

# ***C&W ENTERPRISES, INC.***

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PO BOX 84826, SIOUX FALLS SD 57118  
PHONE: 605-940-7870

September 7, 2007

## RETRACTION OF DENIAL

*US Nuclear Regulatory Commission  
Region IV  
611 Ryan Plaza Drive, Suite 400  
Arlington, Texas 76011-4005  
Phone: 817-860-8103  
Fax: 817-860-8263*

RE: Docket No. 030-30526; License No. 40-26938-01; C&W Letter to NRC Dated  
July 30, 2007

Let it be known that C&W Enterprises, Inc. hereby retracts the previous denial of having violated 10 CFR 30.34(i). C&W also acknowledges the fine associated with the violation, and is in motion to pay the penalty imposed.

Sincerely;



Warren Barse, President of C&W

# ***C&W ENTERPRISES, INC.***

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PHONE: 605-940-7870

September 7, 2007

## **ADMISSION & EXPLANATION OF VIOLATION**

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Region IV  
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Phone: 817-860-8103  
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RE: Docket No. 030-30526; License No. 40-26938-01

This letter is in answer to the NRC's "Notice of Violation and Proposed Imposition of Civil Penalty."

- 1) C&W does admit to the violation imposed.
- 2) The violation came about upon the sale of the nuclear gage's home location. At the time C&W Enterprises, Inc. was under severe distress brought on by it's litigation and dispute(s) with the Oglala Sioux Tribe on a Federal Road Contract. C&W's negligence was brought on by its many activities or changes to adapt to its new circumstances.
- 3) C&W has heeded the NRC's corrective measures. As a result C&W believes the gage is rightly secured according to Federal Regulations.
- 4) Furthermore, C&W will address the NRC as to future activities regarding the gage, especially when in doubt.
- 5) C&W has informed the NRC of its desire to change the home location of the gage and anticipates the acknowledgment and approval of such to be within the next ninety days or time articulated by the NRC. Once all activity to this move or change has taken place, C&W Enterprises, Inc. trusts that all regulations and/or compliance will be met.

Sincerely;



Warren Barse, President of C&W