UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

January 20, 2011

Stephen Gavitt, CHP, Director
Bureau of Environmental
Radiation Protection
New York State Health Department
547 River Street
Troy, New York 12180-2216

Sandra Hinkel, Chief
Radiation Control Permits Section
Bureau of Hazardous Waste &
Radiation Management
Div. of Solid & Hazardous Materials
NYS Department of Environmental
Conservation
625 Broadway, 9th Floor
Albany, New York 12233-7255

Gene Miskin, Director
Office of Radiological Health
New York City Department of Health
2 Lafayette Street, 11th Floor
New York, New York 10007

Dear Sirs and Madam:

The U.S. Nuclear Regulatory Commission (NRC) uses the Integrated Materials Performance Evaluation Program (IMPEP) for the evaluation of Agreement State Programs. Per my previous communications with Messrs. Stephen Gavitt, Robert Dansereau, Sandra Hinkel, Timothy Rice and Gene Miskin, I will be the team leader for the IMPEP review of the New York Agreement State Program scheduled for June 6-16, 2011.

During the first week of the review, the team will be in Albany and during the second week we will be based in New York City. In addition to myself, the team will include Monica Orendi, NRC Region I State Agreements Officer; Shirley Xu, Stephen Poy, and Maurice Heath from the Office of Federal and State Materials and Environmental Management Programs (FSME); James Thompson from NRC's Region IV office; and, Ann Troxler from the State of Louisiana.

Enclosed is the document, "Integrated Materials Performance Evaluation Program Questionnaire." The questionnaire was previously furnished to you electronically on January 20, 2011. I ask that each program manager send your responses via e-mail to Randy.Erickson@nrc.gov by May 23, 2011. I am sending the document in advance of the IMPEP review in order to provide time for you to allocate the staff resources necessary to complete the document by the requested date.

Also included with the questionnaire is the document “Materials Requested to Be Available for the On-Site Portion of an IMPEP Review.” To help facilitate our review, please have the items listed prepared prior to the IMPEP team’s arrival. Also included with the questionnaire are the State Regulation Status sheets for the New York State Health Department, the New York State Department of Environmental Conservation and the New York City Health Department.

I also request that you set up an appointment with the appropriate State Senior Management Official(s) to discuss the results of the IMPEP review of the New York Agreement State Program on June 16, 2011.

If you have any questions, please call me at 817-860-8143.

Sincerely,

/RA/

Randy Erickson
Regional State Agreements Officer
Division of Nuclear Materials Safety

Enclosure: As stated

cc w/encl:

Robert Dansereau, Assistant Director
Bureau of Environmental
Radiation Protection
New York State Health Department
547 River Street
Troy, New York 12180-2216

Timothy Rice, Chief
Radiological Sites Section
Bureau of Hazardous Waste &
Radiation Management
Div. of Solid & Hazardous Materials
NYS Department of Environmental
Conservation
625 Broadway, 9th Floor
Albany, New York 12233-7255

Internal distribution via e-mail:
John Kinneman, DNMS
Raymond Lorson, DNMS
Daniel Collins, DNMS
Roy Caniano, DNMS
Charles Cain, DNMS
Robert Lewis, FSME
Terry Reis, FSME
James Luehman, FSME
Duncan White, FSME
Lisa Dimmick, FSME
Monica Orendi, SAO
Randy Erickson, SAO
Rachel Browder, SAO
Janine Katanic, FSME
Michelle Beardsley, FSME
Karen Meyer, FSME
Shirley Xu, FSME
Stephen Poy, FSME
Maurice Heath, FSME
James Thompson, RIV

Ann Troxler, State of Louisiana
(Ann.Troxler@LA.Gov)

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Publicly Avail	✓ Yes ☐ No	Non Sensitive		
RIV: RSAO				
RRErickson				
1/20/11				

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Approved by OMB[1]
No. 3150-0183
Expires 11/30/2013

INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM QUESTIONNAIRE

Name of State: New York
Reporting Period: October 3, 2006, to June 16, 2011

Note: If there has been no change in the response to a specific question since the last IMPEP questionnaire, the State or Region may copy the previous answer, if appropriate.

A. GENERAL

1. Please prepare a summary of the status of the State's or Region's actions taken in response to each of the open recommendations from previous IMPEP reviews.

ORH has just moved into new offices which provide much more security than our previous location. The IC licenses are filed in a room requiring card access and only the Director, Deputy Director and the Program Management Officer have these cards.

In addition, we have maintained and updated our Program Improvement Plan on an ongoing basis. As discussed below, our Medical Use (Part 35) Regulations were approved by the Board of Health as final in March, 2011, went into effect in April, and were forwarded to NRC for review this month (May, 2011) for review as final regulations. Our Program Improvement Plan for upcoming regulations is attached below.

