

March 5, 2003

William Chuck Salsbury, MS, C.H.P.
320 N Wright St
Naperville, IL 60540

SUBJECT: 10 CFR 2.206 PETITION ON DEPARTMENT OF VETERANS AFFAIRS
APPLICATION FOR A MASTER MATERIALS LICENSE

Dear Mr. Salsbury:

Your petition dated January 23, 2003, as revised February 14, 2003, addressed to Dr. William D. Travers, Executive Director for Operations of the Nuclear Regulatory Commission (NRC), was referred to the NRC's Office of Nuclear Material Safety and Safeguards pursuant to 10 CFR 2.206 of the Commission's regulations.

You requested that NRC deny/rescind the Master Materials License for the Department of Veterans Affairs (DVA). As a basis for your request, you stated management and inspection concerns related specifically to the VA Chicago Health Care System and in general to three other VA health care facilities.

You discussed your petition with the Petition Review Board (PRB) in a meeting held on February 26, 2003. The results of that discussion have been considered in the PRB's determination regarding your request for immediate action and whether or not the petition meets the criteria for consideration under 10 CFR 2.206. The staff has concluded that your submittal does not meet the criteria for consideration under 10 CFR 2.206 because it specifically requests denial of a license application, in this case the DVA Master Materials License. As stated in NRC Management Directive (MD) 8.11, this type of request should be initially addressed in the context of the relevant licensing action (see MD 8.11, Part III(C)(2)(c), page 12).

Much of the information included in your submittals was material which NRC was aware of, and we have not identified new information related to the licensing process. We plan to continue our oversight of licensing activities to assure regulatory compliance and the safety of the public. However, please note that staff will review your concerns within the context of an allegation process, and respond to your concerns in further correspondence.

Thank you for bringing your concerns to the attention of NRC.

Sincerely

/RA/

Donald A. Cool, Director
Division of Industrial and
Medical Nuclear Safety
Office of Nuclear Material Safety
and Safeguards

William Chuck Salsbury, MS, C.H.P.
320 N Wright St
Naperville, IL 60540

March 5, 2003

SUBJECT: 10 CFR 2.206 PETITION ON DEPARTMENT OF VETERANS AFFAIRS
APPLICATION FOR A MASTER MATERIALS LICENSE

Dear Mr. Salsbury:

Your petition dated January 23, 2003, as revised February 14, 2003, addressed to Dr. William D. Travers, Executive Director for Operations of the Nuclear Regulatory Commission (NRC), was referred to the NRC's Office of Nuclear Materials Safety and Safeguards pursuant to 10 CFR 2.206 of the Commission's regulations.

You requested that NRC deny/rescind the Master Materials License for the Department of Veterans Affairs (DVA). As a basis for your request, you stated management and inspection concerns related specifically to the VA Chicago Health Care System and in general to three other VA health care facilities.

You discussed your petition with the Petition Review Board (PRB) in a meeting held on February 26, 2003. The results of that discussion have been considered in the PRB's determination regarding your request for immediate action and whether or not the petition meets the criteria for consideration under 10 CFR 2.206. The staff has concluded that your submittal does not meet the criteria for consideration under 10 CFR 2.206 because it specifically requests denial of a license application, in this case the DVA Master Materials License. As stated in NRC Management Directive (MD) 8.11, this type of request should be initially addressed in the context of the relevant licensing action (see MD 8.11, Part III(C)(2)(c), page 12).

Much of the information included in your submittals was material which NRC was aware of, and we have not identified new information related to the licensing process. We plan to continue our oversight of licensing activities to assure regulatory compliance and the safety of the public. However, please note that staff will review your concerns within the context of an allegation process, and respond to your concerns in further correspondence.

Thank you for bringing your concerns to the attention of NRC.

Sincerely

/RA/

Donald A. Cool, Director
Division of Industrial and
Medical Nuclear Safety
Office of Nuclear Material Safety
and Safeguards

Distribution: NMSS200200029

| | | | |
|---------------------|-----------|----------------|-----------|
| IMNS r/f | EDO | MFederline | TEssig |
| KNull | JGoldberg | PGoldberg | SMerchant |
| UBhachu | BFleming | LMcGuire, Dir. | VHA NHPP |
| Mary Ann King, NRSC | | MBailey | |

ADAMS Accession: ML030690076

| OFFICE | MSIB | MSIB | MSIB | IMNS |
|--------|----------|----------|----------|----------|
| NAME | USBhachu | MBailey | TEssig | DCool |
| DATE | 02/28/03 | 02/28/03 | 03/03/03 | 03/03/03 |

OFFICIAL RECORD COPY