

December 23, 2004

Office of the Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
Attention: Rulemaking and Adjudications Staff

In the Matter of  
USEC, INC.  
(American Centrifuge Plant)  
Docket No.: 70-7004

Dear Madam Secretary:

The NRC staff ("Staff") has received copies of six communications, filed with the Secretary on December 17, 2004, requesting extension of the intervention period in this proceeding, announced in the *Federal Register* on October 18, 2004; CLI-04-30 (69 Fed. Reg. 61411). The requests were filed by:

- (1) Geoffrey Sea;
- (2) the Central Ohio Sierra Club Group, by Patricia A. Marida;
- (3) the Nuclear Information and Resource Service ("NIRS"), by Michael Mariotte;
- (4) the Portsmouth/Piketon Residents for Environmental Safety and Security ("PRESS"), by Vina K. Colley;
- (5) Elisa Young; and
- (6) Ewan Todd.

All of the communications referenced the recent public unavailability of documents either through the NRC's public web site or through the NRC's Agency wide Document Access and Management System (ADAMS). Mr. Sea and NIRS expressly requested that the time for the public to file intervention petitions be extended for sixty days from the date that the Application and related documents for the American Centrifuge Plant ("ACP") again become available to the public. Ms. Young requested that the extension be at least sixty days. Mr. Todd effectively requested sixty days by reference to a similar provision in *USEC, Inc. (American Centrifuge Plant)*, CLI-04-30, 60 NRC 426 (2004). PRESS requested an unspecified additional time for the filing of intervention petitions. The Sierra Club requested a "...reasonable time, preferably 60 days...."

Given the unavailability of the referenced material, the Staff does not oppose an extension of the time for intervention to run from the date that the Application is again publicly available. Although some of the requesters have addressed other matters required in support of any request for leave to intervene, in light of the foregoing, the Staff is not addressing those aspects at this time.

Sincerely,

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Stephen H. Lewis  
Counsel for NRC Staff

cc: Geoffrey Sea  
Michael Mariotte  
Vina K. Colley  
SherVerne R. Cloyd  
Adjudicatory File  
Dennis J. Scott, Esq.

Patricia A. Marida  
Office of Commission Appellate Adjudication  
Elisa Young  
Ewan Todd  
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