

~~PRELIMINARY INFORMATION – NOT FOR PUBLIC DISCLOSURE UNTIL
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION~~

August 13, 2009
EN-09-042

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: United States Enrichment Corporation (EA-08-344)
Bethesda, MD
Docket No. 07007001

Subject: CONFIRMATORY ORDER (EFFECTIVE IMMEDIATELY)

This is to inform the Commission that a Confirmatory Order will be issued on or about August 18, 2009, to United States Enrichment Corporation (USEC) confirming commitments reached as part of an alternative dispute resolution (ADR) mediation settlement agreement. Based on information developed during an investigation at the USEC-Paducah facility, four apparent violations of station procedures occurred during and subsequent to an incident in January 2008 involving the preparation and movement of a Uranium Hexafluoride (UF₆) cylinder. Specifically, the violations involved: (1) failing to disconnect equipment from the cylinder causing damage to the manifold; (2) deliberately attempting to conceal the damage; (3) deliberately falsifying documents indicating the equipment was properly disconnected; and (4) deliberately denying knowledge of the procedure violations when questioned by licensee management.

The ADR mediation session was conducted on July 2, 2009, and a settlement agreement was reached. As part of the agreement, USEC agreed to take a number of actions including actions to address the willful actions of USEC employees, procedural use, recurring training for Operations and Maintenance supervisors to reinforce conduct of principles and procedural compliance, and subsequent effectiveness reviews of corrective actions. In addition, USEC committed to conducting a review of this incident and a limited number of other significant events, to determine if weaknesses in any of the 13 safety culture components, as identified in NRC Regulatory Information Summary 2006-13, caused or significantly contributed to the event. In recognition of these actions, the NRC agreed to refrain from proposing a civil penalty and issuing a Notice of Violation or other enforcement action for the matters discussed in the NRC letter to USEC dated February 6, 2009 (EA-08-344). Because the three individuals involved were non-management employees and USEC took appropriate disciplinary action to address their unacceptable performance, no agency enforcement action will be taken against them.

It should be noted that although the confirmatory orders associated with separate ADR mediation sessions (EA-06-140 and EA-08-280) are being issued within a few days of each other, the technical issues are unrelated. In addition, please note that the licensee has not been specifically informed of this enforcement action. The schedule of issuance and notification is:

Mailing of Notice	August 18, 2009
Telephone Notification of Licensee	August 18, 2009

The States of Maryland and Kentucky will be notified.

Contacts: John Wray, OE, 415-1288; Nick Hilton, OE, 415-3055

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