

August 8, 2011

Mr. Peter J. Miner, Director
Regulatory Affairs
USEC Inc.
6903 Rockledge Drive
Bethesda, MD 20817-1818

SUBJECT: ORDER EXTENDING THE DATE BY WHICH THE DIRECT TRANSFER OF
LICENSES IS TO BE COMPLETED

Dear Mr. Miner:

The enclosed Order, and its supporting safety evaluation report (SER), are being issued in response to your July 22, 2011 (AET 11-0038), letter requesting an extension for implementation of the U.S. Nuclear Regulatory Commission (NRC) Order EA-011-013. The NRC Order, dated February 10, 2011, approved the direct transfer of materials licenses for the American Centrifuge Lead Cascade Facility (Lead Cascade, Materials License SNM-7003) and the American Centrifuge Plant (ACP, Materials License SNM-2011) from USEC Inc. (USEC) to the subsidiary limited liability company American Centrifuge Operating, LLC (ACO), pursuant to Sections 161b, 161i, 161o and 184 of the Atomic Energy Act of 1954, as amended; 42 United States Code 2201(b), 2201(i), and 2234; and Title 10 *Code of Federal Regulations* (10 CFR) Parts 30.34(b), 40.46, and 70.36. By its terms, the February 10, 2011, Order will become null and void if the license transfers are not completed within 180 days from February 10, 2011 (*i.e.*, August 9, 2011). However, upon written application—and for good cause shown—the date may be extended by further Order.

The NRC staff has considered the information presented in your request and has determined that good cause has been shown to extend the effectiveness of the NRC's Order EA-11-013, dated February 10, 2011. The enclosed Order approves the extension.

As stated in our February 10, 2011, letter transmitting NRC's response to your request for transferring materials licenses, amended licenses will be made effective when all transfer actions are completed in accordance with the Order. The appropriateness of these changes was previously acknowledged in the Safety Evaluation Report (SER) enclosed with the NRC Order of February 10, 2011.

The NRC staff determined that the basis for granting the original transfer of licenses request has not changed and remains valid. The February 10, 2011, Order, as modified by the enclosed Order, remains in full force and effect, and all of its terms must be met. The enclosed Order has been forwarded to the Office of the *Federal Register* for publication.

In accordance with 10 CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding," of NRC's "Rules of Practice," a copy of this letter and its enclosures will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System component of NRC's Agencywide Documents Access and Management System (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 letter, please contact Mr. Osiris Siurano at (301) 492-3117, or via e-mail to osiris.siurano@nrc.gov.

Sincerely,

/RA/

Catherine Haney, Director
Office of Nuclear Material Safety
and Safeguards

Docket Nos. 70-7003, 70-7004
License Nos. SNM-7003, SNM-2011

Enclosures:
As stated

cc w/enclosures:

Shirley Bandy/Ohio
Lee Blackburn/Ohio
Norman Gilliland/The Jackson
County Times-Journal
Christopher M. Manegold/Ohio
Jay Matthew Gutierrez/Morgan,
Lewis & Bockius
Marvin Jones/Ohio
Patricia A. Marida/Ohio
Ben Marrison/Ohio
Michael Mariotte/NIRS
Dan Minter/Ohio
Enid Nagel/Ohio
Carol O'Claire/Ohio
Robert E. Owen/Ohio
Pike County News Watchman/Ohio
Billy Spencer/Ohio
Joseph P. Sulzer/Ohio
William Szymanski/DOE/HQ
Mike Throne/Ohio

Vina Colley/P.R.E.S.S.
Misty Brewster/Ohio
David Bowe/Ohio
Rocky Brown/Ohio
Kathleen Boutis/SONG
Jamie C. Thorpe/Ohio
Ewan Todd/Ohio
Margaret Buchanan/Ohio
Lisa Carver/Ohio
John Clark/Ohio
Stacey Sark/Ohio
Geoffrey Sea/Ohio
Terry Sensue/USEC Inc./Ohio
Steven Shepherd/SODI
Robert Shoultz/Ohio
Dale Reed/Ohio
Harry Rider/Ohio
Dan Rogers, USEC Inc./Ohio
Teddy Wheeler/Ohio

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