

July 10, 2009

Ms. Caroline D. Hall, Assistant Director  
Federal Property Management Section  
Office of Federal Agency Programs  
Advisory Council on Historic Preservation  
1100 Pennsylvania Ave NW, Suite 803  
Washington, DC 20004

SUBJECT: USEC INC.'S AMERICAN CENTRIFUGE PLANT AND COMPLIANCE WITH  
THE NATIONAL HISTORIC PRESERVATION ACT

Dear Ms. Hall:

I am responding to your letter dated June 16, 2009, in which you requested the status of the U.S. Nuclear Regulatory Commission's (NRC's) compliance with Section 106 of the National Historic Preservation Act (Section 106) with respect to its review of the license application for USEC Inc.'s American Centrifuge Plant (ACP).

The NRC staff completed the environmental review of the ACP in May 2006. The results are documented in NUREG-1834, "Environmental Impact Statement for the Proposed American Centrifuge Plant in Piketon, Ohio." The report and supporting documentation is publicly available online under the Environmental Review section of the following website:

<http://www.nrc.gov/materials/fuel-cycle-fac/usecfacility.html>

Appendix B of NUREG-1834 documents the correspondence between NRC and both the Ohio State Historic Preservation Officer (OSHPO) and the Advisory Council on Historic Preservation (ACHP). All of this supporting correspondence is publicly available at the following website:

<http://www.nrc.gov/materials/fuel-cycle-fac/summ-section-106.html>

By letter dated September 6, 2005, the NRC provided a copy of the draft Environmental Impact Statement (DEIS) to the OSHPO, specifying where information about historic properties and NRC's preliminary findings of effect could be found. The OSHPO responded by letter dated October 5, 2005, with comments intended to provide clarification regarding the discussions of cultural resources and the statement, "Within the integrated National Environmental Policy Act (NEPA) review process, this reaffirms our interpretation that the proposed American Centrifuge Plant undertaking will not adversely affect historic properties."

By letter dated January 27, 2006, the NRC referred to the ACHP (Mr. Don Klima, Director) the objections of a consulting party to the NRC's compliance with Section 106 through use of its NEPA process and of the NRC's finding of no effect on historic properties that was presented in the DEIS. The NRC included a listing of Section 106 correspondence and provided a link to the NRC website where the correspondence is available. The NRC requested that the ACHP review the objection of the consulting party and provide its findings. The NRC received no response to the objection from the Advisory Council within 30 days.

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 from the Publicly Available Records (PARS) component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions regarding this licensee, please contact James Downs at (301) 492-3232, or by email at [james.downs@nrc.gov](mailto:james.downs@nrc.gov).

Sincerely,

**/RA/**

Brian W. Smith, Chief  
Uranium Enrichment Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 70-7004  
License No.: SNM-2011

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