



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

MAY 06 2010

In Reply Refer To: 598/115HP/NLR

Katie Streit
Division of Nuclear Material Safety
Nuclear Regulatory Commission (NRC), Region III
2443 Warrenville Road, Suite 210
Lisle, Illinois 60532-4352

Re: NRC License No. 03-23853-01VA; Docket No. 030-34325

Dear Ms. Streit:

The enclosure to this letter provides our response to information you requested during a telephone conversation on March 30 and 31, 2010. The information is in support of our request, dated August 13, 2009, for release of buildings at the Southeast Louisiana Veterans Health Care System, New Orleans, Louisiana, for unrestricted use.

If you have any questions or comments, please contact Thomas E. Huston, Ph.D., VHA National Health Physics Program, at 501-257-1578.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Williams".

Gary E. Williams
Director, National Health Physics Program

Enclosure

RECEIVED MAY 10 2010

Enclosure

Response to NRC Request for Information for Southeast Louisiana Veterans Health Care System, New Orleans, Louisiana

Items requested by NRC during telephone conversations on March 30 and 31, 2010, are indicated in bold font with NHPP's response following in normal font.

1. Provide a list of AEC and NRC licenses that were reviewed as described on page 2 of the historical site assessment.

Item 1 of Attachment 1 provides the permittee Radiation Safety Officer (RSO) response. The RSO indicated that all versions of NRC License No. 17-01322-07 and subsequent VHA Permit No. 17-01322-07 were reviewed.

The transmittal letter for the initial version of NRC License No. 17-01322-07, issued March 21, 1979, (provided in Attachment 2) states that this license combined earlier NRC License Nos. 17-01322-02, 17-01322-04, and 17-01322-06. The last three pages of Attachment 2 are termination amendments for these predecessor licenses. NHPP did not locate copies of the predecessor licenses in the docket files received from NRC.

2. Page 3 of the historical site assessment states there are records available showing a total of 15 Pu-238 pacemakers tracked and subsequently explanted and returned to the manufacturer and the license was amended to remove Pu-238. Since this license was prior to the Department of Veteran Affairs Master Material License, provide a copy of the Pu-238 pacemaker's license.

Based on NHPP's review of the docket files received from NRC, NRC License No. SNM-1936 was issued to the facility for possession and use of Pu-238 pacemakers. A copy of what appears to be the last license renewal is provided in Attachment 3.

The license was terminated by NRC on April 30, 1999, prior to issuance of the Master Materials License. Copies of the termination letter and amendment (Amendment 5) are provided in Attachment 4.

In addition, on November 21, 2001, NHPP received a facsimile copy of an NRC letter dated November 14, 2001, which confirmed no nuclear material balance for this license in NRC's Nuclear Materials Management and Safeguards System (NMMSS). A copy of this letter is provided in Attachment 5.

- 3. Page 2 of the historical site assessment states sink disposals were allowed for soluble liquid radioactive wastes. If long-lived radioactive material (i.e., half-life greater than 120 days) was disposed of by sanitary sewer disposal, describe any on-site hold-up systems or tanks in the sanitary path of the disposals. If on-site hold-up systems or tanks are identified, provide types and quantities of radioactive materials disposals or provide survey information to demonstrate the system and/or tanks meets unrestricted release criteria.**

Item 2 of Attachment 1 provides the permittee RSO response to this request. The RSO noted the presence of one catch basin for certain sink drains. The RSO collected samples from sludge accumulated in the bottom of the basin and analyzed the samples by liquid scintillation counting. All results were below minimum detectable activity levels and indicated residual radioactivity in the catch basin was not significantly greater than background.

