

Mr. Tim Wagner
 Battelle Permit Opposition Committee
 1066 North High Street
 Columbus, Ohio 43201

MAR 17 1994

Dear Mr. Wagner:

This letter is to inform you that your letter dated December 28, 1993, submitted on behalf of the Battelle Permit Opposition Committee, to Mr. John Martin, Regional Administrator, Region III, U.S. Nuclear Regulatory Commission has been referred to my Office for treatment as a petition and preparation of a response pursuant to 10 C.F.R. 2.206.

In your Petition, you request the NRC to investigate the findings of an audit of the decontamination and decommissioning program at the Battelle facility, a copy of which, you state, was recently made available to your organization by a Battelle employee. Your Petition further states that the audit report raises serious questions about the potential threat to your neighborhood from the Battelle operations, as well as concerns about the level of oversight this facility is receiving. Furthermore, you ask the NRC to take appropriate enforcement action to assure that the Battelle facility is operated in compliance with all Federal requirements for radioactive materials handling.

As provided by Section 2.206, the NRC will take action with regard to the specific issues raised in your Petition within a reasonable time.

For your information, I have enclosed a copy of the Notice that is being filed with the Office of the Federal Register, for publication.

Sincerely,

Original signed by
 Robert M. Bernero

Robert M. Bernero, Director
 Office of Nuclear Material Safety
 and Safeguards

Enclosure: As stated

cc: Battelle Memorial Institute
 ATTN: Mr. Douglas E. Olsen
 505 King Avenue
 Columbus, OH 43201

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 3/16/94
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Distribution: NMSS #94-095 [G:\frnbatt.ce] CPoland LTipton
 Docket 70-08 PDR NRC File Center FCLS1 R/F
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OFC	FCLB*	C	FCLB*	E	FCLB*	E	OGC*(NLO)	C
NAME	DJoy		AHoadley		CEmeigh		JGoldberg	
DATE	3/10/94		3/10/94		3/10/94		3/11/94	
OFC	FCLB*	E	DD:FCSS*		D:FCSS		DD:NMSS	
NAME	RPierson		ETenEyck		RBurnett		GarTotto	
DATE	3/11/94		3/15/94		3/16/94		3/16/94	
OFC	D:NMSS							
NAME	RBernero							
DATE	3/17/94							

NF-15

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 Battelle Permit Opposition Committee
 1066 North High Street
 Columbus, Ohio 43201

Dear Mr. Wagner:

This letter is to inform you that your letter dated December 28, 1993, submitted on behalf of the Battelle Permit Opposition Committee, to Mr. John Martin, Regional Administrator, Region III, U.S. Nuclear Regulatory Commission (NRC) has been referred to my Office for treatment as a petition and preparation of a response pursuant to 10 C.F.R. 2.206.

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 Columbus, OH 43201

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Docket 70-08
 FCSS R/F

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OFC	FCLB	C	FCLB	E	FCLB	E	OGC	C
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DATE	3/10/94		3/10/94		3/10/94		3/11/94	
OFC	FCLB	E	DD:FCSS		D:FCSS		DD:NMSS	
NAME	RPinson		ETenEyck		RBurnett		GArlotto	
DATE	3/11/94		3/15/94		3/ /94		3/ /94	
OFC	D:NMSS							
NAME	RBernero							
DATE	3/ /94							

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N = NO COPY

U.S. Nuclear Regulatory Commission

Docket No. 70-08

BATTELLE MEMORIAL INSTITUTE

RECEIPT OF PETITION UNDER 10 C.F.R. 2.206

Notice is hereby given that, on December 28, 1993, Mr. Tim Wagner, acting on behalf of the Battelle Permit Opposition Committee, submitted a Petition to the Regional Administrator, U.S. Nuclear Regulatory Commission (NRC) Region III regarding the Battelle Memorial Institute's King Avenue Facility in Columbus, Ohio. The Petition has been referred to the Office of Nuclear Material Safety and Safeguards for preparation of a response pursuant to 10 C.F.R. 2.206.

Petitioner requests the NRC to investigate the findings of an audit report of the decontamination and decommissioning program at the Battelle facility, a copy of which, the Petitioner states, was recently made available to him by a Battelle employee. The Petition further states that the audit report raises serious questions about the potential threat to his neighborhood from the Battelle operations, as well as concerns about the level of oversight this facility is receiving. The Petition asks the NRC to take appropriate enforcement action to assure that the Battelle facility is operated in compliance with all federal requirements for radioactive materials handling.

As provided by Section 2.206, appropriate action with regard to the specific issues raised in the Petition will be taken within a reasonable time.

A copy of the Petition is available for inspection at the Commission's Public Document Room at 2120 L Street, N.W., Washington, D.C. 20555 and at the Local Public Document Room for the Battelle Memorial Institute located at the Cuyahoga County Public Library, 5409 Turney Road, Garfield Heights, Ohio 44125.

Dated at Rockville, Maryland
 this 17th day of March, 1994.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by
 Robert M. Bernero

Robert M. Bernero, Director
 Office of Nuclear Material Safety
 and Safeguards

* Please see previous concurrences

OFC	FCLB		FCLB		FCLB		OGC	E
NAME	DJoy *		AHoadley *		CEmeigh *		JGoldberg *	
DATE	3/ /94		3/ /94		3/ /94		3/ 21/94	
OFC	FCLB		DD:FCSS		D:FCSS		DD:NMSS	
NAME	RPierson *		ETenEyck *		RBurnett *		GArlotto *	
DATE	3/ /94		3/ /94		3/ /94		3/ /94	
OFC	D:NMSS							
NAME	RBernero							
DATE	3/18/94							

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Dated at Rockville, Maryland
 this day of 1994.

FOR THE NUCLEAR REGULATORY COMMISSION

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 Robert M. Bernero

Robert M. Bernero, Director
 Office of Nuclear Material Safety
 and Safeguards

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DATE	3/10/94		3/10/94		3/10/94		3/11/94
OFC	FCLB	E	DD:FCSS		D:FCSS		DD:NMSS
NAME	RPierson		ETenEyck		RBurnett		GApollo
DATE	3/10/94		3/15/94		3/16/94		3/16/94
OFC	D:NMSS						
NAME	RBernero						
DATE	3/17/94						

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