

No. 94-27
Tel. 301/504-2240

FOR IMMEDIATE RELEASE
(Friday, February 11, 1994)

NRC PROPOSES NEW REGULATIONS FOR
DOE URANIUM ENRICHMENT PLANTS IN OHIO, KENTUCKY

The Nuclear Regulatory Commission is considering amending its regulations to provide standards for the U.S. Enrichment Corporation's operation of uranium enrichment plants leased from the Department of Energy at Portsmouth, Ohio, and Paducah, Kentucky.

The plants, which enrich uranium by a gaseous diffusion process, were previously operated by a contractor for the Department of Energy and, prior to that, for the former Atomic Energy Commission. The Energy Policy Act of 1992 amended the Atomic Energy Act of 1954 to establish a new government corporation, U.S. Enrichment Corporation (USEC), for the purpose of conducting a uranium enrichment enterprise. As of July 1, 1993, USEC assumed responsibility for operating the portions of the plants required for the production of low-enriched uranium for commercial uses, and for marketing of low-enriched uranium.

The Department of Energy (DOE) will continue to own the two gaseous diffusion enrichment plants and to control the portions of the plants that are not leased by USEC.

The Act also provides that, within two years after the law was passed on October 24, 1992, NRC is to issue standards to govern the portions of DOE's gaseous diffusion uranium enrichment facilities leased to USEC -- in order to protect the public health and safety from radiological hazards, provide for the common defense and security, and ensure adequate safeguards. NRC is authorized to establish a process under which USEC's operations at the Portsmouth and Paducah gaseous diffusion plants will be annually reviewed by NRC, in consultation with the Environmental Protection Agency, to determine whether they are in compliance with the standards to be issued by NRC. The NRC, in consultation with DOE and EPA, will report at least annually to Congress on the status of compliance and on health, safety and environmental conditions at the plants.

Under a transition agreement reached between DOE and NRC, DOE will continue its regulatory oversight of nuclear safety, safeguards and security for the gaseous diffusion plants until NRC issues standards and certifies that the facilities leased by USEC comply with the NRC standards or NRC approves a plan for achieving compliance.

In proposing certification standards for continued operation, NRC is emphasizing general performance objectives similar to those in the Commission's current regulations for major fuel cycle facilities. The rules would include, in a new Part 76 to the Commission's regulations, the procedural and technical standards that are required by the Act or by the Commission's own procedures. Under the procedural standards, NRC would publish in the Federal Register a notice of the filing of the application for a certificate, and copies of the application would be made available for public inspection and comment. A public meeting will be held on the first certification application, and on future applications if NRC determines that there is sufficient public interest or that a meeting is in the public interest.

The technical standards would include requirements regarding criticality safety, emergency procedures, employee protection against discrimination by USEC if the employee engages in certain protected activities (such as providing the NRC with information about alleged violations of the regulations), completeness and accuracy of information provided by USEC to NRC, sanctions for deliberate misconduct (such as knowingly engaging in an act that would cause USEC to be in violation of NRC rules), material control and accounting, reports required to be submitted to NRC and safeguards.

In addition, the new regulations would make applicable to the gaseous diffusion plants leased by USEC certain other general portions of NRC's regulations, including requirements for notices to workers, radiation protection, reporting of defects, and standards for packaging and transportation of radioactive material.

Interested persons are invited to submit written comments on the proposed regulations to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch. The comments should be received by April 12, 1994 (60 days after publication of a Federal Register notice on this subject on February 11, 1994).

