



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION IV
1600 E. LAMAR BLVD.
ARLINGTON, TX 76011-4511

January 22, 2018

EA-17-104

Mr. David Flicek
President/Chief Executive Officer
Avera McKennan
1325 South Cliff Avenue
Sioux Falls, SD 57117-5045

**SUBJECT: RESPONSE TO NRC INSPECTION REPORT 030-11252/2017-001 AND NOTICE
OF VIOLATION**

Dear Mr. Flicek:

On December 21, 2017, the U.S. Nuclear Regulatory Commission (NRC) cited Avera McKennan for violations involving the transportation of licensed nuclear material on public highways. Inspection Report 030-11252/2017-001 with enclosed Notice of Violation (Agencywide Documents Access and Management System (ADAMS) ML17355A491) required you to respond in writing within 30 days. You responded by letter dated January 8, 2017 (ADAMS ML18018B400).

After reviewing the information you provided in your response to the Notice of Violation, we have concluded that your completed and proposed actions appear to adequately address the regulatory noncompliances described in the Notice of Violation. 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 Procedure," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA by JFKatonic Acting For/

Michael C. Hay, Chief
Materials Licensing and Inspection Branch
Division of Nuclear Materials Safety

Docket: 030-11252
License: 40-16571-01

cc: T. McCaskell, Administrator
State of South Dakota

RESPONSE TO NRC INSPECTION REPORT 030-11252/2017-001 AND NOTICE OF VIOLATION - DATED JANUARY 22, 2018.

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ADAMS ACCESSION NUMBER: ML18022B103

X SUNSI Review

ADAMS:

Non-Publicly Available

X Non-Sensitive

Keyword:

By: JLT

X Yes No

X Publicly Available

Sensitive

N/A

OFFICE	DNMS:MLIB	DNMS:C:MLIB				
NAME	JLThompson	MCHay				
SIGNATURE	/RA/	/RA by JFKatanic Acting For/				
DATE	01/22/18	01/22/18				

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