



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 16, 2012

SECRETARY

Mark J. Steger, Esq.  
Holland & Knight  
131 South Dearborn Street  
30<sup>th</sup> Floor  
Chicago IL 60603

Re: FMRI and Fansteel (FMRI) Request for Hearing or Further Discussion and Review with  
Respect to U.S. Nuclear Regulatory Commission Approval for Indirect Transfer of Control  
of SMB-911 as License Amendment 14 and Denial of Changes to the Primary Note

Dear Mr. Steger:

The Office of the Secretary (SECY) has received a letter signed by Mr. Compennolle, dated October 19, 2012, regarding the subject request for hearing. It is SECY's understanding that FMRI and NRC staff have engaged in discussions that may result in an agreement that would obviate the request for a hearing. Accordingly, SECY will hold the hearing request in abeyance pending the conclusion of those discussions and your subsequent written notification that your client wishes to pursue the request for hearing.

By copy of this letter, SECY informs the NRC staff that it need not file a response to FMRI's October 19, 2012 request for hearing until after SECY notifies the staff that FMRI has chosen to pursue its request for hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "Annette Vietti-Cook", is written over a horizontal line.

Annette Vietti-Cook

cc: ASLB  
FSME  
OGC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
FMRI, Inc. and Fansteel, Inc.	)	
	)	
(Materials License No. SMB-911	)	Docket No. 40-7580-LT
	)	
(License Transfer)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **LETTER FROM THE SECRETARY IN RESPONSE TO REQUEST FOR HEARING OR FURTHER DISCUSSION AND REVIEW** have been served upon the following persons by Electronic Information Exchange.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: [ocaamail@nrc.gov](mailto:ocaamail@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of the Secretary of the Commission  
Mail Stop O-16C1  
Washington, DC 20555-0001  
Hearing Docket  
E-mail: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

U.S. Nuclear Regulatory Commission.  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3F23  
Washington, DC 20555-0001

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Docket No. 40-7580-LT

**LETTER FROM THE SECRETARY IN RESPONSE TO REQUEST FOR HEARING OR  
FURTHER DISCUSSION AND REVIEW**

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[Original signed by Brian Newell]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 16<sup>th</sup> day of November, 2012