



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

October 29, 2020

EA-20-094

Mr. Bob Franssen
Site Vice President
Entergy Operations, Inc.
Grand Gulf Nuclear Station
P.O. Box 756
Port Gibson, MS 39150

SUBJECT: GRAND GULF NUCLEAR STATION – NRC INSPECTION REPORT
05000416/2020015; PRELIMINARY WHITE FINDING

Dear Mr. Franssen:

On August 21, 2020, the U.S. Nuclear Regulatory Commission (NRC) completed an inspection relative to Grand Gulf Nuclear Station. The purpose of this inspection was to review the details of the May 22, 2020, transport of radioactive licensed material from your site to a processing facility in Oak Ridge, Tennessee. On September 14, 2020, a final exit briefing was conducted telephonically with Mr. Eric Larson and other members of your staff. The results of this inspection are documented in the enclosed report.

The enclosed report discusses a finding, with four associated apparent violations, that the NRC has preliminarily determined to be White – “a finding with low-to-moderate safety significance that may require additional NRC inspections.” As described in Section 71153 of the enclosed report, on May 22, 2020, your staff offered to a carrier for transport a radioactive material package described as Low Specific Activity – II (LSA-II) that failed to meet the radiation level limits specified in 49 CFR 173.427 for shipping as LSA. The measured radiation levels were in excess of 10 mSv/hour (1 Rem/hour) at 3 meters from the unshielded package, exceeding the conditions of transport for LSA material and requiring the package be appropriately described as Type B radioactive material. Consequently, the shipment failed to contain the appropriate emergency response information which is required by 49 CFR 172.602(a), as well as the appropriate package markings required by 49 CFR 172.302(a). The finding was assessed based on the best available information, using the applicable Significance Determination Process (SDP). The final resolution of this finding will be conveyed in separate correspondence.

The finding has four associated apparent violations which are being considered for escalated enforcement action in accordance with the NRC Enforcement Policy, which can be found on the NRC website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>.

In accordance with NRC Inspection Manual Chapter 0609, we intend to complete our evaluation using the best available information and issue our final significance determination and enforcement decision, in writing, within 90 days from the date of this letter. The significance

determination process encourages an open dialogue between your staff and the NRC; however, the dialogue should not impact the timeliness of our final determination.

Before we make a final decision on this matter, we are providing you with an opportunity to either (1) attend a Regulatory Conference where you can present to the NRC your perspective on the facts and assumptions the NRC used to arrive at the finding and assess its significance, or (2) submit your position on the finding to the NRC in writing. If you request a Regulatory Conference, it should be held within 40 days of the receipt of this letter and we encourage you to submit supporting documentation at least one week prior to the conference in an effort to make the conference more efficient and effective. The focus of the Regulatory Conference is to discuss the significance of the finding and not necessarily the root cause(s) or corrective action(s) associated with the finding. If a Regulatory Conference is held, it will be open for public observation. If you decide to submit only a written response, such submittal should be sent to the NRC within 40 days of your receipt of this letter. If you decline to request a Regulatory Conference or to submit a written response, you relinquish your right to appeal the final SDP determination, in that by not doing either, you fail to meet the appeal requirements stated in the Prerequisite and Limitation sections of Attachment 2 of NRC Inspection Manual Chapter 0609.

If you choose to send a written response, it should be clearly marked as a "Response to Apparent Violations in NRC Inspection Report 05000416/2020015; (EA-20-094)" and should include for the apparent violations: (1) the reason for the apparent violations or, if contested, the basis for disputing the apparent violations; (2) the corrective steps that have been taken and the results achieved; (3) the corrective steps that will be taken; and (4) the date when full compliance will be achieved. Your response may reference or include previously docketed correspondence, if the correspondence adequately addresses the required response.

Additionally, your written response should be sent to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Director, Division of Nuclear Materials Safety, U.S. Nuclear Regulatory Commission, Region IV, 1600 East Lamar Blvd., Arlington, Texas 76011-4511, and the NRC Resident Inspector at Grand Gulf Nuclear Station, and emailed to R4Enforcement@nrc.gov, within 40 days of the date of this letter. If an adequate response is not received within the time specified or an extension of time has not been granted by the NRC, the NRC will proceed with its enforcement decision or schedule a Regulatory Conference.

