April 11, 2016

Attention: Document Control Desk
Director, Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville , MD 20852

Re: Request for extension of time.
Dear Sir/Madam:

Reference is made to the Forbearance Agreement, dated as of August 17, 2015 (the "Forbearance Agreement"), by and between Fansteel, Inc. ("Fansteel"), FMRI, Inc. ("FMRI"), the Nuclear Regulatory Commission ("NRC"), the United States Department of Justice ("DOJ") and the Oklahoma Department of Environmental Quality ("ODEQ").

As required by Condition 5A of the Forbearance Agreement, prior to December 31, 2015, FMRI submitted to the NRC, by letter dated December 14, 2015, revised DCGL's values for the Muskogee site that addressed deficiencies identified in the NRC's 2003 Safety Evaluation Report (the "SER").
By letter dated January 19, 2016, NRC indicated that FMRI's December 14th submission did not acceptably address the deficiencies in the SER , because the DCGLs for soils and sediments and for building and components surfaces did not account for groundwater pathways. By letter dated February 3, 2016, FMRI provided the NRC with revised DCGLs adding groundwater pathway. Rerunning RESRAD resulted in DCGL's for Soils and Sediments and the Buildings and Surfaces remaining the same as in the 2003 Decommissioning Plan.

In response, by letter dated March 30, 2016, the NRC indicated that FMRI's February 3rd submission did not acceptably address the deficiencies identified in the SER as follows: (i) existing contaminated groundwater at the facility needed to be addressed and (ii) the values of certain additional parameters in RESRAD needed to be justified.

By teleconference on April 4, 2016, FMRI and the NRC discussed these issues and agreed that FMRI would respond to these new requests, but that it would take 60 to 80 working hours to revise the DCGLs accordingly. It was agreed that FMRI would need an extension of time beyond April 15, 2016 to accomplish this task.

By this letter, FMRI requests an extension of its time to comply with Condition 5A of the Forbearance Agreement from April 15, 2015to May 15, 2015, such that, if FMRI has not reached agreement with the NRC on the DCGLs by May 15, 2015, the NRC will determine the final DCGL's and amend FMRI's license accordingly.

In addition, as required by Condition 5E of the Forbearance Agreement, within 6 months from the signature of the Forbearance Agreement, FMRI was required to submit evidence of its efforts to solicit bids for establishment of a contract for the shipment and disposal of CaF material. By letter, dated _February 16, 2016, FMRI submitted a bid from Clean Harbors for the shipment and disposal of CaF. By letter, dated March 30, 2016, the NRC responded that FMRI's submission was unacceptable because it was not an actual bid and had been obtained prior to the date of the Forbearance Agreement. In response, by email,

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dated April 5,, 2016, FMRI resubmitted a current bid from Clean Harbor. To comply with the 6-month time frame set forth in Condition 5E, however, FMRI requires an extension of time to April 17, 2016. By this letter, FMRI requests an extension of its time to comply with Condition 5E of the Forbearance Agreement from six months from the date of the Forbearance Agreement to eight months.

FANSTEEL, INC.
By: _____
Name: Brian Cassady
Title: President and Chief Executive Officer

FMRI, INC.

By: _____
Name: Robert Compernolle
Title: President

CONSENTED TO AND AGREED THIS
___ DAY OF APRIL, 2016:

U.S. DEPARTMENT OF JUSTICE, ENVIRONMENT AND NATURAL RESOURCES DIVISION, ENVIRONMENTAL ENFORCEMENT SECTION

By: _____
Name: Richard Gladstein
Title: Senior Counel

NUCLEAR REGULATORY COMMISSION

By: _____
Name:
Title:

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

By: _____
Name:
Title: