



**Aaron Swan  
& Associates**  
CONSULTING ENGINEERS

November 28<sup>th</sup>, 2023

TO: US Nuclear Regulatory Commission  
Jason Dykert

FROM: Aaron Swan & Associates  
29310 Gary Street  
Pierre, South Dakota 57501

RE: Reply to a Notice of Violations  
(1) Annual Reviews  
(2) Storage of Gauges in new facilities  
(3) Physical inventories every 6 months

Dear Mr. Dykert,

This letter is a response to the noted violations made during your inspection on September 13<sup>th</sup> and 14<sup>th</sup>, 2023 of our Laboratory facilities at 29310 Gary Street, Pierre, SD and 11865 Quaal Road, Blackhawk, SD

Our investigation of said violations showed that we were not properly following our Radiation Program.

1. Annual Reviews performed annually

Annual reviews have not been performed. cursory reviews were performed but not recorded and not thoroughly performed. Not Having assigned duties for certain employees to help with Radiation Program is an issue.

We have performed a current Audit of the Radiation Program. The audit form has been attached. Chasidy McCarty has been assigned to perform annual audits.

Future steps to be taken – New roles for employees involved with Radiation program. To be completed after yearly reviews performed in December to determine appropriate personnel for duties.

Completion of corrective actions to be completed by January 31<sup>st</sup>, 2024

2. Storage of Gauges in new facilities

Due to not properly performing reviews new locations were not added to license.

Request has been submitted to revise license to include new locations.

Completion of corrective action will be over next 60 days as we progress through the approval process with NRC.

3. Physical Inventories – 6 months

Physical inventories have not been performed.

We have performed inventories, but no paperwork has been recorded for these. Having enough personnel to perform tasks is an issue.

We have performed a current Physical inventory and recorded. For future certain employees will have responsibility to help with the Radiation Program. Yearly reviews will be performed in December and duties to help with Radiation program will be given to employees that are willing to perform. Assigned duties and training for the personnel will be completed by January 31<sup>st</sup>, 2024

I have attached copies of all paperwork that has been corrected and have instituted all changes as of today's date.

Thank you for your time and help on this matter.

If you have any questions or need any additional information, please contact Steve McCarty, President, at (605) 945-1315 ext #1 or (605) 222-2452 cell#.

Sincerely,

AARON SWAN & ASSOCIATES

  
\_\_\_\_\_  
Steve McCarty, President