



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

April 24, 2020

David Alley, Chief  
Materials Licensing Branch  
Division of Nuclear Material Safety  
Nuclear Regulatory Commission (NRC), Region III  
2443 Warrenville Road, Suite 210  
Lisle, Illinois 60532-4352

Re: NRC License 03-23853-01VA – Request for Temporary Exemption from NRC Master Material License Requirements for Unannounced Inspections and Inspection Frequency

Dear Mr. Alley:

In accordance with Title 10, *Code of Federal Regulations*, 30.11(a), we request:

1. An exemption from the requirements of the Master Material License (MML) Amendment No. 9, Letter of Understanding (LOU), Item No. 26; and the VA inspection program NRSC SOP2, Item No. 4b: Inspection priorities; routine materials inspections: “All routine materials inspections will be performed on an unannounced basis.” We request an exemption through December 31, 2020, to allow us to announce inspections in advance.

Basis: Announced inspections are necessary during the COVID-19 pandemic situation so that we can assess, before an inspection, the situation at each permittee medical facility regarding the impact of the inspection on critical pandemic-related medical care, whether appropriate personnel will be present, the level of access our inspector will have at the facility, and restrictions that are in place at the facility. This request will not endanger life or property or the common defense and security and is in the public interest.

2. An exemption from the requirements of the MML Amendment No. 9, Letter of Understanding (LOU), Item No. 26; and the VA inspection program NRSC SOP2, Item 6b: Routine inspections of permits with Priorities 1 through 3 and Item 7: Non-core inspections: inspection frequencies. We request an extension of inspection deadlines due in the next 180 days to December 31, 2020.

Basis: Some VA permittees will go outside of the required inspection intervals due to non-availability of commercial travel and VA, local, state, and national social distancing and travel restrictions in place as a result of the pandemic. These MML requirements cannot be met without increasing the risk of exposing NHPP staff, the permittee’s staff and patients, and members of the public to the COVID-19 virus.

We request relief from the required inspection intervals by extending inspection deadlines due in the next 180 days to December 31, 2020. We will resume on-site inspections when travel and safety restrictions have been lifted, when it is safe to visit the facility, and when an inspection will not hinder pandemic-related medical care. This request will not endanger life or property or the common defense and security and is in the public interest.

Please contact me, at 501-257-1571; Clinton Abell, MSHP, at 501-708-5013; or Joseph Stanley Bravenec, MS, at 281-224-6133; if you have questions about this request.

Sincerely,

**Edwin M.**

**Leidholdt 398105**

Edwin M. Leidholdt, Jr., Ph.D., FACR  
Director, VHA National Health Physics Program

Digitally signed by Edwin M.  
Leidholdt 398105  
Date: 2020.04.24 07:24:56  
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**From:** [Leidholdt, Ed](#)  
**To:** [Parker, Bryan](#)  
**Cc:** [Kidwell, Calvin B](#); [Edwards, Mark W.](#); [Abell, Clinton E.](#); [Bravenec III, Joseph S \(HOU\)](#)  
**Subject:** [External\_Sender] Letter to NRC requesting inspection exemptions during COVID epidemic  
**Date:** Friday, April 24, 2020 9:45:23 AM  
**Attachments:** [Letter MML Inspection Exemption COVID-19 FINAL.pdf](#)

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Bryan:

Attached is a letter requesting two exemptions from commitments to NRC regarding NHPP's routine inspections of VA permittees. As you know, we request prompt review of our request.

As you also know, we are preparing a second request, for exemptions to certain NRC regulations.

Would you please reply to this message to acknowledge receipt?

We very much appreciate the guidance we are receiving from you.

Please do not hesitate to call me, regardless of the date or time, if you have questions. I am mostly working at home and the quickest way to contact me is by cell phone.

Ed

Edwin M. Leidholdt, Jr., Ph.D., FACR  
Director  
VHA National Health Physics Program (10P11X)  
201 Walnut Avenue  
Mare Island, California 94592  
707 562-8374  
[edwin.leidholdt@va.gov](mailto:edwin.leidholdt@va.gov)  
916 833-8415 (cellular)