

PIL

OCT 06 1983

MEMORANDUM FOR: J. B. Martin  
Regional Administrator

THRU: F. A. Wenslawski, Chief  
Radiological Safety Branch

FROM: G. P. Yuhas  
Senior Radiation Specialist

SUBJECT: REQUEST TO DEVIATE FROM 10 CFR 71.97, "ADVANCE NOTIFICATION  
OF SHIPMENT OF NUCLEAR WASTE".

On Thursday, October 6, 1983 at approximately 5:00 P.M. I received a call from R. Nelson, Project Manager, PG&E, Humboldt Bay Unit 3. The purpose of the call was to advise NRC of their intent to ship a large quantity of radioactive material on Monday, October 10, 1983. The notifications required pursuant to 10 CFR 71.97 were not dispatched until today. Mr. Nelson advised me that all representatives of the states involved had been notified by telephone today and none expressed a problem with the Monday start date. He advised me that a courier would deliver the Region V notification tonight.

Mr. Nelson and I discussed 10 CFR 71.97(c) 2 and 3 in view of their intended Monday schedule. Nelson was aware that the minimum 7 or 4 day requirement would not be met and therefore requests relaxation from the compliance perspective. He stated the standby charge is \$3000 a day and since the states had no problem, would we hold them to the letter of the law.

I advised Mr. Nelson that I do not have the authority to grant such dispensation, but would convey his request to an appropriate level of management. He requested that I notify him of who that might be. I agreed to call him on October 7, 1983.

It is my position that granting a relaxation is not warranted and would likely cost NRC \$3000 in administration fees.

I suggest that unless PG&E can present a more valid argument we not encourage their intent to deviate.

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G. P. Yuhas  
Senior Radiation Specialist

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10/7/83

*Jan*  
WENSLAWSKI

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