Attachments

- Attachment 1: RSO Response to NRC Request for Information
- Attachment 2: NRC License No. 17-01322-07 (initial)
- Attachment 3: SNM-1936, Amendment 3 (License Renewal)
- Attachment 4: SNM-1936, Amendment 5 (License Termination)
- Attachment 5: NRC Letter Indicating Deactivation of RIS Code in NMMSS

Attachment 1

RSO Response to NRC Request for Information

(4 pages follow)

Department of Veterans Affairs

Memorandum

Date: 5/5/2010

From: Radiation Safety Officer, Southeast Louisiana Veterans Health Care System
(SLVHCS) New Orleans, Louisiana

Subj: Response to Items 1 & 3 of the NRC Telephone Conversation Record dated 3/30/10,
regarding New Orleans Decommissioning Project

To: Director, VHA National Health Physics Program (115HP/NLR)

1. With regard to item 1, the following NRC licenses were available and reviewed as part of the historical site assessment: *(Please note that the initial license dated 3/21/79 consolidated three pre-existing licenses)*

<u>License #</u>	<u>Amendment Date</u>	<u>License #</u>	<u>Amendment Date</u>
17-01322-07 Initial	3/21/79	24	5/24/95
1	4/26/79	25	10/4/95
2	9/2/81	26	2/28/96
3	3/20/84	27	5/22/96
4	9/13/85	28	6/28/96
5	11/27/85	29	9/11/97
6	6/24/86	30	11/24/97
7	2/25/88	31	5/12/98
8	6/3/88	32	8/19/98
9	8/25/88	33	8/13/99
10	7/7/89	34	2/15/00
11	9/13/89	35	7/31/01
12	2/27/90	36	6/13/02
13	4/22/91	37	3/17/03
14	5/16/91	NHPP Permit38	3/2/03
15	11/26/91	38cc	5/27/03
16	12/3/92	39	8/8/03
17	3/24/93	40	2/5/04
18	8/25/93	41	5/26/04
19	9/23/93	42	2/9/05
20	10/21/93	43	7/8/05
21	11/3/93	44	10/17/05
22	6/29/94	45	8/7/06
23	1/17/95		

2. With regard to item 3, there is one catch/neutralizing basin that the Research sink drains from floors 5 through 8 must enter into before being gravity fed into the New Orleans public sewer system. This neutralizing basin is approximately 3 feet in diameter and approximately 5 feet deep. It is full of water with approximately 6-10 inches of sludge on the bottom. On April 20, 2010, 4 samples of the sludge were obtained by removing some of the bottom sludge from each of the four bottom quadrants of the basin and by then taking a smear sample of each sludge sample. The smear samples were subsequently counted on April 20, 2010, on the same liquid scintillation counter that was utilized for the samples counted for the Final Status Survey. This was done to verify the presence (or lack thereof) of any Tritium or Carbon 14 isotopes. Results indicated that there was no significant impact for these isotopes that could have potentially been deposited in the bottom of the catch/neutralizing basin. All results were less than the calculated minimum detectable activities (MDA's). Please see the attached unquenched standards certificate (Attachment A) and the attached sample results sheet listing the corresponding MDA's. (Attachment B)



ALBERT LAGROUE
Radiation Safety Officer

Revised 3/08

PerkinElmer Life Sciences, 2200 Warrenville Road, Downers Grove, IL 60515 Tel. No. 630 969-6000 Fax No. 630 322-5510



CERTIFICATE OF RADIOACTIVITY

Unquenched Reference Standards for Liquid Scintillation Counting Part Number 6008500

Radionuclide	Activity	Assay Date/Lot No.	Serial No.
Tritium (³ H)	282,400 dpm/std ± 1.6%	05 March 2008	64
Carbon-14	140,200 dpm/std ± 1.3%	05 March 2008	64

REFERENCE STANDARD:

National Institute of Standards and Technology SRM 4947C (³H) and SRM 4222C (¹⁴C)

METHOD OF STANDARDIZATION:

The ³H bulk solution is standardized by liquid scintillation counting using SRM 4947C as the reference material.

The ¹⁴C bulk solution is standardized by liquid scintillation counting using SRM 4222C as the reference material.

I hereby certify that the above information is accurate.

