

LICENSEE: Fansteel Corporation

INSTALLATIONS: Specialty Metals Facility
Number 10 Tantalum Place
Muskogee, OK 74403

SUBJECT: CATEGORICAL EXCLUSION FOR AMENDMENT UNDER THE
PROVISION OF 10 CFR 51.22(c)(3)(iii) REQUEST DATED MARCH 5,
2002 RE: CHANGE OF DATE FOR LICENSE CONDITION 21 REPORT

By letter dated March 5, 2002, Fansteel requested an amendment to License SBM-911 to delay by ninety (90) days the financial reports required by license condition 21. Fansteel has stated (Affidavit of Gary L. Tessitore, Chairman of the Board, President, and Chief Executive Officer of Fansteel, Inc., in support of First Day Motions, dated January 14, 2002) that it "...continues to maintain the french drain and the wastewater treatment plant, and to take all other actions necessary to maintain public health and safety" (Affidavit, p. 15). On the basis of this representation, the staff concludes that the changes requested in this license amendment application will not adversely affect the protection of the health and safety of employees, the general public, and the environment. Accordingly, pursuant to 10 CFR 51.22(c)(3)(10), neither an Environmental Impact Statement nor an Environmental Assessment is warranted for the proposed action.

FOR THE NUCLEAR REGULATORY
COMMISSION

/RA/ D. Solorio for

Larry W, Camper, Chief
Decommissioning Projects Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Docket No.: 040-07580
License No.: SMB-911

cc: A.F. Dohmann
James Curtiss, Esq.
Mike Broderick
Kelly Hunter-Burch, Esq.

LICENSEE: Fansteel Corporation

INSTALLATIONS: Specialty Metals Facility
 Number 10 Tantalum Place
 Muskogee, OK 74403

SUBJECT: CATEGORICAL EXCLUSION FOR AMENDMENT UNDER THE
 PROVISION OF 10 CFR 51.22(c)(3)(iii) REQUEST DATED MARCH 5,
 2002 RE: CHANGE OF DATE FOR LICENSE CONDITION 21 REPORT

By letter dated March 5, 2002, Fansteel requested an amendment to License SBM-911 to delay by ninety (90) days the financial reports required by license condition 21. Fansteel has stated (Affidavit of Gary L. Tessitore, Chairman of the Board, President, and Chief Executive Officer of Fansteel, Inc., in support of First Day Motions, dated January 14, 2002) that it "...continues to maintain the french drain and the wastewater treatment plant, and to take all other actions necessary to maintain public health and safety" (Affidavit, p. 15). On the basis of this representation, the staff concludes that the changes requested in this license amendment application will not adversely affect the protection of the health and safety of employees, the general public, and the environment. Accordingly, pursuant to 10 CFR 51.22(c)(10), neither an Environmental Impact Statement nor an Environmental Assessment is warranted for the proposed action.

FOR THE NUCLEAR REGULATORY
 COMMISSION
/RA/ D. Solorio for

Larry W, Camper, Chief
 Decommissioning Projects Branch
 Division of Waste Management
 Office of Nuclear Material Safety
 and Safeguards

Docket No.: 040-07580
 License No.: SMB-911

cc: A.F. Dohmann James Curtiss, Esq. Mike Broderick Kelly Huner-Burch, Esq.

DISTRIBUTION: JGreeves RJohnson MRodgers/NMSS/PMDA MMoriarty/NMSS

REvans/RIV
 CBurkhalter

*See previous concurrence

**Concurred via e-mail

| | | | | | | |
|-------------|-----------|--------------|----------|----------|--------------|---------|
| OFC | DCB | DCB | DCB | OGC | RIV | DCB |
| NAME | JShepherd | *CBurkhalter | *CCraig | *SLewis | **DSpitzberg | LCamper |
| DATE | 3/26/02 | 03/22/02 | 03/22/02 | 03/25/02 | 03/21/02 | 3/26/02 |