



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-4005

May 26, 2005

EA-04-188

Mr. E. Jonathan Jackson, President/CEO  
FMRI (a subsidiary of reorganized Fansteel, Inc.)  
Number Ten Tantalum Place  
Muskogee, Oklahoma 74403

SUBJECT: RESPONSE TO NRC INSPECTION REPORT 040-7580/04-001 AND NOTICE  
OF VIOLATION

Dear Mr. Jackson:

Thank you for your letter dated May 9, 2005, in response to our letter and Notice of Violation dated April 12, 2005, based on Inspection Report 040-7580/04-001 dated November 12, 2004. FMRI's response is currently under NRC review. Future NRC correspondence will address FMRI's proposed corrective actions.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/Adams.html>.

If you have any further questions concerning this inspection, please contact Mr. Rick Muñoz at (817) 860-8220, Ms. Beth Schlapper at (817) 860-8169 or the undersigned at (817) 860-8191.

Sincerely,

*/RA/ R. J. Evans for*

D. Blair Spitzberg, Ph.D., Chief  
Fuel Cycle and Decommissioning Branch

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

cc w/ Enclosure (licensee's letter dated May 9, 2005):

Mr. Walter Beckham, City Manager  
City of Muskogee  
229 West Okmulgee  
Muskogee, Oklahoma 74401

Mr. George Brozowski, Regional Health  
Physicist  
U.S. Environmental Protection Agency,  
Region VI  
1445 Ross Avenue  
Mail Stop-6PDT  
Dallas, Texas 75202

Timothy Hartsfield  
District Environmental Manager  
Tulsa District  
U.S. Army Corps of Engineers  
1645 South 101<sup>st</sup> East Avenue  
Tulsa, Oklahoma 74128

Ms. Kelly Hunter Burch  
Assistant Attorney General  
Office of Attorney General  
4545 North Lincoln Blvd., Suite 260  
Oklahoma City, OK 73105

Ms. Afsaneh Jabbar, Manager  
Oklahoma Department of Environmental  
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Industrial Permit Section  
Water Quality Division  
P.O. Box 1677  
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Mr. Mike Broderick, Administrator  
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Waste Management Division  
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Mr. Kevin Sampson  
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Ms. Pamela Bishop  
Environmental Specialist  
Oklahoma Department of  
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Waste Management Division  
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Mr. Phillip Fielder  
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Oklahoma City, Oklahoma 73101-1677

Mr. Richard Gladstein, Esq.  
Environmental Enforcement Section  
Environment and Natural  
Resources Division  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

bcc w/o licensee's letter dated May 9, 2005 (via ADAMS e-mail distribution):

- LTWert
- GFSanborn
- JCShepherd, NMSS/DWMEP/DCB
- CMCraig, NMSS/DWMEP/DCB
- MCNolan, OE
- MSchwartz, OE
- OEMAIL
- DBSpitzberg
- RRMuñoz
- BASchlapper
- RJEvans
- KFuller
- FCDB File
- RIV Nuclear Materials File - 5th Floor

SISP Review Completed: Bas

ADAMS: X Yes      No      Initials: BAS

Publicly Available     Non-Publicly Available     Sensitive     Non-Sensitive

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BASchlapper	RRMuñoz	DBSpitzberg	GFSanborn
<b>/RA/</b>	<b>/RA/</b>	<b>/RA/ R. J. Evans for</b>	<b>/RA/</b>
05/26/05	05/26/05	05/26/05	05/26/05

OFFICIAL RECORD

T=Telephone

E=E-mail

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