



Putting Technology To Work

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January 13, 2003

Martin J. Virgilio, Director  
Office of Nuclear Materials Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Two White Flint North  
M/S 8 A23  
11545 Rockville Pike  
Rockville, Maryland 20852-2738

**Reference: Supplemental Information to Battelle Letter dated November 6, 2002**

Dear Mr. Virgilio:

This letter supplements Battelle's updated letter dated November 6, 2002, and telephone request from and additional discussions with Mr. Phil Brochman on January 7 through 9, 2003. In response to the request for information, Battelle confirmed that its research indicates that the mass of the  $\text{UO}_2\text{-PuO}_2$  "meat" in the irradiated MOX experimental specimen is in excess of 100 grams. In subsequent research and discussions, specifically 10 CFR 73.37(a)(1), Battelle's remote measurement survey of the irradiated MOX experimental specimen in air within its High Energy Cell facility reveals that the specimen does not meet the definition of irradiated reactor fuel because, at a minimum, its unshielded dose rate from any surface is substantially less than 100 Rem per hour at a required distance of three (3) feet. This survey is attached for review. Therefore, the requirements of 10 CFR 73.37 should not apply.

If the NRC has questions, please do not hesitate to call me at (614) 424-5170.

Sincerely,

A handwritten signature in cursive script that reads "Craig E. Jensen".

Craig E. Jensen, RSO  
Battelle Columbus Laboratories  
Decommissioning Project (BCLDP)

Attachment

cc: Glenn Tracy, Director, Division of Nuclear Security

NMS801



C JENSEN

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FCSS



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