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DOCKET: 70-7002

CERTIFICATE HOLDER: United States Enrichment Corporation
Portsmouth Gaseous Diffusion Plant
Portsmouth, Ohio

SUBJECT: SAFEGUARDS EVALUATION REPORT: APPLICATION DATED
AUGUST 24, 2004, REQUEST TO MODIFY RESPONSE TO
INTERIM COMPENSATORY MEASURES

BACKGROUND

The Portsmouth Gaseous Diffusion Plant (PORTS) is owned by the Department of Energy (DOE) and operated under lease by the United States Enrichment Corporation (USEC). The Nuclear Regulatory Commission (NRC) issued the initial Certificate of Compliance to USEC, pursuant to 10 CFR Part 76, on November 26, 1996. On March 3, 1997, the NRC assumed regulatory jurisdiction from DOE over those portions of the plant that DOE leased to USEC to enrich uranium. PORTS was used to provide enrichment services for fabrication of nuclear power plant reactor fuel by increasing the concentration of the uranium-235 isotope from its naturally occurring concentration of approximately 0.711 weight percent. As of May 2001 USEC terminated enrichment operations at PORTS, and in June 2002 transferred most operations to the Paducah gaseous diffusion plant. PORTS is being maintained in a "cold standby" condition, and no longer provides enrichment services.

The PORTS security measures are based upon 10 CFR Part 76, Certification of Gaseous Diffusion Plants, and Interim Compensatory Measures (ICMs) Ordered by the NRC on June 17, 2002. The June 17, 2002, NRC Order modified the Certificate of Compliance for PORTS by requiring compliance with the ICMs. USEC's commitments for implementation of the ICM requirements were submitted to the NRC by letter dated July 8, 2002, and revised by letter dated October 9, 2002. The NRC accepted the revised commitments and issued a revision to the PORTS ICMs on October 25, 2002. By letter dated August 24, 2004, USEC requested a temporary modification to its response to the NRC ICMs issued to PORTS.

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DISCUSSION

Prior to the September 11, 2001, terrorist attacks, Perimeter Road which surrounds the approximately five-mile circumference of the PORTS site was open and accessible by the public. Off-site access roads to Perimeter Road were also open to the public from the north, south, east and west. In response to the 9/11 attacks, all access roads to the site were closed with the exception of the West Access portal which was used only for entry to the site. Consequently, general public access to Perimeter Road was terminated at that time.

Local residents, Congressional representatives, and DOE officials requested USEC to consider re-opening either Perimeter Road or Fog Road for public use. Fog Road is an unpaved dirt and gravel road that traverses the northeast side of the plant site connecting the north and east access roads while Perimeter Road is a paved road. Fog Road would require considerable improvement before it would be safely passable during adverse weather conditions and Perimeter Road is more suitable to traffic.

In a letter dated August 24, 2004, (GDP-04-0056) USEC requested a temporary modification to their response to the PORTS ICM Order. The request states that USEC considered both potential road alternatives and determined that opening Perimeter Road between the east, south and southwest access roads would enable public use. When combined with slight modifications to existing security force assignments and the addition of new security structures and barriers, this proposal will enable USEC to continue to meet the ICM requirements.

The USEC request states that this is a temporary change until Fog Road can be improved. Upon completion of the necessary improvements, public access will then shift from Perimeter Road to Fog Road. Therefore, USEC revised the PORTS response to the ICM Order and submitted this request for NRC approval.

CONCLUSION

The staff has reviewed USEC's request for a temporary change to the security requirements for the PORTS access roads, and has determined that the changes do not decrease the effectiveness of the safeguards measures at the PORTS site, and it complies with the ICM Order requirements. The staff concludes that the proposed changes are in compliance with 10 CFR 73.67, as referenced in 10 CFR 76.117. Additionally, by establishing new security structures and barriers, along with the changes in security force assignments noted in the classified enclosure to the USEC letter (GDP-04-0056) dated August 24, 2004, USEC will maintain the level of protection required by the ICM Order. Therefore, the NRC staff finds the licensee's proposal revisions acceptable. Specific details of the staff's analysis are addressed in a separate classified evaluation.

PRINCIPAL CONTRIBUTORS

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