



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064

April 10, 1997

Lance Lembeck, M.D.  
Chief of Imaging Service  
Department of Veterans Affairs  
Medical Center  
500 Highway 89 North  
Prescott, Arizona 86313

SUBJECT: NRC ROUTINE INSPECTIONS

Dear Mr. Lembeck:

This letter is to inform you that the Nuclear Regulatory Commission (NRC) is considering an Agreement with the State of Arizona for the State to inspect certain Federal materials licensees in Arizona on behalf of the NRC. This Agreement would be a pilot program consistent with Sections 161f and 274i of the Atomic Energy Act, as amended, which allow the NRC to enter into an agreement with a state to perform inspections or other functions on a cooperative basis as the Commission deems appropriate. The inspections would be performed by the Arizona Radiation Regulatory Agency which is the state agency that implements the Arizona Agreement State Program. Federal licensees to be included in the pilot program would include Department of Defense licensees and Department of Veterans Affairs hospitals. This pilot program is being initiated at the request of the State of Arizona.

The main tenets of the Agreement would be as follows. The State recognizes the NRC as having the exclusive authority and responsibility to regulate the radiological aspects of Federal material licensees; the State would conduct the inspections in accordance with Federal standards and regulations; the State would certify that its inspectors meet minimum education, experience, training, and qualification requirements patterned after those of comparable NRC materials inspectors; State inspection findings would be transmitted to the NRC for disposition (any enforcement action resulting from the inspection would remain the exclusive responsibility of the NRC); and the State would abide by NRC protocol to not publicly disclose inspection findings prior to the NRC release of the inspection report.

As an NRC licensee subject to this program, the NRC is affording you an early opportunity to comment on this proposal. We are particularly interested in your confirmation that access to your facility will be provided to the State inspector. Comments should be provided within 30 days of the date of this letter and be directed to:

Mr. Richard L. Bangart, Director  
Office of State Programs  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

160034



Department of Veterans Affairs  
Medical Center, Prescott

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Comments received within the specified time will be considered in the NRC's ongoing deliberation of this matter. If approved by the Commission, the NRC staff will publish notice of the draft Agreement in the Federal Register for a 30-day public comment period. If you have any questions, you may call Mr. Bangart at (301) 415-3340.

Sincerely,



Ross A. Scarano, Director  
Division of Nuclear Materials Safety

Docket No.: 030-01210  
License No.: 02-12726-01

cc:

Aubrey Godwin, Director  
Arizona Radiation Regulatory Agency  
4814 South 40th Street  
Phoenix, Arizona 85040

Milton Gross, M.D.  
Department of Veterans Affairs  
24 Frank Loydbright Drive  
Lobby M, P.O. Box 505  
Ann Arbor, Michigan 48106

Francis Herbig, Program Director  
National Health Physics Program (115HP)  
Department of Veterans Affairs  
915 North Grand Boulevard  
St. Louis, Missouri 63106

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