

March 25, 2009

Mr. Stephen A. Toelle, Director
Regulatory Affairs
United States Enrichment Corporation
2 Democracy Center
6903 Rockledge Drive
Bethesda, MD 20817

SUBJECT: APPROVAL OF CERTIFICATE AMENDMENT REQUEST GDP 09-0006
REVISION OF TECHNICAL SAFETY REQUIREMENT 3.21, SHARING OF
FACILITIES, STRUCTURES, SYSTEMS AND COMPONENTS (TAC L32711)

Dear Mr. Toelle:

By letter dated February 27, 2009, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML090620725), the United States Enrichment Corporation (USEC) submitted a certificate amendment request (CAR), requesting a modification to a Technical Safety Requirement (TSR) for the Portsmouth Gaseous Diffusion Plant (PORTS). This CAR proposes changes to TSR 3.21 which covers the sharing of Facilities, Structures, Systems and Components. The request is to allow for control (through a sublease) of the X-5000 Switch Yard and its associated support facilities, to pass from USEC to the USEC Inc.'s American Centrifuge Plant (ACP). The ACP shares the PORTS site; however, it is an independent entity.

The staff has reviewed this request and has concluded that it is administrative in nature. This request was precipitated by the continuing development of the ACP by USEC and staff notes that the ACP has a U.S. Nuclear Regulatory Commission (NRC) license. USEC has stated that the ACP will be required to provide power to PORTS, as detailed within the sublease agreement thus; reliability of the power will not be compromised. Backup support systems will remain in place, and the effect of this transfer will be limited to the equipment detailed within the February 27, 2009, request. After a review of the information submitted, the staff finds that the proposed changes to the TSRs, will not have a significant effect on PORTS operations and do not increase risk to workers, the public or the environment.

Therefore, based on our review the staff considers that the proposed modification to TSR 3.21 for the PORTS GDP will continue to provide reasonable assurance of adequate protection of public health and safety and therefore, approves the requested CAR.

Your amended certificate is enclosed. This amendment is effective immediately and shall be implemented within 60 days of the date of this letter.

If you have any questions regarding this action, please contact the Project Manager, Michael G. Raddatz, by telephone at (301) 492-3108, or by e-mail at Michael.Raddatz@nrc.gov.

In accordance with the Title 10, *Code of Federal Regulations* (CFR) Section 2.390, "Public Inspections, Exemptions, Requests for Withholding," of the 10 CFR 2.390, a copy of this letter will be available electronically for public inspection in the NRC Public Document Room, or from the Publicly Available Records component of ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

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

Docket No.: 70-7002
Certificate No.: GDP-2

Enclosure:
Amended Certificate of Compliance GDP-2

cc: Randall M. DeVault
Department of Energy—Oak Ridge
200 Administration Road
Mailstop: G114
Oak Ridge, TN 37832

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Sincerely,

/RA/

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

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200 Administration Road
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