



April 9, 2009
GDP 09-0012

Mr. Michael F. Weber
Director, Office of Nuclear Material Safety and Safeguards
Attention: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

**Portsmouth Gaseous Diffusion Plant (PORTS)
Docket No. 70-7002, Certificate No. GDP-2
Transmittal of 2009 Annual Update to Certification Application**

INFORMATION TRANSMITTED HEREWITH IS PROTECTED FROM PUBLIC
DISCLOSURE AS CONFIDENTIAL COMMERCIAL OR FINANCIAL
INFORMATION AND/OR TRADE SECRETS PURSUANT TO 10 CFR 2.390
AND 9.17(a)(4)

Dear Mr. Weber:

By separate letter of the same date (Letter GDP 09-0011), the United States Enrichment Corporation (USEC) is submitting to the Nuclear Regulatory Commission (NRC) the 2009 Annual Update (Revision 94) to the certification documents for the Portsmouth Gaseous Diffusion Plant. As described in letter GDP 08-0011, certain portions of the 2008 Annual Update contain confidential commercial or financial information or trade secrets that are exempt from public disclosure pursuant to Section 1314 of the Atomic Energy Act of 1954, as amended, and 10 CFR 2.390 and 9.17(a)(4).

In accordance with 10 CFR 76.33(e), a proprietary version of the documents listed below are being submitted with this letter. USEC specifically requests that the following enclosed documents be withheld from public disclosure:

United States Enrichment Corporation, Fundamental Nuclear Materials Control Plan,
Portsmouth Gaseous Diffusion Plant (Proprietary), Revision 94

United States Enrichment Corporation, Gaseous Diffusion Plant Security Program (GDPSP),
(Proprietary), Revision 94

The enclosed USEC affidavit provides the information required by 10 CFR 2.390(b)(4).

The information contained in USEC letter GDP 08-0011 dated April 9, 2009 (including the accompanying oath and affirmation) is hereby incorporated by reference into this letter.

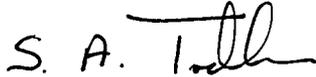
USEC Inc.
6903 Rockledge Drive, Bethesda, MD 20817-1818
Telephone 301-564-3200 Fax 301-564-3201 <http://www.usec.com>

NMSO 1

Mr. Michael F. Weber
April 9, 2009
GDP 09-0012, Page 2

Should you have any questions regarding this matter, please contact me at (301) 564-3250.

Sincerely,



Steven A. Toelle
Director, Regulatory Affairs

Enclosures: 1. Affidavit

2. USEC-02, Application for United States Nuclear Regulatory Commission Certification, Portsmouth Gaseous Diffusion Plant, Revision 94, Proprietary, 6 copies

cc: J. Henson, NRC Region II
M. Raddatz, NRC Project Manager
D. Hartland, NRC Region II
R. DeVault, DOE
C. Voth, DOE

USEC-02, Copy Nos. 21, 172
(w/o)
(w/o)
USEC-02, Copy Nos. 24
USEC-02, Copy Nos. 25

Enclosure 1
GDP 09-0012

Affidavit

**AFFIDAVIT OF STEVEN A. TOELLE
SUPPORTING APPLICATION TO WITHHOLD FROM
PUBLIC DISCLOSURE CERTAIN PORTIONS OF
REVISION 94 TO USEC-02
APPLICATION FOR UNITED STATES
NUCLEAR REGULATORY COMMISSION CERTIFICATION
PORTSMOUTH GASEOUS DIFFUSION PLANT**

I, Steven A. Toelle, of the United States Enrichment Corporation (USEC), having been duly sworn, do hereby affirm and state:

1. I have been authorized by USEC to (a) review the information owned by USEC which is referenced herein relating to the Portsmouth Gaseous Diffusion Plant and which USEC seeks to have withheld from public disclosure pursuant to section 147 of the Atomic Energy Act (AEA), as amended, 42 U.S.C. § 2167, and 10 CFR 2.390(a)(3), 2.390(a)(4), 2.390(d)(1) and 9.17(a)(4), and (6) apply for the withholding of such information from public disclosure by the Nuclear Regulatory Commission (NRC) on behalf of USEC.

Fundamental Nuclear Materials Control Plan

2. Pursuant to 10 CFR 76.35(h), USEC has prepared a “Fundamental Nuclear Materials Control Plan (FNMCP)”, which describes the measures used by USEC at the Portsmouth plant to control and account for special nuclear material that USEC uses, possesses, or has access to. USEC is submitting changes to this plan to the NRC as part of Revision 94, April 8, 2009, to its application for a certificate of compliance for the Portsmouth Plant under 10 CFR Part 76.
3. 10 CFR 2.390(d) (1) states that correspondence and reports to or from the NRC containing information concerning an applicant's physical protection or material control

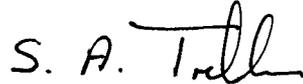
and accounting program for special nuclear material not otherwise designated as Safeguards Information or classified as National Security Information or Restricted Data are deemed to be confidential commercial or financial information exempt from public disclosure. Accordingly, USEC requests that the Revision 94 changes to the “Fundamental Nuclear Materials Control Plan” be withheld from public disclosure pursuant to section 147 of the AEA, 42 U.S.C. § 2167, and 10 CFR 2.390(a)(3), 2.390(d)(1) and 9.17(a)(4).

Portsmouth Gaseous Diffusion Plant Security Program

4. Pursuant to 10 CFR 76.35(i), 10 CFR 76.35(j), and 10 CFR 76.35(k) USEC has prepared a “Portsmouth Gaseous Diffusion Plant Security Program” which describes the measures used by USEC at the Portsmouth plant to a) protect off-site shipments of special nuclear material of low strategic significance; b) physically protect special nuclear material that the corporation uses, possesses, or has access to at fixed sites; and c) physically protect and control classified matter. USEC is submitting changes to this program to the NRC as part of Revision 94, April 8, 2009, to its application for a certificate of compliance for the Portsmouth plant under 10 CFR Part 76.
5. 10 CFR 2.390(d)(1) states that correspondence and reports to or from the NRC containing information concerning an applicant's physical protection or material control and accounting program for special nuclear material not otherwise designated as Safeguards Information or classified as National Security Information or Restricted Data are deemed to be confidential commercial or financial information exempt from public disclosure. The Portsmouth Gaseous Diffusion Plant Security Program contains such information. Accordingly, USEC requests that the Revision 94 changes to the

"Portsmouth Gaseous Diffusion Plant Security Program" be withheld from public disclosure pursuant to section 147 of the AEA, 42 U.S.C. § 2167, and 10 CFR 2.390(a)(3), 2.390(d)(1) and 9.17(a)(4).

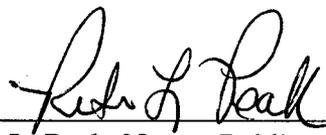
6. Steven A. Toelle, having been duly sworn, hereby confirms that I am the Director, Regulatory Affairs of USEC, that I am authorized on behalf of USEC to review the information attached hereto and to sign and file with the Nuclear Regulatory Commission this affidavit and the attachments hereto, and that the statements made and matters set forth herein are true and correct to the best of my knowledge, information, and belief.



Steven A. Toelle

On this 9th day of April 2009, the individual signing above personally appeared before me, is known by me to be the person whose name is subscribed to within the instrument, and acknowledged that he executed the same for the purposes therein contained.

In witness hereof I hereunto set my hand and official seal.



Rita L. Peak, Notary Public
State of Maryland, Montgomery County
My commission expires December 1, 2009