Please contact Mr. Greg Warnick at 817-200-1249, and in writing, within 10 days from the issue date of this letter to notify the NRC of your intentions. If we have not heard from you within 10 days, we will continue with our significance determination and enforcement decision. The final resolution of this matter will be conveyed in separate correspondence.

Because the NRC has not made a final determination in this matter, no Notice of Violation is being issued at this time. In addition, please be advised that the number and characterization of the apparent violations described in the enclosed inspection report may change as a result of further NRC review.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room and from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>.

B. Franssen

3

If you have any questions concerning this matter, please contact Mr. Greg Warnick of my staff at 817-200-1249.

Sincerely,

Mary C. Muessle, Director
Division of Nuclear Materials Safety

Docket No. 05000416
License No. NPF-29

Enclosure:
Inspection Report 05000416/2020015

GRAND GULF NUCLEAR STATION – NRC INSPECTION REPORT 05000416/2020015;
PRELIMINARY WHITE FINDING DATED – OCTOBER 29, 2020

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U.S. NUCLEAR REGULATORY COMMISSION
Inspection Report

Docket Number: 05000416

License Number: NPF-29

Report Number: 05000416/2020015

Enterprise Identifier: I-2020-015-0002

Licensee: Entergy Operations, Inc.

Facility: Grand Gulf Nuclear Station

Location: Port Gibson, MS

Inspection Dates: June 2, 2020 to August 21, 2020

Inspector: N. Greene, PhD, Senior Health Physicist

Approved By: Gregory G. Warnick, Chief
Reactor Inspection Branch
Division of Nuclear Materials Safety

Enclosure

SUMMARY

The U.S. Nuclear Regulatory Commission (NRC) continued monitoring the licensee's performance by conducting an Event Follow-up inspection at Grand Gulf Nuclear Station, in accordance with the Reactor Oversight Process. The Reactor Oversight Process is the NRC's program for overseeing the safe operation of commercial nuclear power reactors. Refer to <https://www.nrc.gov/reactors/operating/oversight.html> for more information.

List of Findings and Violations

Failure to Meet DOT Regulations During a Radioactive Shipment Due to an Incorrect Shipping Name, Marking, and Emergency Response Guide			
Cornerstone	Significance	Cross-Cutting Aspect	Report Section
Public Radiation Safety	Preliminary White AV 05000416/2020015-01 Open EA-20-094	[H.12] - Avoid Complacency	71153
A finding of low to moderate safety significance (Preliminary White) and associated apparent violations were reviewed and evaluated by the inspector involving the licensee's transport of a radioactive material package as Low Specific Activity – II (LSA-II) that exceeded the LSA shipping limits for radiation levels as specified in 49 CFR 173.427. The licensee's staff failed to recognize that measured radiation levels, which were in excess of 10 mSv/hour (1 Rem/hour) at 3 meters from the unshielded package and exceeded the conditions for transporting LSA material, were not utilized for waste characterization. Thus, the licensee failed to ship the package as a Type B shipment. Consequently, the shipment did not contain the appropriate emergency response information for a shipment containing primary resin as required by 49 CFR 172.602(a) and did not contain the appropriate package markings as required by 49 CFR 172.302(a).			

Additional Tracking Items

None.

INSPECTION SCOPES

Inspections were conducted using the appropriate portions of the inspection procedures (IPs) in effect at the beginning of the inspection unless otherwise noted. Currently approved IPs with their attached revision histories are located on the public website at <http://www.nrc.gov/reading-rm/doc-collections/insp-manual/inspection-procedure/index.html>. Samples were declared complete when the IP requirements most appropriate to the inspection activity were met consistent with Inspection Manual Chapter (IMC) 2515, "Light-Water Reactor Inspection Program - Operations Phase." The inspector reviewed selected procedures and records, observed activities, and interviewed personnel to assess licensee performance and compliance with Commission rules and regulations, license conditions, site procedures, and standards.

