



DEPARTMENT OF VETERANS AFFAIRS

Veterans Health Administration
Washington DC 20420

FEB 25 2003

In Reply Refer To (10/112)

Mr. Ujagar S. Bhachu
Nuclear Materials Safety and Safeguards
Division of Industrial and Medical Nuclear Safety
Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Bhachu:

I am sending this letter to respond to the 10 CFR 2.206 petition under Control Number 2003-00029. I want to address three key points below. My staff will provide more detailed comments under separate cover.

First, I note Nuclear Regulatory Commission (NRC) Management Directive 8.11, "Review Process for 10 CFR 2.206 Petitions," page 12, third bullet, indicates a criterion to reject such petitions if "the request is to deny a license application or amendment." Since the subject of the petition is a request to deny the master materials license, I submit the petition should be rejected.

Second, the Veterans Health Administration (VHA) is quite proactive, and often recognized as a national leader, in patient safety initiatives and achievements. VHA commitment of resources and staff to patient safety including the master materials license effort belies contrary statements in the petition.

Third, the NRC staff has determined the VHA master materials license application, the centrally controlled radiation safety program (including the professional staff), and the ongoing efforts to function as if a master materials licensee meet or exceed criteria in NUREG-1556, Volume 10.

I hope this information is adequate to resolve this issue. If you have any further questions, please contact E. Lynn McGuire, Director, VHA National Health Physics Program at (501) 257-1571.

Sincerely yours,

Robert H. Roswell, M.D.
Under Secretary for Health