

CONFERENCE CALL SUMMARY WITH NEW YORK  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC)

DATE OF CALL: August 22, 2006

ATTENDEES:

Duncan White, Region I  
Aaron McCraw, STP  
Barbara Youngberg, Chief, Radiation Section, DEC  
Edwin Dassatti, Bureau Director, DEC  
David O'Toole, Assistant Division Director, DEC

BACKGROUND:

On November 2, 2005, the Management Review Board (MRB) met to consider the results of the April 2005 Periodic Management Meetings with the four New York agencies that implement the New York Agreement State program. The MRB requested that bimonthly conference calls be conducted between the appropriate New York and NRC staffs to discuss each agency's Program Improvement Plans (PIP) regarding their performance with compatibility requirements. This is the second conference call with DEC since the November 2005 MRB meeting.

DEC provided a Program Improvement Plan (PIP) in their letter dated January 27, 2006 to the NRC (ML060390293). The NRC approved the PIP in its March 21, 2006 letter (ML060830163). A status update to the PIP dated August 21, 2006 (ML062370368) was provided by DEC that summarized their progress.

DISCUSSION OF PROGRAM IMPROVEMENT PLAN STATUS

The rulemaking initiation memorandum has been signed and approved by the Commissioner.

A scoping meeting was held on July 13, 2006 to coordinate, discuss the content of the rulemaking and discuss public outreach efforts between DEC and the Governor's Office of Regulatory Reform (GORR). Ms. Youngberg indicated that the meeting went well and that GORR indicated that they had no difficulty with the proposed amendments.

The Section has two teams working on the revisions to their regulations based on the structure of the DEC regulations. The Part 380 team is currently working on their third draft of the revisions. The Part 384 team is currently working on the second draft. Part 384 will be a new addition to the DEC regulations and will cover the License Termination Rule. The writing teams continue to work on express terms, which is the actual language of the regulations and started the Regulatory Impact Statement, the principal and most important supporting document for the rule making effort.

The schedule to provide stakeholders an opportunity to informally comment on the proposed changes has been moved back one month to September. Ms. Youngberg indicated that this should not affect the overall schedule as outlined in the PIP.

NEXT CALL

The next call will be the week of October 23, 2006.