Starting on March 20, 2020, in response to the National Emergency declared by the President of the United States on the public health risks of the coronavirus (COVID-19), regional inspectors were directed to begin teleworking. For the inspection documented below, it was determined that the objectives and requirements stated in the IP could be performed remotely.

OTHER ACTIVITIES – BASELINE

71153 – Follow-Up of Events and Notices of Enforcement Discretion

Event Follow-Up (IP Section 03.01) (1 Sample)

- (1) The inspector reviewed information relative to a shipment issue that occurred on May 22, 2020. Specifically, on June 2, 2020, the licensee performed a review of documentation for shipping package GGN-2020-0515, dated as May 22, 2020, and identified that the shipping name, the package markings, and the Emergency Response Guide submitted were all incorrect. Subsequently, the licensee contacted the vendor in receipt of the package, updated the shipping manifest, and contacted the NRC. The NRC inspector then evaluated the event for any radiological impacts and non-compliances with NRC regulations.

INSPECTION RESULTS

Failure to Meet DOT Regulations During a Radioactive Shipment Due to an Incorrect Shipping Name, Marking, and Emergency Response Guide			
Cornerstone	Significance	Cross-Cutting Aspect	Report Section
Public Radiation Safety	Preliminary White AV 05000416/2020015-01 Open EA-20-094	[H.12] - Avoid Complacency	71153
A finding of low to moderate safety significance (Preliminary White) and associated apparent violations were reviewed and evaluated by the inspector involving the licensee's transport of a radioactive material package as Low Specific Activity – II (LSA-II) that exceeded the LSA shipping limits for radiation levels as specified in 49 CFR 173.427. The licensee's staff failed to recognize that measured radiation levels, which were in excess of 10 mSv/hour (1 Rem/hour) at 3 meters from the unshielded package and exceeded the conditions for transporting LSA material, were not utilized in the waste characterization software. Thus, the licensee failed to ship the package as a Type B shipment. Consequently, the shipment did not contain the appropriate emergency response information for a shipment containing			

primary resin as required by 49 CFR 172.602(a) and did not contain the appropriate package markings as required by 49 CFR 172.302(a).

Description: This issue of providing a shipment, GGN-2020-0515, to a carrier for transport with the incorrect shipping name, marking, and emergency response information was identified on June 2, 2020 during a paperwork review by the licensee's Radiation Protection staff. After the issue was identified, the licensee initiated a condition report and notified the NRC Resident Inspector and the Region IV Health Physicist of the issue. The licensee informed the NRC staff that they contacted the receiver of the shipment and issued a revised shipping manifest, as well as documented the issue into their corrective action program for evaluation as CR-GGN-2020-06915.

On May 16, 2020, the licensee filled a liner with spent resin and sampled the primary resin for isotopic analysis. The licensee used the data provided by the results of the analysis as inputs to their waste characterization software for the Department of Transportation (DOT) Classification Summary analysis. Due to the data provided, the computer software calculated a dose rate of less than 1 Rem/hour from the liner at 3 meters (i.e., 810 mrem/hour). Additionally, the software output indicated that the package contained 10 CFR Part 37 Category 2 Quantity and reportable quantities of radionuclides. However, because the software calculated a dose rate less than 1000 mrem/hour at 3 meters from the liner, the computer applied an exemption for LSA that is allowed by the regulations. During the shipping preparation process, routine and required infield pre-shipping surveys were conducted on the liner to record the dose rates at several locations and distances in relation to the liner's position. For Survey GGN-2005-00524, dated May 21, 2020, the highest measurement taken at 3 meters from the liner was 1757 mrem/hour (1.757 Rem/hour), which exceeded the LSA exemption criteria in 49 CFR 173.427(a)(1).

The failure to identify that the maximum actual dose rate measured at 3 meters from the unshielded liner were considerably higher (i.e., 217 percent higher) than the value calculated by the computer software, caused the licensee to assign the shipment an incorrect basic description and package markings. The basic description is composed of the United Nations (UN) Identification Number, Proper Shipping Name, Hazard Class, maximum activity contained in each package in SI units and number and type of packages. Markings on bulk packages such as this shipment are comprised of the identification number on orange or white square-on-point displays. The inspector identified that the Hazard Class, maximum activity contained in each package in SI units and number and type of packages were correct. However, the UN Identification Number and Proper Shipping Name were not correct on the shipping papers and package markings.

