



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 5, 2021

Mr. Thomas H. Owens
President and Chief Executive Officer
GE-Hitachi Global Laser Enrichment, LLC
P.O. Box 780 – M/C H10
3901 Castle Haynes Road
Wilmington, NC 28402

SUBJECT: GE-HITACHI GLOBAL LASER ENRICHMENT, LLC—FOREIGN OWNERSHIP,
CONTROL, OR INFLUENCE AND FACILITY CLEARANCE SAFEGUARDS
EVALUATION REPORT (ENTERPRISE PROJECT IDENTIFICATION NUMBER:
L2019-LLL-0010)

Dear Mr. Owens:

By letter dated February 18, 2020 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML20064G292), as supplemented on August 25, 2020 (ADAMS No. ML20282A567), you requested that the U.S. Nuclear Regulatory Commission (NRC) terminate License No. SNM-2019 for the Global Laser Enrichment (GLE), coinciding with approval of a new facility clearance for GLE. The response to the GLE request to terminate License No. SNM-2019 can be found in ADAMS at Accession No. ML20293A174.

The facility clearance review required the evaluation of the foreign ownership, control, or influence (FOCI) related to the transfer of ownership of GLE and the Standard Practice Procedures Plan for the Protection of Classified Matter at Global Laser Enrichment Wilmington, NC Facility (SPPP).

Given the complexity of the GLE FOCI issue, the NRC's Office of Nuclear Security and Incident Response (NSIR) requested the Defense Counterintelligence and Security Agency (DCSA) located in Quantico, Virginia to help review the package. DCSA has extensive experience addressing FOCI issues for other government agencies. After completing its review, DCSA recommended certain FOCI mitigation measures to the NRC for GLE to implement. The NRC reviewed the DCSA recommendations and determined that they would facilitate GLE's compliance with Title 10 of the *Code of Federal Regulations* (10 CFR) 95.17, and the National Industrial Security Program Operating Manual Section 3, 2-300(c). The NRC

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requested additional information (RAI) related to the FOCI review in a letter dated August 3, 2020 (ADAMS Accession No. ML20209A009). GLE responded to the RAI on August 25, 2020, and adequately addressed the NRC's questions.

The details of NRC's review of FOCI and SPPP are documented in the enclosed Safeguards Evaluation Report. This report concludes that implementation of these mitigation measures, recommended by the NRC and committed to by GLE, will ensure that the degree and extent of FOCI over GLE will not pose an undue risk to national security, and that a facility clearance should be granted.

This letter also provides the results of the Operational Readiness Review (ORR) that was conducted on November 15-19, 2020 in Wilmington, NC. These results were identified to you in the NRC Inspection Report number 70-7016/2020-401, dated December 14, 2020. Based on the results of the ORR and the NRC-approved Standard Practice Procedures Plan for GLE, the NRC hereby grants GLE a facility security clearance to allow classified Information, including Sensitive Nuclear Technology and Restricted Data, to continue to be used, processed, stored, reproduced, transported and handled at the GLE facility, located at 3901 Castle Hayne Road Wilmington, NC 28402.

In accordance with 10 CFR 2.390 "Public inspections, exemptions, requests for withholding," of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's ADAMS. The ADAMS database is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

This action closes efforts under Enterprise Project Identification Number L-2020-DTP-0000.

If you have any questions regarding this action, please contact J. Keith Everly by telephone at 301-415-7048, or via e-mail at JKeith.Everly@nrc.gov.

Sincerely,

Darryl H. Parsons, Chief
Information Security Branch
Division of Security Operations
Office of Nuclear Security and Incident Response

Docket No.: 70-7016
License No.: SNM-2019

Enclosure: Safeguards Evaluation Report

cc: Ms. Pat Jenny, Security Manager, GLE
GLE@listmgr.nrc.gov (w/o enclosure)

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DATED: January 5, 2021

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