



MIT NUCLEAR REACTOR LABORATORY

AN MIT INTERDEPARTMENTAL CENTER

David E. Moncton
Director

Mail Stop: NW12-208a
138 Albany Street
Cambridge, MA 02139

Phone: 617 253-8333
Fax: 617 253-7300
Email: dem@mit.edu

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ATTN: Document Control Desk
Director, Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Response to Apparent Violation in NRC Investigation No. 1-2013-004; EA-13-170

- References:
1. Letter from Dr. David Moncton, Director, MIT Nuclear Reactor Laboratory, to Director, Division of Spent Fuel Storage and Transportation, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Feb. 21, 2014.
 2. Letter from Mark Lombard, Director Division of Spent Fuel Storage and Transportation, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, to Dr. David E. Moncton, Director, MIT Nuclear Reactor Laboratory, Jan. 24, 2014.

Dear Sir or Madam:

It has come to our attention that a statement in MIT's letter dated February 21, 2014, Reference 1, could be interpreted in a way that was not intended. By way of background, NRC's letter to MIT dated January 24, 2014, Reference 2, notified MIT that based on an NRC investigation, an apparent violation of NRC regulations had been identified. NRC requested MIT to submit a written response, participate in a predecisional enforcement conference, utilize Alternative Dispute Resolution, or accept the violation as characterized in the letter. MIT prepared and submitted a written response, Reference 1. In that response, MIT described, among other things, the corrective steps that have been taken and the results those actions have achieved. With regard to the latter, MIT noted that "since the occurrence of the event that forms the basis for the NRC's issuance of the referenced apparent violation, one additional shipment has taken place in full compliance with the SAR [Battelle Energy Alliance Research Reactor (BRR) Safety Analysis Report]."

In order to avoid an unintended interpretation, MIT wishes to provide clarification of this sentence. In particular, that MIT made three shipments using the BRR package since the occurrence of the event that formed the basis for the NRC's issuance of the referenced apparent

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violation with the last of these shipments taking place after the completion of those particular corrective actions listed in Reference 1 designed to ensure that all components MIT replaced for use in the BRR package were those conforming to the BRR package SAR. However, the parts and components MIT replaced for use in all three shipments (April 23, 2012, October 24, 2012, and April 3, 2013) did conform to the BRR package SAR. The avoidance of a recurrence of the event that formed the basis for the apparent violation identified in Reference 2, namely installing and using a component that was not specified by the BRR package SAR, suggests that MIT's actions taken to date have been effective.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Moncton', with a stylized, flowing script.

David E. Moncton

DEM