Lilith A. Salas
Chemist

Liquid Scintillation Counting Results (Counted 4/20/2010):

Vial #	Sample Description	Count Time	H-3 (CPM)	H-3 (DPM)	C-14 (CPM)	C-14 (DPM)
1	Background	10 min	10.10	n/a	5.30	n/a
2	H-3 standard	1 min	146560	236873	12848.7	7252.13
3	C-14 standard	1 min	16796.9	4418.4	118092	136552
4	Vial #4 was intentionally excluded from the vial rack to produce a break in the count report (to distinguish samples from background and standards).					
5	Basin sample #1	1 min	2.90	1.90	8.70	11.11
6	Basin sample #2	1 min	0.00	-1.16	2.70	3.48
7	Basin sample #3	1 min	0.00	-1.70	3.70	4.81
8	Basin sample #4	1 min	0.00	0.00	0.00	0.00

Minimum Detectable Activity (MDA)

For H-3 (12.3 y half-life):

Background for H-3: bkg = 10.1 CPM

Sample count time: t = 1 min

Counting efficiency for H-3: 0.619

Minimum Detectable Activity (MDA) for H-3:

$$MDA = \frac{3 + 4.65 (bkg/t)^{1/2}}{E} = \frac{3 + 4.65 (10.1/1)^{1/2}}{0.619} = 28.7 \text{ DPM}$$

H-3 minimum detectable activity (DPM) = 29 DPM

For C-14 (5734 y half-life):

Background for C-14: bkg = 5.3 CPM

Sample count time: t = 1 min

Efficiency for C-14: 0.865

Minimum Detectable Activity (MDA) for H-3:

$$MDA = \frac{3 + 4.65 (bkg/t)^{1/2}}{E} = \frac{3 + 4.65 (5.3/1)^{1/2}}{0.865} = 15.8 \text{ DPM}$$

C-14 minimum detectable activity (DPM) = 16 DPM

Attachment 2

NRC License No. 17-01322-07 (initial)

(9 pages follow)



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

MAR 21 1979

FCLMB:MAL

Veterans Administration Hospital
ATTN: Dan G. Kadrovach
Medical Center Director
1601 Perdido Street
New Orleans, LA 70146

Gentlemen:

Please find enclosed a new license issued to your hospital combining your Material License Nos. 17-01322-04, 17-01322-02, and 17-01322-06 into a single license (No. 17-01322-07) for your institution. Note that we have only authorized 1.5 curies of xenon-133 instead of the requested 3 curies. From the information in your application, it appears that this is the appropriate possession limit. Upon the receipt of information justifying your request for 3 curies of xenon-133, we will be pleased to amend your license accordingly.

We note that your application did not contain the nickel-63 source currently authorized in your Material License No. 17-01322-02. We assume that this source was never obtained or was disposed of in accordance with 10 CFR Part 20 requirements. If our assumptions regarding this source are not correct, you should take immediate steps to amend your license to include this material.

We wish you every success in operating under your new license.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael A. Lamastra".

Michael A. Lamastra
License Management Branch
Division of Fuel Cycle and
Material Safety

Enclosure: As Stated

**U. S. NUCLEAR REGULATORY COMMISSION
MATERIALS LICENSE**

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter 1, Parts 30, 31, 32, 33, 34, 35, 36, 40 and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s); and to import such byproduct and source material. This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee		
1. Veterans Administration Medical Center 2. 1601 Perdido Street New Orleans, Louisiana 70146		3. License number 17-01322-07
		4. Expiration date April 30, 1984
		5. Docket or Reference No. 17-01322-06; 17-01322-02; and 17-01322-04
6. Byproduct, source, and/or special nuclear material A. Any byproduct material listed in Groups I and II of Schedule A, Section 35.100 of 10 CFR 35 B. Any byproduct material listed in Group III of Schedule A, Section 35.100 of 10 CFR 35 C. Any byproduct material listed in Group IV of Schedule A, Section 35.100 of 10 CFR 35	7. Chemical and/or physical form A. Any radio-pharmaceutical listed in Groups I and II of Schedule A, Section 35.100 of 10 CFR 35 B. Any form listed in Group III of Schedule A, Section 35.100 of 10 CFR 35 C. Any radio-pharmaceutical listed in Group IV of Schedule A, Section 35.100 of 10 CFR 35	8. Maximum amount that licensee may possess at any one time under this license A. As necessary for uses authorized in Subitem 9.A. B. 2 curies of each byproduct material authorized in Subitem 6.B. C. As necessary for uses authorized in Subitem 9.C.

