



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555  
July 31, 1979

NRC PDR

Docket No. 50-20

Mr. Lincoln Clark, Jr., Director  
Massachusetts Institute of Technology  
138 Albany St. ret  
Cambridge, Massachusetts 02139

Dear Mr. Clark:

In your letter of May 4, 1979, you stated that you desire to increase your activities in material science that would involve multicurie quantities of metals and alloyed materials that might be activated at your facility or received from other reactors. You raised two concerns about your present Facility Operating License No. R-37 and requested that we advise you on these concerns so that you could proceed with any required proposals for license or technical specification changes.

Your first concern related to whether or not a separate byproduct material license would be required if the activities to be conducted are wholly within the bounds defined by your operating license. Since your Operating License No. R-37 is deemed to contain and is subject to the conditions of Section 30.34 of 10 CFR 30, a separate byproduct material license is not required. However, your operating license must specifically state that you may receive and possess byproduct material activated at other reactors.

Your second concern was in regard to the meaning of the word "separate" in the following section of your operating license:

"Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct material and special nuclear material as may be produced by operation of the reactor."

You stated that it was your understanding that this does not preclude repackaging or making smaller lots of byproduct material, nor the taking of small samples for assay or fluence determination. With respect to byproduct material, we have not extended the meaning of the word "separate" as used in the quoted section above to preclude repackaging, making smaller lots, or taking small samples for assay or fluence determination.

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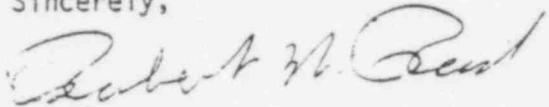
Mr. Lincoln Clark, Jr.

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In order to engage in the activities you have described in your May 4, 1979, letter, you will require (as a minimum) an amendment to your Facility Operating License that adds a section allowing the receipt and possession of byproduct material from other reactors. This section should state the maximum amount of byproduct material activated at other reactors that you may possess at any time and the purpose for possessing such material.

If you have any further questions, do not hesitate to call.

Sincerely,



Robert W. Reid, Chief  
Operating Reactors Branch #4  
Division of Operating Reactors

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