On May 22, 2020, the licensee offered to a carrier for transport a radioactive material package described as Low Specific Activity – II (LSA-II) that failed to meet the radiation level limits specified in 49 CFR 173.427 for shipping as LSA. This misclassification caused the licensee to provide the carrier with the incorrect emergency response information. Specifically, the carrier was provided with a licensee template of Emergency Response Guide (ERG) 162, when ERG 163 was required due to the conditions of transport for LSA materials being exceeded. It is noteworthy to mention that ERG 162 is designed for packages with contents of low to moderate level radiation, whereas ERG 163 is designed for packages with contents of low to high level radiation.

In 1985, the International Atomic Energy Agency (IAEA) introduced the rule that LSA material may not exceed 10 mSv/hour (1 Rem/hour) at 3 meters from the unshielded source. This rule was created to mitigate the effects of radiation dose from material that may be dispersed

outside of the shipping package in an accident condition. NUREG-1608/RAMREG-003, "Categorizing and Transporting Low Specific Activity Materials and Surface Contaminated Objects," which is a joint publication between the DOT and the NRC, builds on the idea of this rule and further expands on the use of appropriate ERGs in section 4.1.3. This section states, in part:

ERG 163, used to describe the potential health hazards of radioactive materials for low to high level radiation, addresses Type B quantities of radioactive materials, which is appropriate for unshielded LSA materials exceeding 10 mSv/hour (1 Rem/hour) at 3 meters. ERG 162, used to describe the potential health hazards of radioactive materials for low to moderate level radiation, such as packages marked "Radioactive Material, LSA," does not acknowledge that Type B quantities could be present and is therefore inappropriate for packages containing LSA materials exceeding 10 mSv/hour (1 Rem/hour) at 3 meters.

The emergency response information that was supplied to the carrier by the licensee failed to include relevant information for materials that exceed the conditions of transport for LSA materials. Specifically, the information provided by the licensee failed to advise the responders that "life-threatening conditions may exist" if contents were released or if the packaging failed and did not provide guidance on external exposure control. Additionally, the licensee's use of the incorrect basic description which was "UN 3321, Radioactive Material, Low Specific Activity (LSA-II), Class 7," as opposed to the required basic description of "UN 2916, Radioactive Material, Type B(U) Package, Class 7, Fissile-Excepted, RQ - Radionuclides," may have caused first responders to use this information to inform their decision making in an inappropriate manner. If the material were to be dispersed post-accident, first responders may approach the material to mitigate the loss of content given that a designation of LSA-II implies lower dose rates and overall lower risk that is associated with the content of the shipping package. This might subject responders to dose rates that could cause an overexposure. Explicitly, ERG 162 does not provide the public safety information that positive pressure self-contained breathing apparatus (SCBA) and structural firefighters' protective clothing will not provide adequate protection against external radiation exposure, only internal radiation exposure for this level of radioactive materials.

Corrective Actions: As immediate corrective actions, the licensee entered this issue into their corrective action program, and implemented the following:

- Initiated an Apparent Cause Evaluation via CR-GGN-2020-06915, later upgraded to a Root Cause Evaluation
- Immediately contacted the receiving process facility of the shipment to inform of the error
- Immediately revised the shipping manifest and submitted it to the processing facility
- Contacted the NRC Region IV office to inform of the issue

Corrective Action References: CR-GGN-2020-06915

Performance Assessment:

Performance Deficiency: The licensee failed to meet NRC requirement of 10 CFR 71.5(a) for failure to comply with all DOT regulations in 49 CFR Parts 171 through 180. Specifically, as required by 49 CFR Parts 172 and 173, the licensee failed to identify that the radiation dose rates, measured 3 meters from the unshielded liner, were higher than the calculated value for the primary resin liner associated with shipment GGN-2020-0515, exceeding

1 Rem/hour. This failure led the licensee to assign the incorrect basic description and markings to the shipment package and caused the licensee to supply the carrier with the incorrect emergency response information.

