

**REQUEST FOR ADDITIONAL INFORMATION**  
**AREVA INC. REQUEST FOR THE U.S. NUCLEAR REGULATORY COMMISSION'S**  
**CONSENT TO TRANSFER LICENSES**  
**DOCKET NUMBERS 04002259, 07007015, 07001257, 07003098**

1. Title 10 of the *Code of Federal Regulations* (10 CFR) Section 70.36, *Inalienability of licenses*, states the following:

- (a) No license granted under the regulations in this part and no right to possess or utilize special nuclear material granted by any license issued pursuant to the regulations in this part shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person unless the Commission shall after securing full information, find that the transfer is in accordance with the provisions of the Act, and shall give its consent in writing.
- (b) An application for transfer of license must include:
  - (1) The identity, technical and financial qualifications of the proposed transferee; and
  - (2) Financial assurance for decommissioning information required by 10 CFR 70.25.

In addition, page 6 of 7 of Regulatory Information Summary 2008-19 states that:

“Licensees should not expect NRC to authorize or acknowledge a name change before the license is transferred. Section 184 of Act not only broadly prohibits all manner of transfers, assignments, and disposals of NRC licenses, but also all manner of actions that have the effect of, in any way, directly or indirectly, transferring actual or potential control of a license without the Agency's knowledge and express written consent. Control of a license is in the hands of the person or persons who are empowered to decide when and how that license will be used. That control is to be found in the person or persons who, because of ownership or authority explicitly delegated by the owners, possess the power to determine corporate policy and thus the direction of the activities under the license. If a licensee restructures its organization and forms a limited-liability corporation that it proposes as the transferee, the transferee must not exert any influence or control over the current license until the transfer-of-control licensing action is complete.”

As AREVA Inc. is indicating a name change will occur and is proposing transferring licenses to LLCs, please provide the following:

- 1. Financial statements, certificates of incorporation, financial assurance documents stating the new names of the companies that will hold the following licenses that are being transferred:
  - a. License Number SNM-2015 for the Eagle Rock Enrichment Facility
  - b. License Number SUA-672 for the Lucky Mc Uranium Mill (currently held by AREVA, Inc.)
  - c. Export License Number XSOU8780 (currently held by AREVA Inc.)
  - d. Export License Numbers XSNM3643 and XSNM3722 (currently held by AREVA, Inc.)

Enclosure