Regulation	Tasks	Milestones	Assignment	Anticipated Completion Date	Status/Completion Date
"Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements" – 10 CFR Parts 30, 31, 32, 150 (72 FR 58473). Effective date. Due for State adoption 12/17/10. RATS ID 2007-2 .	Draft and submit to General Counsel	Prepare draft language for regulation and submit to GC	Lickerman	June, 2011	
	Send to State Programs for comment	Review by State Health, DEC (30-day turnaround)	State Health, State DEC	July, 2011	
	Submit to FSME for review Obtain FSME approval	FSME review (60 day turnaround)	FSME	July, 2011	
	Prepare	Prepare and submit	Lickerman	Nov, 2011	

[1] Estimated burden per response to comply with this voluntary collection request: 53 hours. Forward comments regarding burden estimate to the Records Management Branch (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0183), Office of Management and Budget, Washington, DC 20503. If an information collection does not display a currently valid OMB control number, NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

Regulation	Tasks	Milestones	Assignment	Anticipated Completion Date	Status/Completion Date
	proposed rule for Board	Certificate of Necessity (CON) and rule language done	& Office of GC		
	Rule published for public comment	Reconcile comments	Lickerman	Dec, 2010 – Mar, 2012	
	Review comments from State and FSME	Incorporate all comments	Lickerman	Dec, 2010 – Mar, 2012	
	Hold public hearing	Incorporate comments	Office of GC	Jan, 2012	
	Prepare final rule language	Present to Board for Approval and Publication	Lickerman & Office of GC	March, 2012	
	Publish Notice of Adoption in City Record			March, 2012	
"Requirements for Expanded Definition of Byproduct Material" " – 10 CFR Parts 20, 30, 31, 32, 33, 35, 61, 150 (72 FR 55864). Effective date . Due for State adoption 11/30/10. RATS ID 2007-3.	Draft and submit to General Counsel	Prepare draft language for regulation and submit to GC	Lickerman	June, 2011	
	Send to State Programs for comment	Review by State Health, DEC (30-day turnaround)	State Health, State DEC	July, 2011	
	Submit to FSME for review Obtain FSME approval	FSME review (60 day turnaround)	FSME	July, 2011	
	Prepare proposed rule for Board	Prepare and submit Certificate of Necessity (CON) and rule language done	Lickerman & Office of GC	Nov, 2011	
	Rule published for public comment	Reconcile comments	Lickerman	Dec, 2010 – Mar, 2012	
	Review comments from State and FSME	Incorporate all comments	Lickerman	Dec, 2010 – Mar, 2012	
	Hold public hearing	Incorporate comments	Office of GC	Jan, 2012	
	Prepare final rule language	Present to Board for Approval and Publication	Lickerman & Office of GC	March, 2012	
	Publish Notice of Adoption in City Record			March, 2012	
"Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent" - 10 CFR Parts 19, 20 (72 FR 68043). Effective date . Due for	Draft and submit to General Counsel	Prepare draft language for regulation and submit to GC	Lickerman	June, 2011	

Regulation	Tasks	Milestones	Assignment	Anticipated Completion Date	Status/Completion Date
State adoption 02/15/11. RATS ID 2008-1.					
	Send to State Programs for comment	Review by State Health, DEC (30-day turnaround)	State Health, State DEC	July, 2011	
	Submit to FSME for review Obtain FSME approval	FSME review (60 day turnaround)	FSME	July, 2011	
	Prepare proposed rule for Board	Prepare and submit Certificate of Necessity (CON) and rule language done	Lickerman & Office of GC	Nov, 2011	
	Rule published for public comment	Reconcile comments	Lickerman	Dec, 2010 – Mar, 2012	
	Review comments from State and FSME	Incorporate all comments	Lickerman	Dec, 2010 – Mar, 2012	
	Hold public hearing	Incorporate comments	Office of GC	Jan, 2012	
	Prepare final rule language	Present to Board for Approval and Publication	Lickerman & Office of GC	March, 2012	
	Publish Notice of Adoption in City Record			March, 2012	
Medical Use of Byproduct Material – Authorized User Clarification - 10 CFR Part 35 (74 FR 33901). Effective date . Due for State adoption 09/28/12. RATS ID 2009-1.	Draft and submit to General Counsel	Prepare draft language for regulation and submit to GC	Lickerman		
	Send to State Programs for comment	Review by State Health, DEC (30-day turnaround)	State Health, State DEC		
	Submit to FSME for review Obtain FSME approval	FSME review (60 day turnaround)	FSME		
	Prepare proposed rule for Board	Prepare and submit Certificate of Necessity (CON) and rule language done	Lickerman & Office of GC		
	Rule published for public comment	Reconcile comments	Lickerman		
	Review comments from State and FSME	Incorporate all comments	Lickerman		
	Hold public hearing	Incorporate comments	Office of GC		
	Prepare final rule language	Present to Board for Approval and	Lickerman & Office of GC		

Regulation	Tasks	Milestones	Assignment	Anticipated Completion Date	Status/Completion Date
		Publication			
	Publish Notice of Adoption in City Record				
"Medical Use of Byproduct Material" – 10 CFR Parts 20, 32, 35 (67 FR20249). Effective date 04/24/02. Due for State adoption 10/24/05. RATS ID 2002-2.	Prepare final rule language	Present to Board for Approval	Lickerman & Office of GC	March, 2011	Presented to Board on March 15, 2011 and Approved for publication
	Publish Notice of Adoption in City Record			March, 2011	Final Rule published in the City Record March 23, 2011. Became final 30 days after publication of Notice of Adoption
"Medical Use of Byproduct Material – Recognition of Specialty Boards" – 10 CFR Part 35 (70 FR 16336; 71FR 1926). Effective date 4/29/05. Due for State adoption 4/29/08. RATS ID 2005-2.	Prepare final rule language	Present to Board for Approval	Lickerman & Office of GC	March, 2011	Presented to Board on March 15, 2011 and Approved for publication
	Publish Notice of Adoption in City Record			March, 2011	Final Rule published in the City Record March 23, 2011. Became final 30 days after publication of Notice of Adoption
"Minor Amendments"- 10 CFR Parts 20, 30, 32, 35, 40, and 70 (71 FR 15005). Effective date 03/27/06. Due for State adoption 03/27/09. RATS ID 2006-1.	Prepare final rule language	Present to Board for Approval	Lickerman & Office of GC	March, 2011	Presented to Board on March 15, 2011 and Approved for publication
	Publish Notice of Adoption in City Record			March, 2011	Final Rule published in the City Record March 23, 2011. Became final 30 days after publication of Notice of Adoption

