

May 21, 2008

Mr. Peter J. Miner, Director
Regulatory and Quality Assurance
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 L32411)

Dear Mr. Miner:

By letter dated January 22, 2008, containing an affidavit dated the same as the letter and executed by Peter J. Miner, 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(a)(4), information contained in the following document:

January 22, 2008 - 08

- AET 08-0008 - Submittal of Requested Information Regarding USEC's Financial Information for Construction of the American Centrifuge Plant (ACP)
Enclosure 1 contains proprietary information for the initial (Phase II) construction activities for the ACP during calendar year 2007.

The affidavit states that the submitted information should be considered exempt from mandatory public disclosure for the following reasons, among others:

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.

The affidavit goes on to specify that disclosure of detailed financial information related to the Phase II WBS description, cost estimate, and work scope for construction of the ACP is likely to cause substantial harm to the competitive position of USEC because it contains details of construction projections, including a cost breakdown of the various cost elements.

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 document listed above marked as proprietary and will be withheld from public disclosure pursuant to 10 CFR 2.390 and Section 103 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 301-492-3109.

Sincerely,
/RA/

Stan Echols, Senior Project Manager
Enrichment and Conversion Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-7004, License SNM 2011

cc:

William Szymanski/DOE	Michael Marriotte/NIRS	Dan Minter/SODI
Carol O'Claire/Ohio EMA	James Curtiss/W&S	Randall DeVault/DOE
Lindsay Lovejoy/NIRS	Peter Miner/USEC Inc.	Geoffrey Sea
Rocky Brown/Mayor of Beaver	Jim Brushart/Pike Co. Comm.	Robert Owen/Ohio DoH
David Bove/SPFPA/USEC	Teddy West/Scioto Twp. Trust.	Donald Silverman/Morgan Lewis
Billy Spencer/Mayor of Piketon	Vina Colley/PRESS	Stephen Caraway/Cong. Schmidt
Harry Rioer/Pike Co. Comm	Larry Scaggs/Seal Twp.Trust.	Marvin Jones/Chillicothe CoC
Robert Huff/Portsmouth CoC	Ted Wheeler/Pike County Aud.	Dwight Massie/Pike CoC
Gov. Strickland	Ewan Todd/PRESS	Ronda Kinnamon/Gov. Strickland
Joyce Weeth/Pike Co. Rec	Blaine Beekman/Pike CoC	

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