

June 30, 2005

Anthony J. Thompson, Esq.
Thompson and Simmons, PLLC
1225 19th Street, NW, Suite 300
Washington, DC 20036

SUBJECT: MEETING WITH THE CHAIRMAN ON MAY 19, 2005, AND SUBMITTAL OF AN
EXEMPTION REQUEST

Dear Mr. Thompson:

I am responding to your letter to Chairman Diaz, dated June 7, 2005, in which you thanked the Chairman for the opportunity to meet with him on May 19, 2005, and informed him of your client's submittal of a request for a specific exemption from the 10 CFR Part 40, Appendix A, requirements for ground water corrective action at the uranium milling facility owned by Western Nuclear, Inc. (WNI). Your letter included a copy of the May 26, 2005, submittal. We documented the results of our initial review of the exemption request in a letter to WNI dated June 10, 2005, noting several deficiencies. My staff had requested a response within 30 days. You were included on the distribution. I understand that you discussed these deficiencies with Gary Janosko and Robert Nelson of my staff during a telephone conversation on June 17, 2005.

If you have any questions concerning this response, or if you'd like to further discuss the staff's review, please call either Mr. Janosko, at (301) 415-7244 or Mr. Nelson, at (301) 415-7298.

In accordance with 10 CFR 2.390 of the U.S. Nuclear Regulatory Commission's (NRC's) "Rules of Practice," a copy of this letter will be available electronically from the Publicly Available Records component of NRC's document system, Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Robert C. Pierson, Director
Division of Fuel Cycle Safety
and Safeguards

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/RA/

Robert C. Pierson, Director
Division of Fuel Cycle Safety
and Safeguards

DISTRIBUTION: FCFB r/f W.vonTill M.Virgilio W.Kane J.Silber W.Dean B.Mallett
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ML051870415

*See previous concurrence

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| OFC | FCFB | FCFB | T.Ed | FCFB | FCSS |
| NAME | R.Nelson | B.Garrett | E.Kraus | G.Janosko | R.Pierson |
| DATE | 06/29/05 | 06/29/05 | 06/29/05 | 06/29/05 | 06/30/05 |

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