

**From:** uid no body <nobody@www.nrc.gov>  
**To:** <foia@nrc.gov>  
**Date:** Wed, Nov 23, 2005 4:40 PM  
**Subject:** WWW Form Submission

## FOIA/PA REQUEST

**Case No.:** 2006-0043  
**Date Rec'd:** 11-25-05  
**Specialist:** POOL  
**Related Case:**

Below is the result of your feedback form. It was submitted by  
( ) on Wednesday, November 23, 2005 at 16:40:05

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FirstName: John

LastName: Darke

Company/Affiliation:

Address1: [REDACTED]

Address2:

City: [REDACTED]

State: [REDACTED]

Zip: [REDACTED]

Country: United\_States

Country-Other:

Email:

Phone: [REDACTED]

Desc: The agency record(s) requested pertain to the Fansteel, Inc. (currently FMRI, Inc.), Muskogee, Oklahoma, facility: Docket No. 40-7580, License No. SMB-911.

"Technical Report Remediation Assessment, Fansteel, Inc.," by Earth Sciences Consultants, Inc., Volumes I-IV (approximately 1,613 pages), December 28, 1993. The NRC accession number for the complete agency record package (cover letter, Technical Report, and accompanying drawings) is 9401240039.

The document(s) requested consist of a 2-page cover letter dated December 28, 1993 (9401240039), starting at Frame 1, Tub Fiche 78051 ("78051:001-78051:002"). The "Technical Report Remediation Assessment" follows on Fiche 78051:003 through 78055:159. The additional drawings that are part of the same package that is requested here appear to have been dated December 27 (and possibly other dates), and are found at various other fiche addresses (locations—an individual 48X "tub ultra-fiche" contains images of approximately 365 pages). Request all documents that are part of the NRC Bibliographic Retrieval System (BRS) package (9401240039).

Request all physical and/or draft versions of this (these) record(s), particularly including all attached NRC records which may in any manner presently reflect or have at one time reflected the provenance of the "Technical Report Remediation Assessment" package, that are in the possession of the agency or contractors thereto.

Whenever it is possible to reproduce a crystal clear reproduction of the aforementioned mentioned of the agency records from the 48X tub-fiche feel free to do so. HOWEVER, if there are any questions about legibility, would request paper-to-paper reproduction. In any event, request all oversized (beyond 8.5 x 11 format) be reproduced in their original format with respect size. Where there are multiple formats beyond the 48X tub-fiche image format, would request all versions. Recognize that such a request is reasonable, in that the requestor is seeking one (1) agency official record package (9401240039).

FeeCategory: Personal\_Noncommercial

MediaType:

FeeCategory\_Description:

Expedite\_ImminentThreatText:

Expedite\_UrgencyToInform: on

Expedite\_UrgencyToInformText: The documents requested are directly relevant to radioactive materials that are proposed to be transferred from a licensed NRC facility to be processed and disposed of in southeastern Utah at a uranium recovery facility licensed by the Utah Division of Radiation Control, which regulates the facility as an NRC Agreement State. The documents are the definitive characterization of the materials in question. The DRC has noticed an opportunity for public comment and a public hearing on the license amendment request. The suspense date for public comment is January 5, 2005. See [www.radiationcontrol.utah.gov](http://www.radiationcontrol.utah.gov).

Records are needed as soon as possible in order to participate in such on-the- record notice, comment, and transcribed hearing proceeding in an informed and timely manner.

Waiver\_Purpose: Requestor intend to review the records in order to make informed and timely comment on the proposed amendment to a source material license issued pursuant to the Atomic Energy Act of 1954, as amended.

Waiver\_ExtentToExtractAnalyze: Records will be reviewed and analyzed for all relevant information related to the proposed license amendment and the characterization and history of the subject radioactive materials at the Fansteel (FMRI) site that is being decommissioned by the NRC licensee.

Waiver\_SpecificActivityQuals: Requestor is an interested person, appearing here pro se, who has extensive knowledge of the licensing of source materials by the NRC or 274b Agreement States and is familiar with applicable NRC and State of Utah regulations and statutes. The requestor will be able to understand any technical documents that are contained in the requested records and utilize them to inform the public regarding the nature of the materials subject to decommissioning by the NRC licensee and transfer to a State of Utah licensed facility.

Waiver\_ImpactPublicUnderstanding: At this time there are no State of Utah or NRC documents readily available, convenient for use, that contain the original background technical information related to the characterization of the subject material. The requested records will enable the public to review the original documentation related to the source and characterization of the diverse materials that are the subject of NRC regulation and the amendment request mentioned above. The released records would have a tremendous impact on the public's understanding of the situation and enable the public to make informed comment on the pertinent legal, health, safety, and environmental issues involved.

Waiver\_NatureOfPublic: The information would primarily contribute to the increased understanding of

people who live in southeastern Utah. Information would be disseminated to the public. This would include Native American tribal members and tribal governments, interested local agencies and representatives, educational institutions, mill employees, local media, interested persons and organizations, and the general local population.

**Waiver\_MeansOfDissemination:** Information from the requested records will be disseminated to interested persons through the Internet, local meetings, public hearings where a transcript(s) will be generated, personal contact with pertinent persons, local media and agencies, and through comments made on-the-record to State and federal entities, which would accrue to the public record in a proper and timely manner.

**Waiver\_FreeToPublicOrFee:** Information would be disseminated free, beyond copying costs, where applicable.

**Waiver\_PrivateCommericalInterest:** To the best of his knowledge, requestor has no commercial or private financial or other non-conforming interest that would be furthered by the release of the requested records.

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