Washington,  
letter 5/10/82

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cc w/encl:

- J. J. Barton, Director, Site Operations
- J. E. Larson, Supervisor, TMI-2 Licensing
- E. G. Wallace, PWR Licensing Manager
- J. B. Liberman, Esquire
- G. F. Trowbridge, Esquire
- Public Document Room (PDR)
- Local Public Document Room (LPDR)
- Nuclear Safety Information Center (NSIC)
- NRC Resident Inspector
- Commonwealth of Pennsylvania
- Ms. Mary V. Southard, Co-Chairman, Citizens for a Safe Environment  
(Without Report)

bcc w/encl:

- Region I Docket Room (with concurrences)
- L. Barrett, Deputy Program Director, TMI Program Office
- Chief, Operational Support Section (wo/encl)
- Ms. Mary V. Southard, Co-Chairman, Citizens for a Safe Environment
- Chief, TIB
- J. Lieberman, IE
- D. Holody, RI

OFFICE ▶	TMIS <i>MS</i>	TMIS <i>MS</i>	TMIPO <i>MS</i>	DPRP#2 <i>MS</i>	DPRP <i>MS</i>		
SURNAME ▶	MShanbaky/Imp	AFasano	LBarrett	RKeinig	RStarostecki		
DATE ▶	6/23/82	6/23/82	6/23/82	6/23/82	6/29/82		