



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

REGIONAL TECHNICAL ASSISTANCE REQUEST FORM

Date: March 29, 2007

Mail and
E-Mail to: Larry W. Camper, Director
Division of Waste Management and Environmental Protection, FSME

From: Leonard D. Wert, Director IRA
Division of Nuclear Materials Safety, RIV

Licensee: FMRI (formerly Fansteel, Inc.)

License Number: SMB-911

Docket Number: 040-07580

Control Number: None

Letter dated: March 7, 2007

Enforcement Action being held in abeyance: () Yes (X) No

Problem/Issue:

The Oklahoma Department of Environmental Quality (ODEQ) has formally requested a copy of an attachment to an FMRI letter that the NRC has designated as financial proprietary information. For the reasons discussed below, Region IV requests that FSME respond to ODEQ's letter.

Materials License No. SMB-911, Condition 45, requires FMRI to provide an updated Table 15-12 to the NRC on an annual basis. This table provides future cash flow information for Fansteel, Inc. FMRI provided this financial information to the NRC by letter dated December 4, 2006. Pursuant to 10 CFR 2.390, FMRI requested that the information be withheld from public disclosure. The NRC subsequently granted the licensee's request by letter dated January 9, 2007.

On March 7, 2007, ODEQ formally requested a copy of FMRI's December 4, 2006, letter and attachment. Since the letter in question was submitted to FSME/DWMEP/DURLD and since FSME granted FMRI's proprietary information request, FSME should review and respond to ODEQ's request. The NRC's response should also consider any previous agreements with U.S. Department of Justice and Fansteel's bankruptcy court.

To meet an internal deadline for a response, Region IV issued a letter to ODEQ on March 26, 2007, stating that FSME would review and respond to ODEQ's request for the financial information.

Information in this record was deleted
in accordance with the Freedom of Information
Act, exemptions 2, 5, 7, 8
FOIA- 040-07580

del

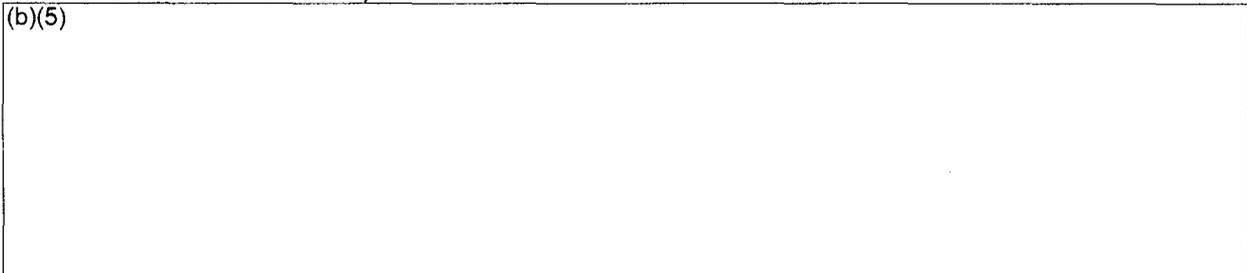
Larry W. Camper, Director

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Action Requested:

Review and respond to ODEQ's request for a copy of the proprietary attachment to FMRI's letter dated December 4, 2006.

(b)(5)



Background documents (attached):

FMRI's December 4, 2006 letter (ML070250428, ML070250430)
NRC's Acceptance Letter dated January 9, 2007 (ML063460141)
ODEQ's Letter dated March 7, 2007 (ML070720573)
NRC Region IV Response Letter to ODEQ dated March 26, 2007 (ML070861026)

Remarks:

None

Headquarter Reviewer: James Shepherd

Regional Reviewer: Robert Evans

Reviewer Code: _____

Reviewer Phone Number: (817) 860-8234 **FAX Number:** (817) 860-8188

Request Needed by: 06/14/07

cc (via E-Mail): Dominick Orlando, Technical Assistant

Larry W. Camper, Director

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bcc:

LDWert
CLCain
RJTorres
DBSpitzberg
MLMclean
RJEvans
JFKatanic
RIV Nuclear Materials File - 5th Floor

SUNSI Review Completed: RJE ADAMS: Yes No Initials: RJE
 Publicly Available Non-Publicly Available Sensitive Non-Sensitive

DOCUMENT NAME: s:\dnms\!fcdb\!rje\ODEQ TAR.wpd final r:\ dnms

RIV:DNMS:FCDB	O:FCDB	D:DNMS
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03/29/07	03/29/07	03/29/07

OFFICIAL RECORD

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E=E-mail

F=Fax