Supplementary Sheet

Continued From Page 1

License Number 17-01322-07
 Docket or Reference No. 17-01322-05
17-01322-02
17-01322-04

6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
D. Any byproduct material listed in Group V of Schedule A, Section 35.100 of 10 CFR 35	D. Any radio-pharmaceutical listed in Group V of Schedule A, Section 35.100 of 10 CFR 35	D. As necessary for uses authorized in Subitem 9.B.
E. Any byproduct material listed in Section 31.11(a) of 10 CFR 31	E. Any	E. 3 millicuries of each byproduct material authorized in Subitem 9.F.
F. Xenon 133	F. Free gas or solution	F. 1.5 curies
G. Americium 241	G. Sealed sources	G. 90 millicuries
H. Iodine 125	H. Sealed sources	H. Two sources not to exceed 200 millicuries each
I. Hydrogen 3	I. Any	I. 200 millicuries
J. Carbon 14	J. Any	J. 200 millicuries
K. Iodine 125	K. Any	K. 200 millicuries
L. Iodine 131	L. Any	L. 200 millicuries
M. Cobalt 60	M. Sealed source (Nuclear-Chicago Model No. NR-60-25)	M. 25 millicuries
N. Strontium 90	N. Sealed sources (U.S. Radium type Lab-369 mounted in Barber-Colman Ionization Detector, Type A 4147)	N. Two sources not to exceed 20 millicuries each

9. Authorized use

- A. Any diagnostic procedure listed in Groups I and II of Schedule A, Section 35.100 of Title 10, Code of Federal Regulations.
- B. Preparation and use of radiopharmaceuticals for any diagnostic procedure listed in Group III of Schedule A, Section 35.100 of Title 10, Code of Federal Regulations.
- C. Any therapeutic procedure listed in Group IV of Schedule A, Section 35.100 of Title 10, Code of Federal Regulations.
- D. Any therapeutic procedure listed in Group V of Schedule A, Section 35.100 of Title 10, Code of Federal Regulations.
- E. In vitro studies.
- F. Blood flow and pulmonary function studies.

MATERIALS LICENSE

Supplementary Sheet

License Number 17-01322-07

9. Authorized use (continued)

Docket or 17-01322-06

G. and H. For use in home mineral analyzer.

Reference No. 17-01322-07I. through N. In vitro studies. Laboratory research, including animal studies.17-01322-04

CONDITIONS

10. Licensed material shall be used only at the licensee's address stated in Item 7. above.
11. The licensee shall comply with the provisions of Title 10, Chapter 1, Code of Federal Regulations, Part 19, "Notices, Instructions and Reports to Workers; Inspections" and Part 20, "Standards for Protection Against Radiation."
12. A. Licensed material shall be used by, or under the supervision of, individuals designated by the the Radioisotopes and Radiation Safety Committee, Dr. Olga A. Correa, Chairman.
- B. The use of licensed material in or on humans shall be by a physician.
13. A. (1) Each sealed source containing licensed material, other than Hydrogen 3, with a half-life greater than thirty days and in any form other than gas shall be tested for leakage and/or contamination at intervals not to exceed six months, except that each source designed for the purpose of emitting alpha particles shall be tested at intervals not to exceed three months. In the absence of a certificate from a transferor, indicating that a test has been made within six months prior to the transfer, a sealed source received from another person shall not be put into use until tested.
- (2) Notwithstanding the periodic leak test required by this condition, any licensed sealed source is exempt from such leak tests when the source contains 100 microcuries or less of beta and/or gamma emitting material or 10 microcuries or less of alpha emitting material.
- (3) Except for alpha sources, the periodic leak test required by this condition does not apply to sealed sources that are stored and not being used. The sources exempted from this test shall be tested for leakage prior to any use or transfer to another person unless they have been leak tested within six months prior to the date of use or transfer.
- B. The test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. The test sample shall be taken from the sealed source or from the surfaces of the device in which the sealed source is permanently mounted or stored on which we might expect contamination to accumulate. Records of leak test results shall be kept in units of microcuries and maintained for inspection by the Commission.

