



DEPARTMENT OF THE ARMY
 U.S. ARMY HEALTH PROFESSIONAL SUPPORT AGENCY
 5109 LEESBURG PIKE
 FALLS CHURCH, VA 22041-3258



REPLY TO
 ATTENTION: 21

October 10, 1989

Preventive and Military
 Medicine Consultants Division

89 OCT 16 PM 2: 53

RECEIVED
 NRC
 REGION V

U.S. Nuclear Regulatory Commission
 Region V
 1450 Maria Lane, Suite 201
 Walnut Creek, California 94596

Dear Sir:

Enclosed is the response of the U.S. Army Medical Department Activity (Silas B. Hays U.S. Army Hospital) to your notice of violation (Docket Number 030-08367) for Byproduct Material License 04-12727-02. Your report and transmittal letter are attached to it, along with comments from the U.S. Army Health Services Command, to which the inspected facility belongs.

I note that the hospital correspondence indicates corrective actions will be taken, and that the actions appear to resolve the issue for which the notice of violation was issued.

Please review the basis for your action. Having carefully read all of the enclosed correspondence, the referenced portion of Title 10 (and other parts), and the affected license, I conclude that the violation actually did not exist. Based upon the text of the inspector's NRC Form 591, it is obvious that he understood that the nurses and orderlies in question were in a restricted area at least part of the time, because that is the only basis for any training requirement under 10 CFR 19.12. However, the correspondence from the hospital indicates at the top of the second page that the personnel in question do not enter the restricted area in the hospital. There appears to have been an error in communication during the inspection, which gave the inspector the incorrect impression that the staff in question did enter the restricted area.

Sincerely,

Charles E. Day III
 Charles E. Day, III
 Lieutenant Colonel, U. S. Army
 Radiological Hygiene Consultant

Enclosure

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 04-12727-02 PDC