

ENVIROCARE OF UTAH, INC.
THE SAFE ALTERNATIVE

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March 27, 1997

Mr. Joseph Holonich
Chief, Uranium Recovery Branch
Division of Waste Management
Office of Nuclear Materials Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Re: Unsecured rail shipments of 11e.(2) waste material

Dear Mr. Holonich:

This is to inform you of a series of non-compliant shipments of waste from the West Chicago 11e.(2) cleanup.

In December 1996 Envirocare received a telephone call from CHEMTREC requesting information about an intermodal rail car which had been stopped in transit to Envirocare. The tailgate was open and waste material was visible. Although the material did not appear to have been spilled, the possibility existed for it to do so. Envirocare staff determined that this shipment had probably originated from West Chicago and put CHEMTREC in touch with the generator's shipping manager, who confirmed that it was one of their shipments. The matter was left in their hands as the shipment was still the responsibility of the generator.

On January 8, 1997, a shipment of intermodal containers arrived from the West Chicago site. Three intermodal containers on the shipment, including the one which had been previously reported by CHEMTREC were found to have open tailgates with some loss of material from two of the containers. The containers, at Envirocare's request, had been fitted with plastic liners and the liner in one of the open intermodal containers was intact. The three containers were weighed and it was determined that one had lost approximately one ton of material and one had lost about two tons. The concentrations of radioactivity in the waste were below the 2 nCi/g limit by which the Department of Transportation (DOT) defines materials as radioactive. However, the total amount of Th-232 contained in each container was a reportable quantity. DOT was notified of the loss of integrity and conducted an investigation. Their finding was that there had been no violation of DOT regulations and no cause for concern.

The generator was immediately notified of the non-compliance and was required to suspend shipments pending submittal to Envirocare of a corrective action plan (CAP); however, several hundred intermodal containers were in route to Envirocare at that time.

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ENVIROCARE

Page 2

Mr. Joseph Holonich

March 27, 1997

On February 25 a string of rail flatcars carrying intermodal containers from the same site arrived at Envirocare. The incoming inspection found that the tailgate was slightly open on one of the containers and some material had fallen onto the flatcar. Although the generator had requested the rail carrier, Union Pacific, to check all rail cars on sidings in transit to Envirocare, the carrier reported finding no deficiencies. However, the intermodal container which arrived on February 25 had been "bad ordered" in the Salt Lake City rail yard and Union Pacific had made an attempt to prevent the tailgate from opening further.

On February 28 another intermodal container arrived with a partially open tailgate with about 20 pounds of spilled material on the flatcar. The rail flatcars arriving on February 25 and 28 had departed West Chicago prior to the arrival on January 8 of the initial leaking containers and had not been subject to the provisions of the CAP.

A final incident occurred on March 5 when a string of rail flatcars arrived. Six of the intermodal containers were found to have partially open tailgates. Again some waste had leaked onto the flatcars and some waste may have been lost in transit. These rail cars had also been in route before the initial incident. An Envirocare representative made a visual inspection of the remaining rail cars at sidings in Utah and found no additional problems.

Waste from this site is soil contaminated with thorium mill tailings. Radioactivity concentrations are a few tens of pCi/g (usually less than 40) of Th-230 and -232, Ra-226 and natural uranium.

There appears to be at least two contributing factors to these problems. A number of the intermodal containers inspected at Envirocare appeared to have been improperly secured prior to filling with waste, allowing the doors to slip past their restraining dogs and put the full load on the securing chains, which then broke. Other intermodals were found which were structurally deficient. The generator, as part of their CAP had instituted an intensive program of checking the intermodals on arrival at their site and rejected a large number of them for that reason.

No rail cars shipped after the CAP was put into effect have arrived with open tailgates and Envirocare believes that the problem will not occur again with this generator. Because these rail shipments had arrived at our site in Utah the Utah Division of Radiation control has been informed of each of these incidents as they have occurred.

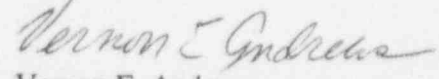
ENVIROCARE

Page 3
Mr. Joseph Holonich
March 27, 1997

If you have any questions or comments regarding this matter please call me at
(801)532-1330 or write me at:

Envirocare of Utah, Inc.
46 West Broadway, Suite 240
Salt Lake City, UT 84101

Sincerely,



Vernon E. Andrews
Corporate RSO

cc: Mr. William Sinclair, Utah Division of Radiation Control