

November 27, 2006

Mr. Steven A. Toelle, Director  
Nuclear Regulatory Affairs  
U.S. Enrichment Corporation  
Two Democracy Center  
6903 Rockledge Drive  
Bethesda, MD 20817-1818

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION APPROVAL OF USEC, INC.'s  
REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
FOR THE AMERICAN CENTRIFUGE PLANT (TAC L32307)

Dear Mr. Toelle:

By letter dated November 8, 2006, containing an affidavit dated the same as the letter 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 document:

- AET 06-0109 - Correspondence from American Nuclear Insurers Concerning Liability Insurance for the American Centrifuge Plant

The affidavit 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. Policy reasons relating to public disclosure of this proprietary information would likely cause substantial harm to the competitive position of USEC.
4. 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.
5. The information sought to be protected is not available in public sources, or available information has not been previously employed in the original manner or method to the best of USEC's knowledge and belief.

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 should also understand that the NRC may have cause to review this determination in the future if, 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 301-415-8098.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

**/RA/**

Julie Olivier, Senior Project Manager  
Enrichment and Conversion Branch  
Fuel Facility Licensing Directorate  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 70-7004

cc:

William Szymanski/DOE  
Carol O'Claire/Ohio EMA  
Lindsay Lovejoy/NIRS  
Rocky Brown/Mayor of Beaver  
David Bowe/SPFPA/USEC  
Billy Spencer/Mayor of Piketon  
Harry Rioer/Pike Co. Comm  
Robert Huff/Portsmouth CoC  
Kara Willis/Gov. Taft's Reg. 7  
Joyce Weeth/Pike Co. Rec

Michael Marriotte/NIRS  
James Curtiss/W&S  
Karl Gross/LES  
Jim Brushart/Pike Co. Comm.  
Teddy West/Scioto Twp. Trust.  
Vina Colley/PRESS  
Larry Scaggs/Seal Twp.Trust.  
Ted Wheeler/Pike County Aud.  
Ewan Todd/PRESS  
Blaine Beekman/Pike CoC

Dan Minter/SODI  
Randall DeVault/DOE  
Peter Miner/USEC Inc.  
Geoffrey Sea  
Robert Owen/Ohio DoH  
Donald Silverman/Morgan Lewis  
Carrie Mytinger/Cong. Ney  
Marvin Jones/Chillicothe CoC  
Dwight Massie/Pike CoC  
MarJean Kennedy/Gov. Taft

Joe Crombie/Ohio DoH

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Sincerely,

/RA/

Julie Olivier, Senior Project Manager  
Enrichment and Conversion Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
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Teddy West/Scioto Twp. Trust.  
Vina Colley/PRESS  
Larry Scaggs/Seal Twp.Trust.  
Ted Wheeler/Pike County Aud.  
Ewan Todd/PRESS  
Blaine Beekman/Pike CoC

Dan Minter/SODI  
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Robert Owen/Ohio DoH  
Donald Silverman/Morgan Lewis  
Carrie Mytinger/Cong. Ney  
Marvin Jones/Chillicothe CoC  
Dwight Massie/Pike CoC  
MarJean Kennedy/Gov. Taft

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OFC	FFLD	FFLD	FFLD
<b>NAME</b>	JOlivier	LWilliamson	BSmith
<b>DATE</b>	11/22/06	11/ 27 /06	11/ 27 /06

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