



**DEPARTMENT OF VETERANS AFFAIRS**  
**Veterans Health Administration**  
**National Health Physics Program**  
**2200 Fort Roots Drive**  
**North Little Rock, AR 72114**

NOV 29 2007

In Reply Refer To: 598/115HP/NLR

Nuclear Regulatory Commission (NRC)  
ATTN: Document Control Desk  
Washington, DC 20555

Re: Reply to Notice of Violation (NOV) dated October 25, 2007

This letter responds to your NOV about closeout surveys completed at the Southern Arizona VA Health Care System, Tucson, Arizona. We previously cited the health care system under 10 CFR 30.34(c) for circumstances related to demolishing a former waste storage building and not having completed a permitting action.

We considered our citation to be appropriate enforcement and inclusive of any underlying lack of surveys, measurements, or evaluations.

The NOV appears to be contrary to our understanding of the usual coordination for NRC License 03-23853-01VA, a master materials license. We discussed our understanding with NRC, Region III, on November 19, 2007, and reached agreement for coordination for similar circumstances in the future.

We are enclosing a response to the NOV specific to actions by the health care system. We will continue our proactive efforts to improve compliance with decommissioning and closeout survey requirements. We plan further information dissemination to permittees using our Intranet Web site and frequently asked questions along with focus to these issues during future inspections.

If you have any questions, please contact Gary E. Williams at (501) 257-1571.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Lynn McGuire".

E. Lynn McGuire  
Director, National Health Physics Program

cc: NRC, Region III (Regional Administrator)

Enclosure

LE07  
RGN III

Response to Notice of Violation

1. Reasons for this violation.

a. Reasons for the violation were “procedures - - not used/not followed” and “training - - understanding needs improvement.”

b. The facility did not have a written procedure for footprint management to include technical requirements for a closeout survey.

c. The facility did not understand the procedural process to release a building for unrestricted use.

2. Corrective steps that have been taken and results achieved.

a. The facility submitted available survey documents and information to receive approval to release the building for unrestricted access. This permitting action is ongoing.

b. The facility Radiation Safety Committee reviewed and evaluated an NHPP inspection report with a violation for failing to obtain a permit amendment before releasing the building to help ensure a similar violation does not occur.

c. The facility Radiation Safety Officer (RSO) discussed with NHPP staff requirements for closeout surveys and the procedural process to release a building. Interactions with the RSO included review of usual methods and survey requirements for closeout surveys.

d. The corrective steps above increased the awareness of the facility about closeout survey requirements and the need for Radiation Safety Committee oversight for release of a building.

3. Corrective steps that will be taken to avoid further violations.

a. The facility will establish, implement, and maintain a written procedure for footprint management to include technical requirements for a closeout survey.

b. The facility Radiation Safety Committee will evaluate the status for footprint management at least annually as part of the annual program audit under 10 CFR 20.

4. Date when full compliance will be achieved.

The target date for full compliance with implementation of the new written procedure is February 28, 2008.