

August 26, 2010

Mr. Peter J. Miner, Director  
Regulatory Affairs and Quality Assurance  
USEC Inc.  
6903 Rockledge Dr.  
Bethesda, MD 20817-1818

SUBJECT: AMENDMENTS TO JULY 30, 2010, RESPONSE TO USEC INC. REQUEST FOR  
CONFIRMATION OF ABSENCE OF DIRECT OR INDIRECT TRANSFER OF  
OWNERSHIP OR CONTROL (TAC NO.: L32989)

Dear Mr. Miner:

By letter dated July 30, 2010, the U.S. Nuclear Regulatory Commission (NRC) provided response to your request for NRC confirmation that a minority financial investment in USEC Inc. (USEC) by Toshiba Corporation and the Babcock and Wilcox Investment Company does not constitute a direct or indirect transfer, or assignment of ownership or control, of any NRC license or certificates of compliance and, as such, the transaction would not require prior written NRC consent pursuant to Section 184 of the Atomic Energy Act or Title 10 of the *Code of Federal Regulations* (10 CFR) Parts 70.36 or 76.65.

Based upon the staff's evaluation of your request, the NRC concluded that the subject financial transaction and related ownership interest transfer, as described by USEC, does not involve a transfer, direct or indirect, of the operating licenses for USEC's American Centrifuge Plant (SNM-2011) and Lead Cascade (SNM-7003), or the Certificates of Compliance for the Paducah and Portsmouth Gaseous Diffusion Plants, pursuant to 10 CFR 70.36 or 76.65, respectively.

On August 2, 2010, USEC provided comments to clarify information provided in the Safety Evaluation Report (SER) enclosed to the July 30, 2010, letter. A conference call with USEC to discuss on their comments was held on August 3, 2010. Based on discussions during the call, NRC staff agreed to revise, and amend, the SER in response to the comments provided by USEC.

The enclosed information provides clarification and amends the July 30, 2010, SER as agreed upon during the August 3, 2010, conference call.

If you have any questions regarding this matter, please contact Mr. Osiris Siurano-Perez, of my staff, at (301) 492-3117, or via email at [Osiris.Siurano-Perez@nrc.gov](mailto:Osiris.Siurano-Perez@nrc.gov).

P. Miner

- 2 -

In accordance with 10 CFR 2.390(d) of the NRC "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 NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

**/RA/**

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

Docket Nos.: 70-7003, 70-7004  
License Nos.: SNM-7003, SNM-2011

This document contains Official Use Only – Proprietary Information. When separated from the Enclosure, this document is decontrolled.

Docket Nos.: 70-7001, 70-7002  
Certificate of Compliance Nos.: GDP-1, GDP-2

Enclosure: As stated

P. Miner

- 2 -

In accordance with 10 CFR 2.390(d) of the NRC “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 NRC’s document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

**/RA/**

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

Docket Nos.: 70-7003, 70-7004  
License Nos.: SNM-7003, SNM-2011

This document contains Official Use Only – Proprietary Information. When separated from the Enclosure, this document is decontrolled.

Docket Nos. 70-7001, 70-7002  
Certificate of Compliance Nos.: GDP-1, GDP-2

Enclosure: As stated

DISTRIBUTION:

FCSS R/F                      UEB R/F                      USEC Website                      MTschiltz/FCSS  
NStAmour/OGC              MDusaniwskyj/NRR              TFredrichs/NRR                      JHenson/RII  
DHartland/RII                      JDowns/UEB                      TLiu/AFCB

**ML102310523**

|             |          |                  |          |          |          |
|-------------|----------|------------------|----------|----------|----------|
| <b>OFC</b>  | UEB      | UEB W. Moore for | NRR      | AFCB     | UEB      |
| <b>NAME</b> | OSiurano | TNewman          | BCarlson | THiltz   | BSmith   |
| <b>DATE</b> | 08/19/10 | 08/23/10         | 08/24/10 | 08/24/10 | 08/26/10 |

**OFFICIAL RECORD COPY**