



April 11, 2016

U.S. Nuclear Regulatory Commission  
ATTN: Document Control  
Decommissioning Branch  
Division of Waste Management  
11545 Rockville Pike  
Two White Flint North  
Rockville, Maryland 20852

Reference: License SMB-911; Docket No. 40-7580  
Condition 5E of Forbearance Agreement dated August 17, 2016

Document Control:

FMRI has requested an extension of 5E to allow submission of the attached documents. This will represent compliance with the condition.

Pursuant to 10 C.F.R. § 2.390, FMRI requests that the NRC withhold the attachments from public disclosure in accordance with 10 C.F.R. § 2.390. In support of this request, FMRI submits the affidavit of Robert Compernelle dated April 11, 2016.

If you have any questions, please call me at (918) 687-6303.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Compernelle', written over a horizontal line.

Robert Compernelle  
President, FMRI

Enclosures

Copy to: Greg Chapman NRC  
Richard Gladstein DOJ  
Pam Dizikes ODEQ

FMRI, Inc., #Ten Tantalum Place, Muskogee, OK 74403, Phone 918-687-6303 / Fax 918-687-6112

The Attachment's to this Letter Contains Confidential Financial Information  
Withhold from Public Disclosure in Accordance With 10 CFR 2.390

NM5520

Affidavit of Robert Compernelle

I, Robert Compernelle, being first duly sworn according to law, under oath, depose and state:

1. I am the President of FMRI, Inc. ("FMRI"), a wholly owned subsidiary of Fansteel Inc. FMRI is presenting this information for compliance to Condition 5E of the Forbearance Agreement between FMRI, Fansteel, DOJ, NRC and ODEQ. This information constitutes confidential and proprietary commercial information that should be held in confidence by the NRC, pursuant to 10 C.F.R. § 9.17(a)(4) and 10 C.F.R. § 2.390, for the following reasons:

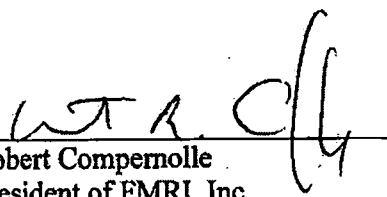
- (i) Based upon my position as President of FMRI, I understand that this information is of a type that is customarily held in confidence by FMRI and other public companies, and these materials, which are internal business projections not normally made public
- (ii) This information is being transmitted to the NRC in confidence.
- (iii) To the best of my knowledge, this information is not available through public sources, and could not be gathered readily from other publicly available information.
- (iv) I understand that public disclosure of this information would create substantial harm to the competitive interests of Clean Harbors.

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2. Accordingly, it is requested that the designated information be withheld from public disclosure pursuant to 10 C.F.R. §§ 2.390(a)(4) and 9.17(a)(4)

In accordance with 29 USC 1746:

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief. Executed on April 11, 2016:

  
Robert Compennolle  
President of FMRI, Inc.