

U.S. NUCLEAR REGULATORY COMMISSION
NOTICE OF AMENDMENT TO
CERTIFICATE OF COMPLIANCE GDP-2 FOR
THE U.S. ENRICHMENT CORPORATION
PORTSMOUTH GASEOUS DIFFUSION PLANT
PORTSMOUTH, OHIO
DOCKET 70-7002

The Director, Office of Nuclear Material Safety and Safeguards, has made a determination that the following amendment request is not significant in accordance with 10 CFR 76.45. In making that determination, the staff concluded that: (1) there is no change in the types or significant increase in the amounts of any effluents that may be released offsite; (2) there is no significant increase in individual or cumulative occupational radiation exposure; (3) there is no significant construction impact; (4) there is no significant increase in the potential for, or radiological or chemical consequences from, previously analyzed accidents; (5) the proposed changes do not result in the possibility of a new or different kind of accident; (6) there is no significant reduction in any margin of safety; and (7) the proposed changes will not result in an overall decrease in the effectiveness of the plant's safety, safeguards, or security programs. The basis for this determination for the amendment request is described below.

The NRC staff has reviewed the certificate amendment application and concluded that it provides reasonable assurance of adequate safety, safeguards, and security and compliance with NRC requirements. Therefore, the Director, Office of Nuclear Material Safety and Safeguards, is prepared to issue an amendment to the Certificate of Compliance for the Portsmouth Gaseous Diffusion Plant (PORTS). The staff has prepared a Compliance Evaluation Report which provides details of the staff's evaluation.

The NRC staff has determined that this amendment satisfies the criteria for a categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for this amendment.

USEC or any person whose interest may be affected may file a petition, not exceeding 30 pages, requesting review of the Director's Decision. The petition must be filed with the Commission not later than 15 days after publication of this Federal Register Notice. A petition for review of the Director's Decision shall set forth with particularity the interest of the petitioner and how that interest may be affected by the results of the decision. The petition should specifically explain the reasons why review of the Decision should be permitted with particular reference to the following factors: (1) the interest of the petitioner; (2) how that interest may be affected by the Decision, including the reasons why the petitioner should be permitted a review of the Decision; and (3) the petitioner's areas of concern about the activity that is the subject matter of the Decision. Any person described in this paragraph (USEC or any person who filed a petition) may file a response to any petition for review, not to exceed 30 pages, within 10 days after filing of the petition. If no petition is received within the designated 15-day period, the Director will issue the final amendment to the Certificate of Compliance without further delay. If a petition for review is received, the decision on the amendment application will become final in 60 days, unless the Commission grants the petition for review or otherwise acts within 60 days after publication of this Federal Register Notice.

A petition for review must be filed with the Secretary of the Commission, U.S. Nuclear

Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW, Washington, DC, by the above date.

For further details with respect to the action see: (1) the application for amendment and (2) the Commission's Compliance Evaluation Report. These items are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW, Washington, DC, and at the Local Public Document Room.

Date of amendment request: October 21, 1997

Brief description of amendment: On October 21, 1997, United States Enrichment Corporation (USEC) submitted a certificate amendment request for the Portsmouth Gaseous Diffusion Plant (PORTS) to extend a completion date and to clarify commitments related to Measuring and Test Equipment (M&TE) made in Issue 24 entitled "Maintenance Program" of the "Plan for Achieving Compliance with Nuclear Regulatory Commission Regulations at the Portsmouth Gaseous Diffusion Plant" DOE/ORO-2027/R3 (Compliance Plan).

The PORTS Quality Assurance Program (QAP) requires safety related structures, systems and components (SSCs) to be designated as Q, AQ and AQ-NCS according to their area of application and degree of importance to safety. The PORTS QAP and the Safety Analysis Report designate those SSCs as Q and AQ, and AQ-NCS, which are relied upon for non-criticality safety and criticality safety, respectively. The PORTS QAP requires USEC to apply quality assurance (QA) requirements contained in ASME NQA-1-1989 entitled "Quality

Assurance Program Requirements for Nuclear Facilities" to Q and AQ-NCS SSCs. For AQ SSCs, which in comparison to Q and AQ-NCS SSCs are less important from a safety stand point, only a portion of the ASME NQA-1-1989 requirements are applicable.

