

July 11, 2006

Mr. Steven A. Toelle
Director, Nuclear Regulatory Affairs
United States Enrichment Corporation
2 Democracy Center
6903 Rockledge Drive
Bethesda, MD 20817

SUBJECT: PADUCAH GASEOUS DIFFUSION PLANT - REQUEST FOR RELIEF FROM
BULLETIN 91-01 (TAC L52576)

Dear Mr. Toelle:

We have reviewed your request dated June 12, 2006, for relief from a reporting requirement contained in the U. S. Nuclear Regulatory Commission (NRC) Bulletin 91-01, Supplement 1, "Reporting Loss of Criticality Safety Controls," dated July 27, 1993, for a specific recurring situation at the Paducah Gaseous Diffusion Plant (PGDP).

The NRC staff is unable to grant the relief requested by the United States Enrichment Corporation (USEC) in its June 12, 2006, letter because such approval would contradict commitments contained in USEC's Safety Analysis Report (SAR) for the PGDP. However, as we discussed with your staff, utilization of 10 CFR 76.68 to modify your SAR may allow you to achieve the same result. If USEC chooses this path, the changes should only be applicable to the temporary ongoing waste drum activities at PGDP, and they should clearly incorporate an upper limit for non-reporting equal to the criticality safety limit for a single drum. This would clarify that part of the SAR which implies that a 24-hour verbal report is required if a single drum was determined to contain more than that amount, thus reducing the number of non-health and safety related reports to NRC.

If there are any questions regarding this action, please contact the Project Manager, Dan E. Martin, by telephone at (301) 415-7254, or by e-mail, to dem1@nrc.gov.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Gary S. Janosko, Chief
Fuel Cycle Facilities Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket: 70-7001
Certificate: GDP-1

cc: Randall M. DeVault, DOE-Oak Ridge
Steve Penrod, USEC-Paducah

S. Toelle

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cc: Randall M. DeVault, DOE-Oak Ridge
Steve Penrod, USEC-Paducah

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