

MEMORANDUM TO: Docket No. 030-29604  
The Doe Run Company

THRU: Geoffrey Warren, Chief *GW*  
Materials Inspection Branch  
Division of Nuclear Materials Safety

FROM: Robert G. Gattone, Jr., Senior Health Physicist *RGJ*  
Materials Inspection Branch  
Division of Nuclear Materials Safety

SUBJECT: Notice to Docket No. 030-29604

On July 25, 2018, an inspector conducted a routine inspection of the "The Doe Run Company" (licensee). The licensee had a fixed gauge program. The inspector noted that a separate building had fixed gauges. The licensee informed the inspector that those gauges were not used to measure the density of material because the licensee knew that the gauges did not provide accurate density measurements. Instead, the licensee opened the shutter(s) as a means of remedying the inaccurate density measurement results. The inspector informed the licensee that there was a potential violation of 10 CFR 30.36(d). In addition, the inspector informed the licensee that the inspector would consult with the Regional Counsel and determine if a violation of 10 CFR 30.36(d) occurred.

After the onsite inspection, the inspector consulted with the Regional Counsel. The Regional Counsel stated that the licensee's actions involving opening the shutter(s) as a means of remedying the inaccurate density measurement results constituted *principal activities*, as defined in 10 CFR 30.4. As such, there was no violation of 10 CFR 30.36(d).

The inspector telephoned the licensee about the information stated in the paragraph above.

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Docket No. 030-29604  
License No. 24-24815-01

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