Screening: The inspector determined the performance deficiency was more than minor because it was associated with the Program & Process attribute of the Public Radiation Safety cornerstone and adversely affected the cornerstone objective to ensure adequate protection of public health and safety from exposure to radioactive materials released into the public domain as a result of routine civilian nuclear reactor operation.

Significance: The inspector assessed the significance of the finding using Appendix D, "Public Radiation Safety SDP." The finding was preliminarily determined to be of low to moderate safety significance (WHITE) because it was a finding in the transportation branch in which: (1) radiation limits were not exceeded, (2) there was no breach of the package during transit, (3) there were no Certificate of Compliance issues, (4) it was not a low-level burial ground nonconformance, and (5) it was a failure to provide emergency response information as required by 49 CFR 172.602. Specifically, Section VII.C.d of IMC 0609, Appendix D, states the following, "For Block N2 (49 CFR 172.602 non-compliance), if the licensee fails to provide the required emergency response information to the shipment carrier (the shipment leaves the licensee's facility and control without the required information), the finding is WHITE. If the carrier misplaces or loses the information (beyond the licensee's control), the finding is GREEN." Thus, the finding was preliminarily determined to be of WHITE significance.

Cross-Cutting Aspect: H.12 - Avoid Complacency: Individuals recognize and plan for the possibility of mistakes, latent issues, and inherent risk, even while expecting successful outcomes. Individuals implement appropriate error reduction tools. Specifically, the licensee determined that complacency within the staff caused multiple individuals to not identify various technical issues associated with the shipment, in which failing to confirm the override of the unshielded dose rate at 3 meters was most prevalent. Radioactive shipments and shipping documentation completion at the site are viewed as routine, but more attention to detail should have been implemented for a resin shipment with significantly higher levels of measured dose rates.

Enforcement:

Violation #1: Title 10 CFR 71.5(a) requires, in part, that each licensee who delivers licensed material to a carrier for transport shall comply with the applicable requirements of the DOT regulations in 49 CFR Parts 171 through 180.

Title 49 CFR 172.600(c) requires, in part, that no person to whom 49 CFR 172 Subpart G applies may offer for transportation a hazardous material unless: (1) emergency response information conforming to 49 CFR 172 Subpart G is immediately available for use at all times the hazardous material is present; and (2) emergency response information, including the emergency response telephone number, required by 49 CFR 172 Subpart G is immediately available to any person who, as a representative of a Federal, State or local government agency, responds to an incident involving a hazardous material, or is conducting an investigation which involves a hazardous material.

Title 49 CFR 172.602(a) requires, in part, that for purposes of 49 CFR 172 Subpart G, the term "emergency response information" means information that can be used in the mitigation of an incident involving hazardous materials and, as a minimum, must contain the basic

description and technical name of the hazardous material, the immediate hazards to health, and the immediate precautions to be taken in the event of an accident or incident.

Contrary to the above, on May 22, 2020, the licensee delivered to a carrier for transport licensed material, and the emergency response information that accompanied the shipment did not include the correct basic description of the hazardous material, the immediate hazards to health, and the immediate precautions to be taken in the event of an accident or incident, as required by 49 CFR 172.600(c) and 49 CFR 172.602(a). Specifically, the basic description of the hazardous material was for a low specific activity shipment rather than a Type B shipment; the immediate hazards to health failed to advise responders that life threatening conditions may exist if contents were to be released or the package shielding failed; and the immediate precautions to be taken in the event of an accident or incident failed to provide appropriate guidance on external dose exposure control relative to the use of positive pressure self-contained breathing apparatus (SCBA) and structural firefighters' protective clothing.

Violation #2: Title 10 CFR 71.5(a) requires, in part, that each licensee who delivers licensed material to a carrier for transport shall comply with the applicable requirements of the DOT regulations in 49 CFR Parts 171 through 180.

Title 49 CFR 172.302(a) requires, in part, except as otherwise provided in this subpart, no person may offer for transportation or transport a hazardous material in a bulk packaging unless the packaging is marked as required by § 172.332 with the identification number specified for the material in the § 172.101.

Title 49 CFR 172.332 requires, in part, that identification number markings must be displayed on orange panels or placards as specified this section.

