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SUBJECT: Responds to NRC 930325 ltr re violations noted in insp rept
50-397/92-41 on 921228. Corrective actions: mgt improved
performance at util & provides appropriate conditions for
disposal of contaminated cooling tower sediment.

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WASHINGTON PUBLIC POWER SUPPLY SYSTEM

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September 6, 1994
GO2-94-210

Docket No. 50-397

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
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Subject: **WNP-2, OPERATING LICENSE NO. NPF-21
NRC INSPECTION REPORT 92-41
AMENDED REPLY TO NOTICE OF VIOLATION**

- References:
- 1) Letter dated December 28, 1992, R.A. Scarano (NRC) to A.L. Oxsen (Supply System), "NRC Inspection Report 50-397/92-41"
 - 2) Letter dated March 25, 1993, R.A. Scarano (NRC) to G.C. Sorensen (Supply System), 'Notice of Violation, NRC Inspection Report 50-397/92-41'
 - 3) Letter GO2-93-096, dated April 26, 1993, J.V. Parrish (Supply System) to NRC Document Control Desk, "Response to Notices of Violation"
 - 4) Letter GO2-93-198, dated July 30, 1993, J.V. Parrish (Supply System) to NRC Document Control Desk, "Amended Response to Notices of Violation"
 - 5) Letter dated April 13, 1993, G.C. Sorensen (Supply System) to NRC Document Control Desk, "Residual Low-Level Radioactive Materials"

The Washington Public Power Supply System (Supply System) hereby provides a revised reply to Notice of Violation 50-397/92-41-03 described in Reference 1 and cited in Reference 2. The original response and a revised response have been previously submitted as References 3 and 4. This amended reply is made pursuant to the Code of Federal Regulations, Title 10, Section 2.201.

The referenced violation involves the disposal of contaminated cooling tower sediments by burial in an onsite landfill. References 1 and 2 identified this method of disposal as a violation of 10 CFR 20.301 (now 10 CFR 20.2001). In Reference 3 the Supply System did not admit or deny the violation because of evaluations underway at the time. In Reference 4 the Supply System denied the violation based on the finding that the radionuclides present in the sediments did not originate from Supply System licensed materials.

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**NRC INSPECTION REPORT 92-41
AMENDED REPLY TO NOTICE OF VIOLATION**

Recent management initiatives to improve performance at WNP-2 have prompted reconsideration of our regulatory position regarding the disposal of contaminated cooling tower sediment. The Supply System now accepts this violation and recognizes that the source of this activity does not alter the responsibility for proper control and disposal of this material under 10 CFR 20.2001. Accordingly, an application for disposal under 10 CFR 20.2002 will be prepared and submitted to the State of Washington by December 31, 1994.

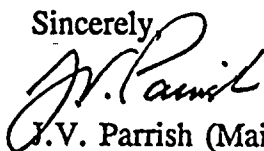
Previous replies to this notice of violation (References 3, 4, and 5) described a methodology for handling future cooling tower sediment according to 10 CFR 50.75(g). The corrective actions identified in these responses are no longer appropriate since new conditions for disposal will be established with the State of Washington under 10 CFR 20.2002. Accordingly, the commitments made to the NRC regarding the disposal of cooling tower sediment in References 3, 4, and 5 are no longer necessary and will be closed out.

Until such time that new disposal conditions are established with the State of Washington, the cooling tower sediments will be stored in a controlled and retrievable configuration. The sediments are currently stored as dried mud-cake in shallow basins lined with plastic. These basins are located inside the fence of the WNP-2 solid waste landfill complex. Access to this area is controlled through a locked gate.

In a related matter, we would like to reiterate our intention to use 10 CFR 50.75(g) to address the residual contamination present in the storm drain pond. In this context it is treated as a "spill" and additional contamination is not expected to occur. Consistent with this regulation, the existing contamination will be identified and documented for future decommissioning.

If you have any questions or desire additional information regarding this matter please contact me or D.A. Swank at (509) 377-4563.

Sincerely,



J.V. Parrish (Mail Drop 1023)
Assistant Managing Director, Operations

Attachments

cc: LJ Callan -NRC RIV
KE Perkins, Jr. - NRC RIV, Walnut Creek Field Office
NS Reynolds - Winston & Strawn
JW Clifford - NRC
DL Williams - BPA/399
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