

April 4, 2006

Mr. Rod Krich, Vice President  
Licensing, Safety, and Nuclear Engineering  
Louisiana Energy Services  
2600 Virginia Avenue NW, Suite 610  
Washington, DC 20037

SUBJECT: APPROVAL OF LOUISIANA ENERGY SERVICES REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (LOUISIANA  
ENERGY SERVICES GAS CENTRIFUGE URANIUM ENRICHMENT FACILITY)

Dear Mr. Krich:

By letter dated March 20, 2006 (NEF#06-009), Louisiana Energy Services (LES) submitted an affidavit dated March 20, 2006, executed by Mr. Rod M. Krich. In the letter, you requested that the information provided in documents related to an LES purchase agreement for limited partnership interests be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 390. The information requested to be withheld is the "Action by Unanimous Written Consent of the LES Management Committee," dated March 3, 2006, and the "Purchase Agreement for Limited Partnership Interests," dated March 3, 2006.

You did not provide a non-proprietary version of the above documents.

In the affidavit, dated March 20, 2006, Mr. Krich stated that the information related to the purchase agreement should be withheld from public disclosure for the following reasons:

1. The information contains detailed commercial and financial information regarding the manner in which LES is managed and controlled and particular relationships among the partners.
2. The documents were drafted and executed by the general and limited partners with the explicit understanding that the documents would be treated as proprietary and confidential. The general and limited partners are treating the documents as proprietary and confidential.
3. If the documents were publically disclosed, LES would suffer irreparable and incalculable harm. Competitors would gain insight into otherwise unavailable business strategies, financial underpinnings, and legal arrangements of the LES partnership and would obtain an unfair commercial advantage that would significantly affect LES' ability to compete.
4. It is information that is customarily held in confidence by LES and its partners and is in fact so held.
5. While general information about the LES partnership is publically available, the specific details of the partnership are not available in public sources.
6. It was transmitted to and received by the U.S. Nuclear Regulatory Commission in confidence.

R. Krich

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We have reviewed the justifications you provided 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.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

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 in advance of any public disclosure.

Sincerely,

\RA\

Joseph G. Giitter, Chief  
Special Projects Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket: 70-3103

cc:

William Szymanski/DOE  
Monty Newman/Hobbs  
Peter Miner/USEC  
Glen Hackler/Andrews  
Matt White/Eunice  
Jerry Cliff/Hartsville  
Joseph Malherek/PC  
Clay Clark/NMED  
Roger Mulder/Texas

Fred Seifts/Jal  
James Curtiss/W&S  
Betty Richman/Tatum  
Lue Ethridge/Lea Cty  
Richard Ratliff/Texas  
CO'Claire/Ohio  
Ron Curry/NMED  
Patricia Madrid/NMAG

Lindsay Lovejoy/NIRS  
Troy Harris/Lovington  
James Ferland/LES  
John Parker/NMED  
M. Marriotte/NIRS  
Lee Cheney/CNIC  
D. Watchman-Moore/NMED  
Glen Smith/NMAG

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<b>DATE</b>	3/31/06		03 /31/06		04 /03/06		04/04/06		04/04/06	

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