

From: [Edwards, Mark W.](#)
To: [Parker, Bryan](#)
Cc: [Leidholdt, Ed](#); [Abell, Clinton E.](#); [Bravenec III, Joseph S \(HOU\)](#); [Kidwell, Calvin B](#); [Edwards, Mark W.](#)
Subject: [External_Sender] Letter to NRC Requesting Inspection Exemptions During COVID Epidemic
Date: Monday, April 26, 2021 2:52:03 PM
Attachments: [image001.png](#)
[Letter MML Extension of Inspection Exemption COVID-19.pdf](#)
Importance: High

Mr. Parker,

On behalf of Drs. Leidholdt and Bushnell.

Attached is a letter requesting exemptions from commitments to NRC regarding NHPP's routine inspections of VA permittees..

Would you please reply to this message to acknowledge receipt? In addition, would you like me to send a hard copy to your office address?

Please do not hesitate to call Dr. Leidholdt, regardless of the date or time, if you have questions. He is on the road currently and the quickest way to contact him is by cell phone - 707-977-8052.

v/r Mark

Mark W. Edwards
Administrative Officer
VHA - National Health Physics Program (11SPEC12)
North Little Rock, AR 72114-1706
Office: 501-257-1678 Fax: 501-257-1570
NHPP After Hours Emergency Hotline: 800-815-1016

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

April 26, 2021

Robert J. Orlikowski, Chief
Materials Licensing Branch
Division of Nuclear Material Safety
U.S. Nuclear Regulatory Commission (NRC), Region III
2443 Warrenville Road, Suite 210
Lisle, Illinois 60532-4352

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

Dear Mr. Orlikowski:

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

1. The temporary exemption granted by NRC on May 19, 2020, and extended on December 15, 2020, 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 SOP 2, Item No. 4b: Inspection priorities; routine materials inspections: "All routine materials inspections will be performed on an unannounced basis." We request an extension to this exemption through September 30, 2021, to allow us to continue to announce inspections in advance.

Basis: The basis for this request remains unchanged from the initial temporary exemption request. 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. The temporary exemption granted by NRC on May 19, 2020, and extended on December 15, 2020, from the requirements of the MML Amendment No. 9, LOU, Item No. 26; and the VA inspection program NRSC SOP 2, Item 6b: Routine inspections of permits with Priorities 1 through 3 and Item 7: Non-core inspections: inspection frequencies. We request an extension of this exemption to inspection deadlines through September 30, 2021.

Basis: Inspections of some VA permittees will go outside of the required inspection intervals due to non-availability of commercial travel; VA, local, state, and national social distancing and travel restrictions in place as a result of the pandemic; and/or inability of the permittees to tolerate inspections due surges of patients affected by the virus. These MML requirements cannot be met without increasing the risk of exposing NHPP staff, the permittees' staff and patients, and members of the public to the COVID-19 virus. We will resume performing inspections within the MML-required inspection windows when travel and safety restrictions have been lifted, when it is safe to visit the facilities, and when inspections 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 Edwin M. Leidholdt Jr., Ph.D.; Clinton Abell, MSHP; or Joseph Stanley Bravenec, MS, at 501-257-1571, if you have questions about this request.

Sincerely,

David L.
Bushnell 195128

Digitally signed by David
L Bushnell 195128
Date: 2021.04.26
13:42:46 -05'00'

David L. Bushnell, M.D.
Chair, VHA National Radiation Safety Committee

Pavon, Sandy

From: Tomczak, Tammy
Sent: Monday, April 26, 2021 4:46 PM
To: Song, Taehoon; Pavon, Sandy
Subject: FW: OPEN ACTION - VA exemption extension
Attachments: [External_Sender] Letter to NRC Requesting Inspection Exemptions During COVID Epidemic

Good morning, Sandy and Tae,

Can you please add the attached to ADAMS?

Thank you!!
Tammy

From: Parker, Bryan <Bryan.Parker@nrc.gov>
Sent: Monday, April 26, 2021 4:44 PM
To: Orlikowski, Robert <Robert.Orlikowski@nrc.gov>; Tomczak, Tammy <Tammy.Tomczak@nrc.gov>
Subject: OPEN ACTION - VA exemption extension

Hey Bob and Tammy,

Attached is a request from the VA to extend their exemption another 90 days beyond the current June 30, 2021 deadline, to September 30, 2021. This is so they can continue 1) announcing inspections, and 2) extending inspection frequencies if needed.

I assume we will handle this as before. I will generate a letter for Bob's review and signature, assuming there is no concerns raised, and we will run it thru OGC. I specifically requesting them to ask for only 90 days to help approve thru OGC. They initially wanted to ask for 12/31 end date and I thought that was a bit much, so I encouraged them to be "optimistic" and only go thru 9/30.

Bob – please inform Dave and whoever of the exemption extension request.

Tammy – please open an action to process the exemption letter thru.

If you have any questions, please let me know.

Thanks.
Bryan