

U.S. NUCLEAR REGULATORY COMMISSION

CERTIFICATE OF COMPLIANCE

FOR OPERATION OF GASEOUS DIFFUSION PLANTS

Pursuant to the Atomic Energy Act of 1954, as amended, Title II of the Energy Reorganization Act of 1974, as amended (88 Stat 1242), and Title 10, Code of Federal Regulations, Part 76, and in reliance on statements and representations heretofore made by the applicant, a certificate is hereby issued. This certificate is issued to certify that operation of the Gaseous Diffusion Plant identified in No. 5 below is in compliance with the standards set forth in Title 10, Code of Federal Regulations, Part 76, "Certification of Gaseous Diffusion Plants." This certificate shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

1. CERTIFICATE NUMBER GDP-2	2. AMENDMENT NUMBER 3	3. EXPIRATION DATE December 31, 2013
4. ISSUED TO (Name and Address) United States Enrichment Corporation 2 Democracy Center 6903 Rockledge Drive Bethesda, MD 20817	5. FACILITY AND LOCATION Portsmouth Gaseous Diffusion Plant Piketon, OH	6. DOCKET NUMBER 70-7002
7. CONDITIONS This certificate is conditional upon fulfilling the requirements of 10 CFR Part 76, as applicable, and the conditions below.		

8. The United States Enrichment Corporation (USEC or the Corporation) shall conduct its operations in accordance with the statements and representations contained in the Certification Application through Revision 91, dated August 8, 2008 and in the Compliance Plan, as revised, through Revision 11, dated January 31, 2003.
9. The United States Enrichment Corporation shall conduct its operations in accordance with the Technical Safety Requirements that are contained in Volume 4, Revision 90 of the Application as modified by letter(s) dated August 18, 2008, February 27, 2009, and August 10, 2009.

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10. The United States Enrichment Corporation is hereby granted the special authorizations and exemptions in Chapter 1, Section 1.8 of the Safety Analysis Report, Revision 91.
11. If, at any time after the privatization date, the Corporation obtains information reasonably indicating changes described in the National Industrial Security Program Operating Manual, DOD 5520.22-M, January 1995 (NISPOM), Chapter 1, Section 3, 1-302(h), to the information previously submitted to the NRC, described in the NISPOM, Chapter 2, Section 3, 2-302b (1) through (11), the Corporation shall notify NRC in writing within 15 days.
12. If the corporation enters into negotiations for the proposed merger, acquisition, or takeover by a foreign person, the Corporation shall submit notification to the NRC, in writing, within 15 days of the commencement of such negotiations. The submission shall include the type of transaction under negotiation (stock purchase, asset purchase, etc.), the identity of the potential foreign person investor, a plan to negate foreign ownership, control, or domination, and copies of any related loan, purchase and shareholder agreements, annual reports, bylaws, articles of incorporation, partnership agreements and reports filed with other federal agencies.
13. USEC, or its successors, as the Executive Agent for the United States for implementing the Russian HEU Agreement, shall notify NRC in writing within 15 days, of any termination or material change in the provisions of the "Memorandum of Agreement Between the United States Acting By and Through the United States Department of State, and the United States Department of Energy and the United States Enrichment Corporation, for USEC to Serve as the United States Government's Executive Agent. Under the Agreement Between the United States and the Russian Federation Concerning the Disposition of Highly Enriched Uranium Extracted from Nuclear Weapons" entered into as of April 18, 1997.
14. Notwithstanding footnote (e) to Table 1-3 of the Safety Analysis Report, the United States Enrichment Corporation is not authorized to conduct analysis of samples for offsite requesters or for Department of Energy sites unless it is related to uranium enrichment activities, including site remediation.

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15. The United States Enrichment Corporation shall review the decommissioning cost estimates and associated funding levels in October of each year and adjust the estimates and funding levels as necessary. If USEC determines that the existing financial instruments do not adequately cover the adjusted decommissioning cost estimate, USEC shall submit financial instruments to cover the new cost estimates by December 31st of each calendar year.
16. The United States Enrichment Corporation (USEC) shall inform the Nuclear Regulatory Commission (NRC) in writing no less than 30 days before any planned reduction in the surveillance requirements of the Caretaker Project being conducted for the Department of Energy (DOE) for the installed shut-down and buffered cascade equipment in the X-326 Building. In addition, USEC shall inform the NRC in writing within 15 days of obtaining a result of a measurement, as part of the Caretaker Project, of a holdup quantity of uranium enriched in ²³⁵U equal to or above 10 weight percent in installed equipment leased by USEC from DOE that is outside the measuring instrument's accuracy range.

FOR THE NUCLEAR REGULATORY COMMISSION

Date: August 26, 2009

By: /RA/
Marissa G. Bailey, Deputy Director
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

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List of GDP-2 Amendments since Last Renewal (12/22/2008)

Amendment Number	Applicable Document	Subject	Application Date	Issuance Date	Effective Date
01	TSR	Staffing Requirements	8/18/2008	2/26/2009	2/26/2009
02	TSR	Sharing of Facilities	2/27/2009	3/25/2009	3/25/2009
03	TSR	Transfer of X-760	8/10/2009	8/26/2009	8/26/2009

