

August 10 2009
EN-09-041

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Certificatee: United States Enrichment Corporation EA-06-140
Docket No. 070-07001 (Paducah Gaseous Diffusion Plant)
070-07002 (Portsmouth Gaseous Diffusion Plant)

Licensee: United States Enrichment Corporation, Inc.
Docket No. 070-07003 (American Centrifuge Lead Cascade Facility)
070-02011 (American Centrifuge Plant)

Subject: CONFIRMATORY ORDER EFFECTIVE IMMEDIATELY

This is to inform the Commission that a Confirmatory Order, Effective Immediately, will be issued on or about August 13, 2009, to United States Enrichment Corporation (USEC), in accordance with the settlement agreement reached during an alternative dispute resolution meeting held on May 29, 2009.

The action is based on the United States Department of Labor Administrative Review Board's (ARB's) August 19, 2008, Final Decision and Order (ARB Case Nos. 06-055, 06-058, and 06-119) affirming a DOL Administrative Law Judge's findings of fact and conclusions, which identified an apparent violation of 10 CFR 76.7, "Employee protection," that was being considered for escalated action. Specifically, the ARB concluded that Paducah Gaseous Diffusion Plant (Paducah) management discriminated against a quality control manager in violation of Section 211 of the Energy Reorganization Act of 1974, as amended (the ERA).

As part of the settlement agreement, USEC agreed to take a number of actions, among others, including: having a third party conduct an independent assessment of the SCWE at the Paducah site; and providing SCWE training (that includes case studies) to Paducah, Portsmouth Gaseous Diffusion Plant, American Centrifuge Plant, American Centrifuge Lead Cascade Facility, and designated USEC Headquarters managers and employees.

In view of the settlement agreement, and based upon the corrective actions that USEC has taken and committed to take, the NRC agreed to not pursue further enforcement action relating to this matter.

The states of Kentucky and Ohio will be informed.

Contacts: R. Arrighi, OE, 415-0205 C. Carpenter, OE, 415-2741

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C. Carpenter, OE

S. Magruder, OE

R. Arrighi

D. Solorio

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OFC	OE:ES	OE:D
NAME	RArrighi	CCarpenter
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