



COMMONWEALTH of VIRGINIA

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December 21, 2010

U.S. Nuclear Regulatory Commission, Region III
James Lynch (States Agreement Officer)
2443 Warrenville Road, Suite 210
Lisle, IL 60532-4352

Dear Mr. Lynch:

Thank you for the opportunity to comment on the Integrated Materials Performance Evaluation Program (IMPEP) report that you provided in your letter dated November 22, 2010. We appreciate the review that your team performed on our program, and your sharing with us the findings at the exit meeting.

Your report included the recommendation that "The Commonwealth implement, use and update the licensing and inspection qualification journals for each staff member." The Radioactive Materials Program Manger has begun to review the Program's records and complete each employee's Qualification Journal. This action will be completed prior to the Materials Review Board meeting on January 12, 2011.

We have reviewed the report and have comments to submit for your review. They include the following:

1. In Section 2.3 "Technical Quality of Inspections" on page 4, states "The Program uses another Commonwealth of Virginia agency to analyze wipes and other samples." That is not entirely accurate. We suggest replacing that with "The Division of Radiological Health maintains a mobile laboratory with the capability of analyzing wipes and other samples as necessary. This mobile lab is the primary resource for the Division. The Division uses another Commonwealth of Virginia agency to analyze wipes and other samples whenever the workload exceeds its laboratory's capacity."
2. In Section 2.4 "Technical Quality of Licensing Actions", third paragraph on page 5, it states "As a result, the Bureau" It should state "As a result, the Program"
3. In Section 2.4 "Technical Quality of Licensing Actions", fourth paragraph on page 6, it states "All licensing actions are initially entered into the Bureau's" Bureau should be replaced with Program.

Once again thank you for this opportunity to comment. I look forward to the Management Review Board's conclusion regarding the adequacy and compatibility of Virginia's Radioactive Materials Program.

Sincerely,

A handwritten signature in cursive script, appearing to read "Maureen E. Dempsey".

Maureen E. Dempsey, MD, FAAP
Chief Deputy for Public Health