

July 23, 2009

Stan Day, Acting Licensing Manager
AES Eagle Rock Enrichment Facility
400 Donald Lynch Boulevard
Marlborough, MA 01752

SUBJECT: NUCLEAR ENERGY INSTITUTE GUIDANCE DOCUMENT NEI 08-11,
"INFORMATION SECURITY PROGRAM GUIDELINES FOR PROTECTION OF
CLASSIFIED MATERIAL AT URANIUM ENRICHMENT FACILITIES"

Dear Mr. Day:

As you are aware, in 2007, the U.S. Nuclear Regulatory Commission (NRC) initiated efforts to issue Orders to uranium enrichment plant licensees and certificate holders (henceforth licensees) that would enhance the protection of these classified enrichment technologies. However, in meetings with the enrichment plant licensees, it was agreed that, in lieu of the NRC issuing Orders, the licensees would develop guidance addressing classified information protection and subsequently commit to implementing the guidance in their Standard Practice Procedures Plan (SPPP) once it was found acceptable by the NRC.

The enrichment plant licensees, in collaboration with the NRC, have developed guidance that will meet the mutual goal of providing enhanced protection of classified technologies. The result of this collaboration is a guidance document issued by the Nuclear Energy Institute (NEI), NEI 08-11, "Information Security Program Guidelines for Protection of Classified Material at Uranium Enrichment Facilities." This document provides guidance for the protection of classified information, equipment, and technology and recommends the development and implementation of several programs and additional requirements.

The NRC finds this document presents acceptable guidance for enrichment plant licensees to enhance the protection of classified information, equipment, and technology at enrichment sites. The guidance in the document meets the intent and goals as originally envisioned by the NRC staff. It is expected that enrichment plant licensees will review the information for applicability to their facilities, as well as their vendors and subcontractors that possess or use classified matter, and consider appropriate actions. With respect to the aforementioned agreement, the enrichment plant licensees are expected to modify their SPPPs and implement the programs within the schedules provided by NEI in their letter dated July 8, 2009.

In accordance with Title 10 of the Code of Federal Regulations 2.390 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 from the Publicly Available Records component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

S. Day

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If you have any questions, please contact Brian Smith of my staff, at 301-492-3137.

Sincerely,

/RA/

Daniel H. Dorman, Director
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-7015

License No.: N/A

cc: George Harper, P.E., Vice President of Engineering
AES Eagle Rock Enrichment Facility
400 Donald Lynch Boulevard
Marlborough, MA 01752

If you have any questions, please contact Brian Smith of my staff, at 301-492-3137.

Sincerely,

/RA/

Daniel H. Dorman, Director
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-7015

License No.: N/A

cc: George Harper, P.E., Vice President of Engineering
AES Eagle Rock Enrichment Facility
400 Donald Lynch Boulevard
Marlborough, MA 01752

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July 23, 2009

Mr. Stephen Cowne, Director
Quality and Regulatory Affairs
Louisiana Energy Services, L.P.
Eunice, NM 88231

SUBJECT: NUCLEAR ENERGY INSTITUTE GUIDANCE DOCUMENT NEI 08-11,
"INFORMATION SECURITY PROGRAM GUIDELINES FOR PROTECTION OF
CLASSIFIED MATERIAL AT URANIUM ENRICHMENT FACILITIES"

Dear Mr. Cowne:

As you are aware, in 2007, the U.S. Nuclear Regulatory Commission (NRC) initiated efforts to issue Orders to uranium enrichment plant licensees and certificate holders (henceforth licensees) that would enhance the protection of these classified enrichment technologies. However, in meetings with the enrichment plant licensees, it was agreed that, in lieu of the NRC issuing Orders, the licensees would develop guidance addressing classified information protection and subsequently commit to implementing the guidance in their Standard Practice Procedures Plan (SPPP) once it was found acceptable by the NRC.

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The NRC finds this document presents acceptable guidance for enrichment plant licensees to enhance the protection of classified information, equipment, and technology at enrichment sites. The guidance in the document meets the intent and goals as originally envisioned by the NRC staff. It is expected that enrichment plant licensees will review the information for applicability to their facilities, as well as their vendors and subcontractors that possess or use classified matter, and consider appropriate actions. With respect to the aforementioned agreement, the enrichment plant licensees are expected to modify their SPPPs and implement the programs within the schedules provided by NEI in their letter dated July 8, 2009.

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If you have any questions, please contact Brian Smith of my staff, at 301-492-3137.

Sincerely,

/RA/

Daniel H. Dorman
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-3103
License No.: SNM-2010

July 23, 2009

Albert Kennedy
GE Hitachi Global Laser Enrichment
P.O. Box 780
3901 Castle Hayne Road
Wilmington, NC 28402

SUBJECT: NUCLEAR ENERGY INSTITUTE GUIDANCE DOCUMENT NEI 08-11,
"INFORMATION SECURITY PROGRAM GUIDELINES FOR PROTECTION OF
CLASSIFIED MATERIAL AT URANIUM ENRICHMENT FACILITIES"

Dear Mr. Kennedy:

As you are aware, in 2007, the U.S. Nuclear Regulatory Commission (NRC) initiated efforts to issue Orders to uranium enrichment plant licensees and certificate holders (henceforth licensees) that would enhance the protection of these classified enrichment technologies. However, in meetings with the enrichment plant licensees, it was agreed that, in lieu of the NRC issuing Orders, the licensees would develop guidance addressing classified information protection and subsequently commit to implementing the guidance in their Standard Practice Procedures Plan (SPPP) once it was found acceptable by the NRC.

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A. Kennedy

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If you have any questions, please contact Brian Smith of my staff, at 301-492-3137.

