National Health Physics Program

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To: NRC Region III C. Frazier or Pr Pelke
From: S. Williamson
Fax: 630-515-1078
Pages: 2 including Cover
Phone: 630-829-9830
Date: 8/15/09
Re: NHPP Letter - Cincinnati
CC:

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• Comments:

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

August 4, 2009

In Reply Refer To: 598/115HP/NLR

Mark Satorius
Regional Administrator
Region III, Nuclear Regulatory Commission (NRC)
2443 Warrenville Road, Suite 210
Lisle, Illinois 60532-4352

Re: NRC License 03-23853-01VA; CAL 3-08-004

Dear Mr. Satorius:

We are sending this letter to request written clarification about notification to NRC for restart of a seed implant program that was previously suspended. Under the Confirmatory Action Letter of October 14, 2008, we are required to complete an inspection at a suspended facility to ensure that corrective actions have been completed and notify NRC before restart.

We established restart criteria to complete a detailed inspection and gain approval for restart by our senior leadership based on recommendations from the National Radiation Safety Committee and Director, National Radiation Oncology Program.

We suspended Cincinnati in October 2008. Since then, the facility revised their seed implant program to implement VHA standard procedures and established detailed written procedures to ensure regulatory compliance and best clinical practices. We initiated a restart inspection at the facility from June 30 through 1 July, 2009, with successful results. While we have not made a final determination about restart, we anticipate restart is feasible in August 2009.

Your staff contacted us by telephone on July 6, 2009, to state NRC approval was required before restart. This NRC position appears to be contrary to the Confirmatory Action Letter which only requires notification.

We are concerned this requirement for approval to restart will unnecessarily impact availability of prostate seed implant procedures for our veterans in the Cincinnati area and the referral areas for that facility. We request written clarification about NRC approval for restart.

Sincerely,

CM Anderson MD

Charles M. Anderson, M.D., Ph.D.
Chair, National Radiation Safety Committee