



Department of Energy

Oak Ridge Office
P.O. Box 2001
Oak Ridge, Tennessee 37831

November 3, 2009

Mr. Brian W. Smith, Chief
Enrichment and Conversion Branch
Office of Nuclear Material
Safety and Safeguards
MS: EBB2-C40M
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Mr. Smith:

TRANSITION OF REGULATORY OVERSIGHT RESPONSIBILITIES FOR TRAINS 1, 2, AND 4 IN THE X-3001 PROCESS BUILDING OF THE AMERICAN CENTRIFUGE PLANT

The Department of Energy (DOE) received a letter dated October 20, 2009, from USEC Inc. (USEC) requesting transition of Trains 1, 2, and 4 in the X-3001 Process Building of the American Centrifuge Plant from DOE oversight to Nuclear Regulatory Commission (NRC) oversight. The exception to this transition would be a small section that would remain under DOE oversight. The letter requested a transition date of October 30, 2009, at 12:01 p.m.

During the week of October 26, 2009, DOE personnel discovered a discrepancy between the site physical arrangements and the USEC letter sent to Mr. Michael F. Weber (AET 09-0080, dated October 19, 2009). Specifically, the area to be retained by DOE was approximately 16' x 80' rather than 5' x 20'. At that time, DOE placed the USEC request on hold until USEC could provide clarification to NRC regarding its intent.

In an October 29, 2009, email from Ms. Kelly Coriell (USEC) to Mr. Brian Smith (NRC), USEC requested the deletion of the 5' x 20' description. The second paragraph under the "Discussion" section of that letter should have read:

However, a small section located between columns D12 and D16 along the east boundary of Train 1 (between the concrete floor expansion joints), as depicted in the map in Enclosure 1, will remain under DOE oversight. This area will be used to store legacy DOE contaminated items that may be discovered during building renovation.

NRC subsequently concurred with the revised description in an October 30, 2009, email from Mr. Brian Smith (NRC). Based upon NRC's concurrence, DOE is willing to proceed with the regulatory transition.

In accordance with the April 13, 2007, Memorandum of Understanding between DOE and the NRC, "Cooperation Regarding the American Centrifuge Plant in Piketon, Ohio," this letter serves as notification of the transfer of regulatory oversight responsibilities for the above areas from DOE to the NRC. Based upon your prior concurrence, the transition will occur on November 3, 2009, at 12:01 p.m. USEC is hereby notified by copy of this letter.

If you have any questions concerning this letter, please contact me at (865) 241-8277.

Sincerely,



for Randall M. DeVault
Regulatory Oversight Manager
Office of Assistant Manager
for Nuclear Fuel Supply

cc:

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