

JUL 10 2013

Urenco

LES-13-00083-NRC

ATTN: Document Control  
Director,  
Office of Nuclear Material Safety and Safeguards  
U.S Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Louisiana Energy Services, LLC  
NRC Docket Number: 70-3103

Subject: Request for use of Non-cited Violations for the UUSA Facility

The purpose of this letter is to request authorization to allow NRC identified Severity Level IV violations to be treated as non-cited violations for future inspections conducted by the NRC under the provisions of the Nuclear Regulatory Commission (NRC) Enforcement Manual 2.3.2.

UUSA is required to describe the quality assurance program to be applied to the design, fabrication, construction, testing and operation of the structures, systems, and components of the UUSA Enrichment Facility under construction near Eunice, New Mexico. UUSA is licensed to and the Quality Assurance Program meets the criteria in Appendix B of Title 10 of the Code of Federal Regulations (10 CFR) Part 50. The Quality Assurance program for UUSA is implemented through UUSA's Quality Assurance Program Description (QAPD) which has been reviewed and approved by the NRC. The QAPD outlines the commitments for UUSA's Corrective Actions Program (CAP).

The NRC has performed multiple programmatic inspections of UUSA's CAP since construction activities began in 2006. These inspections have been documented in quarterly inspection reports to UUSA. Based on the input from these inspections, UUSA is confident that the facility has established a CAP that complies with Appendix B to 10 CFR Part 50. Through these NRC inspections UUSA has successfully demonstrated the ability to identify, document, evaluate, and correct problems and prevent their recurrence.

UUSA has reviewed the UUSA CAP against the acceptance criteria outlined in Draft NUREG-2154 "Acceptability of Corrective Action Programs for Fuel Cycle Facilities and has determined that the five listed criteria are met as described below.

- (1) UUSA's CAP implementing procedures and program documents appropriately incorporate the commitments identified in the NRC-approved QAPD and are consistent with the regulatory requirements of Appendix B to 10 CFR Part 50. Through implementations of the QAPD, UUSA categorically meets the requirements as discussed in the acceptance criteria including: terminology

NMSSO1

definitions, CAP expectations, requirements, personal responsibilities, audits and independent reviews of the CAP process.

- (2) UUSA's QAPD requirements for training ensure all personnel are trained in the importance of prompt identification of conditions adverse to quality as well as security and safety issues at the facility and how to ensure these issues are documented. UUSA's commitment to Appendix B to 10 CFR Part 50 drives all systems, structures and components (SSC) relied on for safety to be designated as QL1 or QL2, all inclusive. Documentation of conditions adverse to quality, and significant conditions adverse to quality, as they relate to these SSCs, are thus directly related to safety issue reporting.
- (3) UUSA programs provide criteria, consistent with Appendix B to 10 CFR Part 50, for the identification conditions adverse to quality and significant conditions adverse to quality.
- (4) Through implementation of the QAPD, procedures contain provisions for indentifying, reporting, documenting and classifying conditions adverse to quality and for ensuring timely implementation of corrective actions. UUSA's procedures also contain adequate descriptions of the follow-up, closure and trending process used at UUSA and a system is in place to track and monitor the timeliness of corrective actions.
- (5) UUSA periodically performs audits of the CAP, trending of CAP issues and reviews audit reports, internal surveillance reports, corrective action reports, management assessments to determine the need to enter items into the CAP.

The information above demonstrates that UUSA has established a documented CAP as part of UUSA's QAPD. In accordance with the change in the Enforcement Policy, UUSA requests allowance for NRC identified Severity Level IV violations to be treated as non-cited violations in future inspections conducted by the NRC subject the provisions of the Nuclear Regulatory Commission (NRC) Enforcement Manual 2.3.2..

Should there be any questions concerning this submittal, please contact Timothy Knowles, UUSA Licensing and Performance Assessment Manager, at 575.394.6212.

Respectfully,

A handwritten signature in black ink, appearing to read "Stephan R. Cowne". The signature is fluid and cursive, with the first name "Stephan" being more prominent.

Stephan R. Cowne for  
Jay Laughlin  
Chief Nuclear Officer and Head of Operations

Joel Munday  
Director, Division of Construction Projects  
USNRC, Region II  
245 Peachtree Center Ave, NE  
Suite 1200  
Atlanta, GA 30303-1257

Brian W. Smith  
Chief, Uranium Enrichment Branch  
U.S. Nuclear Regulatory Commission  
Executive Blvd Bldg  
Mailstop: EBB2-C40M  
Washington, DC 20555-0001

Mark S. Miller  
Deputy Director, Division of Construction  
Projects  
USNRC, Region II  
245 Peachtree Center Ave, NE  
Suite 1200  
Atlanta, GA 30303-1257

Deborah A. Seymour  
Chief, Construction Projects Branch 1  
US NRC, Region II  
245 Peachtree Center Ave, NE  
Suite 1200  
Atlanta, GA 30303-1257

Mike G. Raddatz  
Project Manager  
U.S. Nuclear Regulatory Commission  
Executive Blvd Bldg  
Mailstop: EBB2-C40M  
Washington, DC 20555-0001