USEC
A Global Energy Company

April 6, 2010
GDP 10-0014

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

Paducah Gaseous Diffusion Plant (PGDP)
Docket No. 70-7001, Certificate No. GDP-1
Transmittal of 2010 Annual Update to Certification Application USEC-01 (Proprietary)

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 10-0013), the United States Enrichment Corporation (USEC) is submitting to the Nuclear Regulatory Commission (NRC) the 2010 Annual Update to the certification documents for the PGDP, which is Revision 119 to USEC-01, Application for United States Nuclear Regulatory Commission Certification, Paducah Gaseous Diffusion Plant. As described in letter GDP 10-0013, certain portions of Revision 119 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), proprietary versions of the documents listed below are being submitted with this letter. USEC specifically requests the following enclosed documents be withheld from public disclosure:

United States Enrichment Corporation, Paducah Gaseous Diffusion Plant, Fundamental Nuclear Material Control Plan (FNMCP), (Proprietary), Revision 119.

United States Enrichment Corporation, Gaseous Diffusion Plant Security Program (GDPSP), (Proprietary), Revision 119.

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

The information contained in USEC letter GDP 10-0013 dated April 6, 2010 (including the accompanying oath and affirmation) is hereby incorporated by reference into this letter.

nmss01

Should you have any questions regarding this matter, please contact me at (301) 564-3250. There are no new commitments contained in this submittal.

Sincerely,

S. A. Toelle

Steven A. Toelle
Director, Regulatory Affairs

Enclosures: 1. Affidavit

2. USEC-01, Application for United States Nuclear Regulatory Commission Certification, Paducah Gaseous Diffusion Plant, Revision 119, Proprietary

cc: R. DeVault (DOE)	USEC-01, Copy Number 641
D. Hartland, NRC Region II	(w/o)
J. Henson, NRC Region II	USEC-01, Copy Numbers 442, 664
T. Liu, NRC Project Manager	2 copies
NRC Senior Resident Inspector – PGDP	USEC-01, Copy Number 697

Enclosure 1
GDP 10-0014

Affidavit

AFFIDAVIT OF STEVEN A. TOELLE
SUPPORTING APPLICATION TO WITHHOLD FROM
PUBLIC DISCLOSURE CERTAIN PORTIONS OF
REVISION 119 TO USEC-01
APPLICATION FOR UNITED STATES
NUCLEAR REGULATORY COMMISSION CERTIFICATION
PADUCAH GASEOUS DIFFUSION PLANT

I, Steven A. Toelle, Director, Regulatory Affairs, 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 Paducah 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 (b) apply for the withholding of such information from public disclosure by the Nuclear Regulatory Commission (NRC) on behalf of USEC.

Fundamental Nuclear Material Control Plan

2. Pursuant to 10 CFR 76.35(h), USEC has prepared a "Fundamental Nuclear Material Control Plan (FNMCP), Paducah Gaseous Diffusion Plant" which describes the measures used by USEC at the Paducah 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 119, April 1, 2010, to its application for a certificate of compliance for the Paducah 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 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 FNMCP contains such information. Accordingly, USEC requests that the Revision 119 changes to the "Fundamental Nuclear Material Control Plan (FNMCP)" 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).

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 "Gaseous Diffusion Plant Security Program (GDPSP)" which describes the measures used by USEC at the Paducah 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 plan to the NRC as part of Revision 119, April 1, 2010, to its application for a certificate of compliance for the Paducah 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 GDPSP contains such information. Accordingly, USEC requests that the Revision 119 changes to the "Gaseous Diffusion Plant Security Program (GDPSP)" 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.

S. A. Toelle

Steven A. Toelle

On this 6th day of April 2010, 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.

Roxine Behrens

Roxine Behrens, Notary Public
State of Maryland, Montgomery County
My commission expires September 14, 2011

ROXINE BEHRENS
Notary Public
Montgomery County
Maryland
My Commission Expires Sep 14, 2011