

July 28, 2005

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

SUBJECT: NRC REVIEW OF USEC INC.'S REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR THE AMERICAN
CENTRIFUGE PLANT (TAC NOS. L32306, L32307, L32308, and L32312)

Dear Mr. Toelle:

By letters dated April 29, 2005; May 4, 2005; May 9, 2005 (3); May 12, 2005; May 23, 2005; June 3, 2005; June 10, 2005, June 15, 2005 (2); June 17, 2005; July 6, 2005; and July 8, 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:

April 29, 2005-

- AET 05-0030 - Additional Responses to Request for Additional Information Regarding the Environmental Report

May 4, 2005-

- AET 05-0033 - Submittal of changed pages for the Environmental Report

May 9, 2005-

- AET 05-0021 - Submittal of Integrated Safety Analysis supporting document
- AET 05-0022 - Submittal of Integrated Safety Analysis supporting document
- AET 05-0034 - Submittal of Appendix I of the Integrated Safety Analysis Summary

May 12, 2005 -

- AET 05-0035 - Additional Responses to Request for Additional Information Regarding the License Application

May 23, 2005 -

- AET 05-0037 - Additional Responses to Request for Additional Information Regarding the License Application

June 3, 2005 -

- AET 05-0042 - Additional Responses to Request for Additional Information Regarding the License Application

June 10, 2005 -

- AET 05-0043 - Submittal of Integrated Safety Analysis supporting document

June 14, 2005-

- AET 05-0045 - Submittal of Integrated Safety Analysis Supporting Document

June 15, 2005 -

- AET 05-0044 - Submittal of Additional Information Related to Requests for Additional Information Regarding the Environmental Report
- AET 05-0025 - Submittal of Integrated Safety Analysis Supporting Document

June 17, 2005 -

- AET 05-0047 - Submittal of Changed Pages for the American Centrifuge Plant

June 24, 2005-

- AET 05-0050 - Submittal of Changed Pages for the American Centrifuge Plant
- AET 05-0051 - Submittal of Additional Information Related to Requests for Additional Information Regarding the Environmental Report

July 6, 2005 -

- AET 05-0054 - Submittal of Additional Information for the American Centrifuge Plant

July 8, 2005 -

- AET 05-0049 - Submittal of Additional Information for the American Centrifuge Lead Cascade Facility

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.

Additional information is required for the NRC to complete its review to determine that the submitted information sought to be withheld contains trade secrets, privileged, or confidential commercial or financial information (business-proprietary information) in accordance with

10 CFR 2.390(a)(4). For the submittals listed above, and for future submittals, in compliance with the requirements of 10 CFR 2.390(b), USEC must provide specific facts that clearly delineate which information constitutes business-proprietary information. This additional detail should be provided within 30 days of receipt of this letter to allow the NRC to efficiently complete its reviews in a timely manner. Affidavits are not required for those submittals that do not contain business-proprietary information but are requested to be withheld, at least in part, for other reasons. However, the request should contain an explanation of the reason withholding is desired, the document should be clearly marked to identify the material concerned and a version suitable for public disclosure should be submitted, if practicable.

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 Materials Safety
and Safeguards

Dockets: 70-7003, 70-7004

cc:

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

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/RA/

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 Gas Centrifuge Facility Licensing Section
 Special Projects Branch
 Division of Fuel Cycle Safety
 and Safeguards
 Office of Nuclear Materials Safety
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Vina Colley/PRESS	Garry Hager/SPFPA/USEC	Rocky Brown/Mayor of Beaver
Marvin Jones/Chillicothe CoC	Larry Scaggs/Seal Twp.Trustee	Robert Huff/Portsmouth CoC
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Ted Wheeler/Pike Co. Auditor	Kara Willis/Gov. Taft's Reg. 7 office	
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 USEC Website: Letter

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OFC	GCFLS	GCFLS	OGC	GCFLS
NAME	YFaraz:bkh1	LMarshall	CHolzle	BSmith
DATE	07/19/05	07/19/05	07/28/05	07/28/05

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