

June 10, 2005

Mr. Steven A. Toelle, Director
Nuclear Regulatory Affairs
USEC Inc.
Two Democracy Center
6903 Rockledge Drive
Bethesda, MD 20817-1818

SUBJECT: NRC APPROVAL OF USEC INC.'S REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR THE AMERICAN
CENTRIFUGE PLANT (TAC NOS. L32306, L32307 and L32308)

Dear Mr. Toelle:

By letters dated March 14, 2005; April 15, 2005 (2); April 19, 2005; April 21, 2005; April 28, 2005; and April 29, 2005, containing affidavits dated the same as the letters and executed by Steven A. Toelle, USEC Inc. (USEC) requested the U.S. Nuclear Regulatory Commission (NRC) to withhold from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390, information contained in the following documents:

March 14, 2005 -

- AET 05-0009 - Submittal of Revision 1 of the License Application, Security Program, Fundamental Nuclear Material Control Plan, Integrated Safety Analysis Summary, and Addendum 1 to the Integrated Safety Analysis Summary

April 15, 2005 -

- AET 05-0013 - Responses to Request for Additional Information Regarding the Environmental Report and Reference Documents
- AET 05-0015 - Submittal of Ventilation Data for the American Centrifuge Plant

April 19, 2005 -

- AET 05-0016 - Additional Responses to Request for Additional Information Regarding the License Application

April 21, 2005 -

- AET 05-0018 - Additional Responses to Request for Additional Information Regarding the Environmental Report

April 28, 2005 -

- AET 05-0026 - Submittal of Revision 2 of the Integrated Safety Analysis Summary and Addendum 1 for the American Centrifuge Plant

April 29, 2005 -

- AET 05-0028 - Submittal of Changed Pages for the License Application

The affidavits stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

1. The information sought to be withheld from public disclosure is owned and has been held in confidence by USEC.
2. The information is of a type customarily held in confidence by USEC and not customarily disclosed to the public.
3. The information is being transmitted to the NRC in confidence and, under the provisions of 10 CFR 2.390, is to be received in confidence by the NRC.
4. The information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method to the best of USEC's knowledge and belief.
5. Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of USEC because it may enhance the ability of competitors to position and provide similar products.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the documents listed above marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended. Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified of the date of public disclosure, in advance which will be a reasonable time thereafter.

If you have any questions regarding this matter, I may be reached at 301-415-8113.

Sincerely,

/RA/

Yawar H. Faraz, Project Manager
Gas Centrifuge Facility Licensing Section
Special Projects Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket: 70-7004

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|-----|--|------------------------------------|
| cc: | William Szymanski/DOE | Michael Marriotte/NIRS |
| | Dan Minter/SODI | Carol O'Claire/Ohio EMA |
| | James Curtiss/W&S | Randall DeVault/DOE |
| | Rod Krich/LES | Peter Miner/USEC Inc. |
| | Rocky Brown/Mayor of Beaver | Garry Hager/SPFPA/USEC |
| | Billy Spencer/Mayor of Piketon | Jim Brushart/Pike Co. Comm. Chair. |
| | Harry Rioer/Pike Co. Commissioner | Teddy West/Scioto Twp. Trustee |
| | Larry Scaggs/Seal Twp. Trustee | Ted Wheeler/Pike County Auditor |
| | Kara Willis/ Gov. Taft's Reg. 7 office | Robert Huff/Portsmouth CoC |
| | Mary Glasgow/Cong. Portman | Marvin Jones/Chillicothe CoC |
| | Donald Silverman/Morgan Lewis | Roger Suppes/Ohio DoH |
| | Lindsay Lovejoy/NIRS | Patricia Marida/Ohio Sierra Club |
| | Vina Colley/PRESS | Ewan Todd |
| | Elisa Young | Geoffrey Sea |

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, USEC Inc. should promptly notify the NRC. USEC Inc. also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes the information provided. In all review situations, if the NRC makes a determination adverse to the above, USEC Inc. will be notified in advance of any public disclosure.

Sincerely,

/RA/

Yawar H. Faraz, Project Manager
Gas Centrifuge Facility Licensing Section
Special Projects Branch
Division of Fuel Cycle Safety
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Office of Nuclear Material Safety
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| USEC Website: Letter | | | |

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| OFC | GCFLS | GCFLS | OGC | GCFLS | SPB | FCSS |
| NAME | YFaraz | LMarshall | MZobler | BSmith | JClifford | RPierson |
| DATE | 05/20/05 | 5/23/05 | 6/3/05 | 6/9/05 | 6/9/05 | 6/10 /05 |

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