

October 29, 2011

Mr. Clayton Eubanks
Assistant Attorney General
Public Protection Unit/Environmental
Office of Attorney General
313 NE 21st Street
Oklahoma City, OK 73105

SUBJECT: 2.206 PETITIONS FROM THE STATE OF OKLAHOMA AND THE CHEROKEE NATION FOR A HEARING REGARDING PROPOSED GROUNDWATER PLANS FOR THE SEQUOYAH FUELS CORP.

Dear Mr. Eubanks:

I am writing you in response to your letter dated August 16, 2011. In that letter you requested that the U.S. Nuclear Regulatory Commission (NRC) withdraw your 10 CFR 2.206 request for enforcement action against Sequoyah Fuels Corporation (SFC).

Pursuant to Section III.D.1 of the December 14, 2004, Settlement Agreement Among the State of Oklahoma, the Cherokee Nation (CN), and SFC:

State and CN agree that promptly after the groundwater plans are revised in accordance with this Agreement, they will advise the NRC in writing that their respective concerns regarding the current version of the groundwater plans have been resolved, and that they desire to withdraw their respective requests for Director's Decision under 10 CFR 2.206.

As your respective concerns have been resolved, as evidenced by the submittal of your August 16, 2011, letter, your request for enforcement action has been withdrawn and no further action will be taken on this matter.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

C. Eubanks

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If you have any questions about this letter, please contact Mr. Ken Kalman, the NRC Project Manager for decommissioning of the SFC site in Gore, Oklahoma. Mr. Kalman can be reached by telephone and 301-415-6664 or by email at kenneth.kalman@nrc.gov.

Sincerely,

/RA Cynthia Carpenter for/

Mark A. Satorius, Director
Office of Federal and State Materials
and Environmental Management Programs

cc: See next page

C. Eubanks

2

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Sincerely,

/RA Cynthia Carpenter for/

Mark A. Satorius, Director
Office of Federal and State Materials
and Environmental Management Programs

cc: See next page

Identical Letter Sent to Ms. Sara Hill

Distribution: G20030704/EDATS: OEDO-2010-0661

RidsEdoMailCenterResource

RidsFSMETicketCloseout

RidsFsmeOd

DMWEP r/f

ML112971335

OFC	DWMEP	DWMEP	DWMEP	OGC	DWMEP	DWMEP	TechEd	FSME
NAME	KKalman	SAchten	PMichalak	BKlukan	KMconnell	KMcConnell for LCamper	CPoland (PTressler for)	MSatorius (CCarpenter for)
DATE	9/9/11	9/9/11	10/3/11	9/27/11	10/7/11	10/13/11	10/26/11	10/29/11

OFFICAL RECORD COPY

October 29, 2011

Ms. Sara Hill
Assistant Attorney General II
Cherokee Nation
Office of Attorney General
P.O. Box 948
Tahlequah, OK 74456

SUBJECT: 2.206 PETITIONS FROM THE STATE OF OKLAHOMA AND THE CHEROKEE NATION FOR A HEARING REGARDING PROPOSED GROUNDWATER PLANS FOR THE SEQUOYAH FUELS CORP.

Dear Ms. Hill:

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S. Hill

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Sincerely,

/RA Cynthia Carpenter for/

Mark A. Satorius, Director
Office of Federal and State Materials
and Environmental Management Programs

cc: See next page

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