From: Siurano-Perez, Osiris
Sent: Friday, February 11, 2011 8:24 PM
To: 'Miner, Peter J'
Subject: Request to Withhold information

Dear Mr. Miner:

USEC Inc. (USEC) letter AET 10-0074, dated December 6, 2010, and received on December 22, 2010, requested U.S. Nuclear Regulatory Commission (NRC) Foreign Ownership, Control or Influence determination for Magnum Venus Plastech Inc. Enclosure 2 of that letter provided an affidavit executed by Mr. Joseph P. Hedger, and dated November 30, 2010, requesting the 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 Enclosure 1 of AET 10-0074.

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. 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. There are sound policy reasons behind the Magnum Venus Plastech system which includes:

    a. the use of such information by Magnum Venus Plastech gives them a competitive advantage over its competitors;

    b. the information is marketable in many ways;

    c. use of the information would put Magnum Venus Plastech at a competitive disadvantage;

    d. each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage;

    f. unrestricted disclosure would jeopardize the position of prominence of Magnum Venus Plastech in the world market; and

    g. Magnum Venus Plastech's capacity to invest assets in research and development depends upon the success in obtaining and maintaining a competitive advantage.

5. 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 Magnum Venus Plastech'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 document 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, 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 the date of public disclosure, which will be a reasonable time thereafter.

If you have any questions regarding this matter, I may be reached at 301-492-3117 or via e-mail at osiris.siurano-perez@nrc.gov.

Sincerely,

Osiris Siurano-Perez
Uranium Enrichment Branch
Division of Fuel Cycle Safety and Safeguards
Office of Nuclear Material Safety and Safeguards