



**DEPARTMENT OF VETERANS AFFAIRS**  
**Veterans Health Administration**  
**National Radiation Safety Committee**  
**National Health Physics Program**

August 1, 2022

Bryan Parker  
Division of Nuclear Material Safety  
Nuclear Regulatory Commission, Region III  
2242 Warrenville Road, Suite 210  
Lisle, Illinois 60532-4352

Re: NRC License No. 03-23853-01VA, Our Letter of June 16, 2020, NRC Control Number 622709.

Dear Mr. Parker:

We wish to withdraw our request, contained in a letter to NRC dated June 16, 2020, NRC Control Number 622709, for an exemption to certain decommissioning financial assurance requirements under 10 CFR 30.35.

Thank you for your attention to this matter. Please contact Edwin M. Leidholdt Jr., Ph.D., at 501-257-1571, if you have any questions about our request.

Sincerely,

David L.  
Bushnell 195128

Digitally signed by David L.  
Bushnell 195128  
Date: 2022.08.01 13:54:32  
-05'00'

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

## Pavon, Martha

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**From:** Leidholdt, Ed <Edwin.Leidholdt@va.gov>  
**Sent:** Monday, August 1, 2022 3:06 PM  
**To:** Parker, Bryan  
**Cc:** Huston, Thomas E.; Bravenec III, Joseph S (HOU); Edwards, Mark W.; Kidwell, Calvin B; Sidell, Tiffany  
**Subject:** [External\_Sender] FW: Exemption request withdrawal - decommissioning financial assurance  
**Attachments:** Exemption Request Withdrawal signed.pdf

Bryan:

Please find attached a letter asking to withdraw our request, contained our letter dated June 16, 2020, for an exemption from certain decommissioning funding requirements.

The original letter was signed by Dr. Bushnell, the NRSC Chairperson, and this letter is also signed by him.

Please let me know if you have any questions about this matter.

Thank you.

Ed

Edwin M. Leidholdt, Jr., Ph.D., FACR  
Executive Director  
VHA National Health Physics Program (11SPEC12)  
201 Walnut Avenue  
Mare Island, California 94592  
707 977-8052  
[edwin.leidholdt@va.gov](mailto:edwin.leidholdt@va.gov)

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**From:** Bushnell, David L. <David.Bushnell@va.gov>  
**Sent:** Monday, August 1, 2022 11:56 AM  
**To:** Leidholdt, Ed <Edwin.Leidholdt@va.gov>; Barrickman, Deborah M. <Deborah.Barrickman@va.gov>  
**Cc:** Edwards, Mark W. <Mark.Edwards5@va.gov>; Huston, Thomas E. <Thomas.Huston2@va.gov>; Bravenec III, Joseph S (HOU) <JosephS.BravenecIII@va.gov>  
**Subject:** RE: Exemption request withdrawal - decommissioning financial assurance

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**From:** Leidholdt, Ed <[Edwin.Leidholdt@va.gov](mailto:Edwin.Leidholdt@va.gov)>  
**Sent:** Monday, August 1, 2022 11:38 AM  
**To:** Bushnell, David L. <[David.Bushnell@va.gov](mailto:David.Bushnell@va.gov)>; Barrickman, Deborah M. <[Deborah.Barrickman@va.gov](mailto:Deborah.Barrickman@va.gov)>  
**Cc:** Edwards, Mark W. <[Mark.Edwards5@va.gov](mailto:Mark.Edwards5@va.gov)>; Huston, Thomas E. <[Thomas.Huston2@va.gov](mailto:Thomas.Huston2@va.gov)>; Bravenec III, Joseph S (HOU) <[JosephS.BravenecIII@va.gov](mailto:JosephS.BravenecIII@va.gov)>  
**Subject:** FW: Exemption request withdrawal - decommissioning financial assurance  
**Importance:** High

Dr. B:

As you will recall, we have an open old business item in front of the NRSC regarding VA's commitments to NRC regarding funding for decommissioning of VA facilities where radioactive materials are or were used.

The slide for the NRSC meeting has read:

#22-02E: Decommissioning Financial Assurance (Propose to keep open)

Tracking item awaiting NRC decision. A detailed description was presented during the August 2021 NRSC meeting.

6/2020: NHPP/NRSC sent NRC a request for exemption from periodic (3-year) resubmittal of a Decommissioning Statement of Intent (SOI).

5/2021: NRC informed NHPP that only a 5-year (vs. indefinite) resubmittal would be allowed and provided draft condition verbiage.

5/2021: NHPP proposed modifications (statement of intent vs. decommissioning funding plan). There have been ongoing communications through 08/2021.

Current status: Outcome from NRC is pending. Possible outcomes:

1) NRC could cite VHA for a violation for not resubmitting the SOI every 3 years since 12/2012. If uncontested, then VHA would then have to resubmit a refreshed SOI as corrective action and do so every 3 years.

2) NRC OGC could decide the SOI is not a decommissioning funding plan. VHA would withdraw the exemption request.

8/3/2022: Pending NHPP/NRSC letter withdrawing request of exemption from certain decommissioning funding requirements in 10 CFR 30.35.

NRC has proposed a solution. We (VA) merely withdraw our request for an exemption to NRC decommissioning funding financial assurance.

NRC has not explicitly promised anything, but is implied that the entire issue will just go away.

Since you signed the letter requesting the exemption, would you please sign the letter requesting withdrawal of VA's request?