Title 49 CFR 172.101 requires, in part, that the designation of UN 3321 be assigned to LSA-II, non-fissile or fissile-excepted packages and the designation of UN 2916 be assigned to Type B(U), non-fissile or fissile-excepted packages.

Contrary to the above, on May 22, 2020, the licensee offered for transportation or transport a hazardous material in bulk packaging, and the licensee failed to mark the packaging with the identification number marking specified for this material in 49 CFR 172.101. Specifically, the licensee marked the package using the United Nations (UN) number UN 3321 which is for LSA-II radioactive material. Since the package did not meet LSA-II specifications, the UN 2916 marking for Type B radioactive material was required.

Violation #3: Title 10 CFR 71.5(a) requires, in part, that each licensee who delivers licensed material to a carrier for transport shall comply with the applicable requirements of the DOT regulations in 49 CFR Parts 171 through 180.

Title 49 CFR 173.427(a)(1) requires, in part, that low specific activity material must be transported in accordance with the condition that the external dose rate may not exceed an external radiation level of 1 Rem/hour at 10 feet from the unshielded material.

Contrary to the above, on May 22, 2020, the licensee delivered licensed material to a carrier for transport with an external dose rate that exceeded an external radiation level of 1 Rem/hour at 10 feet from the unshielded material. Specifically, the licensee prepared the shipment under the provisions of low specific activity (LSA-II) radioactive material and the

actual survey results revealed a maximum dose rate of 1.757 Rem/hour at 10 feet from the unshielded material.

Violation #4: Title 10 CFR 71.5(a) requires, in part, that each licensee who delivers licensed material to a carrier for transport shall comply with the applicable requirements of the DOT regulations in 49 CFR Parts 171 through 180.

Title 49 CFR 173.22(a)(1) requires, in part, that except as otherwise provided in 49 CFR Part 173, a person may offer a hazardous material for transportation in a packaging or container required by 49 CFR Part 173 only if the person shall class and describe the hazardous material in accordance with 49 CFR Parts 172 and 173.

Contrary to the above, on May 22, 2020, the licensee offered hazardous material for transportation in a packaging or container required by 49 CFR Part 173 and failed to describe the hazardous material in accordance with 49 CFR Parts 172 and 173. Specifically, radiation level surveys of the package indicated the hazardous material should be described as Radioactive Material, Type B(U) package, non-fissile or fissile-excepted. However, the material was described as Radioactive Material, LSA-II.

Enforcement Action: These violations are being treated as apparent violations pending a final significance (enforcement) determination.

EXIT MEETINGS AND DEBRIEFS

The inspector verified no proprietary information was retained or documented in this report.

- On September 14, 2020, the inspector presented the inspection results to Mr. Eric Larson, Site Vice President, and other members of the licensee staff.

DOCUMENTS REVIEWED

Inspection Procedure	Type	Designation	Description or Title	Revision or Date
71153	Corrective Action Documents	CR-	GGN-2020-06915	
71153	Miscellaneous	683411-10	Package Characterization Report for Liner in Shipment GGN-2020-0515	05/21/2020
71153	Miscellaneous	ERG 162	Emergency Response Guide 162: Radioactive Materials (Low to Moderate Level Radiation)	
71153	Miscellaneous	ERG 163	Emergency Response Guide 163: Radioactive Materials (Low to High Level Radiation)	
71153	Procedures	02-S-01-11	Radwaste Operations	23
71153	Procedures	EN-RW-102	Radioactive Shipping Procedure	18
71153	Radiation Surveys	GGN-2020-00524	Liner Survey for Shipment GGN-2020-0515	05/21/2020
71153	Radiation Surveys	GGN-2020-00525	Cask Survey for Shipment GGN-2020-0515	05/21/2020
71153	Radiation Surveys	GGN-2020-00526	Departure Survey for Shipment GGN-2020-0515	05/22/2020
71153	Shipping Records	GGN-2020-0515	UN3321, Radioactive Material, LSA-II, Class 7	05/22/2020
71153	Shipping Records	GGN-2020-0515	UN2916, Radioactive Material, Type B(U) package, Class 7	05/22/2020