



~~Security-Related, Proprietary, and  
Personally Identifiable Information Notice~~

~~This letter forwards Security-Related, Proprietary, and  
Personally Identifiable Information which must be withheld  
from public disclosure in accordance with 10CFR 2.390 and  
RIS 2005-31.~~

Global Laser Enrichment

Pat Jenny  
Security/Licensing Manager  
3901 Castle Hayne Road  
Wilmington, NC 28402-0780  
USA

T 910 819 7447  
F 910 819 5731  
C 910 200-0744  
[pat.jenny@ge.com](mailto:pat.jenny@ge.com)

GLE-2016-0022

May 26, 2016

Attn: Document Control Desk  
Michael Layton  
Director, Division of Security Operations  
Office of Nuclear Security and Incident Response  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Docket 70-7016  
SNM-2019

**Subject: Updated SF-328, Certificate Pertaining to Foreign Interests and  
Update GLE OODEP for GE-Hitachi Global Laser Enrichment, LLC**

**Reference:** Letter, Pat Jenny (GLE) to Michael Layton (NRC), "GLE and GEHA  
Submittal of FOCI Information Amendment", 19<sup>th</sup>, GLE-2015-0157,  
November 20, 2015

Pursuant to 10 CFR 95.17(a)(1), GE-Hitachi Global Laser Enrichment, LLC (GLE), as a licensee under Docket 70-7016, SNM-2019, hereby submits a twentieth amendment to its original foreign ownership, control, or influence (FOCI) information submittal supporting the NRC facility clearance (FCL) granted to GLE.

On April 29, 2016 GLE's controlling parent companies, GENE Holding LLC and GE-Hitachi Nuclear Energy Americas LLC (the "GE Parties") entered into a non-binding Term Sheet with Silex Systems, Limited (Silex) whereby a Silex subsidiary may purchase the equity interests of the GE Parties, subject to U.S. government approvals and other commercial conditions precedent. Under the Term Sheet, Silex has agreed to reimburse the GE Parties for their pro-rata share of the 2016 and 2017 operating budget up to an agreed amount. In accordance with 10 CFR 95.17 for notification to NRC within 30 days of any significant events or changes that may affect GLE status concerning foreign ownership, control or influence, GLE is making this submittal.

The enclosed SF-328 only covers the interim status considered in the Term Sheet. The SF-328 will need to be updated in connection with any future transactions, and appropriate FOCI negation measures may need to be implemented, as needed to satisfy the U.S. Government, prior to implementing the transaction yet to be negotiated.

NSIRD8

GLE will keep you informed as Silex's plans develop and provide further information before any transaction is implemented.

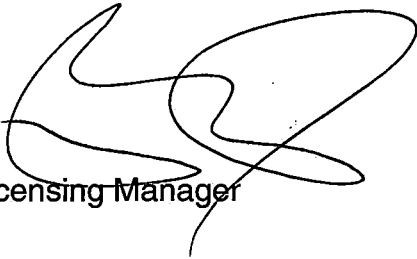
In conjunction with this SF-328 update, GLE also submits the enclosed amendment to the Owners, Officers, Directors, and Executive Personnel (OODEPs) listing. GLE submitted the nineteenth amendment back on November 20, 2015 (Reference). The GE Parties' OODEPs have not changed. The GLE OODEP listing is being changed to reflect the proposed Board Observer (non-voting) status for Silex.

Enclosures 2 and 3 contain Security Related Information (SRI). Using the guidance in NRC Regulatory Issue Summary (RIS) 2005-31, these Enclosures have been marked accordingly. Enclosure 3 also contains Personally Identifiable Information as defined in 10 CFR 2.390, and that Enclosure has been identified and marked accordingly.

If there are any questions regarding this letter and its contents, please do not hesitate to contact me at 910-819-7447 or at pat.jenny@ge.com.

Sincerely,

Pat Jenny  
Security/Licensing Manager

A large, stylized handwritten signature in black ink, likely belonging to Pat Jenny, is written over the typed name and title.

Enclosures:

1. SF-328
2. SF-328 Exhibit, "SF-328, Certificate Pertaining to Foreign Interest Basis for YES Answers"- Security Related Information
3. GLE OODEP -- Security Related Information and Personally Identifiable Information

Cc: O. Siurano-Perez (NMSS) NRC  
D. Hase (NSIR) NRC  
K. Everly(NSIR) NRC  
L. Pitts (NSIR) NRC

# CERTIFICATE PERTAINING TO FOREIGN INTERESTS

(Type or print all answers)

OMB No. 0704-0194  
OMB approval expires  
May 31, 2011

**PLEASE DO NOT RETURN YOUR FORM TO THE ORGANIZATION IN THE PARAGRAPH BELOW. RETURN COMPLETED FORM TO YOUR RESPECTIVE COGNIZANT SECURITY OFFICE.**

The public reporting burden for this collection of information is estimated to average 70 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Washington Headquarters Services, Executive Services Directorate, Information Management Division, 1155 Defense Pentagon, Washington, DC 20301-1155 (0704-0194). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

## PENALTY NOTICE

Failure to answer all questions or any misrepresentation (by omission or concealment, or by misleading, false or partial answers) may serve as a basis for denial of clearance for access to classified information. In addition, Title 18, United States Code 1001, makes it a criminal offense, punishable by a maximum of five (5) years imprisonment, \$15,000 fine

or both, knowingly to make a false statement or representation to any Department or Agency of the United States, as to any matter within the jurisdiction of any Department or Agency of the United States. This includes any statement made herein which is knowingly incorrect, incomplete or misleading in any important particular.

