

**PRICEWATERHOUSECOOPERS** 

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April 5, 2001

Philip Ting, Chief  
Fuel Cycle Licensing Branch  
Division of Fuel Cycle Safety and Safeguards  
United States Nuclear Regulatory Commission  
Washington D.C. 20555-0001

Re: Activities at the Moab Mill

Dear Mr. Ting:

I am writing this letter in response to your letter dated March 30, 2001, where you have asked me to state our intentions with respect to performing activities at the Moab Mill site (the "Site").

PricewaterhouseCoopers ("PwC") is and has always been committed to performing the responsibilities as required by the Site license. However, as you are aware, we have been faced with the fact that on February 8, 2001, the U.S. Fish and Wildlife Service (the "FWS") withdrew the biological opinion and incidental take provisions which enabled us to legally perform certain activities at the Site. The ramifications of this withdrawal have been the subject of much discussion between the NRC, the FWS and PwC.

I agree that we may withdraw 60 acre-feet of water from the Colorado River, based upon the programmatic biological opinion referred to in the FWS letter of March 23, 2001. We can use this water to aid in dust control or other measures, as you deem appropriate. I recommend that we immediately discuss the possibilities for use of water. Additionally, we have a meeting scheduled for April 10, 2001 with high level personnel of the Department of Interior (the "DOI"), where we plan to address our ability to perform other activities at the Site. Based upon various telephone conversations on this matter, at this time we are optimistic that we can get the assurance we need to begin other activities as identified in the attachment to your letter dated March 30, 2001. We will, of course, update you on the results of our upcoming meeting with the DOI.

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We look forward to continuing to work with you on this important Site. Please call me if you would like to discuss this further.

Very truly yours,

*Bill Abington*

William B. Abington  
Trustee

Cc: Dr. Myron Fliegel  
Anthony J. Thompson, Esq.  
Keith Eastin, Esq.  
Don Baur, Esq.