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Writer's Direct Dial Number:

C321-91-2279  
October 11, 1991

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

Dear Sir:

Subject: Oyster Creek Nuclear Generating Station  
Docket No. 50-219  
Inspection Report 50-219/91-20  
Response to Notice of Violation

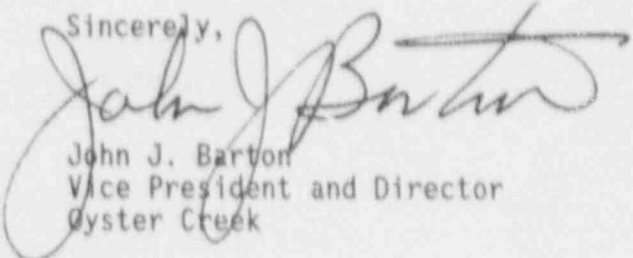
On September 11, 1991, GPU Nuclear received NRC Inspection Report 50-219/91-20. Appendix A to that report contained Notice of Violation with a 30 day response requirement. Attachment I to this letter fulfills that requirement.

Although GPU Nuclear concurs in the violation as written, we felt our response to this event was timely and effective. This event involved an administrative error with no safety significance. It was licensee identified and corrective actions are approaching completion. The NRC Resident Inspectors had been informed of the event on the day it was discovered, and were advised of the planned corrective actions.

This event was first noted by the region based inspector during his review of corrective actions in progress. As this event was not mentioned by the region based inspector as a potential violation at the exit meeting, we believed our actions were appropriate and did not expect a Notice of Violation. This response documents corrective actions which had been developed prior to the inspection and the subsequent Notice of Violation. Following our review of the Notice of Violation, we have concluded no further corrective actions beyond those in progress need to be taken.

If any further information is required, please contact Mr. John Rogers at 609-971-4893.

Sincerely,

  
John J. Barton  
Vice President and Director  
Oyster Creek

JJB\JR:jc  
attachment

cc: Administrator, Region 1  
Senior NRC Resident Inspector  
Oyster Creek NRC Project Manager

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## Attachment 1

Violation:

10 CFR 71.5(a) requires, in part, that each licensee who transports licensed material outside of the confines of its plant or other place of use shall comply with the applicable requirements of the regulations appropriate to the mode of transports licensed material outside of the confines of its plant or other place of use shall comply with the applicable requirements of the regulations appropriate to the mode of transport of DOT 49 CFR Parts 170 through 189.

49 CFR 172.200(a) requires, in part, that each person who offers a hazardous material for transportation shall describe the hazardous material on the shipping paper in the manner described by this subpart.

49 CFR 172.203(c)(1) requires, in part, that if the proper shipping name for a material that is a hazardous substances does not identify the hazardous substance by name, the following description shall be entered, in parentheses, in association with the basic description: The name of the hazardous substance as shown in the appendix to 172.101.

Contrary to the above, on June 24, 1991, the licensee made an offsite radioactive material shipment, Shipment Number OC-1081-91, without identifying on the shipping papers a hazardous substance, asbestos, which was contained in the shipment.

Response:

GPUN concurs with the violation.

On June 24, 1991, Oyster Creek Nuclear Generating Station (OCNGS) shipped dry activated waste (DAW) to Scientific Ecology Group (SEG) in Knoxville, Tennessee. Upon receipt of shipment OC-1081-91, SEG notified OCNGS that several bags of asbestos, approximately 60 ft.<sup>3</sup>, were discovered inside normal DAW packages. The inner bags of asbestos were properly packaged and clearly marked "asbestos", the markings had not been placed on the outer DAW package. Additionally, it was noted that the manifest for this shipment did not list these bags of asbestos.

As SEG is the waste disposal contractor used by OCNGS for contaminated asbestos, the asbestos was processed for disposal and the manifest corrected. Radwaste Shipping management at OCNGS was notified by SEG and issued a deviation report (DVR) to document the occurrence and subsequent preventive/corrective actions. Long term corrective action is being taken to devise a specifically colored bag to denote contaminated asbestos. Procedures are being revised to require use of this package for asbestos. This is presently projected for completion by December 30, 1991.

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Attachment 1  
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OCNGS has determined this event has very low safety significance and has no possibility of adversely affecting the health and safety of the public. Regulations allow the omission of asbestos from shipping papers if the quantity contains less than 1 pound friable fibers. As the asbestos had already been processed for disposal by SEG, analyses of the weight was not possible. OCNGS management issued the DVR treating this event as a physical violation since it was not possible to determine otherwise. The NRC Resident Inspector had been notified of this event when it occurred. The region based inspector became aware of this event through corrective actions of the licensee after the licensee had initiated actions to prevent recurrence.

Full compliance was achieved on July 19, 1991 when the incomplete paperwork was administratively corrected and transmitted to the waste disposal contractor.