MATERIALS LICENSE

Supplementary Sheet

License Number ~~17-01322-07~~Docket or 17-01322-06Reference No. ~~17-01322-02~~17-01322-04

CONDITIONS

13. continued

- C. If the test reveals the presence of 0.005 microcurie or more of removable contamination, the licensee shall immediately withdraw the sealed source from use and shall cause it to be decontaminated and repaired or to be disposed of in accordance with Commission regulations. A report shall be filed within 5 days of the test with the U. S. Nuclear Regulatory Commission, Region IV, Office of Inspection and Enforcement, 511 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76012, describing the equipment involved, the test results, and the corrective action taken.
- D. Tests for leakage and/or contamination shall be performed by the licensee or by other persons specifically authorized by the Commission or an Agreement State to perform such services.
14. Sealed sources containing licensed material shall not be opened.
15. The licensee shall not use licensed material in field applications where activity is released except as provided otherwise by specific condition of this license.
16. Patients containing Iodine 131 for the treatment of thyroid carcinoma or patients containing therapeutic quantities of Gold 198 shall remain hospitalized until the residual activity is 30 millicuries or less.
17. Radioactive gases as free gas or in solution, to be administered to humans, shall be procured from a supplier who distributes the product indicated for human use in accordance with the Federal Food, Drug, and Cosmetic Act.
18. A. Technetium-99m separated from molybdenum-99 either by elution of a molybdenum-99/technetium-99m generator or by an extraction process shall be tested to detect and quantify molybdenum-99 activity prior to administration to patients.
- B. The licensee shall not administer to patients technetium-99m containing more than one (1) microcurie of molybdenum-99 per millicurie of technetium-99m or more than five (5) microcuries of molybdenum-99 per dose of technetium-99m at time of administration. The limits for molybdenum-99 contamination represent maximum values and molybdenum-99 contamination should be kept as low as reasonably achievable below these limits.

MATERIALS LICENSE

Supplementary Sheet

License Number 17-01322-07

Docket or 17-01322-06

Reference No. 17-01322-04

CONDITIONS

18. continued

6. The licensee shall establish written procedures for personnel performing tests to detect and quantify molybdenum-99 contamination. These procedures shall include all necessary calculations and steps to be taken if activities of molybdenum-99 in excess of the limits specified in Subitem B. above are detected.

7. Personnel performing tests to detect and quantify molybdenum-99 contamination shall be given specific training in performing these tests prior to conducting such tests.

8. 1. The licensee shall maintain for inspection by the Nuclear Regulatory Commission records of the results of each test performed to detect and quantify molybdenum-99 contamination and records of training given to personnel performing these tests.

2. Records described in Subitem 8.1. above shall be maintained for two (2) years following the performance of the tests and the training of personnel.

19. Except as specifically provided otherwise by this license, the licensee shall possess and use licensed material described in Items 6, 7, and 8 of this license in accordance with statements, representations, and procedures contained in Radiation Radiation Safety Manual revised February, 1978, and application dated January 30, 1979.

For the U. S. Nuclear Regulatory Commission

Authorized Signed By

WALTER J. PACE

License Management Branch

by _____

Division of Fuel Cycle and
Material Safety
Washington, D.C. 20555

Date MAR 21 1979

MATERIALS LICENSE

Supplementary Sheet

License Number 17-01322-02

Docket or
Reference No. _____

Amendment No. 18

Veterans Administration Hospital
1601 Perdido Street
New Orleans, Louisiana 70140

Concurrent with the issuance of License Number 17-01322-07, License Number
17-01322-02 is hereby terminated.

Date MAR 21 1979

For the U. S. Nuclear Regulatory Commission
Original Signed By
PATRICIA C. VACCA
by License Management Branch

Division of Fuel Cycle and
Material Safety
Washington, D.C. 20555

MATERIALS LICENSE

Supplementary Sheet

License Number 17-01322-04

Docket or
Reference No. _____

Amendment No. 24

Veterans Administration Hospital
Radioisotope Service
1501 Perdido Street
New Orleans, Louisiana 70120

Concurrent with the issuance of License Number 17-01322-07, License Number
17-01322-04 is hereby terminated.

