December 24, 2008

Mr. Randall M. DeVault
Office of Nuclear Fuel Security
and Uranium Technology
Oak Ridge Operations Office
U.S. Department of Energy
Oak Ridge, TN 37831-8651

SUBJECT: REPORT TO CONGRESS CONCERNING RECERTIFICATION OF THE PADUCAH GASEOUS DIFFUSION PLANT AND THE PORTSMOUTH GASEOUS DIFFUSION PLANT

Dear Mr. DeVault:

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed and approved the requests from the U. S. Enrichment Corporation, dated April 11, 2008, for renewal of the Certificates of Compliance (COC) for both the Paducah Gaseous Diffusion Plant, located in Paducah, Kentucky, and the Portsmouth Gaseous Diffusion Plant, located in Piketon, Ohio. A notice of the intent to approve the applications and opportunity to petition for review was published in the *Federal Register* on October 22, 2008 (73 FR 63033). No comments were received. A copy of the staff's Compliance Evaluation Reports, as well as the renewed COC, are available within the NRC Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS) under accession number ML082890780.

The Atomic Energy Act, as amended, requires that the NRC report to Congress, in consultation with the U. S. Environmental Protection Agency and the U. S. Department of Energy, on the status of health, safety, and environmental conditions at the gaseous diffusion plants (GDPs), no later than the date on which a COC is issued. Further, the report must include a determination of the extent to which the GDPs are in compliance with the standards established by the NRC.

On December 17, 2008, the NRC issued the required Report to Congress, which covers the period from October 1, 2003 to September 30, 2008. A copy of the Report to Congress is enclosed for your information. We appreciate your timely and comprehensive input, which was a major factor in the timely completion of this project.

If you have any questions concerning this letter, please contact Mr. Michael Raddatz of my staff (301) 492-3108 or by e-mail at Michael.Raddatz@nrc.gov.

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR), Section 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 in ADAMS, and is accessible on the NRC website at http://www.nrc.gov/reading-rm/adams.html.

Sincerely,

/RA/

Marissa G. Bailey, Deputy Director
Special Projects and Technical
Support Directorate
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket Nos.: 70-7001 and 70-7002

Certificate Nos.: GDP-1 and GDP-2

Enclosure: Report to Congress

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Enclosure: Report to Congress

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