

October 7, 2005

Mr. E. Jonathan Jackson, President
FMRI
10 Tantalum Place
Muskogee, OK 74403

SUBJECT: TEMPORARY STAGING OF MATERIALS FOR OFF-SITE SHIPMENT

Dear Mr. Jackson:

The U.S. Nuclear Regulatory Commission has completed its examination of the Phase 1 Work Plan for remediation of the Muskogee site. In response to your question, the staff agrees that the dried material from Ponds 2 and 3 may be **staged** in the adjacent area, until September 30, 2006, in preparation for shipment to IUC, and is not subject to the storage requirements of Condition 25 of SMB-911. This is described in Section 3.6 Storage, Part B of SMB-911, as a definition of the transportation preparation and packaging area function during Phase I activities; pallets will not be used. Retaining the material on-site past the specified date will be deemed to be storage and subject to the requirements of License Condition 25.

If you have any questions on this matter please contact me at (301) 415 6712 or jcs2@nrc.gov.

Sincerely,

/RA/

J. C. Shepherd, Project Engineer
Decommissioning Directorate
Division of Waste Management
and Environmental Protection
Office of Nuclear Materials Safety
and Safeguards

Docket no.: 40-7580
License no.: SMB-911

cc: Mike Broderick, ODEQ

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TAC# L60555

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