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July 28, 2005
GDP 05-0030

Mr. Michael R. Johnson
Director, Office of Enforcement
U.S. Nuclear Regulatory Commission
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**Paducah Gaseous Diffusion Plant (PGDP)
Docket Number 70-7001, Certificate No. GDP-1
Summary of Actions Taken in Response to NRC Order EA-04-123**

Dear Mr. Johnson:

The Nuclear Regulatory Commission's (NRC) letter of January 27, 2005 (See Reference), issued Confirmatory Order EA-04-123 to the United States Enrichment Corporation (USEC). Section III of the Confirmatory Order requires USEC to provide the NRC with a letter summarizing actions that have been taken to meet the requirements in Section IV of the Order. The enclosure to this letter provides the required summary of actions taken.

If you have any questions regarding this review, please contact Steven Toelle (301) 564-3250. There are no new commitments contained in this submittal.

Sincerely,



R. B. Starkey, Jr.

Mr. Michael R. Johnson

July 28, 2005

GDP 05-0030

Reference 1: Letter from Frank J. Congel (NRC) to J. Morris Brown (USEC),
Confirmatory Order (Effective Immediately), dated January 27, 2005.

Enclosure 1: Summary of Actions Taken in Response to NRC Order EA-04-123

cc: J. Henson, NRC Region II
D. Martin, NRC-HQ
D. Starkey, NRC-HQ

**Summary of Actions Taken in
Response to NRC Order EA-04-123**

I. INTRODUCTION

The Nuclear Regulatory Commission's letter of January 27, 2005, issued Confirmatory Order EA-04-123 to USEC. Section IV of the Order requires the PGDP to meet three requirements related to Safety Conscious Work Environment (SCWE) training for managers of USEC contractors, and USEC personnel who are the principal points of contact for USEC contractors. The three NRC requirements along with actions that USEC has taken to implement the requirements are provided below:

- 1. By no later than March 31, 2005, USEC shall develop and conduct initial Safety Conscious Work Environment training for: (a) managers of USEC contractors at the PGDP; and (b) USEC personnel who are principal points of contact for USEC contractors at the PGDP.**

Actions Taken by USEC

Development of initial SCWE training for managers of USEC contractors, and USEC personnel who are the principal points of contact for USEC contractors was completed on March 18, 2005. This training is designated as Training Module GP104CR. The training module was developed and presented by a member of the Nuclear Regulatory Affairs organization who is knowledgeable of SCWE issues and experienced in presenting SCWE training.

The training module includes a discussion of the regulatory background and purpose for employee protection requirements, and important concepts such as SCWE, retaliation, protected activities, and chilling effect. A discussion of how requirements are enforced is included along with a selection of actual enforcement examples that involve contractor issues. The module also discusses places that employees can raise concerns, the responsibilities of the contractor manager and USEC principal point of contact when employees raise concerns and good practices/behaviors that promote a SCWE.

The personnel selected to attend the initial SCWE training Module GP104CR were identified by developing a list of USEC contractors that were working at the PGDP, or would begin work at the PGDP by March 31, 2005. Contractors that would not be performing on-site work after March 31, 2005, were excluded. From this list, the on-site managers of USEC contractors at the PGDP were identified for suppliers that have on-site managers. The USEC principal points of contact for the contractors on the list were also identified. Multiple sessions of initial SCWE training module GP104CR were then conducted. The managers of

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USEC contractors at the PGDP, and USEC personnel who are the principal points of contact for USEC contractors identified as described above completed the training by March 31, 2005.

2. **By no later than June 30, 2005, USEC shall develop Safety Conscious Work Environment refresher training for the managers of USEC contractors at the PGDP and revise its training program requirements to conduct on-going refresher training at a frequency consistent with USEC's General Employee Training at the PGDP.**

Actions Taken by USEC

Development of SCWE refresher training for the managers of USEC contractors at the PGDP was completed on April 25, 2005. This training is designated as Training Module GP105CR. The refresher training module is similar in scope and content to the initial training module described above.

The action to revise training program requirements to conduct on-going refresher training was completed on May 24, 2005. This was accomplished by modifying PGDP's computerized training data base. This data base is utilized by PGDP's training program to track the completion status of training that is assigned to an individual. Employees and badged contractors are in this data base and their training status is tracked by their USEC management. Initial and refresher SCWE training requirements have been incorporated into this data base under training code C89013. Individuals who are assigned this training code are required to complete initial SCWE training, and complete refresher SCWE training at 24-month intervals. The 24-month refresher SCWE training frequency is consistent with the 24-month retrain frequency specified for USEC's General Employee Training at the PGDP.

The managers of USEC contractors at the PGDP, and USEC personnel who are the principal points of contact for USEC contractors are assigned training code C89013. Training status reports that indicate the training completion status for training assigned to an individual are periodically generated from the computerized training data base. For individuals who have been assigned training code C89013, the report will provide advance notice that SCWE refresher training is coming due and will indicate if an individual has not completed the training on time. The training status report is utilized as a tool to restrict individuals from performing work if the training related to the work is not completed on time.

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Additional controls have also been established in new procedure CP2-MA-MA1032, Oversight and Control of Supplier Personnel. This procedure establishes requirements to ensure on-site managers of USEC contractors, and USEC principal points of contact are identified during the procurement process. The procedure requires that SCWE training requirements be completed for the identified individuals before they commence work. This procedure was implemented on June 17, 2005.

3. **By no later than June 30, 2005, USEC shall revise its training program requirements to conduct initial Safety Conscious Work Environment training for: (a) new managers of USEC contractors at the PGDP; and (b) USEC personnel who become principal points of contact for USEC contractors at the PGDP, within ninety days of their assumption of these duties.**

Actions Taken by USEC

As discussed above, training code C89013 has been established to track initial and refresher SCWE training requirements for managers of USEC contractors at the PGDP, and USEC personnel who are the principal points of contact for USEC contractors at the PGDP. Procedure CP2-MA-MA1032 specifies that these individuals complete SCWE training before they assume their duties. This training requirement is more conservative than the required ninety day completion requirement specified in the Order. These controls were in place prior to June 30, 2005.