

March 27, 2007 (11:30am)

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD Docket No. 70-7004-ML

In the Matter of)

Docket No. 70-7004-ML

USEC INC.)

ASLBP No. 05-838-01-ML

(American Centrifuge Plant))

March 12, 2007

**APPLICANT'S PRE-FILED TESTIMONY CONCERNING HEARING TOPIC HTS-4
(EXEMPTION REQUESTS)**

- Q1. Please state your name, employer, and current position.
- A1. My name is Peter J. Miner ("PJM"). My current employer is USEC Inc. ("USEC" or "Applicant"). My current position is Director, Regulatory and Quality Assurance for the American Centrifuge Plant ("ACP").
- A1. My name is Timothy D. Taulbee ("TDT"). My current employer is United States Enrichment Corporation. My current position is Radiation Protection Manager for the Portsmouth Gaseous Diffusion Plant.
- A1. My name is Donald J. Hatcher ("DJH"). My current employer is USEC Inc. My current position is Director, Risk Management.
- A1. My name is Jason E. Bolling ("JEB"). My current employer is USEC Inc. My current position is Senior Nuclear Criticality Safety Engineer for the ACP project.
- A1. My name is Mark D. Smith ("MDS"). My current employer is USEC Inc. My current position is Manager of Nuclear Licensing.

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- A1. My name is James Thompson ("JFT"). My current employer is USEC Inc. My current position is ACP/LC Radiation Protection Manager.
- Q2. Please describe your professional qualifications.
- A2. (PJM) I hold a Master of Science degree in Environmental, Safety and Health Management from the University of Findlay, and a Bachelor of Science degree in Mathematics from the University of Massachusetts. A statement of my professional qualifications is provided in USEC Exhibit # 1.
- A2. (TDT) I hold a Bachelor of Science in Environmental Safety & Health from Shawnee State University, Portsmouth, Ohio. I also have undertaken post-graduate studies in Environmental Engineering at Ohio University in Athens, Ohio. I have been employed by United States Enrichment Corporation (and its predecessors) since 1989. I have over 18 years of experience in the nuclear industry. A statement of my professional qualifications is provided in USEC Exhibit # 1.
- A2. (DJH) I hold a Bachelor of Science degree in Business Administration from Bethel College, and designation of Associate in Risk Management from the Insurance Institute of America. I have been employed by USEC Inc. and its predecessors since 1995. A statement of my professional qualifications is provided in USEC Exhibit # 1.
- A2. (JEB) I hold a BSE in Nuclear Engineering from University of Michigan, and an MSE in Engineering Management from Ohio University. I have been employed at the Portsmouth Gaseous Diffusion Plant, since October, 1991. I have over 15 years of experience in the nuclear fuel cycle industry. A copy of my professional qualifications is provided in USEC Exhibit #1.

- A2. (MDS) I hold a Bachelor of Science degree in Nuclear Engineering from Iowa State University, and a Master of Engineering degree in Engineering Science from Pennsylvania State University. I have been employed by USEC Inc. since 1996. I have over 26 years of experience in the nuclear industry. A statement of my professional qualifications is provided in USEC Exhibit # 1.
- A2. (JFT) I hold a Master Degree in Environmental Management from the University of Findlay. I also hold Bachelor of Science and Associate degrees in Radiation and Nuclear Technology from Oklahoma State University. I have been employed by USEC Inc., since 2004. I have over 38 years of experience in the nuclear industry. A statement of my professional qualifications is provided in USEC Exhibit # 1.
- Q3. On whose behalf are you testifying?
- A3. (PJM, TDT, DJH, JEB, MDS, JFT) I am testifying on behalf of the Applicant, USEC Inc.
- Q4. Please describe your involvement in the ACP License Application.
- A4. (PJM) I am USEC's Director, Regulatory and Quality Assurance for the ACP License Application.
- A4. (TDT) I have assisted ACP/LC Radiation Protection Manager James Thompson in the development of the ACP License Application, Integrated Safety Analysis ("ISA"), Environmental Report, and supporting documents. I am also a qualified Safety Review Committee Member.
- A4. (DJH) I am responsible for working with USEC Inc.'s insurance broker and American Nuclear Liability Insurers on matters related to nuclear liability insurance for the ACP.