## PROVISIONS

1. This report is authorized by the Secretary of Defense, as Executive Agent for the National Industrial Security Program, pursuant to Executive Order 12829. While you are not required to respond, your eligibility for a facility security clearance cannot be determined if you do not complete this form. The retention of a facility security clearance is contingent upon your compliance with the requirements of DoD 5220.22-M for submission of a revised form as appropriate.

2. When this report is submitted in confidence and is so marked, applicable exemptions to the Freedom of Information Act will be invoked to withhold it from public disclosure.

3. Complete all questions on this form. Mark "Yes" or "No" for each question. If your answer is "Yes" furnish in full the complete information under "Remarks."

## QUESTIONS AND ANSWERS

	YES	NO
1. (Answer 1a. or 1b.) a. (For entities which issue stock): Do any foreign person(s), directly or indirectly, own or have beneficial ownership of 5 percent or more of the outstanding shares of any class of your organization's equity securities?		
b. (For entities which do not issue stock): Has any foreign person directly or indirectly subscribed 5 percent or more of your organization's total capital commitment?	X	
2. Does your organization directly, or indirectly through your subsidiaries and/or affiliates, own 10 percent or more of any foreign interest?		X
3. Do any non-U.S. citizens serve as members of your organization's board of directors (or similar governing body), officers, executive personnel, general partners, regents, trustees or senior management officials?	X	
4. Does any foreign person(s) have the power, direct or indirect, to control the election, appointment, or tenure of members of your organization's board of directors (or similar governing body) or other management positions of your organization, or have the power to control or cause the direction of other decisions or activities of your organization?	X	
5. Does your organization have any contracts, agreements, understandings, or arrangements with a foreign person(s)?	X	
6. Does your organization, whether as borrower, surety, guarantor or otherwise have any indebtedness, liabilities or obligations to a foreign person(s)?	X	
7. During your last fiscal year, did your organization derive: a. 5 percent or more of its total revenues or net income from any single foreign person?		X
b. In the aggregate 30 percent or more of its revenues or net income from foreign persons?	X	
8. Is 10 percent or more of any class of your organization's voting securities held in "nominee" shares, in "street names" or in some other method which does not identify the beneficial owner?		X
9. Do any of the members of your organization's board of directors (or similar governing body), officers, executive personnel, general partners, regents, trustees or senior management officials hold any positions with, or serve as consultants for, any foreign person(s)?	X	
10. Is there any other factor(s) that indicates or demonstrates a capability on the part of foreign persons to control or influence the operations or management of your organization?		X

**REMARKS** (Attach additional sheets, if necessary, for a full detailed statement.)

For YES answers to previous questions, refer to the following exhibits:

SF-328, Exhibit 1.b  
SF-328, Exhibit 3  
SF-328, Exhibit 4  
SF-328, Exhibit 5  
SF-328, Exhibit 6  
SF-328, Exhibit 7.b  
SF-328, Exhibit 9

**CERTIFICATION**

I CERTIFY that the entries made by me above are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

**WITNESSES:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTE: In case of a corporation, a witness is not required but the certificate below must be completed. Type or print names under all signatures.

\_\_\_\_\_  
(Date Certified)  
By Robert A. Crate/  
(Signature of Authorized Contractor Representative)

GE Hitachi Global Laser Enrichment LLC  
(Typed Name of Contractor)

President and Chief Executive Officer

(Title of Authorized Contractor Representative)

3901 Castle Hayne Road  
Wilmington, NC 28401 (910) 819-5000

(Address)

NOTE: Contractor, if a corporation, should cause the following certificate to be executed under its corporate seal, provided that the same officer shall not execute both the Agreement and the Certificate.

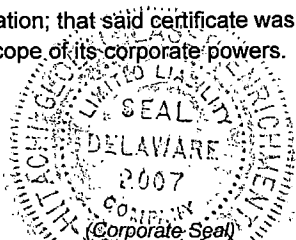
**CERTIFICATE**

I, Melody Suggs, certify that I am the GLE Paralegal, Attesting Officer

of the corporation named as Contractor herein; that Robert A. Crate

who signed this certificate on behalf of the Contractor, was then President and Chief Executive Officer

of said corporation; that said certificate was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.



Melody K. Suggs  
(Signature and Date)