

October 17, 2014

Mr. Robert Van Namen, Senior Vice President  
United States Enrichment Corporation  
2 Democracy Center  
6903 Rockledge Drive  
Bethesda, MD 20817-1818

SUBJECT: APPROVAL OF PART 76 CERTIFICATE TERMINATION FOR THE UNITED STATES ENRICHMENT CORPORATION, PADUCAH GASEOUS DIFFUSION PLANT (TECHNICAL ASSIGNMENT CONTROL NUMBER L34292)

Dear Mr. Van Namen:

The staff of the U.S. Nuclear Regulatory Commission (NRC) has reviewed the letters dated June 17, 2014 and August 1, 2014 (available via the NRC's Agencywide Documents Access and Management System [ADAMS] Accession Numbers ML14176A081 and ML14216A384, respectively), submitted by the United States Enrichment Corporation (USEC), regarding the gaseous diffusion uranium enrichment plant (GDP) at Paducah, Kentucky (PGDP). The letters requested the NRC to approve the proposed actions to de-lease the GDP facilities at the PGDP, return these facilities to the U.S. Department of Energy (DOE), and terminate the NRC's GDP-1 certificate of compliance (CoC). This letter is to inform you that, consistent with Title 10 of the *Code of Federal Regulations* (10 CFR) 76.66 (b), and based on the analysis documented in the enclosed Compliance Evaluation Report (CER) (ADAMS Accession Number ML14268A555), the NRC has determined that a sufficient basis exists to terminate the CoC.

Accordingly, the NRC also approves USEC's related request to de-lease the GDP facilities at the PGDP, and return these facilities to DOE. As indicated below and in the CER, there may be a period of time after the de-lease occurs before the CoC is terminated. USEC is reminded that until the CoC is terminated, you will remain subject to all applicable 10 CFR Part 76 requirements.

A final CoC termination letter will be issued by the NRC under separate cover once the NRC has received USEC's certification of non-possession with respect to its classified holdings, and upon USEC's written notification that (1) all PGDP facilities have been de-leased and are under DOE regulatory authority; (2) ownership and possession of all NRC-regulated material has been transferred to DOE; (3) all material transfer documentation and updates to the Nuclear Material Management and Safeguards System (NMMSS) database are complete; (4) all security inspections and resolution of findings have been completed and the NRC's facility security clearance for the PGDP has been terminated (including a close out inspection of PGDP's classified supplier General Dynamics Global Imaging Technologies, Inc., in Cullman, Alabama); (5) USEC has provided the NRC the associated "Contract Security Classification Specification" forms; and (6) all personnel security clearances associated with the PGDP under the CoC have been terminated or transferred by DOE to its new contractor. Until such time that the NRC issues the final CoC termination letter, the NRC will maintain regulatory authority over the byproduct, source, and special nuclear material (i.e., low enriched uranium) at the PGDP, and USEC must continue to comply with its current NRC-approved nuclear material control and accounting plan.

As indicated in the enclosed CER, the DOE supports USEC's CoC termination request. The DOE will take ownership and possession of all byproduct, source, and low-enriched uranium present at the PGDP at the time of de-lease in accordance with the Framework Agreement on PGDP Turnover dated June 17, 2014. Once DOE has assumed regulatory authority, maintenance of and compliance with the GDP-1 CoC and associated NRC certification documents (i.e., technical safety requirements, safety analysis report, quality assurance program, emergency plan, fundamental nuclear material control plan, physical protection plan, and plan for protecting classified matter) will no longer be required. Upon transfer of regulatory authority over the PGDP to DOE, any NRC Orders covering the PGDP will no longer be applicable at the PGDP site.

In accordance with 10 CFR, Section 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System component of the NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If you have any questions regarding this action, please contact Mr. Osiris Siurano-Perez at (301) 287-9070, or via e-mail to [Osiris.Siurano-Perez@nrc.gov](mailto:Osiris.Siurano-Perez@nrc.gov).

Sincerely,

**/RA/**

Craig Erlanger, Deputy Director  
Division of Fuel Cycle Safety, Safeguards,  
and Environmental Review  
Office of Nuclear Material Safety  
and Safeguards

Enclosure:  
Compliance Evaluation Report

Docket No. 07007001  
Certificate No. GDP-1

cc: Mr. Mike Buckner, PGDP  
Mr. Steven Toelle, USEC  
Mr. Randall M. DeVault, DOE  
Mr. William E. Murphie, DOE

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Sincerely,  
/RA/

Craig Erlanger, Deputy Director  
Division of Fuel Cycle Safety, Safeguards,  
and Environmental Review  
Office of Nuclear Material Safety  
and Safeguards

Enclosure:  
Compliance Evaluation Report

Docket No. 07007001  
Certificate No. GDP-1

cc: Mr. Mike Buckner, PGDP  
Mr. Steven Toelle, USEC  
Mr. Randall M. DeVault, DOE  
Mr. William E. Murphie, DOE

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**ADAMS Accession No. ML14268A557**

**Package No. ML14268A560**

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