For the U. S. Nuclear Regulatory Commission

Special Agent in Charge

JOHN J. MADDA

License Management Branch

by _____

Division of Fuel Cycle and
Material Safety
Washington, D.C. 20555

Date MAR 21 1979

MATERIALS LICENSE

Supplementary Sheet

License Number 17-01322-06

Docket or
Reference No. _____

Amendment No. 08

Veterans Administration Hospital
Radioisotope Service
1661 Perdido Street
New Orleans, Louisiana 70146

Concurrent with the issuance of License Number 17-01322-07, License Number
17-01322-06 is hereby terminated.

Date MAR 21 1979

For the U. S. Nuclear Regulatory Commission

Original Signed By

by License Management Branch

Division of Fuel Cycle and
Material Safety
Washington, D.C. 20555

Attachment 3

NRC License No. SNM-1936, Amendment 3 (License Renewal)

(5 pages follow)



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

May 14, 1997

Department of Veterans Affairs
ATTN: Carl L. Gaspard
Radiation Safety Officer
V.A. Medical Center
1601 Perdido Street
New Orleans, Louisiana 70146

SUBJECT: LICENSE RENEWAL

Please find enclosed License No. SNM-1936. You should review this license carefully and be sure that you understand all conditions. If you have any questions, you may contact the reviewer who signed your license at (817) 860-8252.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public which can result from failure to comply with NRC requirements, you must conduct your program involving radioactive materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Possess radioactive material only in the quantity and form indicated in your license.
3. Use radioactive material only for the purpose(s) indicated in your license.
4. Notify NRC in writing of any change in mailing address (no fee required if the location of radioactive material remains the same).
5. Request and obtain written NRC consent before transferring your license or any right thereunder, either voluntarily or involuntarily, directly or indirectly, through transfer of control of your license to any person or entity. A transfer of control of your license includes not only a total change of ownership, but also a change in the controlling interest in your company whether it is a corporation, partnership, or other entity. In addition, appropriate license amendments must be requested and obtained for any other planned changes in your facility or program that are contrary to your license or contrary to representations made in your license application, as well as supplemental correspondence thereto, which are incorporated into your license. A license fee may be charged for the amendments if you are not in a fee-exempt category.

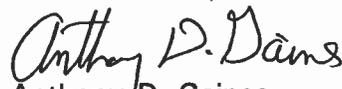
6. Maintain in a single document decommissioning records that have been certified for completeness and accuracy listing all the following items applicable to the license:
 - Onsite areas designated or formerly designated as restricted areas as defined in 10 CFR 20.3(a)(14) or 20.1003.
 - Onsite areas, other than restricted areas, where radioactive materials in quantities greater than amounts listed in Appendix C to 10 CFR 20.1001-20.2401 have been used, possessed, or stored.
 - Onsite areas, other than restricted areas, where spills or other unusual occurrences involving the spread of contamination in and around the facility, equipment, or site have occurred that required reporting pursuant to 10 CFR 30.50(b)(1) or (b)(4), including areas where subsequent cleanup procedures have removed the contamination.
 - Specific locations and radionuclide contents of previous and current burial areas within the site, excluding radioactive material with half-lives of 10 days or less, depleted uranium used only for shielding or as penetrators in unused munitions, or sealed sources authorized for use at temporary job sites.
 - Location and description of all contaminated equipment involved in licensed operations that is to remain onsite after license termination.
7. Submit a complete renewal application with proper fee, or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.
8. Request termination of your license if you plan to permanently discontinue activities involving radioactive material.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action

against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), 60 FR 34381, June 30, 1995.

Thank you for your cooperation.

Sincerely,

Handwritten signature of Anthony D. Gaines in cursive script.

Anthony D. Gaines
Health Physicist
Nuclear Materials Licensing Branch

Docket: 070-02996
License: SNM-1936
Control: 465329

Enclosures: As stated

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 39, 40 and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee		In accordance with letter dated July 13, 1994	
1. Department of Veterans Affairs		3. License number SNM-1936 is amended in its entirety to read as follows:	
2. V.A. Medical Center 1601 Perdido Street New Orleans, Louisiana 70146		4. Expiration date May 31, 2007	
		5. Docket or Reference No 070-02996	
6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license	
A. Plutonium (Principal radionuclide Pu-238)	A. Sealed Source	A. 1.26 grams (6 individual sources not to exceed 210 milligrams each)	
B. Plutonium (Principal radionuclide Pu-238)	B. Sealed Source	B. 1.50 grams (6 individual sources not to exceed 250 milligrams each)	