B. COMMON PERFORMANCE INDICATORS

I. Technical Staffing and Training

2. Please provide the following organization charts, including names and positions:

(a) A chart showing positions from the Governor down to the Radiation Control Program Director;

(b) A chart showing positions of the radiation control program, including management; and

(c) Equivalent charts for sealed source and device evaluation, low-level radioactive waste and uranium recovery programs, if applicable.

3. Please provide a staffing plan, or complete a listing using the suggested format below, of the professional (technical) full-time equivalents (FTE) applied to the radioactive materials program by individual. Include the name, position, and, for Agreement States, the fraction of time spent in the following areas: administration, materials licensing & compliance, emergency response, low-level radioactive waste, uranium recovery, other. If these regulatory responsibilities are divided between offices, the table should be consolidated to include all personnel contributing to the radioactive materials program.

   If consultants were used to carry out the program's radioactive materials responsibilities, include their efforts. The table headings should be:

Name	Position	Area of Effort	FTE%
Tobias Lickerman	Chief, Rad. Materials	Administrative	100%
Jose Lorenzo	Scientist 3	Compliance	50%
Dan Hayes	Scientist 2	Licensing	100%
Ed Cutler	Scientist 2	Compliance	100%
Josef Hettich	Scientist 2	Compliance	100%
Olga Aminev	Scientist 2	Compliance	50%
Mark Raymen	Scientist 2	Compliance	50%
Irene Santiago	Scientist 2	Licensing	20%

4. Please provide a listing of all new professional personnel hired into your radioactive materials program since the last review, indicate the date of hire; the degree(s) they received, if applicable; additional training; and years of experience in health physics or other disciplines, as appropriate.

New Hire	Date of Hire	Degree-	Additional Training	HP Exp.
Mark Rayman	10/27/2008	B.S. Biology	NRC I.C. Course	12 yrs

5. Please list all professional staff who have not yet met the qualification requirements for a radioactive materials license reviewer or inspector. For each, list the courses or equivalent training/experience they need and a tentative schedule for completion of these requirements.
   None

6. Identify any changes to your qualification and training procedure that occurred during the review period.

There were no changes to our qualification and training procedure during the review period.

7. Please identify the technical staff that left your radioactive materials program

during the review period and indicate the date they left.

Hailu Tedla became part of our emergency response Bureau- BEEPR

8. List any vacant positions in your radioactive materials program, the length of time each position has been vacant, and a brief summary of efforts to fill the vacancy.

None

9. For Agreement States, does your program have an oversight board or committee which provides direction to the program and is composed of licensees and/or members of the public? If so, please describe the procedures used to avoid any potential conflict of interest.

New York City does not have an oversight board.

II. Status of Materials Inspection Program

10. Please identify individual licensees or categories of licensees the State is inspecting less frequently than called for in NRC's Inspection Manual Chapter (IMC) 2800 and explain the reason for the difference. The list only needs to include the following information: license category or licensee name and license number, your inspection interval, and rationale for the difference.

There are no licenses which the New York City Office of Radiological Health is inspecting less frequently than called for in NRC's Inspection Manual Chapter (IMC) 2800. Broad medical facilities are inspected at 1-year intervals; Broad non-human use facilities at 2-year intervals; limited medical at 2-year intervals unless they possess HDR in which case they are inspected at 1-year intervals; private physicians are inspected at 2-year intervals; and limited non-human facilities are inspected at 3-year intervals. Newly licensed facilities are inspected within one year of license issuance.

11. Please provide the number of routine inspections of Priority 1, 2, and 3 licensees, as defined in IMC 2800 and the number of initial inspections that were completed during each year of the review period.

Due to technical difficulties we are not able to answer this question at this time. We hope to provide this information at IMPEP inspection when access to our Rad Database is restored.

12. Please submit a table, or a computer printout, that identifies inspections of Priority 1, 2, and 3 licensees and initial inspections that were conducted overdue.

At a minimum, the list should include the following information for each inspection that was conducted overdue during the review period:

(1) Licensee Name
(2) License Number
(3) Priority (IMC 2800)
(4) Last inspection date or license issuance date, if initial inspection
(5) Date Due
(6) Date Performed
(7) Amount of Time Overdue
(8) Date inspection findings issued

Inspections Conducted Over Due

Rockeffer University
75-2989-01
Priority One
Last Inspection Date: 7.8.2008
Date Due: 7.8.2009
Date Performed: 7.21.2010
Amount Time Overdue: 10 months
Date of inspection finding 7.21.2010

Lenox Hill Hospital
92-2926-01
Priority One
Last Inspection Date: 2.5.2008
Date Due: 2.25.2009
Date Performed: 5.3.2010
Amount Time Overdue: 12 months

13. Please submit a table or computer printout that identifies any Priority 1, 2, and 3 licensees and initial inspections that are currently overdue, per IMC 2800. At a minimum, the list should include the same information for each overdue inspection provided for Question 12 plus your action plan for completing the inspection. Also include your plan for completing the overdue inspections.

