

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

DOCKETED 10/31/06

SERVED 10/31/06

Before Administrative Judges:

Lawrence G. McDade, Chairman
Dr. Peter S. Lam
Dr. Richard E. Wardwell

In the Matter of

USEC, INC.

(American Centrifuge Plant)

Docket No. 70-7004-ML

ASLBP No. 05-838-01-ML

October 31, 2006

ORDER

(Scheduling Site Visit)

The Board hereby schedules a visit to the USEC, Inc. (USEC) proposed site for the construction of an uranium enrichment facility – denominated the American Centrifuge Plant (ACP), to commence at 8:00 AM, Eastern Standard Time, Wednesday, December 13, 2006.

The purpose of the visit is to allow the Board to view the location and immediate vicinity of the facility area proposed by USEC. The procedures to be followed during the site visit are as follows.

1. The Board, the NRC Staff, and representatives of the Applicant will meet at the USEC North Gate at 7:30 AM EST on Wednesday, December 13, 2006. All participants must wear clothing suitable for an industrial site – i.e. long pants, long-sleeved shirts, and no open-toed shoes.
2. A representative(s) of the Applicant (“the Escort”) will guide the Board and the representatives of the NRC Staff and Applicant on the site visit.
3. Participation in the site visit is limited to the following number of individuals
 - a. Licensing Board: The three judges and two additional persons.
 - b. NRC Staff: One or two counsel and up to two additional persons.

- c. Applicant: One or two counsel and up to two additional persons (not including the Escort).
4. The tour, as currently envisioned, would be restricted to individuals who possess a Q clearance. Accordingly, the names of the specific individuals who will participate in the site visit, their affiliation, and their clearance level shall be provided to the Applicant through their assigned counsel at least fourteen (14) days prior to the site visit. At the same time, the names shall also be provided to the Board and counsel for the NRC Staff via the electronic service list.
5. On the date of the site visit, all participants must have a government issued photo identification card (e.g., NRC identification badge, state issued motor vehicle operator's license, etc.).
6. After undergoing site security and safety procedures, the Escort will provide the Board and other participants with a short orientation of the site covering the locations of the:
 - a. existing buildings that are to be refurbished;
 - b. grounds where new building(s) will be constructed;
 - c. existing cylinder storage areas;
 - d. location of proposed cylinder storage area;
 - e. southern well field;
 - f. existing drainage retention ponds;
 - g. location of proposed drainage retention ponds;
 - h. ACP's lead cascade facility;
 - i. location of the Department of Energy's DUF₆ conversion facility;
 - j. existing prototype gas centrifuge enrichment plant.

The Applicant will provide to the Board and the NRC Staff – in advance of the visit – an appropriate map covering the proposed site and the locations indicated above, and will provide any available aerial photographs it thinks will be useful in preparing for the visit.

7. The Escort will guide the Board and the other participants on a walking and vehicular tour of these locations, as a single group, briefly identifying and orienting the Board at each location. The Board members may ask questions relating to site orientation and location (e.g., What is that structure? What direction are we facing now?). No other

substantive questions or presentations will be entertained or allowed during the site visit.

8. Unless otherwise ordered, the site visit will not be recorded or transcribed.
9. If, after the conclusion of the site visit, the Applicant or the NRC Staff believes that any information or communication that occurred during the visit should be made part of the record of this proceeding, they may file an appropriate motion to supplement the record. Any such motion must be filed within seven days after the site visit (December 20, 2006).
10. Cameras, video recorders, or any other type of recording device will not be brought on the site visit without prior written authorization from the Board.

Any objection to the procedures stated above, request for modification or supplementation of these procedures, or to request that the visit be recorded and transcribed, must be filed within ten days of the date of this order and indicate whether the other party agrees to the objection or request.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD¹

/RA/

Lawrence G. McDade, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
October 31, 2006

¹ Copies of this Order were sent this date by Internet e-mail transmission to counsel for (1) USEC; and (2) the NRC Staff.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (SCHEDULING SITE VISIT) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Washington, DC 20555-0001

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Docket No. 70-7004-ML
LB ORDER (SCHEDULING SITE VISIT)

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[Original signed by Adria T. Byrdsong]
Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 31st day of October 2006