

November 10, 2005

Mr. Steven A. Toelle, Director
Nuclear Regulatory Affairs
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 NOS. L32306, L32307 and L32308)

Dear Mr. Toelle:

By letters dated September 13, 2005, and September 15, 2005, containing affidavits dated the same as the letters and executed by Steven A. Toelle, 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, information contained in the following documents:

September 13, 2005 -

- AET 05-0071 - Submittal of Integrated Safety Analysis Supporting Document.
Enclosure 1 contains the following three documents:
 1. NCS-RPT-AC01, *Storage, Handling and Transportation of UF6 Cylinders*, Revision 1
 2. NCS-RPT-AC07, *Feed, Product Withdrawal and Interim Withdrawal Operations*, Revision 1
 3. NCS-RPT-AC08, *Product Operations*, Revision 1

September 15, 2005 -

- AET 05-0073 - Submittal of Integrated Safety Analysis Supporting Document.
Enclosure 1 contains the following document: PC-SCALE 4.4a Validation, Revision 1

The affidavits state 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. 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.
5. Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of USEC because it may enhance the ability of competitors to position and provide similar products.

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 documents 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 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 301-415-8113.

Sincerely,

/RA/

Yawar H. Faraz, Project Manager
Gas Centrifuge Facility Licensing Section
Special Projects Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket: 70-7004

cc:	William Szymanski/DOE	Michael Marriotte/NIRS
	Dan Minter/SODI	Carol O'Claire/Ohio EMA
	James Curtiss/W&S	Randall DeVault/DOE
	Rod Krich/LES	Peter Miner/USEC Inc.
	Rocky Brown/Mayor of Beaver	Dan Horner/McGraw Hill
	Billy Spencer/Mayor of Piketon	Jim Brushart/Pike Co. Comm. Chair.
	Harry Rioer/Pike Co. Commissioner	Teddy West/Scioto Twp. Trustee
	Larry Scaggs/Seal Twp. Trustee	Ted Wheeler/Pike County Auditor
	Kara Willis/ Gov. Taft's Reg. 7 office	Robert Huff/Portsmouth CoC
	Mary Glasgow/Cong. Portman	Marvin Jones/Chillicothe CoC
	Donald Silverman/Morgan Lewis	Roger Suppes/Ohio DoH
	Lindsay Lovejoy/NIRS	David Bowe/SPFPA/USEC
	Ewan Todd/PRESS	Vina Colley/PRESS
	Geoffrey Sea	Blaine Beakman/Pike CoC
	Dwight Massie/Pike CoC	Joyce Weeth/Pike CoC
	Carrie Mytinger/Cong. Ney	MarJean Kennedy/Gov. Taft

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.
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Roger Suppes/Ohio DoH
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Hearing file
RHannah,RII
MBlevins, DWM

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OFC	GCFLS		GCFLS		GCFLS		OGC		GCFLS	
NAME	SEchols		YFaraz:bkh1		LMarshall		TRothschild		BSmith	
DATE	11/9/05		11/9/05		11/9 /05		11/9/05		11/10/05	

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