



HITACHI

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June 26, 2009

Global Laser Enrichment
Docket Number 70-7016

ATTN: Document Control Desk
Michael F. Weber, Director
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

MFN-09-403

References: Letter, Tammy G. Orr (GLE) to Michael F. Weber (NRC), "GE-Hitachi Global Laser Enrichment LLC Early Submittal of an Environmental Report," GLNR-09-01, January 30, 2009.

Letter, Daniel H. Dorman (NRC) to Albert E. Kennedy (GLE), "Approval of GE-Hitachi Exemption Request Related to Environmental Report Submittal," January 13, 2009.

SUBJECT: GE-HITACHI GLOBAL LASER ENRICHMENT LLC LICENSE APPLICATION SUBMITTAL

In accordance with Title 10 Code of Federal Regulations (CFR) Sections 70.5(a) and 70.21, GE-Hitachi Global Laser Enrichment LLC (GLE) is submitting an application for the construction and operation of the GLE Commercial Facility in accordance with the requirements of 10 CFR Parts 30, 40, and 70. This proposed uranium enrichment facility will utilize a laser-based isotope separation technology to enrich uranium hexafluoride up to 8%, will have a nominal capacity of up to six million separative work units, and will be located in New Hanover County, North Carolina.

On January 30, 2009, the GLE Commercial Facility Environmental Report was submitted to the U.S. Nuclear Regulatory Commission (NRC) in advance of the remainder of the license application pursuant to an NRC-approved exemption issued on January 13, 2009.

GLE hereby submits the remaining portions of the GLE Commercial Facility License Application. Portions of the GLE License Application that contain Classified Information are being submitted separately in accordance with 10 CFR 95.39, *External Transmission of Documents and Materials*. A request for an NRC facility clearance in accordance with 10 CFR 95.15, *Approval for Processing Licensees and Others for Facility Clearance*, for the

NMS501

GLE Commercial Facility and the Fuels Growth Engineering Building will also be submitted separately.

Those portions of the enclosed application that GLE has identified as containing Security-Related Information (SRI) using the guidance in NRC Regulatory Issue Summary (RIS) 2005-31, *Control of Security-Related Sensitive Unclassified Non-Safeguards Information Handled by Individuals, Firms, and Entities Subject to NRC Regulation of the Use of Source, Byproduct, and Special Nuclear Material*, have been appropriately identified and redacted. Those portions of the enclosed application that GLE has identified as containing information that is deemed Export Controlled Information under 10 CFR 810, *Assistance to Foreign Atomic Energy Activities*, and other regulations, have also been appropriately identified and redacted. Lastly, those portions of the enclosed application that GLE has identified as containing Proprietary Information as defined in 10 CFR 2.390 have been appropriately identified and redacted. GLE requests that this information be withheld from public disclosure in accordance with 10 CFR 2.390, *Public Inspections, Exemptions, Requests for Withholding*. An affidavit supporting GLE's request to withhold certain information from public disclosure, in accordance with 10 CFR 2.390, is provided in Enclosure 13 of this transmittal.

The enclosed application meets the applicable requirements of 10 CFR 70.22, *Contents of Applications*. As noted above, as required by 10 CFR 70.21(h), GLE submitted the GLE Commercial Facility Environmental Report on January 30, 2009 pursuant to an NRC approved exemption. Accordingly, the following additional documents are now being provided:

- GLE License Application Chapters 1-11
- Nuclear Regulation Review Matrix
- Physical Security Plan (PSP)
- Fundamental Nuclear Material Control Plan (FNMCP)
- Decommissioning Funding Plan (DFP)
- Radiological Contingency and Emergency Plan (RC&EP)
- RC&EP Offsite Comments
- Unclassified Nuclear Material Transportation Plan (NMTSP)
- Integrated Safety Analysis Summary (ISAS)
- Quality Assurance Program Description (QAPD)

Enclosure 1 – GLE License Application Ch 1-11 (Controlled) – The enclosed License Application, Chapters 1-11, meet the applicable requirements and reflect the applicable NRC guidance, including format, provided in NUREG-1520, *Standard Review Plan for the Review of a License Application for a Fuel Cycle Facility*, dated March 2002. Since the GLE LA contains SRI and Proprietary Information, GLE requests that it be withheld from public disclosure per 10 CFR 2.390. The hardcopy of this enclosure is located in the binder titled Controlled Information Submittal – Volume 1.

Enclosure 2 – GLE License Application Ch 1-11 (Public) – This enclosure contains the public redacted version of the GLE License Application Chapters 1-11. The hardcopy of this enclosure is located in the binder titled Public Submittal – Volume 1.

Enclosure 3 – Nuclear Regulation Review Matrix – A Nuclear Regulation Review Matrix is being provided to facilitate the NRC’s review of the GLE License Application against available NRC guidance (e.g., NUREG-1520) and applicable NRC regulatory requirements, including, but not necessarily limited to, the requirements specified in Subparts D and H of 10 CFR Part 70. GLE considers this document to be Proprietary Information and therefore requests that it be withheld from public disclosure pursuant to 10 CFR 2.390. The hardcopy of this enclosure is located in the binder titled Controlled Information Submittal – Volume I.

Enclosure 4 – Physical Security Plan – A Physical Security Plan (PSP) has been included as part of the enclosed application as required by 10 CFR 70.22(k). Since the PSP contains information that is considered Security-Related, Proprietary, and Export Controlled, GLE requests that this document be withheld from public disclosure pursuant to 10 CFR 2.390. The hardcopy of this enclosure is located in the binder titled Controlled Information Submittal – Volume I.

