

January 4, 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 September 20, 2011 (ML112630617) regarding VA Palo Alto Health Care System 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.

It is the NRC's understanding that Building 2 consists of three wings designated A, B, and C. In two facsimiles from your office dated December 22, 2011, the permittee stated that licensed material has not been used in Wing C of Building 2 and that the use and storage of licensed material in Wings A and B of Building 2 did not impact any areas in Wing C in Building 2.

Based on the NRC review of the two documents dated December 22, 2011, we understand that the permittee has done a thorough review of records for the use of licensed materials in Building 2 and confirmed that licensed material had not been used in Wing C. Additionally, the licensed activities conducted in Wings A and B did not have any impact on Wing C. Based on this information, the NRC has no further questions regarding the use of licensed material in Wing C and determined that the use of licensed material in Wings A and B did not have any impact on the status of Wing C of Building 2 relative to any residual contamination. As a result, the NRC has determined that Wing C of Building 2 may be released for unrestricted use.

However, the NRC does have additional questions regarding Wings A and B of Building 2. Specifically, the NRC has reviewed the information provided by the permittee in the memorandum dated December 8, 2011 which was attached to your letter dated December 9, 2011 (ML113470360) and are requesting the following information:

- A. In Section 1 of the permittee's memorandum, the permittee noted that for survey units in the impacted areas of Wings A and B of Building 2 it was not practicable to survey inaccessible areas for the type and quantity of radioactive materials previously used at the facility. The permittee referred to Page 2-32 of the MARSSIM manual (NUREG 1575) Table 2.2.

Section 4.8.4 of NUREG 1575 provides guidance on the Clearing to Provide Access to inaccessible areas prior to significant effort is expended as noted in Table 2.2,

“Recommended Condition for Demonstrating Compliance Based on Survey Unit Classification for a Final Status Survey.” Specifically, the permittee should have determined all inaccessible areas prior to the implementation of and made evaluations regarding needed radiological surveys or evaluations to ensure proper radiological characterization.

The NRC is requesting that the permittee evaluate all inaccessible areas within the bounds of areas impacted by licensed material to ensure compliance with NRC release criteria.

In the documents provided, the permittee did not define an inaccessible area. The NRC is also requesting the permittee define inaccessible areas in all impacted areas concerning licensed material.

- B. In Section 3 of the permittee’s letter, the permittee stated that as static and wipe results did not show the presence of contamination in sinks, drains and traps, no evaluation of the pipes or hold up tanks was necessary.

The NRC does not agree with the permittee’s statements that no evaluation of pipes or hold up tanks is required as a result of negative contamination at the entrance points to the pipes and/or hold up tanks. Sinks, drains and traps are normally cleaned and/or have large quantities of liquids which could dilute or remove contamination through the pipes and concentrate in hold up tanks and the like. The NRC is requesting that the permittee perform radiological surveys and/or evaluations to determine potential radiological impacts to ensure compliance with NRC requirements.

- C. In Section 5 of the permittee’s letter, the permittee stated that the DCGL’s for U-238 were calculated to be 100 dpm/100 cm² for fixed contamination and 20 dpm/100 cm² for removable contamination. However, the permittee also stated that the minimum detectable concentration (MDC) was 61.6 dpm/100 cm² for alpha static measurements (fixed contamination) and 18 dpm/100 cm² for removable contamination.

On page ROADMAP 9 of NUREG 1575 notes that for direct measurements and sample analyses, MDCs less than 10% of the DCGL are preferable while MDCs up to 50% of the DCGL are acceptable. In the licensee’s case, both fixed and removable MDC’s are greater than 50% of the DCGL’s. The NRC requests that the permittee perform additional radiological surveys and evaluations to determine whether U-238 contamination exists as licensed material subject to Title 10 of the Code of Federal Regulations (CFR) Part 20 to ensure compliance with NRC requirements.

G. Williams

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If you have any questions, please contact Michael LaFranzo of my staff at (630) 829-9865.

Sincerely,

/RA/

Christine A. Lipa, Chief
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

G. Williams

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License No. 03-23853-01VA

cc: Thomas Huston, Ph.D., CHP

*See previous concurrence

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