



Department of Energy
National Nuclear Security Administration
Washington, DC 20585



AUG 16 2006

Dr. William Travers, Administrator
U.S. Nuclear Regulatory Commission, Region 2
61 Forsyth Street, Suite 23T85
Atlanta, GA 30303-8931

Jack Strosnider, Director
Office of Nuclear Materials Safety and Safeguards
Two White Flint North
MS 8-A23
Washington, DC 20555

Dear Dr. Travers and Mr. Strosnider:

Subject: Continuation of the Mixed Oxide Fuel Fabrication Facility (MFFF) site prep activities

Reference: DOE letter, "U.S. Nuclear Regulatory Commission (NRC) fiscal year 2006 Resource Planning Information," dated October 21, 2005

Please be advised that the Department of Energy plans to place engineered fill at the MFFF site at the Savannah River Site (SRS). As discussed in the referenced letter, we believe that the placement of the engineered fill constitutes the start of NRC and OSHA regulated activities. To discuss the details of this regulatory transition, we have scheduled a visit at SRS on August 24, 2006.

Based on the uncertainty with regard to the fiscal year 2007 funding for the MFFF, the department is unable to establish a start date for construction at this time. As a result, we are concerned that the delay could degrade the initial activities that have prepared the MFFF building site. To preserve the work that has been completed to date, the engineered fill will be placed to protect the site until construction can commence.

As agreed in our previous correspondence, DOE will continue to keep NRC informed during the pre-construction site preparation activities and will notify NRC well in advance of the anticipated start of construction. If you have any questions, please feel free to call me at (202) 586-3023, or Garrett Smith, of my staff, at (202) 586-3322.

Sincerely,

Ken Chacey
Assistant Deputy Administrator
For Fissile Materials Disposition



cc: Joe Olencz, NA-261
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