None

14. Please provide the number of reciprocity licensees that were candidates for inspection per year as described in IMC 1220 and indicate the number of reciprocity inspections of candidate licensees that were completed each year during the review period.

		Reciprocity Inspections				
Year 2006	Year 2007					
0	Maimonides Cancer Center	Year 2008	Year 2009	Year 2009	Year 2010	Year 2011
	SI University Hospital		Montefiore Med. Ctr NY Methodist Queens Hospital Memorial Sloan Ket.			
0		NYU Hospital Albert Einstein Hospital		Montefiore Med. Ctr NY Methodist	Memorial Sloan Ket. Montefiore Med. Ctr	Memorial Sloan Ket. NYU Hospital

Montefiore Med. Ctr. Northern Blvd
rad. Oncol.
SI University Hospital
Montefiore Med. Ctr

Queens Hospital
Memorial Sloan Ket.

NY Rad. Asssoc.
SI University Hospital
SI University Hospital
St. Vincents Hosp.
NY Rad. Asssoc.
Maimonides
Cancer Center
Regional Radiology
Queens Hospital
Columbia Presbyterian

Columbia Presbyterian
Long Island Jewish
Mt. Sinai Med. Ctr
Memorial Sloan Ket.

III. Technical Quality of Inspections

15. What, if any, changes were made to your written inspection procedures during the reporting period?

Article 175 of the New York City Health Code was amended to incorporate changes pursuant to 10CFR Part 35. These amendments only became effective in April 2011. New inspection forms will be in electronic form in our NYCRADDS System.

16. Prepare a table showing the number and types of supervisory accompaniments made during the review period. Include:

Inspector | Supervisor | License Category | Date

Supervisory Accompanients

Inspector	Date	Supervisor	License category
Tedla	1.4.2006	Lorenzo	91
Tedla	1.11.2006	Lorenzo	91
Aminev	5.16.2006	Lorenzo	91
Aminev	5.17.2006	Lorenzo	91
Tedla	12.12.2006	Lorenzo	91
Cutler	12.21.2006	Lorenzo	75
Cutler	1.11.2007	Lorenzo	91
Aminev	2.12.2007	Lorenzo	91
Cutler	3.15.2007	Lorenzo	91
Tedla	6.5.2007	Lorenzo	75
Hettich	8.19.2007	Lorenzo	52
Cutler	9.5.2007	Lorenzo	74
Aminev	10.3.2007	Lorenzo	91
Cutler	11.13.2007	Lorenzo	93
Aminev	12.27.2007	Lorenzo	74
Lorenzo	12.11.2007	Misken	52
Aminev	1.22.2008	Lorenzo	91
Cutler	1.17.2008	Lorenzo	91
Aminev	2.21.2008	Lorenzo	91
Hettich	2.12.2008	Lorenzo	91

Aminev	3.1.2008	Lorenzo	91
Cutler	3.12.2008	Lorenzo	91
Hettich	4.15.2008	Lorenzo	75
Hettich	8.6.2008	Lorenzo	91
Cutler	9.23.2008	Lorenzo	74
Aminev	10.2.2008	Lorenzo	91
Cutler	4.16.2008	Lorenzo	74
Cutler	1.20.2009	Lorenzo	91
Aminev	1.26.2009	Lorenzo	91
Cutler	2.26.2009	Lorenzo	91
Aminev	2.4.2009	Lorenzo	91
Hettich	3.5.2009	Lorenzo	91
Hettich	3.10.2009	Lorenzo	75
Cutler	4.6.2009	Lorenzo	91
Rayman	5.28.2009	Lorenzo	91
Cutler	6.30.2009	Lorenzo	91
Hettich	7.27.2007	Lorenzo	91
Cutler	3.8.2010	Lorenzo	75
Rayman	3.9.2010	Lorenzo	74
Hettich	4.8.2010	Lorenzo	91
Rayman	4.12.2010	Lorenzo	91
Rayman	4.13.2010	Lorenzo	91
Aminev	4.22.2010	Lorenzo	91
Cutler	5.25.2010	Lorenzo	91
Cutler	6.2.2010	Lorenzo	74
Hettich	6.3.2010	Lorenzo	91
Aminev	6.4.2010	Lorenzo	91
Rayman	11.30.2010	Lorenzo	91
Rayman	2.3.2011	Lorenzo	91
Rayman	2.9.2011	Lorenzo	91

17. Describe or provide an update on your instrumentation, methods of calibration, and laboratory capabilities. Are all instruments properly calibrated at the present time? Were there sufficient calibrated instruments available throughout the review period?

The Office for Radiological Health (ORH) calibrates its dose rate measuring equipment on an annual basis, primarily at Ludlum Measurements in Sweetwater, Texas. There is an adequate supply of calibrated dose rate measuring equipment on hand so that the RAM inspection staff will not conduct inspections with un-calibrated meters. ORH has as its main inspection unit the Ludlum Model 14C with a thin window GM detector and thin scintillation crystal detector (optimized for the detection of gamma radiation emanating from medical usage radioisotopes). A copy of the calibration report is given to the inspector for each instrument that they use, which is primarily the Ludlum 14C unit + GM probe + thin crystal scintillation probe. The Original copy of each instrument's calibration report is kept on file in the ORH headquarters.