If you sign it today, we can send it to NRC before the NRSC meeting and likely close the action item.

Ed

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**From:** Huston, Thomas E. <[Thomas.Huston2@va.gov](mailto:Thomas.Huston2@va.gov)>

**Sent:** Monday, August 1, 2022 7:12 AM

**To:** Leidholdt, Ed <[Edwin.Leidholdt@va.gov](mailto:Edwin.Leidholdt@va.gov)>

**Cc:** Edwards, Mark W. <[Mark.Edwards5@va.gov](mailto:Mark.Edwards5@va.gov)>; Bravenec III, Joseph S (HOU) <[JosephS.BravenecIII@va.gov](mailto:JosephS.BravenecIII@va.gov)>; Wiebeck, Kim C. <[Kim.Wiebeck@va.gov](mailto:Kim.Wiebeck@va.gov)>

**Subject:** FW: Exemption request withdrawal

**Importance:** High

Looks good. I recommend signing.

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**From:** Edwards, Mark W. <[Mark.Edwards5@va.gov](mailto:Mark.Edwards5@va.gov)>

**Sent:** Wednesday, July 27, 2022 11:43 AM

**To:** Leidholdt, Ed <[Edwin.Leidholdt@va.gov](mailto:Edwin.Leidholdt@va.gov)>

**Cc:** Bravenec III, Joseph S (HOU) <[JosephS.BravenecIII@va.gov](mailto:JosephS.BravenecIII@va.gov)>; Huston, Thomas E. <[Thomas.Huston2@va.gov](mailto:Thomas.Huston2@va.gov)>;

Wiebeck, Kim C. <[Kim.Wiebeck@va.gov](mailto:Kim.Wiebeck@va.gov)>  
**Subject:** RE: Exemption request withdrawal  
**Importance:** High

Sir,

As requested.

Kind Regards,

*Mark W. Edwards*

Mark W. Edwards  
Administrative Officer  
National Health Physics Program (11SPEC12)  
Phone: 501-257-1515 | Mobile: 501-257-0590  
Email: [mark.edwards5@va.gov](mailto:mark.edwards5@va.gov)  
**NHPP After Hours Emergency Hotline: 800-815-1016**



Chat with me on Teams

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**From:** Leidholdt, Ed <[Edwin.Leidholdt@va.gov](mailto:Edwin.Leidholdt@va.gov)>  
**Sent:** Friday, July 22, 2022 8:10 PM  
**To:** Huston, Thomas E. <[Thomas.Huston2@va.gov](mailto:Thomas.Huston2@va.gov)>; Edwards, Mark W. <[Mark.Edwards5@va.gov](mailto:Mark.Edwards5@va.gov)>  
**Cc:** Bravenec III, Joseph S (HOU) <[JosephS.BravenecIII@va.gov](mailto:JosephS.BravenecIII@va.gov)>  
**Subject:** FW: Exemption request withdrawal

Tom and Mark:

Bryan proposes a solution to the quandary regarding our request for an exemption from certain decommissioning funding requirements in 10 CFR 30.35. He suggests that we may wish to send NRC a letter withdrawing our request of June 16, 2020.

Since that letter was signed by Dr. Bushnell, this letter should also be signed by Dr. Bushnell.

Mark, please start a draft letter, similar to the one attached.

It would simply read:

Re: NRC License No. 03-23853-01VA, Our Letter of June 16, 2022, NRC Control Number 622709

Dear Mr. Parker:

We wish to withdraw our request, contained in a letter to NRC dated June 16, 2022, NRC Control Number 622709, for an exemption to certain decommissioning financial assurance requirements under 10 CFR 30.35.

Thank you for your attention to this matter. Please contact Edwin M. Leidholdt, Jr. Ph.D., at 501-257-1571, if you have any questions about our request.

Thank you. Also, Mark, please track this to completion.

Ed

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**From:** Parker, Bryan <[Bryan.Parker@nrc.gov](mailto:Bryan.Parker@nrc.gov)>  
**Sent:** Wednesday, July 20, 2022 10:12 AM  
**To:** Leidholdt, Ed <[Edwin.Leidholdt@va.gov](mailto:Edwin.Leidholdt@va.gov)>  
**Subject:** [EXTERNAL] Exemption request withdrawal

Hey Ed,

I meant to tell you yesterday – if you would still like to withdraw the request for the decommissioning exemption you made in mid-2020, please send me a letter to that effect. The control number for that action is: **622709**. Please refer to that number in your letter. Upon receipt, I will get that action closed out.

If you have any question, please let me know.

Thanks.

*Bryan*

**Bryan A. Parker**

Senior Health Physicist

USNRC Region III

[bryan.parker@nrc.gov](mailto:bryan.parker@nrc.gov)

678-828-7050

630-515-1078 (fax)



## Pavon, Martha

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**From:** Parker, Bryan  
**Sent:** Thursday, August 4, 2022 8:07 AM  
**To:** Pavon, Sandy; Pavon, Martha  
**Cc:** Tomczak, Tammy  
**Subject:** Please add to ADAMS  
**Attachments:** [External\_Sender] FW: Exemption request withdrawal - decommissioning financial assurance; Withdraw of VA exempt request 665.pdf

Hey Sandy and Martha,

Please add the attached letter to ADAMS. A 665 is also attached.

If you have any questions, please let me know.

Thanks.

*Bryan*