

PR 20,30,31,32,33,35,50,60,61,62,72,110, 150, 170 and 171  
(71FR42952)

DOCKETED  
USNRC



STATE OF NEW YORK  
DEPARTMENT OF HEALTH

September 14, 2006 (4:45pm)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Flanigan Square, 547 River Street, Troy, New York 12180-2216

Antonia C. Novello, M.D., M.P.H., Dr.P.H.  
*Commissioner*

Dennis P. Whalen  
*Executive Deputy Commissioner*

September 11, 2006

32

Secretary  
US Nuclear Regulatory Commission  
Washington, DC 20555-0001  
ATTN: Rulemaking and Adjudications Staff

**SUBJECT: RIN 3150-AH84 Proposed Rule: 10 CFR Parts 20, 30, 31, 32, 33, 35, 50, 61, 62, 72, 110, 150, 170, and 171 "Requirements for Expanded Definition of Byproduct Material"**

Dear Madam Secretary:

The New York State Department of Health and the New York City Department of Health are in support of the OAS position and comments as communicated to you in the August 23, 2006 letter signed by Barbara L. Hamrick, Chair, OAS. We are particularly interested in using our existing definitions and language derived from *Suggested State Regulations for the Control of Radiation* (SSRs). We have been successfully regulating the material now captured under the expanded definition of byproduct material as "radioactive material" since 1962. Any mandated changes to these definitions would require statute and regulatory changes having a significant impact upon our program.

Thank you in advance for your consideration.

*original signed by Adela Salame-Alfie*

Adela Salame-Alfie, Ph.D.  
Director  
Bureau of Environmental Radiation  
Protection

Cc: G. Miskin  
B. Youngberg  
J. Spath

**From:** Adela Salame-Alfie <asa01@health.state.ny.us>  
**To:** <jrs1@nrc.gov>, <rlb@nrc.gov>  
**Date:** Mon, Sep 11, 2006 4:22 PM  
**Subject:** Comments on "Requirements for Expanded Definition of Byproduct Material"

Hi Janet,  
Enclosed please find the comments from NYSDOH and NYCDOH&MH. Original letter went in the mail this afternoon.  
Thanks  
Adela  
(See attached file: comments\_NARM\_regs\_06.doc)

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**Mail Envelope Properties** (4505C586.F9B : 12 : 20379)

**Subject:** Comments on "Requirements for Expanded Definition of Byproduct Material"

**Creation Date** Mon, Sep 11, 2006 4:21 PM

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<b>Priority:</b>	Standard
<b>ReplyRequested:</b>	No
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<b>Security:</b>	Standard

**From:** Lydia Chang  
**To:** Evangeline Ngbea  
**Date:** Thu, Sep 14, 2006 4:23 PM  
**Subject:** Fwd: Comments on "Requirements for Expanded Definition of Byproduct Material"

Hi Van:

As indicated on my other e-mail, forwarded here is the e-mail from STP with comments from NY that needs to be docketed. Thanks...

Lydia C.

>>> Janet Schlueter 09/12/2006 2:39 PM >>>

**Mail Envelope Properties** (4509BA28.5F7 : 13 : 10704)

**Subject:** Fwd: Comments on "Requirements for Expanded Definition of Byproduct Material"  
**Creation Date** Thu, Sep 14, 2006 4:23 PM  
**From:** Lydia Chang  
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518

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