

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: <b>University of South Dakota</b> 414 East Clark Street Vermillion, SD 57069		2. NRC/REGIONAL OFFICE  U.S. Nuclear Regulatory Commission Region IV, 1600 East Lamar Blvd. Arlington, Texas 76011-4511	
REPORT NO.: 2020-001			
3. DOCKET NUMBER  030-15186	4. LICENSE NUMBER  40-02331-19	5. DATE(S) OF INSPECTION  November 17, 2020 – January 22, 2021	

LICENSEE:

The inspection was an examination of the activities conducted under your license as they relate to radiation safety and to compliance with the Nuclear Regulatory Commission (NRC) rules and regulations and the conditions of your license. The inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the inspector. The inspection findings are as follows:

- ☐ 1. Based on the inspection findings, no violations were identified.
- ☐ 2. Previous violation(s) closed.
- ☒ 3. The violation(s), specifically described to you by the inspector as non-cited violations, are not being cited because they were self-identified, non-repetitive, and corrective action was or is being taken, and the remaining criteria in the NRC Enforcement Policy, to exercise discretion, were satisfied.

☐ 1 Non-Cited Violation(s) was/were discussed involving the following requirement(s):

The licensee failed to seek NRC approval prior to replacement of the RSO, License Condition 12.B. The licensee's corrective action was to submit an amendment request to change the RSO named on the license. The RSO was determined to be qualified and the license was amended.

- ☒ 4. During this inspection certain of your activities, as described below and/or attached, were in violation of NRC requirements and are being cited in accordance with the NRC Enforcement Policy. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.

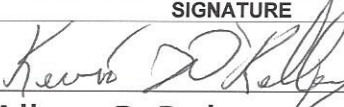
License Condition 15 of NRC License No. 40-02331-19, requires, in part, that the licensee shall conduct a physical inventory every 6 months to account for all sealed sources and/or devices received and possessed under the license.

Contrary to the above, between October 1, 2019 and approximately December 15, 2020, the licensee failed to conduct a physical inventory every 6 months to account for all sealed sources and/or devices possessed under the license. Specifically, between October 1, 2019 and approximately December 15, 2020, a period of greater than six months, the licensee failed to conduct a physical inventory of two devices possessed under NRC License No. 40-02331-19: (1) a Pylon model RN-1025 radon generator containing 0.3 microcuries Ra-226 and (2) a Nuclear-Chicago model 5125 electron capture device containing 10 millicuries Ni-63.

This is a Severity Level IV violation (Section 6.3.d.3). The licensee's corrective actions included performing a physical inventory of the devices on or about December 15, 2020, to return to compliance. Additionally, the licensee will revise their inventory tracker to ensure that these devices are included during future physical inventories.

Statement of Corrective Actions

I hereby state that, within 30 days, the actions described by me to the Inspector will be taken to correct the violations identified. This statement of corrective actions is made in accordance with the requirements of 10 CFR 2.201 (corrective steps already taken, corrective steps which will be taken, date when full compliance will be achieved). I understand that no further written response to NRC will be required, unless specifically requested.

TITLE	PRINTED NAME	SIGNATURE	DATE
LICENSEE'S REPRESENTATIVE	Kevin O'Kelly		1/28/2021
NRC INSPECTOR	Allyce Bolger	Allyce B. Bolger Digitally signed by Allyce B. Bolger Date: 2021.01.27 11:23:07 -05'00'	
BRANCH CHIEF	Daniel Bradley		

**From:** [OKelley, Kevin L](#)  
**To:** [Bolger, Allyce](#)  
**Cc:** [Mei, Hao](#)  
**Subject:** [External\_Sender] RE: NRC Inspection Report for University of South Dakota  
**Date:** Thursday, January 28, 2021 1:53:35 PM  
**Attachments:** [Scan0021.pdf](#)

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Here you are.

Kevin

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**From:** Bolger, Allyce <Allyce.Bolger@nrc.gov>  
**Sent:** Wednesday, January 27, 2021 10:28 AM  
**To:** OKelley, Kevin L <Kevin.OKelley@usd.edu>  
**Cc:** Mei, Hao <Hao.Mei@coyotes.usd.edu>  
**Subject:** NRC Inspection Report for University of South Dakota

Mr. O'Kelley,

This email is to transmit the NRC inspection report for the University of South Dakota. The notice of violation and non-cited violation I discussed during our exit call on January 22, 2021, are documented on the attached report. Please review the report and return a signed copy at your earliest convenience. Thank you.

*Allyce Bolger*

Health Physicist  
NRC Region IV  
Division of Nuclear Materials Safety