

RAS 13506

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

DOCKETED 04/13/07

SERVED 04/13/07

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

April 13, 2007

NOTICE

(Notice Regarding Issuance of Initial Decision
Authorizing the Issuance of the American Centrifuge Plant License)

On this date the Board issued its Initial Decision with regard to the application of USEC, Inc. (USEC) for authorization to possess and use source, byproduct, and special nuclear material in order to enrich natural uranium to a maximum of ten percent uranium-235 by the gas centrifuge process at a facility to be designated as the American Centrifuge Plant, which will be located on the Department of Energy Portsmouth facility near Piketon, Ohio. In its Initial Decision the Board authorized the issuance of the License that was requested by USEC.

During the course of the hearing on this matter – March 19 through March 21, 2007 – the Board was presented with a significant volume of information that is currently being treated as not subject to public release, because it contains proprietary or export controlled information. In crafting our Decision, we attempted to avoid the use of such information. However, to ensure that such restricted information is not inadvertently released, we have restricted access to the Board's Decision at this time. Accordingly, at this time the Initial Decision has been released only to the parties to the proceeding, the NRC Staff and USEC.

No later than Tuesday, April 17, 2007, at 5:00 P.M., the parties shall jointly file proposed redactions to the Board's Initial Decision. These redactions will be presented to the Board under seal. The purpose of these redactions will be to prevent the inadvertent release of proprietary or export controlled information, or any other information that should not be publically released.

Thereafter, as soon as is practicable, the Board will make such redactions to its Initial Decision, if any, as it deems appropriate, and then will release a version of that document, which will be publically available.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD¹

/RA/

Lawrence G. McDade, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
April 13, 2007

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

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NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
USEC Inc.) Docket No. 70-7004-ML
)
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(American Centrifuge Plant))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB NOTICE (NOTICE REGARDING ISSUANCE OF INITIAL DECISION AUTHORIZING THE ISSUANCE OF THE AMERICAN CENTRIFUGE PLANT LICENSE) 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 NOTICE (NOTICE REGARDING ISSUANCE
OF INITIAL DECISION AUTHORIZING THE
ISSUANCE OF THE AMERICAN CENTRIFUGE PLANT LICENSE)

Dennis J. Scott, Esq.
USEC Inc.
6903 Rockledge Drive
Bethesda, MD 20817

[Original signed by R. L. Giitter]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 13th day of April 2007