

RAS 9968

UNITED STATES OF AMERICA

DOCKETED 05/17/05

NUCLEAR REGULATORY COMMISSION

SERVED 05/17/05

USEC, INC.

Docket No. 70-7004-ML

ASLBP No. 05-838-01-ML

ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 Fed. Reg. 28,710 (1972), and the Commission's regulations, see 10 C.F.R. §§ 2.104, 2.300, 2.303, 2.309, 2.311, 2.318, and 2.321, notice is hereby given that an Atomic Safety and Licensing Board is being established to preside over the following proceeding:

USEC, Inc.
(American Centrifuge Plant)

A Licensing Board is being established pursuant to a May 12, 2005 Commission memorandum and order (CLI-05-11, 60 NRC _) in this proceeding regarding the application of the USEC, Inc., (USEC) for a license to possess and use source, byproduct, and special nuclear material and to enrich natural uranium to a maximum of ten percent U-235 by the gas centrifuge process at a facility, to be known as the American Centrifuge Plant, that would be located in Piketon, Ohio. At the outset of this proceeding, the Commission indicated it would make threshold standing determinations itself, and would refer the petitions of persons with the requisite standing to the Atomic Safety and Licensing Board Panel for further adjudicatory proceedings (CLI-04-30, 60 NRC 426, 429 (2004); see also 69 Fed. Reg. 61,411 (Oct. 18, 2004)). In its May 12 issuance, the Commission found that both organizational petitioner Portsmouth/Piketon Residents for Environmental Safety and Security (PRESS) and individual

petitioner Geoffrey Sea have standing to intervene and, accordingly, referred their petitions and associated contentions to the Panel for further appropriate action.

The Board is comprised of the following administrative judges:

Lawrence G. McDade, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dr. Paul B. Abramson
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dr. Richard E. Wardwell
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

All correspondence, documents, and other materials shall be filed with the administrative judges in accordance with 10 C.F.R. § 2.302.

/RA/

G. Paul Bollwerk, III
Chief Administrative Judge
Atomic Safety and Licensing Board Panel

Issued at Rockville, Maryland,

this 17th day of May 2005

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
USEC Inc.) Docket No. 70-7004-ML
)
)
(American Centrifuge Plant))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate
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U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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Administrative Judge
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Administrative Judge
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Docket No. 70-7004-ML
ESTABLISHMENT OF ATOMIC
SAFETY AND LICENSING BOARD

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McDermott, OH 45652

Geoffrey Sea
1832 Wakefield Mound Road
Piketon, OH 45661

[Original signed by Rebecca L. Giitter]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 17th day of May 2005