9. Authorized use

- A. As a component of Medtronic Model 9000 nuclear-powered pacemaker for clinical evaluation purposes. This license authorizes possession of the pacemaker for purposes of explantation, recovery and disposal, but not for implantation.
- B. As a component of Coratomic Model C-101-P nuclear-powered pacemakers for clinical evaluation purposes. This license authorizes possession of the pacemaker for purposes of explantation, recovery and disposal, but not for implantation.

CONDITIONS

- 10. Licensed material shall be used only at the licensee's facility located at 1601 Perdido Street, New Orleans, Louisiana.
- 11. A. The physicians responsible for follow-up, explanation, and return of nuclear-powered pacemakers to the manufacturer for proper disposal are Michael Ian Prior, M.D. and Salem F. Sayegh, M.D.

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number

SNM-1936

Docket or Reference Number

070-02996

Amendment No. 03

11. (Continued)

B. The Radiation Safety Officer for this license is Carl L. Gaspard.

12. The specified possession limit includes all licensed material possessed by the licensee under this license whether in storage, implanted in patients, or otherwise in use.

13. The licensee shall continue patient follow-up and replacement procedures for the nuclear pacemaker during the life of the patient. Procedures for recovery and authorized disposal of the nuclear pacemaker by return to the manufacturer shall be followed upon the death of the patient.

14. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.

- A. Letter dated March 28, 1984
- B. Letter dated May 21, 1984
- C. Letter with enclosures dated July 13, 1994

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date MAY 14 1997

By

Vivian H. Campbell

ADG

Vivian H. Campbell
Nuclear Materials Licensing Branch
Region IV
Arlington, Texas 76011

Attachment 4

NRC License No. SNM-1936, Amendment 5 (License Termination)

(3 pages follow)



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

April 30, 1999

Department of Veterans Affairs
V.A. Medical Center
ATTN: John D. Church, Jr.
Medical Center Director
1601 Perdido Street
New Orleans, Louisiana 70146

SUBJECT: TERMINATION OF YOUR NRC RADIOACTIVE MATERIALS LICENSE

By letter dated March 12, 1999, you contacted the U.S. Nuclear Regulatory Commission and indicated that you wished to terminate your NRC radioactive materials license number SNM-1936. The NRC staff has reviewed your sealed source leak test results. Based on its review, the staff has concluded that no licensable radioactive material authorized by this license remains at your facility.

Based on these conclusions no further remediation or actions with respect to NRC regulated material is required and NRC license number SNM-1936 is hereby terminated.

If you have questions or require clarification on any of the information stated above, please contact me at 925-673-0112.

Sincerely,

A handwritten signature in cursive script that reads "James L. Montgomery".

James L. Montgomery
Senior Health Physicist
Nuclear Materials Licensing Branch

Docket: 070-02996
License: SNM-1936
Control: 467219

Enclosure: As stated

cc w/enclosure:
Carl Gaspard
Radiation Safety Officer
VA New Orleans

Department of Veterans Affairs

bcc w/enclosure:

Docket File
Inspection File
LFARB, T-9 E10
State of Louisiana (License Only)

Milton Gross, M.D.
Department of Veterans Affairs
Director, Nuclear Medicine Program (115B)
24 Frank Loyd Wright Drive
P.O. Box 505
Ann Arbor, MI 48106

Lynn McGuire
NHPP, Southern Region
2200 Fort Roots Drive
Bldg. 33 (115HP/NLR)
North Little Rock, AR 72114

DOCUMENT NAME: C:\TERM99\SNM-1936

To receive copy of document, indicate in box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

RIV:NMLB							
JLMontgomery 							
04/30/99							

OFFICIAL RECORD COPY

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number

SNM-1936

Docket or Reference Number

070-02996

Amendment No. 05

Department of Veterans Affairs
V.A. Medical Center
1601 Perdido Street
New Orleans, Louisiana 70146

In accordance with letter received April 1, 1999, License No. SNM-1936 is hereby terminated.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date APR 30 1999

By


James L. Montgomery, Senior Health Physicist
Nuclear Materials Licensing Branch
Region IV
Arlington, Texas 76011

Attachment 5

NRC Letter Indicating Deactivation of RIS Code in NMMSS

(3 pages follow)

Mayo, Kelly

From: Gary Williams ME
Sent: Wednesday, November 21, 2001 11:25 AM
To: Kelly Mayo 98
Cc: Fourmentraux, Lisa R
Subject: FW: fax from New Orleans with NRC letter

I should have mentioned that the e-mail should be filed also.

