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CERTIFICATE HOLDER: United States Enrichment Corporation
Portsmouth Gaseous Diffusion Plant Piketon, Ohio

SUBJECT: SAFEGUARD EVALUATION REPORT REGARDING
MODIFICATION TO RESPONSE TO INTERIM
COMPENSATORY SAFEGUARDS MEASURES ORDER

1.0 BACKGROUND

On June 17, 2002, the U.S. Nuclear Regulatory Commission (NRC) issued an Order to the United States Enrichment Corporation (USEC) - Portsmouth Gaseous Diffusion Plant (PORTS) after the events of September 11, 2001. This Order included Interim Compensatory Measures (ICM) requiring USEC to limit access to the entire facility and upgrade security around specific areas within the Protected Area (PA). On July 8, 2002, PORTS submitted its ICM implementation commitments to the NRC.

From 2002 to 2004, there were several correspondences between USEC and the NRC relating to modifications of USEC's original response dated July 8, 2002. On October 9, 2002, PORTS requested a revision to these ICM commitments for which the NRC staff approved and issued a revision to the ICMs on October 25, 2002. PORTS submitted a second request for a change to the established protective measures on July 21, 2003, with a follow-up letter on August 12, 2003, and the NRC staff approved this request on September 25, 2003. On August 24, 2004, PORTS submitted a request to re-open part of the PORTS site reservation to allow public access on a portion of the Perimeter Road in addition to a change to the established protective measures. On December 6, 2004, the NRC staff approved USEC's request dated August 24, 2004.

2.0 PROPOSED ACTION

By letter dated August 10, 2010, USEC submitted a request to modify its protective measures that are implemented at PORTS with the ICMs attached to the NRC Order of June 17, 2002. In particular, the proposed revision would allow suspension of interim compensatory measures B.1a & b, and B.2a & b. The suspension of these commitments will allow for the unimpeded public access to the PORTS Reservation by way of existing access roads to the perimeter road that surrounds the PORTS plant-site controlled access area.

3.0 STAFF EVALUATION

Following the events of September 11, 2001, the NRC issued Orders to nuclear facilities to upgrade their security measures. As certain facilities included special areas that could incur more serious consequences than others if they were under attack, these facilities were required to have more than the standard security measures in place. It was determined that PORTS had multiple areas within the PA that fit the category of requiring additional security measures.

The associated details of these areas that require additional security measures are considered Safeguards Information (SGI) and, therefore, are not contained or discussed in this document. USEC modified the security measures in these areas at PORTS to meet the requirements in the Order, and these security measures were approved by the NRC on October 25, 2002.

Since the issuance of the Order on June 17, 2002, USEC operations at PORTS have changed as certain plant activities have ceased and materials has been removed from the site. As a result of these changes, the consequences of an attack on these areas have been reduced and they no longer fit the category noted in the Order.

USEC's September 23, 2009, submittal requested allowance that would suspend the implementation of entire set of approved ICM protective measures. Upon January 19, 2010, telephone discussion with the staff, on January 27, 2010, USEC narrowed the scope of its request by specifically seeking authorization to suspend the implementation of the following approved ICM protective measures when there are no critical target areas (CTA) in existence at PORTS: A.1, A.2, A.3, A.4, A.5, A.7, and A.8. This request was approved by letter on April 5, 2010.

The protective measures of ICMO B.1a & b, and B.2a & b, were implemented as a change to the original ICMO of June 17, 2002. The purpose of these measures was to provide security to the CTAs. With the removal of the CTAs the additional security measures are no longer required.

Of concern to the staff was the impact of the removal of the security measures on the American Centrifuge Plant (ACP). Access to the close proximity of the ACP by the public could result in compromise of sensitive information. Discussions were held with USEC and the Department of Energy (DOE) Oak Ridge Office concerning the possibility of compromise of information should the public be allowed in close proximity of the ACP. By letter dated May 5, 2011, DOE Oak Ridge stated that DOE currently has no issues with removing the ICMO measures at PORTS. However, given the possibility of a compromise in the future, DOE stated that they would continue to evaluate and analyze the issue to ensure the security of the DOE centrifuge technology. DOE will keep the staff apprised of the results of these evaluations.

USEC is currently in negotiation with the DOE and the NRC to de-certify the PORTS facility and return the facility and oversight back to the DOE.

4.0 CONCLUSION

Based on the review and evaluation of PORTS security plan and the information provided by USEC in its letter dated August 10, 2010, and the letter provided by DOE Oak Ridge dated May 5, 2011, the staff concludes that USEC's proposed action to modify its response to the ICMs, specifically for B.1a & b, and B.2a & b., attached to the Order, issued to PORTS on June 17, 2002, would continue to provide adequate protection of public health, safety, SGI, security, and the protection of the environment, and therefore, is acceptable.

PRINCIPAL CONTRIBUTOR

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