The ORH inventory of instrumentation consists of 20+ Ludlum 14C radiation detecting systems (GM + NaI thin crystal scintillator), 4 (four) Ludlum Model 19 microR radiation detectors, 6 (six) Exploranium Model GR 130/135 radioisotope identifier units used solely for the radioisotope identification purposes, 1 (one) Automass stretch probe (with 20+ feet GM meter Extension capabilities), and 1 (one) Canberra High Range Ion Chamber Model SM-400 intended for emergency response incidents. The latter group of units are returned to the manufacturer (primarily, Ludlum Instruments) either when their calibration is due or the unit Is in need of repair.

IV. Technical Quality of Licensing Actions

18. How many specific radioactive material licenses does your program regulate at this time?

At this time our program regulates 367 specific radioactive materials licenses.

19. Please identify any major, unusual, or complex licenses which were issued, received a major amendment, were terminated, decommissioned, submitted a bankruptcy notification or renewed in this period.

#1. The following cobalt-60 teletherapy licenses have been terminated only after establishing proper disposition of their cobalt-60 sources:

92-2848-01	Calvary Hospital
92-2878-02	Columbia-Presbyterian Medical Center
92-2899-01	Animal Medical Center
92-2922-02	Cabrini Medical Center
92-3287-02	NYCHHC: Kings County Hospital

#2. The broad human-use license of St. Vincent's Hospital (75-3009-01) has been terminated. The blood irradiator has been properly disposed of and all ancillary termination requirements were met and submitted.

#3. The following hospitals with radioactive materials licenses have also been terminated:

St. John's Queens Hospital (Cancellation Amendment #12)
Mary immaculate Hospital (Cancellation amendment #12)

#4. The radioactive materials license of Long Island College Hospital – LICH (91-2843-01) has been terminated (dated 1 May 2011). Operations of the facility have been taken over by the State University of New York (SUNY) and a new license dated 1 May 2011 has been issued: "University Hospital of Brooklyn d/b/a SUNY Downstate Medical Center at LICH" (91-3501-01).

#5 The radioactive materials license of Our Lady of Mercy Medical Center (91-2900-01) has been terminated (Amendment 22, dated 4 March 2011). Operations of the facility have been taken over by Montefiore Medical Center under their amended broad human-use license (75-2885-01).

20. Discuss any variances in licensing policies and procedures or exemptions from the regulations granted during the review period.

None

21. What, if any, changes were made in your written licensing procedures (new procedures, updates, policy memoranda, etc.) during the reporting period?

For nuclear cardiologists, we accepted their certification by the Certification Board of Nuclear Cardiology as fulfilling the training and experience requirements to be listed as authorized users restricted to nuclear cardiology.

22. Identify by licensee name and license number any renewal applications that have been pending for one year or more. Please indicate why these reviews have been delayed and describe your action plan to reduce the backlog.

None

V. Technical Quality of Incident and Allegation Activities

23. For Agreement States, please provide a list of any reportable incidents not previously submitted to NRC (See Procedure SA-300, *Reporting Material Events*, for additional guidance, OMB clearance number 3150-0178). The list should be in the following format:

Licensee Name	License #	Date of Incident/Report	Type of Incident

None

24. Identify any changes to your procedures for responding to incidents and allegations that occurred during the period of this review.

C. NON-COMMON PERFORMANCE INDICATORS

I. Compatibility Requirements

25. Please list all currently effective legislation that affects the radiation control program. Denote any legislation that was enacted or amended during the review period.
New York State passed Public Health Law- Article 35, Practice of Radiological Technology- requiring that Nuclear Medicine technologists be licensed by the New York State Department of Health

26. Are your regulations subject to a "Sunset" or equivalent law? If so, explain and include the next expiration date for your regulations. No.

27. Please review and verify that the information in the enclosed State Regulation Status (SRS) sheet is correct. For those regulations that have not been adopted by the State, explain why they were not adopted, and discuss actions being taken to adopt them. If legally binding requirements were used in lieu of regulations and they have not been reviewed by NRC for compatibility, please describe their use.

"Notification of Incidents" – RATS ID 1991-4;
"Timeliness in Decommissioning Material Facilities Parts 30, 40 70" – RATS ID 1994-3;
"Radiation Protection Requirements: Amended Definitions and Criteria Parts 19, 20"- RATS ID 1995-5;
"Radiological Criteria for License Termination Parts 20, 30, 40, 70" – RATS ID 1997-6; and
"Revision of the Skin Dose Limit Part 20" – RATS ID 2002-1;
have all previously been incorporated into Article 175 of the New York City Health Code.

28. If you have not adopted all amendments within three years from the date of NRC rule promulgation, briefly describe your State's procedures for amending regulations in order to maintain compatibility with the NRC, showing the normal length of time anticipated to complete each step.
"Medical Use of Byproduct Material" – RATS ID 2002-2;
"Medical Use of Byproduct Material – Recognition of Specialty Boards" – RATS ID 2005-2;
"Minor Amendments"- RATS ID 2006-1; and

"Medical Use of Byproduct Material – Minor Corrections and Clarifications" – RATS ID 2007-1.

All three of the above amendments received final approval by the New York City Board of Health in March, 2011. They become final regulations in April, 2011.