Sincerely,

/RA/

Daniel H. Dorman
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-7016
License No.: N/A

July 23, 2009

Mr. Peter J. Miner, Director
Regulatory and Quality Assurance
USEC Inc.
Two Democracy Center
6903 Rockledge Drive
Bethesda, MD 20817-1818

SUBJECT: NUCLEAR ENERGY INSTITUTE GUIDANCE DOCUMENT NEI 08-11,
"INFORMATION SECURITY PROGRAM GUIDELINES FOR PROTECTION OF
CLASSIFIED MATERIAL AT URANIUM ENRICHMENT FACILITIES"

Dear Mr. Miner:

As you are aware, in 2007, the U.S. Nuclear Regulatory Commission (NRC) initiated efforts to issue Orders to uranium enrichment plant licensees and certificate holders (henceforth licensees) that would enhance the protection of these classified enrichment technologies. However, in meetings with the enrichment plant licensees, it was agreed that, in lieu of the NRC issuing Orders, the licensees would develop guidance addressing classified information protection and subsequently commit to implementing the guidance in their Standard Practice Procedures Plan (SPPP) once it was found acceptable by the NRC.

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P. Miner

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If you have any questions, please contact Brian Smith of my staff, at 301-492-3137.

Sincerely,

/RA/

Daniel H. Dorman
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-7003, 70-7004
License No.: SNM-7003, SNM-7004

July 23, 2009

Steven Toelle, Director
Nuclear Regulatory Affairs
U.S. Enrichment Corp.
Paducah Gaseous Diffusion Plant
2 Democracy Center
6903 Rockledge Drive
Bethesda, MD 20817-1818

SUBJECT: NUCLEAR ENERGY INSTITUTE GUIDANCE DOCUMENT NEI 08-11,
"INFORMATION SECURITY PROGRAM GUIDELINES FOR PROTECTION OF
CLASSIFIED MATERIAL AT URANIUM ENRICHMENT FACILITIES"

Dear Mr. Toelle:

As you are aware, in 2007, the U.S. Nuclear Regulatory Commission (NRC) initiated efforts to issue Orders to uranium enrichment plant licensees and certificate holders (henceforth licensees) that would enhance the protection of these classified enrichment technologies. However, in meetings with the enrichment plant licensees, it was agreed that, in lieu of the NRC issuing Orders, the licensees would develop guidance addressing classified information protection and subsequently commit to implementing the guidance in their Standard Practice Procedures Plan (SPPP) once it was found acceptable by the NRC.

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If you have any questions, please contact Brian Smith of my staff, at 301-492-3137.

Sincerely,

/RA/

Daniel H. Dorman
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-7001
Certificate No.: GDP-1

cc: Vernon Shanks, Manager
Nuclear Regulatory Affairs
Paducah Gaseous Diffusion Plant

July 23, 2009

Steven Toelle, Director
Nuclear Regulatory Affairs
U.S. Enrichment Corp.
Portsmouth Gaseous Diffusion Plant
2 Democracy Center
6903 Rockledge Drive
Bethesda, MD 20817-1818

SUBJECT: NUCLEAR ENERGY INSTITUTE GUIDANCE DOCUMENT NEI 08-11,
"INFORMATION SECURITY PROGRAM GUIDELINES FOR PROTECTION OF
CLASSIFIED MATERIAL AT URANIUM ENRICHMENT FACILITIES"

Dear Mr. Toelle:

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If you have any questions, please contact Brian Smith of my staff, at 301-492-3137.

Sincerely,

/RA/

Daniel H. Dorman
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

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

cc: Doug Fogel, Manager
Nuclear Regulatory Affairs
Portsmouth Gaseous Diffusion Plant

July 23, 2009

Felix M. Killar, Jr., Senior Director
Fuel Supply & Material Licensees
Nuclear Energy Institute
1776 I Street NW
Suite 400
Washington, DC 20006

SUBJECT: NUCLEAR ENERGY INSTITUTE GUIDANCE DOCUMENT NEI 08-11,
"INFORMATION SECURITY PROGRAM GUIDELINES FOR PROTECTION OF
CLASSIFIED MATERIAL AT URANIUM ENRICHMENT FACILITIES"

Dear Mr. Killar:

In a letter dated May 1, 2009, you provided to the U.S. Nuclear Regulatory Commission (NRC) a copy of a guidance document issued by the Nuclear Energy Institute (NEI), NEI 08-11, "Information Security Program Guidelines for Protection of Classified Material at Uranium Enrichment Facilities," and requested that the NRC endorse this document as an acceptable means for the development of a program for the protection of classified technologies.

As you are aware, in 2007, the NRC initiated efforts to issue Orders to uranium enrichment plant licensees and certificate holders (henceforth licensees) that would enhance the protection of these classified enrichment technologies. However, in meetings with the enrichment plant licensees, it was agreed that, in lieu of the NRC issuing Orders, the licensees would develop guidance addressing classified information protection and subsequently commit to implementing the guidance in their Standard Practice Procedures Plan once it was found acceptable by the NRC. The licensees, through the NEI, developed NEI 08-11 to document this guidance.

The NRC finds this document presents acceptable guidance for enrichment plant licensees to enhance the protection of classified information, equipment, and technology at enrichment sites. The guidance in the document meets the intent and goals as originally envisioned by the NRC staff.

In addition, in a letter to the NRC dated July 8, 2009, you provided a proposed implementation schedule. We find this schedule to be acceptable.

In accordance with Title 10 of the Code of Federal Regulations 2.390 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 from the Publicly Available Records component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If you have any questions, please contact Brian Smith of my staff, at 301-492-3137.

Sincerely,

/RA/

Daniel H. Dorman
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards