NEW YORK STATE DEPARTMENT OF HEALTH HEIGHTENED OVERSIGHT
CONFERENCE CALL
November 22, 2010

NRC Attendees	New York State Department of Health Attendees
Donna Janda, Region I RSAO	Stephen Gavitt, Bureau Director
Michelle Beardsley, FSME	Robert Dansereau, Assistant Bureau Director
Monica Orendi, FSME	
Duncan White, FSME	

SUMMARY

On February 8, 2007, the Management Review Board (MRB) met to consider the proposed final Integrated Materials Performance Evaluation Program (IMPEP) report on the New York Agreement State Program. The MRB requested that each of the New York agencies revise and resubmit its Program Improvement Plan (Plan) as part of the response to the IMPEP. Also it was requested that bimonthly conference calls be conducted between the appropriate New York and NRC staffs to discuss each agency's revised Plan regarding their performance with compatibility requirements. On November 28, 2007, a Periodic Meeting was held with the New York State Department of Health (DOH). Subsequent to this Periodic Meeting, the MRB met on March 24, 2008, to consider the findings of the Periodic Meeting. The MRB requested that calls between DOH and NRC staffs continue to be conducted quarterly to discuss DOH's revised Plan regarding their performance with compatibility requirements. On July 29, 2009 another Periodic Meeting was held with DOH. The MRB met on January 7, 2010 to consider the findings of this Periodic Meeting. The MRB requested that calls between DOH and NRC staffs continue to be conducted quarterly to discuss DOH's revised Plan regarding their performance with compatibility requirements. This is the third quarterly conference call with DOH since the January 2010 MRB meeting. DOH provided their Plan and revisions to their Plan to the NRC via e-mail (ML072280131, ML072280140, ML072840063, ML072840069, ML091271106, ML091271108, and ML102910116).

NRC staff concluded that the DOH Plan is a reasonable and realistic approach to addressing the DOH compatibility requirements with NRC. NRC staff review concluded that the tasks, milestones, and assignments for finalizing each overdue or upcoming regulation appeared reasonable and achievable. DOH continues to move forward with the most recent version of their Plan dated August 9, 2010. There has been no change in the planned implementation of the regulations, scheduled for the third quarter of 2011.

The next Heightened Oversight conference call will take place in February 2011.

DISCUSSION OF PROGRAM IMPROVEMENT PLAN STATUS

DOH provided an overview of their Plan. The DOH Plan remains on schedule at the present time with a scheduled implementation date for the overdue regulations during the third quarter of 2011. DOH is coordinating regulations development with the New York City Department of Health and Mental Hygiene where necessary. DOH will continue to send license conditions and regulations to the NRC for review.

Mr. Gavittt provided an overview of the current status of the DOH Agreement State Program. The Program is operating on budget restrictions which make travel for training difficult, but have not impacted inspections. Mr. Gavitt stated that the Agreement State Program continues to function with no major backlogs. Core inspections are being completed on time. Mr. Gavitt stated that although there are budget constraints within State government relative to travel and

staffing, the radioactive materials program is able to meet program requirements. He will continue to provide updates on the status of any program impacts due to budget constraints.