



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

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

July 14, 2023

Traci Hollingshead  
Radiation Safety Officer  
Avera McKennan  
1000 East 23rd Street, Suite 100  
Sioux Falls, SD 57105

SUBJECT: AMENDMENT NO. 90 TO RADIOACTIVE MATERIALS LICENSE FOR  
AVERA MCKENNAN, NRC LICENSE NO. 40-16571-01

Dear Traci Hollingshead:

Please find enclosed Amendment No. 90 to NRC License No. 40-16571-01 tying down procedures which were provided in your application dated May 24, 2023, as requested. An environmental assessment for this licensing action is not required since this action is categorically excluded under 10 CFR 51.22(c)(14)(iv). You should review this license carefully and be sure that you understand all conditions. You can contact me at 817-200-1590 if you have any questions about this license.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your radiation safety program according to the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate by NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC in writing of any change in mailing address.
3. By 10 CFR 30.36(d) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:

**The enclosure transmitted  
herewith contains Official Use  
Only – Security-Related  
Information. When separated from  
this enclosure, this document is  
decontrolled.**

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- a. When you decide to terminate all activities involving materials authorized under the license whether at the entire site or any separate building or outdoor area;
  - b. If you decide not to acquire or possess and use authorized material; or
  - c. When no principal activities under the license have been conducted for a period of 24 months.
4. In accordance with 10 CFR 35.14, notify the NRC no later than 30 days after:
- a. The date that the licensee permits an individual to work as an authorized user, an authorized nuclear pharmacist or an authorized medical physicist under 10 CFR 35.13(b)(1) through (b)(4);
  - b. An authorized user, an authorized nuclear pharmacist, a Radiation Safety Officer, or an authorized medical physicist permanently discontinues duties under the license or has a name change;
  - c. The licensee's mailing address changes;
  - d. The licensee's name changes, but the name change does not constitute a transfer of control of the license as described in 10 CFR 30.34(b); or
  - e. The licensee has added to or changed the areas of use identified in the application or on the license where byproduct material is used in accordance with either 35.100 or 35.200.
5. Request and obtain a license amendment before you:
- a. Change Radiation Safety Officers;
  - b. Order byproduct material in excess of the amount, radionuclide or form authorized on the license;
  - c. Add or change the areas or address(es) of use identified in the license application or on the license, except for areas of use where byproduct material is used only in accordance with either 10 CFR 35.100 or 35.200; or
  - d. Change the name or ownership of your organization.
6. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.

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In addition, please note that NRC Form 313 requires the applicant, by signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant. Since the NRC also

accepts a letter requesting amendment of an NRC license, the signatory for such a request should also be the licensee or certifying official rather than a consultant.

NRC will periodically inspect your radiation safety program. Failure to conduct your program according to NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the NRC Enforcement Policy. The NRC Enforcement Policy is available at: [www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html](http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html).

NRC's Regulatory Issue Summary (RIS) 2005-31, Revision 1, provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through the NRC's Agencywide Documents Access and Management System (ADAMS). The RIS may be located on the NRC Web site at: [www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/](http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/). Pursuant to NRC's RIS 2005-31, Revision 1, the enclosed materials license will not be made publicly available.

Thank you for your cooperation.

Sincerely,

Michelle R.  
Simmons

 Digitally signed by Michelle R.  
Simmons  
Date: 2023.07.14 13:08:57 -05'00'

Michelle R. Simmons, Sr. Health Physicist  
Materials Licensing Branch

Docket: 030-11252  
License: 40-16571-01  
Control: 635731

Enclosure: As stated