- A4. (JEB) I supported the licensing efforts for the ACP in the area of nuclear criticality safety (NCS).
- A4. (MDS) I am the Applicant's regulatory lead for decommissioning planning activities associated with the ACP License Application.
- A4. (JFT) I have served as ACP/LC Radiation Protection Manager in development of the ACP License Application.
- Q5. Please describe your responsibilities with respect to the ACP License Application?
- A5. (PJM) I served as Project Manager for the development of the ACP License Application, ISA, Environmental Report, and supporting documents. I have provided coordination and oversight of development activities for technical subjects, drafted inputs to various functional areas, and reviewed and edited the documents. I also coordinated the development of the Applicant's responses to requests for additional information ("RAIs") from the U.S. Nuclear Regulatory Commission ("NRC").
- A5. (TDT) I provided assistance for the procedure development process, augmented radiation protection staffing, and provided coordination and oversight of development activities for technical subjects related to radiation safety for various ACP functional areas. I also reviewed, commented and provided editorial assistance on regulatory documents and procedures related to radiation safety.
- A5. (DJH) I am responsible for working with USEC's insurance broker and American Nuclear Liability Insurers to assess nuclear liability insurance options available for the ACP.
- A5. (JEB) I was the primary author of Chapter 5 (Nuclear Criticality Safety) of the ACP License Application. As such, I was responsible for the nuclear criticality safety analysis

of the ACP, including the development of credible criticality accident scenarios for the ISA. I also served on the ISA review team as a subject matter expert on NCS and UF₆ processing and handling. Additionally, I was primary author of the Applicant's responses to NRC RAIs on NCS issues associated with fissile material operations, criticality accident alarm systems, reactivity code validation, and the NCS program.

- A5. (MDS) I was responsible for preparing Chapter 10 (Decommissioning) of the ACP License Application and the associated Decommissioning Funding Plan. I was also responsible for providing input for responses to RAIs regarding decommissioning and decommissioning funding. I was also a member of the Applicant's Strategy/Approval Review Team that was responsible for review of the License Application prior to its submittal to the NRC.
- A5. (JFT) I developed the ACP Radiation Protection program and the ACP Emergency Plan. I also prepared formal responses to answer NRC RAIs for the ACP Radiation Protection program, ACP Emergency Plan, ACP Environmental Report, and other sections of the ACP License Application as needed.
- Q6. In an Order (Establishing a Modified Case Schedule; Issuing Questions and Identifying Hearing Topics) dated February 6, 2007, the Atomic Safety and Licensing Board ("ASLB" OR "Board") identified a series of hearing topics on which the Board has required testimony and presentations from the NRC Staff. The Staff submitted its pre-filed testimony on March 5, 2007. *See* "NRC Staff Pre-Filed Related HTS-4: Exemption Requests" (March 5, 2007). Have you reviewed the Staff's testimony regarding Hearing Topic HTS-4?
- A6. (PJM, TDT, DJH, JEB, MDS, JFT) Yes.

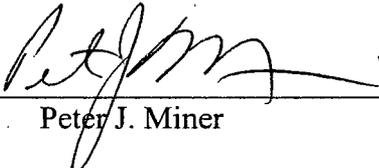
Q7. In its February 6, 2007, Order, the ASLB expressly authorized the Applicant to submit supplemental pre-filed testimony for the purpose of clarifying and/or supplementing the Staff's pre-filed testimony. See February 6, 2007 Order at 3 n.4. Do you wish to provide any supplemental testimony with respect to HTS-4 at this time?

A7. (PJM, TDT, DJH, JEB, MDS, JFT) Yes. While we concur in the Staff's testimony regarding this hearing topic, we have one clarification.

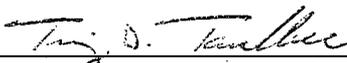
Q8. Please provide that clarification.

A8. (TDT, JFT) In Staff Answer 6, it states that all containers will be treated as containing radioactive material. That statement should read all containers "in designated restricted areas" will be treated as containing radioactive material.

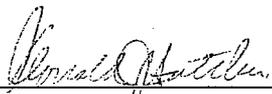
In accordance with 28 U.S.C. § 1746, I state under penalty of perjury that the foregoing is true and correct:


Peter J. Miner

03/08/07
Date


Timothy D. Taulbee

03-08-07
Date


Donald J. Hatcher

3/8/07
Date


Mark D. Smith

3/8/07
Date

In accordance with 28 U.S.C. § 1746, I state under penalty of perjury that the foregoing is true and correct:

James F. Thompson
James F. Thompson

3/8/07
Date

Jason E. Bolling
Jason E. Bolling

3-8-07
Date