May 5, 2006

Ms. Donna L. Wichers, General Manager
Pathfinder Mines Corporation
935 Pendell Blvd.
P.O. Box 730
Mills, WY 82644

Dear Ms. Wichers:

I am responding to your March 2, 2006, letter requesting fee relief under 10 CFR § 170.11 for fees owed to the U. S. Nuclear Regulatory Commission (NRC) for Invoice Number FL0102-06. For the reasons stated below, I am denying your request for fee relief.

In your letter, you stated that the decision by Pathfinder Mines Corporation (PMC) to seek a license amendment to remove two wells at PMC's Lucky Mc site from an approved ground water monitoring network resulted from a discussion and recommendation made at a May 23, 2005, meeting with the NRC's technical staff. PMC later withdrew its amendment request in a January 24, 2006, letter after NRC had completed its review of the license amendment request.

Under the NRC regulations, fees are charged for licensing services rendered to identifiable applicants and licensees unless exempted under a specific section of 10 CFR § 170.11. Your request for fee relief does not meet any of the specific exemption criteria found in 10 CFR § 170.11(a), nor does it satisfy the criteria necessary to qualify for a discretionary fee waiver under 10 CFR § 170.11(b).

The fees included in Invoice Number FL0102-06 are for the review of the PMC's June 2, 2005, license amendment requesting removal of two off-site wells prior to withdrawal of its request. The invoiced amount includes the time expended to review the license amendment request, resolve complicated ground water monitoring issues, and generate a request for additional information to resolve open issues with PMC's submittal. The fact that NRC fees were higher than PMC expected does not constitute a basis for waiving the fees. Moreover, although the removal of the two wells at PMC's Lucky Mc site from an approved ground water monitoring network was an option discussed during the May 23, 2005, meeting with NRC's technical staff, it was PMC's decision, ultimately, to submit the license amendment requesting the elimination of the wells. For these reasons, I am unable to grant the fee relief you request.

If you have any fee-related questions regarding this matter, please contact Ms. Renu Suri of my staff at 301-415-0161. For all technical questions, please contact Mr. Stephen Cohen of the Office of Nuclear Material Safety and Safeguards, NRC, at 301-415-7182.

Sincerely,

/RA/

Jesse L. Funches
Chief Financial Officer

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P.O. Box 730
Mills, WY 82644

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Jesse L. Funches
Chief Financial Officer

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