



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
1600 EAST LAMAR BOULEVARD  
ARLINGTON, TEXAS 76011-4511

March 16, 2021

EA-21-015

David Barrick, PE  
Radiation Safety Officer  
DOWL LLC  
65 East Broadway, Suite 400  
Butte, MT 59701

SUBJECT: RESPONSE TO NRC INSPECTION REPORT 030-12845/2021-001; EXERCISE OF ENFORCEMENT DISCRETION; AND NOTICE OF VIOLATION

Dear Mr. Barrick:

On February 12, 2021, the U.S. Nuclear Regulatory Commission (NRC) cited DOWL LLC, for two Severity Level IV violations involving: (1) the possession of a portable nuclear gauge that was not authorized on the NRC license, and (2) the failure to transport a portable nuclear gauge in an approved transportation container. NRC Inspection Report 030-12845/2021-001 with enclosed Notice of Violation (Notice) required a written reply within 30 days (NRC Agencywide Documents Access and Management System (ADAMS) Accession No. ML21047A478). In a letter dated March 3, 2021, you provided a reply to the Notice (ADAMS Accession No. ML21064A264).

After reviewing the information provided in your reply to the Notice, we have concluded that your completed and proposed actions appear to adequately address the regulatory noncompliances described in the Notice. We will review your implementation of these corrective actions during a future inspection to determine whether full compliance has been restored and whether compliance will be maintained.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedures," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's ADAMS, accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

Daniel S. Bradley, Chief  
Materials Inspection Branch  
Division of Nuclear Materials Safety

License No.: 25-17492-01  
Docket No.: 030-12845

RESPONSE TO NRC INSPECTION REPORT 030-12845/2021-001; EXERCISE OF  
ENFORCEMENT DISCRETION; AND NOTICE OF VIOLATION; DATED March 16, 2021**DISTRIBUTION**

S. Morris, RA  
J. Monninger, DRA  
M. Muessle, D:DNMS  
L. Howell, DD:DNMS  
R4 Enforcement

ADAMS ACCESSION NUMBER: **ML21085A765**  
SUNSI Review: ADAMS: ☐ Non-Publicly Available ☒ Non-Sensitive Keyword: EA-21-015  
By: JFK X Yes ☐ No X Publicly Available ☐ Sensitive

OFFICE	RIV:DNMS	RIV:DNMS				
NAME	JFKatanic	DBradley				
SIGNATURE	/RA/	/RA/				
DATE	3/15/2021	3/16/2021				

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