

RAS 5055

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OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Thomas S. Moore, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Subject: MOX Facility Construction Authorization Request, Docket No. 70-3098

Dear Judge Moore,

I am writing in response to the question posed in your order of November 20, 2002, regarding whether the fact that I have not filed a notice of appearance in this case should have any bearing on my qualifications to obtain a security clearance. I do not believe it should have any effect. As a practicing attorney in the District of Columbia, I have ethical obligations that apply whether or not I enter an appearance on behalf of a client in an NRC licensing case. If granted a security clearance, I would comply with any provisions for protection of classified information pursuant to those ethical obligations, and pursuant to my obligations under the security clearance. I also believe the NRC would have the authority to enforce the obligations to which I agreed, regardless of whether I had entered an appearance.

My client agrees with my assessment.

Sincerely,

Diane Curran

Cc: Service list

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