-----Original Message-----

From: Gary Williams ME **On Behalf Of** Williams, Gary E
Sent: Wednesday, November 21, 2001 11:23 AM
To: 'Kelly Mayo 98'
Cc: Fourmentraux, Lisa R
Subject: fax from New Orleans with NRC letter

Please file the fax and attached NRC letter in the terminated SNM permit file in the "other information" section.

The fax is dated November 21, 2001. The NRC letter is dated November 14, 2001.

We authorized the RSO to respond directly to the NRC to clarify the status of the SNM license.

The NRC letter does not require any action.

Gary E. Williams
Veterans Health Administration
National Health Physics Program
(501) 257-1572

VETERAN ADMINISTRATION
MEDICAL CENTER
1601 PERDIDO STREET
NEW ORLEANS, LA. 70146

FAX (504) 619-4046

DATE: 11/21/01 FAX NUMBER: (501) 257-1570

FROM: Carl L. Gaspard, M.A.
Radiation Safety Officer

TO: National Health Physics Program Attn: Kelly

SUBJ: Termination of (RIS) "XFK" from NMMSS

COMMENTS/MESSAGE This is a copy of NRC letter
dated 11/14/01 for Deactivation of RIS code

Thanks
Happy Thanksgiving
Carl

PAGES, INCLUDING COVER SHEET 2



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20565-0001

November 14, 2001

Mr. Carl L. Gaspard, M.A.
Health Physicist/Radiation Safety Officer
Veterans Affairs Medical Center (COSEE)
1601 Perdido Street
New Orleans, Louisiana 70112

SUBJECT: DEACTIVATION OF RIS CODE

Dear Mr. Gaspard:

This is in response to your November 6, 2001, telephone conversation and follow-up e-mail to Brian Horn of my staff. The Nuclear Regulatory Commission has confirmed that your facility shows no nuclear material balance with the Nuclear Materials Management and Safeguards System (NMMSS) for the Reporting Identification Symbol (RIS) "XFK". Based on this confirmation and the termination of your NRC License SNM-1936, we are authorizing NMMSS to deactivate the RIS "XFK" for your facility.

If you have any further questions, please contact Patricia Tana of my staff at 301-415-8105.

Sincerely,

Robert Nelson, Section Chief
Safeguards Section
Safety and Safeguards
Support Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

cc: J. Anderson, NMMSS
S. Furr, DOE
J. Montgomery, Region IV

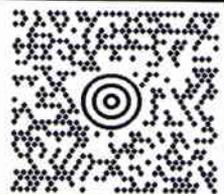
KELLY MAYO
5012571571
VHA NATIONAL HEALTH PHYSICS PR
2200 FT ROOTS DR B101 R208D
NORTH LITTLE ROCK AR 72114

1.0 LBS LTR

1 OF 1

SHIP TO:

KATIE STREIT
5012571571
NUCLEAR REGULATORY COMMISSION
2443 WARRENVILLE RD, SUITE 210
LISLE IL 60532-4352



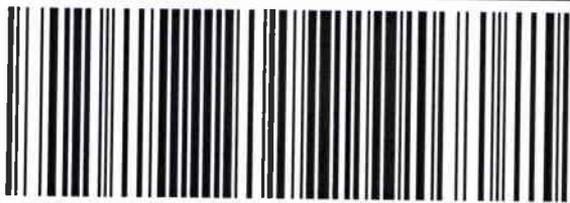
IL 603 9-03



UPS NEXT DAY AIR

TRACKING #: 1Z A47 7F5 01 9912 7074

1



BILLING: P/P

Reference # 1: KRM

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