Each of these amendments was adopted according to a process which is tabulated below

Regulation	Tasks	Milestones	Assignment	Anticipated Completion Date	Status/Completion Date
Regulation RATS ID	Prepare draft language in collaboration w NYS Health	Prepare draft language for regulation and submit to GC for preliminary approval	Office of Radiological Health	(typical dates) June, 2010	Incorporated language from 10CFR. Submitted intermediate sections on 2/22, 3/15, 3/19, final draft to legal April 21, 2010.
	Send to State Programs for comment	Review by State Health, DEC (30-day turnaround)	State Health, State DEC	July, 2010	May 5, 2010 - Submitted entire Article 175 pkg to NYS Health for comment. Comments returned from NYS, and incorporated.
	Submit to FSME for review. Obtain FSME approval.	FSME review (60 day turnaround)	FSME	July, 2010	May 3, 2010 - Submitted complete pkg to FSME for review. Comments returned from FSME and incorporated.
	Prepare proposed rule for Board	Prepare and submit Certificate of Necessity (CON) and rule language done	Lickerman & Office of GC	Dec, 2010	Work has started on CON as of 8/16/10.
	Rule published for public comment	Reconcile comments	Lickerman	Dec, 2010-Feb, 2011	Final draft in preparation for publication for September Boards.
	Review comments from State and FSME	Incorporate all comments	Lickerman	Dec, 2010-Feb, 2011	
	Hold public hearing	Incorporate comments	Office of GC	Jan, 2011	
	Prepare final rule language	Present to Board for Approval and Publication	Lickerman & Office of GC	March, 2011	
	Publish Notice of Adoption in City Record			March, 2011	Rule becomes final 30 days after publication of Notice of Adoption

"Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61, 150" – RATS ID 2007-3; and
"Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20" – RATS ID 2008-1;
are scheduled to be incorporated into Article 175 of New York City Health Code in the Winter of 2011 according to a plan similar to the one outlined above shown for enactment of Medical Use of Byproduct Material.

II. Sealed Source and Device (SS&D) Evaluation Program N/A

29. Prepare a table listing new and amended (including transfers to inactive status) SS&D registrations of sources and devices issued during the review period. The table heading should be:

SS&D Manufacturer,

Registry of Number	Distributor or Custom User	Product Type or Use	Date Issued	Type Action

30. Please include information on the following questions in Section A, as they apply to the SS&D Program:

    Technical Staffing and Training - Questions 2-9
    Technical Quality of Licensing Actions - Questions 18-22
    Technical Quality of Incident and Allegation Activities - Questions 23-24

Not Applicable to New York City Office of Radiological Health

III. Low-level Radioactive Waste Disposal Program N/A

31. Please include information on the following questions in Section A, as they apply to the Low-Level Radioactive Waste Disposal Program:

    Technical Staffing and Training - Questions 2-9
    Status of Materials Inspection Program - Questions 10-14
    Technical Quality of Inspections - Questions 15-17
    Technical Quality of Licensing Actions - Questions 18-22
    Technical Quality of Incident and Allegation Activities - Questions 23-24

IV. Uranium Recovery Program N/A

32. Please include information on the following questions in Section A, as they apply to the Uranium Recovery Program:

    Technical Staffing and Training - Questions 2-9
    Status of Materials Inspection Program - Questions 10-14
    Technical Quality of Inspections - Questions 15-17
    Technical Quality of Licensing Actions - Questions 18-22
    Technical Quality of Incident and Allegation Activities - Questions 23-24

MATERIALS REQUESTED TO BE AVAILABLE FOR THE ON-SITE PORTION OF AN IMPEP REVIEW

Please have the following information available for use by the IMPEP review team when they arrive at your office:

- List of open license cases, with date of original request, and dates of follow-up actions.
- List of licenses terminated during review period.
- Copy of current log or other document used to track licensing actions.
- List of all licensing actions completed during the review period (sorted by license reviewer, if possible).
- Copy of current log or other document used to track inspections.
- List of all inspections completed during the review period (sorted by inspector, if possible).
- List of inspection frequencies by license type.
- List of all allegations occurring during the review period. Show whether the allegation is open or closed and whether it was referred by NRC.
- List of all licenses that your agency has imposed additional security requirements upon.

ALSO, PLEASE HAVE THE FOLLOWING DOCUMENTS AVAILABLE

All State Regulations

Statutes affecting the regulatory authority of the State program

Standard license conditions

Technical procedures for licensing, model licenses, review guides

SS&D review procedures, guides and Standards

Instrument calibration records

Instrument calibration records

Inspection report forms

Documented training plan, if applicable

Records of results of supervisory accompaniments of inspectors

Emergency plan and communications list

Procedures for investigating allegations

Procedures for investigating incidents

Enforcement procedures, including procedures for escalated enforcement, severity levels, civil penalties (if applicable)

Job Descriptions

STATE REGULATION STATUS

State: New York Department of Environmental Conservation **Tracking**
[# amendment(s) reviewed is identified by a ★ **Date:**
at the beginning of the equivalent NRC requirement.]

