

July 13, 2012

Mr. Gary Williams, M.S., Director
National Health Physics Program (115HP/NLR)
Department of Veterans Affairs
Veterans Health Administration
2200 Fort Roots Drive
North Little Rock, Arkansas 72114

SUBJECT: PERMIT AMENDMENT: VETERANS AFFAIRS (VA) PALO ALTO HEALTH CARE SYSTEM, PALO ALTO, CALIFORNIA; BUILDING 2 DECOMMISSIONING ACTIVITIES

Dear Mr. Williams:

This refers to your letter received on September 20, 2011 (ML112630617), regarding VA Palo Alto Health Care System (permittee), Building 2 located in Palo Alto, California. In that letter, you requested the U.S. Nuclear Regulatory Commission (NRC) approval to release Building 2 for unrestricted use.

In a letter dated January 4, 2012 (ML12005A075), the NRC outlined its understanding that Building 2 consists of three wings designated A, B, and C where permitted material was used. In the same document, the NRC stated that our review of the Department of Veterans Affairs (licensee) documents indicated that Wing C of Building 2 may be released for unrestricted use. However, the NRC had additional questions regarding Wings A and B of Building 2. Specifically, the NRC requested the permittee to:

1. Evaluate all inaccessible areas within the bounds of areas impacted by permitted material to ensure compliance with NRC release criteria;
2. Perform radiological surveys and/or evaluations to determine potential for radiological impacts from pipes, drains, sinks and traps to ensure compliance with NRC requirements; and
3. Perform additional radiological surveys to determine whether uranium-238 (U-238) contamination existed as permitted material subject to Title 10 of the Code of Federal Regulations (CFR) Part 20 to ensure compliance with NRC requirements.

In response to NRC's request for additional information, the licensee provided a document dated March 2, 2012 (ML120650761), and a document faxed and received on July 11, 2012 (ML12193A324). Within those documents the licensee provided the following information which addressed NRC's requests for additional information:

1. The licensee provided additional historical information associated with the type and total activity possessed in Wings A and B. Based upon previous radiological surveys and the licensee's additional analysis related to potential residual contamination, the NRC

concur with the licensee that there is sufficient evidence that any hydrogen-3 (H-3) and carbon-14 (C-14) residual contamination in inaccessible areas would not exceed NRC screening values for unrestricted use as referenced in NUREG 1757. Therefore, the NRC considers this issue closed.

2. The licensee provided additional historical information associated with the type and total activity possessed in Wings A and B. Based upon previous radiological surveys and the licensee's additional analysis related to potential residual contamination, the NRC concurs with the licensee that there is sufficient evidence that any H-3 and C-14 residual contamination in pipes, drains, sinks and traps would not constitute a significant radiological hazard to members of the public who may have access to those areas in the future. Therefore, the NRC considers this issue closed.
3. The licensee provided documentation that the U-238 was obtained under a general license pursuant to 10 CFR Part 40 regulations and, therefore, is not subject to the decommissioning rule or NRC's release criteria. Therefore, the NRC considers this issue closed.

Based upon the information above, the NRC has determined that Building 2 may be released for unrestricted use.

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c) (20) (iii).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact Mr. Michael LaFranzo of the Materials Controls, ISFSI and Decommissioning Branch at 630-829-9865.

Sincerely,

/RA/

Michael M. LaFranzo
Senior Health Physicist
Materials Control, ISFSI,
and Decommissioning Branch
Division of Nuclear Materials Safety

Docket No. 030-34325
License No. 03-23853-01VA

cc: Thomas Huston, Ph.D., CHP

concur with the licensee that there is sufficient evidence that any hydrogen-3 (H-3) and carbon-14 (C-14) residual contamination in inaccessible areas would not exceed NRC screening values for unrestricted use as referenced in NUREG 1757. Therefore, the NRC considers this issue closed.

4. The licensee provided additional historical information associated with the type and total activity possessed in Wings A and B. Based upon previous radiological surveys and the licensee's additional analysis related to potential residual contamination, the NRC concurs with the licensee that there is sufficient evidence that any H-3 and C-14 residual contamination in pipes, drains, sinks and traps would not constitute a significant radiological hazard to members of the public who may have access to those areas in the future. Therefore, the NRC considers this issue closed.
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Michael M. LaFranzo
Senior Health Physicist
Materials Control, ISFSI,
and Decommissioning Branch
Division of Nuclear Materials Safety

Docket No. 030-34325
License No. 03-23853-01VA

cc: Thomas Huston, Ph.D., CHP

*See previous concurrence

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