

April 15, 2011

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)
)
AREVA ENRICHMENT SERVICES, LLC) Docket No. 70-7015-ML
)
(Eagle Rock Enrichment Facility))

JOINT REPORT ON PUBLIC DISCLOSURE OF APPENDIX A TO LBP-11-11

On April 8, 2011, the Atomic Safety and Licensing Board (“Licensing Board”) issued its First Partial Initial Decision (Uncontested/Mandatory Hearing on Safety Matters), LBP-11-11. In its decision, the Licensing Board noted that it had received and reviewed information submitted by AREVA Enrichment Services (“AES”) that was marked as Official Use Only (“OUO”) or classified. LBP-11-11 at 80. Following issuance of the NRC Staff’s Safety Evaluation Report, the Board posed questions to AES and the NRC Staff in a number of areas, some of which involved non-public OUO information. *See id.* (identifying non-public filings by the NRC Staff and AES). The Licensing Board’s findings relative to the non-public information were included in a non-publicly-available Appendix A to LBP-11-11. The Licensing Board concluded in Appendix A that the parties’ written responses adequately addressed the Board’s concerns in those areas. *Id.* at 81.

The Licensing Board directed the parties to provide, within seven days of its decision, a joint report that (1) indicates whether all, or any portion, of Appendix A can be publicly-released; and (2) provides a redacted version of the appendix in the event any portion can be made publicly-available. LBP-11-11 at 81 n.36, 84. The parties have conferred with respect to the need to protect Appendix A from public disclosure. The parties have jointly

concluded that, although the information in Appendix A was based on information that is not publicly available, Appendix A does not itself contain information that should remain non-publicly-available. As a result, no redactions are necessary and Appendix A may be made publicly available in its entirety.

Respectfully submitted,

 /s/ signed electronically by
James R. Curtiss
Curtiss Law
P.O. Box 153
Brookeville, MD 20833

Tyson R. Smith
Winston & Strawn LLP
101 California St.
San Francisco, CA 94111

COUNSEL FOR AREVA ENRICHMENT
SERVICES, LLC

Dated at San Francisco, California
this 15th day of April 2011

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)
)
AREVA ENRICHMENT SERVICES, LLC) Docket No. 70-7015-ML
)
(Eagle Rock Enrichment Facility))

CERTIFICATE OF SERVICE

I hereby certify that copies of “JOINT REPORT ON PUBLIC DISCLOSURE OF APPENDIX A TO LBP-11-11” in the captioned proceeding have been served via the Electronic Information Exchange (“EIE”) this 15th day of April 2011, which to the best of my knowledge resulted in transmittal of the foregoing to those on the EIE Service List for the captioned proceeding.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: ocaamail@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Mail Stop O-16C1
Washington, DC 20555-0001
Hearing Docket
E-mail: hearingdocket@nrc.gov

Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop O-15D21
Washington, DC 20555-0001

Paul Bollwerk, Chair
Kaye D. Lathrop
Craig M. White

E-mail: Paul.Bollwerk@nrc.gov
E-mail: Kaye.Lathrop@nrc.gov
E-mail: Craig.White@nrc.gov

Catherine Scott, Esq.
Mauri T. Lemoncelli, Esq.
Carrie M. Safford, Esq.
Marcia J. Simon, Esq.
Christine Jochim Boote, Esq.

Anthony Eitreim, Chief Counsel
Jonathan Eser, Law Clerk
E-mail: acel@nrc.gov
E-mail: Jonathan.Eser@nrc.gov

E-mail: clm@nrc.gov
E-mail: mauri.lemoncelli@nrc.gov
E-mail: cms6@nrc.gov
E-mail: mjs5@nrc.gov
E-mail: Christine.Boote@nrc.gov
OGC Mail Center : OGCMailCenter@nrc.gov

Respectfully submitted,

 /s/ signed electronically by

Tyson R. Smith
Winston & Strawn LLP
101 California St.
San Francisco, CA 94111

COUNSEL FOR AREVA ENRICHMENT
SERVICES, LLC