

June 15, 2006 AET 06-0065

Mr. Jack R. Strosnider Director, Office of Nuclear Material Safety and Safeguards Attention: Document Control Desk U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001

American Centrifuge Plant Docket Number 70-7004 Submittal of Supplemental Information for the American Centrifuge Plant (TAC Nos. L32306, L32307, and L32308)

Dear Mr. Strosnider:

Pursuant to a request from the U.S. Nuclear Regulatory Commission staff on May 26, 2006, USEC Inc. (USEC) hereby provides supplemental information related to the Foreign Ownership, Control, or Influence Determination and Facility Clearance Information for USEC as Enclosure 1 of this letter.

If you have any questions regarding this matter, please contact Peter J. Miner at (301) 564-3470.

Sincerely,

S. A. 1_0

Steven A. Toelle Director, Regulatory Affairs

cc: S. Echols, NRC HQ T. Johnson, NRC HQ B. Smith, NRC HQ

Enclosure: As Stated

NMSSO

Enclosure 1 of AET 06-0065

DOE Letter Regarding FOCI Determination and Facility Clearance Information – USEC Inc.



Department of Energy

Oak Ridge Office P.O. Box 2001 Oak Ridge, Tennessee 37831

June 15, 2006

Mr. John E. Weidner Facility Security Officer USEC Inc. Two Democracy Center 6903 Rockledge Drive, 10th Floor Bethesda, MD 20817-1818

Dear Mr. Weidner:

FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE (FOCI) - DETERMINATION AND FACILITY CLEARANCE INFORMATION - USEC INC.

The Department of Energy (DOE), Oak Ridge Office (ORO), Office for Security and Emergency Management, has reviewed USEC Inc.'s Certificate Pertaining to Foreign Interest (Certificate), dated September 28, 2005, and other supporting documentation. A favorable FOCI determination rendered on November 30, 2005, revealed that the degree and extent of FOCI over USEC Inc. does not pose an undue risk to the national security. There are no restrictions placed on USEC Inc. for reasons of FOCI.

The facility clearance level for your company has been registered at the Secret-Restricted Data level. Your facility code is 3346. Currently, DOE has a requirement to clear Key Management Personnel (KMP) at the facility clearance level. A review of the Owners, Officers, Directors, and Executive Personnel form identified the following individuals as KMP: John K. Welch (President/Chief Executive Officer/Director); James R. Mellor (Chairman of the Board), and you (Corporate Security Director/Facility Security Officer). Our records indicate that Mr. Welch, Mr. Mellor, and you currently hold an active DOE "Q" access authorization at the appropriate level. Mr. John E. Weidner

ORO is the Cognizant Security Office for USEC Inc. regarding FOCI and facility approval activities. A copy of *General FOCI Requirements* is enclosed for your retention and implementation.

Sincerely,

Peggy J. Jackson

Peggy J. Jackson FOCI Program Manager Security Oversight and Support Branch Office for Security and Emergency Management

Enclosure

cc w/o enclosure: Sherri Cunningham, LeGacy/Critique Angela Stevens, LeGacy/Critique Randy Devault, NS-52

Deborah Barker, Bldg. 5200, MS 6389

Ms. Angela Wright USEC Inc. P.O. Box 628, US Route 23S Piketon, Ohio 45661

Mr. Daniel H. Dorman, Director Division of Security Operations U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001

GENERAL FOCI REQUIREMENTS

Your company is required by DOE M 470.4-1 to submit to your Cognizant Security Office an annual (from the date of this letter) certification of the extent and nature (if any) of significant changes relating to the Certificate Pertaining to Foreign Interests (SF-328) on which this FOCI determination is rendered. Under the current contract, immediate written notification is to be provided to your Cognizant Security Office, of any of the following circumstances:

- 1. Any changes that occur within your company which would affect the answers to the questions on the SF-328 originally submitted by your company. These include, but are not limited to: A) any changes in ownership of the company or any tier parent company(ies); B) any changes in control, to include changes in your listing of Owners, Officers, Directors, and Executive Personnel (OODEP); C) imminent adjudication of and/or reorganization in bankruptcy; D) discussions with foreign persons that may reasonably be expected to lead to the introduction or increase in FOCI; and E) or negotiation for the sale of securities to foreign persons that may lead to the introduction or increase in FOCI.
- 2. A new threshold or factor that did not exist when the previous determination was made (e.g. a "no" answer changes to a "yes" answer), or when any additional factors associated with the questions of the SF-328 change.
- 3. A previously reported financial threshold or factor that was favorably adjudicated has increased by 5 percent or more; or a shift has occurred of 5 percent or more by country location or end user (i.e., for revenue and/or net income) or lenders (i.e., indebtedness).

When the five-year time limit from the date of the SF-328 expires and an active contract still exists that requires a FOCI determination, a new comprehensive SF-328, along with current financial information, must be submitted to your Cognizant Security Office for a FOCI redetermination.