

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 shown 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. The staff has prepared a Compliance Evaluation Report which provides details of the staff's evaluation.

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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: February 3, 1998

Brief description of amendment: On February 3, 1998, United States Enrichment Corporation (USEC) submitted a certification amendment request (CAR) to temporarily, approximately six weeks, convert the X-705 South Annex from NRC regulations to Department of Energy (DOE) Regulatory Oversight Agreement (ROA) regulations for the replacement of inoperable HEU cylinder valves. The changes proposed in USEC's CAR involve SAR Section 3.7, "HEU DOWNBLENDING ACTIVITIES," Fundamental Nuclear Material Control (FNMC) Plan Section 2.2.7, "MBA Structure," and the Plan for Achieving Compliance at the Portsmouth Gaseous Diffusion Plant (Compliance Plan) Issue A.4., "Possession of Uranium Enriched to Greater than 10% <sup>235</sup>U."

The change to SAR Section 3.7 recognizes the HEU cylinder valve replacement under DOE ROA regulations as an anticipated evolution and provides a description of that activity. The revisions to Section 2 of the FNMC Plan and related Issue A.4 of the Compliance Plan describe access control into the X-705 facility during the period of six weeks that the areas are temporarily converted to DOE ROA regulation, to verify that no removal of fissile material occurs during the valve replacement activities, and to certify that changing the status of the areas will not result in Portsmouth (PORTS) possessing HEU or cause PORTS to exceed the HEU possession limit before returning the areas to NRC regulation.

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.

The proposed amendment does not propose any new or unanalyzed activity for the facility. The amendment would temporarily change the regulatory oversight of the valve replacement due to possession limit constraints and would not change the types or increase 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.

The proposed amendment does not propose any new or unanalyzed activity for the facility. The same radiological controls and criticality controls found acceptable for lower enrichment cylinder valve replacements would remain in effect for the HEU cylinder valve replacement. Therefore the amendment would not result in a significant increase in individual or cumulative occupational radiation exposure.

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.

The proposed amendment does not propose any new or unanalyzed activity for the facility. The same radiological controls, industrial hygiene controls, and criticality controls found acceptable for lower enrichment cylinder valve replacements would remain in effect for the HEU cylinder valve replacement. Therefore, the amendment would 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.

The proposed amendment does not propose any new or unanalyzed activity for the facility. Therefore, the amendment does not raise the possibility of a new or different kind of accident.

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 4 and 5, the proposed amendment would 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 4 and 5, the proposed amendment would not result in an overall decrease in the effectiveness of the plant's safety.

The amendment proposed changes to the FNMC Plan and Compliance Plan to increase the security and safeguards requirements commensurate with DOE ROA requirements for high enrichment and provides assurances through a special static inventory of the areas at the end of the transition to confirm the facility status. 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 7 days after issuance by NRC.

Certificate of Compliance No. GDP-2: Amendment will allow temporary transfer of regulatory oversight of the X-705 Building for high enrichment uranium cylinder valve replacement.

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

Dated at Rockville, Maryland, this 17<sup>th</sup> day of March 1998.

FOR THE NUCLEAR REGULATORY COMMISSION

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

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\*See previous concurrence *no legal objection*

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The amendment proposed changes to the FNMC Plan and Compliance Plan to increase the security and safeguards requirements commensurate with DOE ROA requirements for high enrichment and provides assurances through a special static inventory of the areas at the end of the transition to confirm the facility status. 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 7 days after issuance by NRC.

Certificate of Compliance No. GDP-2: Amendment will incorporate a revised requirement of a General Design Feature contained in the Technical Safety Requirements.

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

Dated at Rockville, Maryland, this      day of      1998.

FOR THE NUCLEAR REGULATORY COMMISSION

Carl J. Paperiello, Director  
Office of Nuclear Material Safety  
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