

DUKE POWER COMPANY

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HAL B. TUCKER  
VICE PRESIDENT  
NUCLEAR PRODUCTION

March 11, 1983

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TELEPHONE  
(704) 373-4531

Mr. James P. O'Reilly, Regional Administrator  
U. S. Nuclear Regulatory Commission  
Region II  
101 Marietta Street, NW, Suite 2900  
Atlanta, Georgia 30303

Subject: Oconee Nuclear Station  
IE Inspection Report  
50-269/82-43  
50-270/82-43  
50-287/82-43

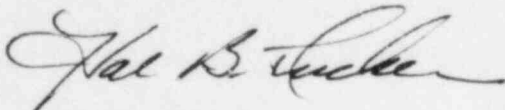
Dear Sir:

With regard to Mr. H. C. Dance's letter of February 9, 1983 which transmitted the subject inspection report, Duke Power Company does not consider the information contained therein to be proprietary.

Please find the attached response to the cited item of noncompliance.

I declare under penalty of perjury that the statements set forth herein are true and correct to the best of my knowledge, executed on March 8, 1983.

Very truly yours,



Hal B. Tucker

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Attachment

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## Violation

10 CFR 71.5(a) requires a licensee, who transports any licensed material outside the confines of his plant or other place of use, or delivers any licensed material for transport, except where such transport is subject to the regulations of the U. S. Postal Service, to comply with the applicable requirements of the Department of Transportation regulations presented in 49 CFR Parts 170 through 189 insofar as such regulations relate to the packaging of byproduct, source, or special nuclear material, marking and labeling of the packages, loading and storage of packages, placarding of the transportation vehicle, monitoring requirements, and accident reporting.

49 CFR 173.393(n) (9) requires that prior to each shipment of any package, the shipper shall ensure by examination or appropriate test that external radiation and contamination levels are within the allowable limits.

Contrary to the above, on November 22, 1982, the licensee failed to perform an appropriate test in that a sufficient number of tests (radiation surveys) were not made to detect representative contamination levels on a radioactive waste shipment delivered to a carrier for transport. On November 23, 1982, after arrival at Chem-Nuclear Systems, Inc. (CNSI), Barnwell, SC, burial facility, radiation surveys performed by CNSI and the transport vehicle well in excess of those detected by the licensee.

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

## Response

### 1) Admission or denial of the alleged violation:

Duke Power Company has never intended (and does not intend in the future) to ship any removable contamination in excess of regulatory limits to the Barnwell burial site, either on the shipping package or on the transport vehicle. Oconee procedures have been designed to perform a statistical, representative survey of the package and the transport vehicle to determine if such contamination is present. This program has been successfully used for over 1000 waste shipments in which both federal and state criteria were met, and no significant removable surface contamination was detected upon arrival at the burial facility. The cited example is the only case in which significant removable contamination was found on the transport vehicle upon its arrival at the burial facility. The station program was apparently unsuccessful in locating this contamination. If the interpretation of the federal regulations is that an adequate survey of the transport vehicle along with the shipping package was required and not performed in this case, then the violation is valid.

### 2) Reasons for the violation:

Oconee personnel have used a "representative sample" smear technique as the primary method for assessment of removable contamination on waste shipments such as this. Smears were taken at locations on the shipping cask and transport vehicle where the probability of contamination is highest. No events, such as spillage or leakage, were noticed during the handling of this waste shipment which would have led survey personnel to specifically smear the area later found to be contaminated on the vehicle.

The contaminated area apparently was so small that the representative areas smeared did not detect it.

3) Corrective actions taken and results:

The station Health Physics procedure for Packaging and Shipment of Radioactive Material has been revised to conform to that used by the State of South Carolina to assess contamination. This procedure is used during the exit survey for each radioactive waste shipment.

4) Corrective actions to be taken to avoid further violations:

No further corrective actions are considered necessary.

5) Date when full compliance will be achieved:

All corrective actions have been completed.