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 RECIP. NAME RECIPIENT AFFILIATION
 Document Control Branch (Document Control Desk)

SUBJECT: Responds to NRC 910415 ltr re violations noted in Insp Rept
 50-397/91-07. Corrective actions: on 910327, application for
 registration as user of Model NUPAC Cask 10-142 submitted to
 NRC & radwaste shipping procedures will be revised.

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WASHINGTON PUBLIC POWER SUPPLY SYSTEM

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May 9, 1991
G02-91-092

Docket No. 50-397

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
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Washington, D. C. 20555

Gentlemen:

Subject: NUCLEAR PLANT NO. 2, OPERATING LICENSE NO. NPF-21
NRC INSPECTION REPORT 91-07
RESPONSE TO NOTICE OF VIOLATION

The Washington Public Power Supply System hereby replies to the Notice of Violation contained in your letter dated April 15, 1991. Our reply, pursuant to the provisions of Section 2.201, Title 10, Code of Federal Regulations, consists of this letter and Appendix A (attached).

In Appendix A, the violation is addressed with an explanation of our position regarding validity, corrective action and date of full compliance.

In the cover letter to the Inspection Report, and in Followup Item 91-07-05, several concerns were reiterated pertaining to implementation of the Supply System Radioactive Waste Program. The Supply System agrees with those concerns and, as a result, senior management attention continues to be actively focused toward strengthening the management of program activities.

As you are aware, a Supply System Executive Board- and WNP-2 Plant Manager's Office-sponsored assessment of the Radioactive Waste Program was performed by an outside contractor during the period of October 22 to November 16, 1990. The assessment was a thorough, performance-based audit which accurately reflected the level of program execution at that time. A response to the audit was recently (March, 1991) submitted to the Supply System Managing Director for review, and it included a matrix listing an evaluation of each of the recommendations in the assessment. This assessment has provided us with a solid benchmark from which to measure the potential success of several programmatic changes that either have been implemented, or are planned for the near future.

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Significant corrective actions either taken or planned in this area include 1) obtaining and implementing a new computerized radwaste classification and shipping program, 2) revising the Radwaste Training Program to include annual retraining on radwaste shipping and disposal regulations, and 3) continuing with the planned restructuring of the Radwaste organization. The new computer program which has been obtained is considered to be a significant improvement. The vendor has provided training on the new program to Supply System personnel, and has performed initial program verification and validation activities as part of the contract. Training on the new program was completed during mid-April 1991. In addition, several radwaste shipments are being prepared for burial and, prior to the first shipments being made under the new process, the computer inputs and shipment documentation will be audited by an outside contractor to verify that all regulatory requirements are met. Another improvement is that the Radwaste Training Program Description was recently revised to include annual retraining on Department of Transportation (DOT) and radwaste burial site regulations for those supervisory personnel who prepare and/or review shipping papers. The revised training program description is currently in the approval process. An additional improvement that is planned in the training area is to have radwaste supervisory personnel attend periodic, off-site training or seminars on NRC/DOT regulations.

Furthermore, the need for a restructuring of the Radwaste organization was previously recognized and, as a first step in a developing process, the position of Radwaste Supervisor was established during the Plant Health Physics/Chemistry Department reorganization in September 1990. That re-organization established a Radwaste staff (reporting to the Radwaste Supervisor) consisting of the functional positions of Radwaste Field Coordinator, Effluent Radiochemist, Site Environmental Engineer and Radwaste Laborers. However, following the board-sponsored assessment, the decision was made to make additional organizational restructuring and programmatic improvements for the Radwaste organization to further enhance the division of responsibility for (and execution of) radioactive, hazardous and mixed waste processing efforts. The additional staffing changes are currently scheduled to be implemented by September 1991, with followup programmatic improvements to be put into effect as appropriate.

