



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

July 1, 2020

SUBJECT: PUBLIC PREDECISIONAL ENFORCEMENT CONFERENCE WITH
AVERA MCKENNAN HOSPITAL

LICENSEE: Avera McKennan

DOCKETS: 030-11252, 030-39216

EA CASE: EA-20-003

DATE & TIME: Wednesday, July 15, 2020
9:00 a.m.(CST)

LOCATION: Teleconference

PURPOSE: The purpose of this predecisional enforcement conference is to discuss the six apparent violations identified by the NRC related to the licensee's failure to monitor occupational exposure of authorized users involved in interventional radiology and yttrium-90 microscope administrations. The apparent violations were discussed in NRC Inspection Report 030-11252/2019-002, dated March 30, 2020 (ADAMS Accession ML20090D288).

CATEGORY: This is a Category 1 meeting. The public is invited to observe this meeting, which will consist of a detailed dialogue between NRC staff and Avera McKennan's officials regarding the apparent violations. Following this, members of the public will have the opportunity to ask questions of the NRC over a telephone conference line. Details on the telephone conference line are below.

Teleconference:	<u>Bridge Number</u>	<u>Passcode</u>
	800-857-9839	2560892

MEETING CONTACT: P. Silva, NRC RIV
(817) 200-1455
Patricia.Silva@nrc.gov

PARTICIPANTS: NRC:
Scott Morris, Regional Administrator
Mary Muessle, Director, Division of Nuclear Materials Safety
Patricia Silva, Chief, Materials Inspection Branch
Jason vonEhr, Health Physicist, Materials Inspection Branch
Jeremy Groom, Allegation Coordination and Enforcement Specialist
David Cylkowski, Regional Counsel

Robert Sun, Enforcement Coordinator, Office of Nuclear Material Safety
and Safeguards
Leela Sreenivas, Enforcement Specialist, Office of Enforcement
Pete Snyder, Enforcement Specialist, Office of Enforcement

LICENSEE:

David Flicek, President & Chief Executive Officer
Dr. Michael Elliott, Chief Medical Officer
John Mathison, Vice President of Specialty Care
Traci Hollingshead, Radiation Safety Officer, Avera McKennan Radiation
Oncology (NRC License 40-16571-01)
Michelle White, Radiation Safety Officer, Avera McKennan Nuclear
Medicine and PET/CT (NRC License 40-16571-02)
Lee Kiessel, Radiation Safety Officer, Avera McKennan Radiology
Dan Rafferty, Staff Attorney
Elizabeth Fullenkamp, Staff Attorney

Note: On March 10, 2020, the NRC completed a license amendment
requested by Avera McKennan that separated the licensee's operations
into two NRC licenses.

The time of the meeting is local to the jurisdiction where the meeting is being held.

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in this meeting or need this meeting notice or the transcript or other information from the meeting in another format (e.g. braille, large print), please notify the NRC's meeting coordinator. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

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

Enclosure: Agenda

cc w/enclosure:
John Priest
South Dakota Dept. of Health

DISTRIBUTION

NRC Attendees

PMNS Resource, Mtg Announcement Coordinator

Regional Administrator

Deputy Regional Administrator

Sue Bogle (OEWEB Resource)

OEDO RIV Coordinator

OEMAIL, D/OE

LWilkins, CA

RIV PAOs

RIV Regional State Liaison Officer

RIV Regional Counsel

BC: ACES

RA Administrative Assistant

DRA Administrative Assistant

BC: DRMA/AMT

BC:DRMA/IRMB

DRMA/Meeting Support/Service

DRMA/Support Services Assistant

DRMA/Security Advisor

RIV Guards

https://usnrc-my.sharepoint.com/personal/jev1_nrc_gov/Documents/JEV1/Avera McKennan - Public Meeting Notice.docx

ADAMS ACCESSION NUMBER:

☒SUNSI Review:

ADAMS:

☐ Non-Publicly Available

☒ Non-Sensitive

Keyword:

By: EJS

☒ Yes ☐ No

☒ Publicly Available

☐ Sensitive

OFFICE	DNMS:MIB	DNMS:C:MIB	OPA	TL:ACES	RSLO	D:DNMS
NAME	JEvonEhr	PASilva	VDricks	JRGroom	WMaier	MCMuessle
SIGNATURE	/RA/	/RA/	/RA/	/RA/	/RA/	/RA/
DATE	06/23/20	06/30/20	06/26/20	6/23/20	06/30/20	07/01/20

OFFICIAL RECORD COPY

AGENDA

PREDECISIONAL ENFORCEMENT CONFERENCE AVERA MCKENNAN

Wednesday, July 15, 2020
9:00 a.m. (CST)

NRC Region IV

Topic	Participants
Opening Remarks and Introductions	Scott Morris
Conference Process	Mary Muesle / Patricia Silva
Licensee Opening Remarks	Avera McKennan
Enforcement Policy and Process	Jeremy Groom
Summary of Apparent Violations	Patricia Silva
Licensee Presentation	Avera McKennan
Break	10 minutes
NRC Caucus	NRC Participants
Questions and Discussions	All Conference Participants
Closing Remarks	Scott Morris

Enclosure