Currently, the Plan of Action and Schedule (POAS) section of Issue 24 of the PORTS Compliance Plan implies that M&TE used for Q, AQ and AQ-NCS SSCs are also designated as Q, AQ and AQ-NCS, respectively. The clarification contained in USEC's amendment request, deletes this implication. In addition to the clarification, USEC has also included a request to extend the completion date for revising the calibration program to meet the more formal requirements for AQ SSCs from December 31, 1997, to June 30, 1998. According to USEC, the existing December 31, 1997, date in the POAS of the PORTS Compliance Plan Issue 24 is inconsistent with two other actions contained elsewhere in the same POAS. In addition, according to USEC, Issue 22 entitled "Maintenance Program" of the Paducah Gaseous Diffusion Plant (PGDP) Compliance Plan identifies June 30, 1998, as the date for completing similar corrective actions which address similar noncompliances.

Basis for finding of no significance:

1. The proposed amendment will not result in a change in the types or significant increase in the amounts of any effluents that may be released offsite.

This amendment deletes the implication that M&TE are designated as Q, AQ, and AQ-NCS SSCs. It also corrects an inconsistency related to the completion date for revising the

calibration program to meet more formal requirements for AQ SSCs by extending the completion date from December 31, 1997, to June 30, 1998. This amendment does not constitute a change to the QA requirements applicable to M&TE. Per the PORTS QAP, which was reviewed and approved by the NRC as part of the initial certification, QA requirements contained in ASME NQA-1 1989 will continue to be applied to M&TE used for Q, AQ-NCS and AQ SSCs. In addition, the interim safety requirements contained in the Justification for Continued Operation (JCO) section of Issue 24 of the PORTS Compliance Plan, which was developed by DOE and approved by DOE and NRC, pertaining to AQ SSCs and the associated M&TE, would continue to be applied until June 30, 1998. As such, this amendment will not result in a significant change in the types or significant increase in the amounts of any effluents that may be released offsite.

2. The proposed amendment will not result in a significant increase in individual or cumulative occupational radiation exposure.

For the reasons provided in the assessment of criterion 1, the proposed amendment will not result in a significant increase in individual or cumulative occupational radiation exposures.

3. The proposed amendment will not result in a significant construction impact.

The proposed amendment does not involve any construction, therefore, there will be no construction impacts.

4. The proposed amendment will not result in a significant increase in the potential for, or radiological or chemical consequences from, previously analyzed accidents.

For the reasons provided in the assessment of criterion 1, the proposed amendment will not result in a significant increase in the potential for, or radiological or chemical consequences from, previously analyzed accidents.

5. The proposed amendment will not result in the possibility of a new or different kind of accident.

For the reasons provided in the assessment of criterion 1, the proposed amendment will not result in new or different kinds of accidents.

6. The proposed amendment will not result in a significant reduction in any margin of safety.

For the reasons provided in the assessment of criterion 1, the proposed amendment will not result in a significant reduction in any margin of safety.

7. The proposed amendment will not result in an overall decrease in the effectiveness of the plant's safety, safeguards, or security programs.

For the reasons provided in the assessment of criterion 1, the proposed amendment will not

result in an overall decrease in the effectiveness of the plant's safety program.

The staff has not identified any safeguards or security related implications from the proposed amendment. Therefore, the proposed amendment will not result in an overall decrease in the effectiveness of the plant's safeguards or security programs.

Effective date: The amendment to GDP-2 will become effective immediately after issuance by NRC.

Certificate of Compliance No. GDP-2: Amendment will revise the Compliance Plan.

Local Public Document Room location: Portsmouth Public Library, 1220 Gallia Street, Portsmouth, Ohio 45662.

Dated at Rockville, Maryland, this 4th day of February 1998.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By

Carl J. Paperiello, Director
Office of Nuclear Material Safety
and Safeguards

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