

June 2, 2016

Mr. Steven Toelle  
Director, Regulatory Affairs  
Centrus Energy Corp.  
6903 Rockledge Drive  
Bethesda, MD 20817-1818

SUBJECT: APPROVAL OF REQUEST TO WITHHOLD PROPRIETARY INFORMATION  
FROM PUBLIC DISCLOSURE

Dear Mr. Toelle:

I am responding to your letter dated March 23, 2016 (AC 16-0005), providing an update to the Foreign Ownership, Control or Influence information for American Centrifuge Enrichment, LLC. Enclosure 6 of your letter provided an affidavit dated March 23, 2016, and executed by you, requesting the U.S. Nuclear Regulatory Commission (NRC) to withhold information contained in Enclosure 2 of AC 16-0005 from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390(a)(4).

The affidavit stated that the information submitted in Enclosure 2 of the March 23, 2016, letter 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 Centrus.
2. The information is of a type customarily held in confidence by Centrus and not customarily disclosed to the public.
3. The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.), where presentation of its use by any of Centrus' competitors without license from Centrus constitutes a competitive economic advantage over other companies.
4. It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage (e.g., by optimization or improved marketability).
5. Its use by a competitor would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation assurance of quality or licensing a similar product.
6. It reveals cost or price information, production capacities, budget levels, or commercial strategies of Centrus, its customers or suppliers.

7. It reveals aspects of past, present or future Centrus or customer funded development plans and programs of potential commercial value to Centrus.
8. It contains patentable ideas, for which patent protection may be desirable.
9. It reveals information concerning the terms and conditions, work performed, administration, performance under or extension of contracts with its customers or suppliers.
10. There are sound policy reasons behind the Centrus system which includes:
  - a. the use of such information by Centrus gives them a competitive advantage over its competitors;
  - b. the information is marketable in many ways;
  - c. use of the information by competitors would put Centrus at a competitive disadvantage by reducing their expenditure of resources at Centrus' expense;
  - d. each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage;
  - e. unrestricted disclosure would jeopardize the position of prominence of Centrus in the world market, and thereby give a market advantage to the competition of those countries; and
  - f. Centrus' capacity to invest assets in research and development depends upon the success in obtaining and maintaining a competitive advantage.
11. 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.
12. 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 Centrus' knowledge and belief.

We reviewed the information provided in your January 15, 2016, letter and the affidavit requesting to withhold this information in accordance with the requirements of 10 CFR 2.390. On the basis of your statements, we have determined that the submitted information sought to be withheld contains proprietary, trade secrets, and commercial or financial 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)(4). 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.

In accordance with 10CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding," of NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the publicly available records 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).

If you have any questions regarding this matter, I may be reached at 301-415-7827 or via e-mail at: [Osiris.Siurano-Perez@nrc.gov](mailto:Osiris.Siurano-Perez@nrc.gov).

Sincerely,

*/RA/*

Osiris Siurano-Perez, Project Manager  
Enrichment and Conversion Branch  
Division of Fuel Cycle Safety, Safeguards,  
and Environmental Review  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 07007004  
License No.: SNM-2011

cc: S. Penrod, Vice President  
J. Corrado, Regulatory Manager

