

## **SUMMARY OF LEVEL I AND II ENFORCEMENT ACTIONS FOR CALENDAR YEAR 2012**

**No Severity Level (SL) I violations were issued in calendar year (CY) 2012**

**Avera McKennan Hospital  
Sioux Falls, SD  
EA-12-090  
Docket No. 030-11252**

**Severity Level II**

On October 3, 2012, a Notice of Violation and Proposed Imposition of a Civil Penalty in the amount of \$11,200 was issued to Avera McKennan Hospital for a SL II violation involving the failure to maintain written procedures to provide high confidence that each treatment is in accordance with the physician's written directive as required by 10 CFR 35.41. Specifically, on January 16 and 17, 2012, procedures related to high dose-rate remote afterloader treatments failed to 1) verify a brachytherapy treatment was in accordance with the treatment plan and written directive as required by 10 CFR 35.41(b)(2); 2) check both manual and computer-generated dose calculations as required by 10 CFR 35.41(b)(3); and (3) verify that any computer-generated dose calculations were correctly transferred into the consoles of therapeutic medical units as required by 10 CFR 35.41(b)(4). This violation was a repeat violation resulting in radiation underexposures to the intended treatment site and exposures to an unintended site on two consecutive days. As a result of the licensee's particular poor performance, the NRC used enforcement discretion in accordance with Section 3.6 of the Enforcement Policy to double the base civil penalty for a SLII violation.

ENCLOSURE 2