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Division of Health Systems Development and Regulation
Health Protection
Licensure and Certification
Public Health Preparedness and Response
Rural Health

Oct. 12, 2010

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Reply to a Notice of Violation
License 41-11733-02
Docket 030-37803

The South Dakota Department of Health Laboratory received a violation notice for possessing material not listed on our license. The Radiochemical Safety Officer (RSO) was mistaken in the understanding that under 10 CRF 30.71, Schedule B, the level was not exceeded so the material was not listed on the license.

The license and a complete list of materials on hand at the South Dakota Health Laboratory have been reviewed by NRC. An amended license was submitted to the NRC in September 2010. The RSO has been made solely responsible for all ordering of materials under this license.

Future actions will be to have the RSO attend a training class as soon as an acceptable class can be found.

Sincerely,

Michael Smith
Director
South Dakota Public Health Laboratory

cc: Stacy Ellwanger, SDPHL

NRC Regional Administrator
Region IV
512 E Lamar Blvd. Suite 400
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