



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

MAR 11 1999

**MEMORANDUM**

**SUBJECT:** USEC Reporting Obligations Under EPCRA Section 313

**FROM:** Maria J. Doa, Chief *MJD*  
Toxics Release Inventory Branch

**TO:** Patrick Gorman  
United States Enrichment Corporation

This memorandum is in response to a question posed to EPA by the United States Enrichment Corporation (USEC) about the reporting requirements under EPCRA Section 313. While the USEC at one time was part of the Department of Energy (DOE), it now is a privately owned business. Congress passed legislation to privatize the USEC in 1993. From 1993 until 1998, USEC acted as a government corporation separate from DOE. On July 28, 1998, the USEC became fully private. There are two USEC facilities, both of which are still on DOE property, although there is no other relationship with DOE. At issue is how the USEC should report under EPCRA Section 313 for the 1998 reporting year.

The USEC facilities should make threshold determinations and release and other waste management calculations for the full reporting year of 1998. As Question 47 in the EPA's EPCRA Section 313 Questions and Answers document states, "[t]he owner/operator of the facility on the annual July 1 reporting deadline is primarily responsible for reporting the data for the previous year's operations at that facility." USEC will be the owner/operator of the facilities on July 1, 1999, and therefore is responsible for reporting the data for the 1998 operations.

In addition, although ownership of the facilities changed hands from the United States Government to a private entity, USEC operated the facility during the entire year. USEC also owned the facility for the portion of the year following privatization. While the U.S. Government owned the facility during the first part of the year, as the operator, USEC nonetheless is subject to reporting under EPCRA Section 313.

If you have any questions on this matter, please do not hesitate to contact me. I can be reached at 202 260 9592. You also can contact John Harman of my staff at 202 260 6395.