From: Kathleen Schneider
Sent: Wednesday, November 12, 2008 3:12 PM
To: Karen Meyer
Subject: FW: SRS for NYSDEC

-----Original Message-----
From: Sandra Hinkel [mailto:smhinkel@gw.dec.state.ny.us]
Sent: Tuesday, November 04, 2008 3:23 PM
To: Kathleen Schneider
Cc: Timothy Rice
Subject: SRS for NYSDEC

Kathleen -

This is to follow-up my earlier email to you regarding the State Regulation Status (SRS) for the New York State Department of Environmental Conservation. I expressed my concern about the current SRS listing for RATS 1995-3 (Low-Level Waste Shipment Manifest Information and Reporting). As you know, the SRS listing for RATS 1995-3 was changed, and now there is no accompanying entry to reflect the fact that our 6 NYCRR Part 381 regulations were amended to adopt RATS 1995-3 on July 9, 1997. (The previous SRS had listed the date of adoption under the "notes" column, but that date has been deleted.) The absence of any accompanying information with this RATS gives the incorrect impression that this rule is still an open item.

(We note that there were several other RATS that were addressed in that same Part 381 rulemaking effort: 1998-6 and 2004-1. For those RATS, ML 060330210 is listed in the "Incoming Package" columns, and No Comments, 2/28/2006, ML 060720035 are listed in the "Outgoing Package" columns.)

In response to my concern, you stated that in order to clarify this matter, NYSDEC should send NRC a link to the sections of our regulations that incorporate the provisions of RATS 1995-5, for review. As requested, following is the link to our Part 381 regulations; I direct your attention to Sections 381.12 and 381.15:

http://www.dec.ny.gov.regs.4352.html

Also, Section 383.13 of our Part 383 regulations contains the record keeping requirements for land disposal facilities; that link is:

http://www.dec.ny.gov/regs/4337.html

I trust this will be sufficient to update the SRS listing for RATS 1995-3, to reflect the fact that this rulemaking was completed in 1997 and is not an open item.

Thank you. Please contact me if you need any further information.

Sandra Hinkel, Chief
Radiation Control Permit Section
NYS Department of Environmental Conservation
(518) 402-8579

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From: Kathleen Schneider

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Karen.Meyer@nrc.gov (Karen Meyer)
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