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	No
1991-1	Safety Requirements for Radiographic Equipment Part 34 55 FR 843 (**Superceded by 1997-5**)	01/10/1994	Not Applicable	Not Applicable	NY reg of t
1991-2	ASNT Certification of Radiographers Part 34 56 FR 11504 (**Superceded by 1997-5**)	none	Not Required	Not Required	The req Cor
1991-3	Standards for Protection Against Radiation Part 20 56 FR 23360; 56 FR 61352; 57 FR 38588; 57 FR 57877; 58 FR 67657; 59 FR 41641; 60 FR 20183;	01/01/1994	Final	No Comments 11/06/1997	
1991-4	Notification of Incidents Parts 20, 30, 31, 34, 39, 40, 70 56 FR 64980;	10/15/1994			
1992-1	Quality Management Program and Misadministrations Part 35 56 FR 34104 **(Superceded by 2002-2)**	01/27/1995	Not Applicable	Not Applicable	NY reg of t
1992-2	Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions Parts 30, 35 57 FR 45566	none	Not Required	Not Required	The req Cor
1993-1	Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites] Parts 30, 40 58 FR 39628	10/25/1996	Not Required	Not Required	NY this Agr
1993-2	Licensing and Radiation Safety Requirements for Irradiators Part 36 58 FR 7715	07/01/1996	Not Applicable	Not Applicable	NY reg of t

1993-3	Definition of Land Disposal and Waste Site QA Program Part 61 58 FR 33886	07/22/1996	Not Applicable[i]	Not Applicable	NYI sub SE
1994-1	Self-Guarantee as an Additional Financial Mechanism Parts 30, 40, 70 58 FR 68726; 59 FR 1618	none	Not Required	Not Required	The req Co
1994-2	Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards Part 40 59 FR 28220	07/01/1997	Not Applicable	Not Applicable	NYI reg of t
1994-3	Timeliness in Decommissioning Material Facilities Parts 30, 40, 70 59 FR 36026	08/15/1997			
1995-1	Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use Parts 30, 32, 35 59 FR 61767; 59 FR 65243; 60 FR 322	01/01/1998	Not Applicable	Not Applicable	NYI reg of t
1995-2	Frequency of Medical Examinations for Use of Respiratory Protection Equipment Part 20 60 FR 7900	03/13/1998	Not Applicable	Not Applicable	NYI reg of t
1995-3	Low-Level Waste Shipment Manifest Information and Reporting Parts 20, 61 60 FR 15649; 60 FR 25983	03/01/1998	Final ML083200009	No Comments 12/05/2008 ML083290560	
1995-4	Performance Requirements for Radiography Equipment Part 34 60 FR 28323 **(Superseded by 1997-5)**	06/30/1998	Not Applicable	Not Applicable	NYI reg of t
1995-5	Radiation Protection Requirements: Amended Definitions and Criteria Parts 19, 20 60 FR 36038	08/14/1998			
1995-6	Clarification of Decommissioning Funding Requirements Parts 30, 40, 70 60 FR 38235	11/24/1998	Not Applicable	Not Applicable	NYI reg of t
1995-7	Medical Administration of Radiation and Radioactive Materials Parts 20, 35 60 FR 48623 **(Superceded by 2002-2 and 2005-2)**	10/20/1998	Not Applicable	Not Applicable	NYI reg of t

1996-1	Compatibility with the International Atomic Energy Agency Part 71 60 FR 50248; 61 FR 28724 **(Superceded by 2004-1)**	04/01/1999	Not Required	Not Required	NY equ
1996-2	One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses Parts 30, 40, 70 61 FR 1109	02/15/1999	Not Required	Not Required	The req Cor
1996-3	Termination or Transfer of Licensed Activities: Record keeping Requirements Parts 20, 30, 40, 61, 70 61 FR 24669	06/17/1999	Not Applicable[i]	Not Applicable	NY sub SE
1997-1	Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act Part 20 61 FR 65120	01/9/2000	License Condition ML082210044	No Comment ML082100009	
1997-2	Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State Part 150 62 FR 1662	02/27/2000	Not Applicable	Not Applicable	NY reg of t
1997-3	Criteria for the Release of Individuals Administered Radioactive Material Parts 20, 35 62 FR 4120	05/29/2000	Not Applicable	Not Applicable	NY reg of t
1997-4	Fissile Material Shipments and Exemptions Part 71 62 FR 5907 **(Superseded by 2004-1)**	02/10/2000	Not Required	Not Required	The req Cor NY equ
1997-5	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations Parts 30, 34, 71, 150 62 FR 28947	06/27/2000	Not Applicable	Not Applicable	NY reg of t
1997-6	Radiological Criteria for License Termination Parts 20, 30, 40, 70 62 FR 39057	08/20/2000			
1997-7	Exempt Distribution of a Radioactive Drug Containing One Micro curie of Carbon-14 Urea Part 30 62 FR 63634	01/02/2001	Not Applicable	Not Applicable	NY reg of t