In summary, efforts have either been taken or are underway to strengthen the Radioactive Waste Program. These improvement initiatives are intended to provide additional assurance that Radioactive Waste Program activities are in full compliance with NRC, DOT and Washington State regulations. Furthermore, the same contractor that performed the Radioactive Waste Program assessment will provide a review/critique of the implementation of these changes to the program. This review/critique is scheduled to be completed by July 1991.

Very truly yours,


G. D. Bouchey, Director
Licensing & Assurance

JDA/bk
Attachments

cc: JB Martin - NRC RV
NS Reynolds - Winston & Strawn
PL Eng - NRR

DL Williams - BPA/399
NRC Site Inspector - 901A

APPENDIX A

During an NRC inspection conducted on February 25 through March 1, 1991, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1991), the violation is listed below:

- B. 10 CFR Part 71.12(c)(3), "General License: NRC approved package," requires, in part, that "This general license applies only to a licensee who: ... Submits in writing to the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, ... prior to the licensee's first use of the package, the licensee's name and license number and the package identification number specified in the package approval."

Contrary to the above, on August 6, 1990, the licensee used NRC certified package, Model No.: 10-142, Certificate No. 9208 [USA/9208/B()], serial No. 97382, to transport radioactive waste in quantities greater than Type A, without first registering as a user with the NRC. The licensee shipped radioactive waste in this package on six other occasions during the year 1990.

This is a Severity Level IV violation (Supplement V).

Validity of Violation

The Supply System acknowledges the validity of this violation. The reason for the violation was Less Than Adequate Procedures for ensuring that the Supply System was registered as a user of the NRC-certified [Model 10-142, C of C 9028.(USA/9028/B)] radioactive shipping package prior to use.

It was determined from the root cause for this violation that the problem occurred during the 1987 to 1988 time-frame. The Supply System had registered with the NRC the cask identification numbers that were to be used under a previous contracted vendor (CHEM-NUCLEAR, Inc.) for transportation of radioactive material. One of the casks registered with the NRC in April 1987 was the NUPAC OH-142, Type B - ID Number USA/9073/A (NRC Docket No. 71-9073). Subsequently, NUPAC modified the design of the OH-142 cask lid and, in the process, also changed the cask identification nomenclature to 10-142 (the cask that the Supply System was found not to be registered to use). According to NUPAC personnel, in August 1987 NUPAC issued a Cancellation Notice to its customers explaining the revisions being made to the OH-142 cask, including the change in the cask identification nomenclature to 10-142, ID No. USA/9028/B. However, records could not be found to indicate that this information was received by the Supply System. Furthermore, NUPAC also apparently did not include WNP-2 as a user of that particular cask in its correspondence with the NRC during the re-registration process.

During April 1988, the Supply System changed to a new contractor (LN Technology) for transportation of radioactive material. The 1988 letter to the NRC to register the new vendor and the associated cask identification numbers also did not include a reference to the NUPAC 10-142 cask.

Although the correct cask registration number was inadvertently overlooked during this process, the administrative requirements or procedures in place at that time were also not sufficiently detailed to ensure that the Supply System was registered with the NRC prior to "first use" of the cask. However, Plant personnel at the time also should have verified that we were registered as a user of the 10-142 radwaste shipping cask.

Corrective Steps Taken/Results Achieved

1. On March 27, 1991 the Supply System submitted a request to the NRC to be registered in accordance with 10CFR71.12 as a user of NUPAC Cask 10-142, C of C No. USA/9208/B. On April 10, 1991 the NRC replied by letter that it had registered the Supply System as a user of this particular cask, and that no further action was required for registration purposes.
2. A review was performed to ensure that the Supply System was registered with the NRC for all other radioactive shipping packages/casks used at WNP-2. No other discrepancies were noted.

Corrective Action to be Taken

Appropriate radioactive waste shipping procedures will be revised to include a check-off step for verifying that the Supply System is registered with the NRC prior to use of a radioactive material shipping package/cask.

Date of Full Compliance

Full compliance was achieved on April 10, 1991 when the NRC notified the Supply System of its registration with the NRC as a user of NUPAC Cask 10-142, C of C No. USA/9208/B.