Enclosure 5 – Fundamental Nuclear Material Control Plan – As required by 10 CFR 70.22(b), the program for the control and accounting of special nuclear material is provided in the Fundamental Nuclear Material Control Plan (FNMCP) as part of the license application. The FNMCP was prepared following the guidance in NUREG/CR-5734, *Recommendations to the NRC on Acceptable Standard Format and Content for the Fundamental Nuclear Material Control Plan Required for Low-Enriched Uranium Enrichment Facilities,* dated November 1991. Since the enclosed FNMCP contains information that is considered Security-Related, Export Controlled, and Proprietary, GLE requests that this document be withheld from public disclosure pursuant to 10 CFR 2.390. The hardcopy of this enclosure is located in the binder titled Controlled Information Submittal – Volume I.

Enclosure 6 – Decommissioning Funding Plan (Controlled) – A Decommissioning Funding Plan (DFP) is provided as required by 10 CFR 70.22(a)(9). The DFP follows, in significant part, the guidance in NUREG-1757, Volume 3, *Consolidated NMSS Decommissioning Guidance – Financial Assurance, Recordkeeping, and Timeliness,* dated September 2003. Note that the decommissioning cost estimate is based in part on estimated depleted uranium disposition costs provided by the U.S. Department of Energy (DOE) and included in the DFP. Since the DFP contains SRI and Proprietary Information, GLE requests that this document be withheld from public disclosure pursuant to 10 CFR 2.390. The hardcopy of this enclosure is located in the binder titled Controlled Information Submittal – Volume I.

Enclosure 7 – Decommissioning Funding Plan (Public) – This enclosure contains the public redacted version of the DFP. The hardcopy of this enclosure is located in the binder titled Public Submittal – Volume 2.

Enclosure 8 – Radiological Contingency and Emergency Plan – As required by 10 CFR 70.22(i)(1)(ii), a Radiological Contingency and Emergency Plan (RC&EP), which addresses the criteria in 10 CFR 70.22(i)(3)(i) through (xiii), is included in the enclosed application. Consistent with prior GLE representations to the NRC Staff, an integrated Wilmington Site RC&EP is enclosed that provides emergency planning for both the Global Nuclear Fuels-Americas (GNF-A) facility and the GLE Commercial Facility. Since the RC&EP contains information that is Security-Related, Export Controlled, and Proprietary, GLE requests that this document be withheld from public disclosure pursuant to 10 CFR 2.390. The hardcopy of this enclosure is located in the binder titled Controlled Information Submittal – Volume I.

Enclosure 9 – RC&EP Offsite Comments – Comments on the RC&EP from affected offsite agencies are being provided. Since this document contains information that is Security-Related and Proprietary, GLE requests that this document be withheld from public disclosure pursuant to 10 CFR 2.390. The hardcopy of this enclosure is located in the binder titled Controlled Information Submittal – Volume I.

Enclosure 10 – Unclassified Nuclear Material Transportation Plan – The Unclassified Nuclear Material Transportation Plan (NMTSP), as required by 10 CFR 70.22(g) and (k), is included as part of the enclosed license application. Since this document contains information that is Security-Related and Proprietary, GLE requests that this document be withheld from public disclosure pursuant to 10 CFR 2.390. The hardcopy of this enclosure is located in the binder titled Controlled Information Submittal – Volume I.

Enclosure 11 – Integrated Safety Analysis Summary – The Integrated Safety Analysis Summary (ISAS), as required by 10 CFR 70.65, *Additional Content of Applications*, is also included in this enclosure with the license application. The ISA summarized in this document was performed following the guidance in NUREG-1513, *Integrated Safety Analysis Guidance Document*, dated May 2001. Since the ISAS contains information that is Security-Related, Export Controlled, and Proprietary Information, GLE requests that it be withheld from public disclosure pursuant to 10 CFR 2.390. The hardcopy of this enclosure is located in the binder titled Controlled Information Submittal – Volume 2.

Enclosure 12 – Quality Assurance Program Description – A Quality Assurance Program Description (QAPD) was prepared and has been submitted for information only. The QAPD elaborates on the management measures described in GLE LA Chapter 11, Management Measures. The hardcopy of this enclosure is located in the binder titled Public Submittal – Volume 2.

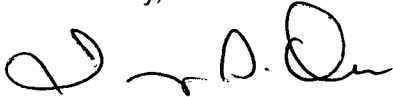
Enclosure 13 – In accordance with 10 CFR 2.390(b), an affidavit to support GLE's request to withhold the above mentioned proprietary information is enclosed.

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Correspondence related to the enclosed information should be addressed to Albert E. Kennedy, GLE Environmental, Health, and Safety Manager, 3901 Castle Hayne Road, P.O. Box 780, Wilmington, NC 28401. If you have any questions, please contact me at 910-819-5752 or TammyG.Orr@ge.com or Albert E. Kennedy at 910-819-1925 or AlbertE.Kennedy@ge.com.

Sincerely,



Tammy G. Orr
President and CEO, GLE

Enclosures:

1. Twenty cds containing the public submittal.
2. Twenty cds containing the proprietary, export controlled, and security-related information submittal.
3. Five hardcopy binders of Volume 1 and Volume 2 of the public submittal.
4. Five hardcopy binders of Volume 1 and Volume 2 of the proprietary, export controlled, and security-related information submittal.

cc: without enclosures:

A. E. Kennedy, GLE
K. R. Givens, GLE
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