1998-1	Deliberate Misconduct by Unlicensed Persons Parts 30, 40, 61, 70, 71, 150 63 FR 1890; 63 FR 13773	02/12/2001	Final ML061150561	Comments 04/25/2006 ML061150021	
1998-2	Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees Parts 30, 40, 70 63 FR 29535	07/01/2001	Not Required	Not Required	The req Cor
1998-3	License Term for Medical Use Licenses Part 35 63 FR 31604 **(Superseded by 2002-2)**	07/10/2001	Not Required	Not Required	The req Cor
1998-4	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations Part 34 63 FR 37059	07/09/2001	Not Applicable	Not Applicable	NYI reg of t
1998-5	Minor Corrections, Clarifying Changes, and a Minor Policy Change Parts 20, 35, 36 63 FR 39477; 63 FR 45393	10/26/2001			
1998-6	Transfer for Disposal and Manifests: Minor Technical Conforming Amendment Part 20 63 FR 50127	11/20/2001	Final ML060330210	No Comments 02/28/2006 ML060720035	
1999-1	Radiological Criteria for License Termination of Uranium Recovery Facilities Part 40 64 FR 17506	06/11/2002	Not Applicable	Not Applicable	NYI reg of t
1999-2	Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to Provide Requested Information Part 31 64 FR 42269	10/04/2002	Not Required	Not Required	The req Cor
1999-3	Respiratory Protection and Controls to Restrict Internal Exposure Part 20 64 FR 54543; 64 FR 55524	02/02/2003	Not Applicable	Not Applicable	NYI reg of t
2000-1	Energy Compensation Sources for Well Logging and Other Regulatory Clarifications Part 39 65 FR 20337	05/17/2003	Not Applicable	Not Applicable	NYI reg of t

2000-2	New Dosimetry Technology Parts 34, 36, 39 65 FR 63750	01/08/2004	Not Applicable	Not Applicable	NY reg of t
2001-1	Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material Parts 30, 31, 32 65 FR 79162	02/16/2004	Not Applicable	Not Applicable	NY reg of t
2002-1	Revision of the Skin Dose Limit Part 20 67 FR 16298	04/05/2005			
2002-2	Medical Use of Byproduct Material Parts 20, 32, 35 67 FR 20249	10/24/2005	Not Applicable	Not Applicable	NY reg of t
2003-1	Financial Assurance for Materials Licensees Parts 30, 40, 70 68 FR 57327	12/03/2006	Not Applicable	Not Applicable	NY reg of t
2004-1	Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments Part 71 69 FR 3697	10/01/2007	Final ML060330210	No Comments 02/28/2006 ML060720035	
2005-1	Security Requirements for Portable Gauges Containing Byproduct Material Part 30 70 FR 2001	07/11/2008	Not Applicable	Not Applicable	NY reg of t
2005-2	Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 70 FR 16336; 71 FR 1926	04/29/2008	Not Applicable	Not Applicable	NY reg of t
2005-3	Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090) 70 FR 72128	12/01/2005	Not Applicable	Not Applicable	NY reg of t
2006-1	Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005	03/27/2009	Not Applicable	Not Applicable	NY reg of t
2006-2	National Source Tracking System - Serialization Requirements Part 32 with reference to Part 20 Appendix E 71 FR 65685	02/06/2007	Not Applicable	Not Applicable	NY reg of t

2006-3	National Source Tracking System Part 20 71 FR 65685, 72 FR 59162	01/31/2009	Not Applicable	Not Applicable	NY reg of t
2007-1	Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207	10/29/2010	Not Applicable	Not Applicable	NY reg of t
2007-2	Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements Parts 30, 31, 32, 150 72 FR 58473	12/17/2010	Not Applicable	Not Applicable	NY reg of t
2007-3	Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61, 150 72 FR 55864	11/30/2010			
2007-4	Order Imposing Fingerprinting Requirements and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material NRC Order EA-07-305 72 FR 70901	06/05/2008	Not Applicable	Not Applicable	NY reg of t
2008-1	Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20 72 FR 68043	02/15/2011			
2009-1	Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901	09/28/2012			

STATE REGULATION STATUS

State: New York State Health Department
[# amendment(s) reviewed is identified by a ★
at the beginning of the equivalent NRC requirement.]

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	No
1991-1	Safety Requirements for Radiographic Equipment Part 34 55 FR 843 (**Superceded by 1997-5)**	01/10/1994	Final	No Comments	NY Reg Ado mer
1991-2	ASNT Certification of Radiographers Part 34 56 FR 11504 (**Superceded by 1997-5)**	none	Not Required	Not Required	The be a
1991-3	Standards for Protection Against Radiation Part 20 56 FR 23360; 56 FR 61352; 57 FR 38588; 57 FR 57877; 58 FR 67657; 59 FR 41641; 60 FR 20183;	01/01/1994	Final	Comments 12/24/1997	Ado mer
1991-4	Notification of Incidents Parts 20, 30, 31, 34, 39, 40, 70 56 FR 64980;	10/15/1994	Final	No Comments 01/28/2000	Ado mer
1992-1	Quality Management Program and Misadministrations Part 35 56 FR 34104 **(Superceded by 2002-2)**	01/27/1995			NY Reg 2.
1992-2	Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions Parts 30, 35 57 FR 45566	none	Not Required	Not Required	The be a
1993-1	Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites] Parts 30, 40 58 FR 39628	10/25/1996	Final	No Comments 01/28/2000	Ado mer
1993-2	Licensing and Radiation Safety Requirements for Irradiators Part 36 58 FR 7715	07/01/1996	Final	No Comments 01/28/2000	Ado mer
1993-3	Definition of Land Disposal and Waste Site QA Program Part 61 58 FR 33886	07/22/1996	Not Applicable	Not Applicable	NY this Agr

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	No
1994-1	Self-Guarantee as an Additional Financial Mechanism Parts 30, 40, 70 58 FR 68726; 59 FR 1618	none	Not Required	Not Required	The be a
1994-2	Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards Part 40 59 FR 28220	07/01/1997	Not Applicable	Not Applicable	NY this Agr
1994-3	Timeliness in Decommissioning Material Facilities Parts 30, 40, 70 59 FR 36026	08/15/1997	Final	No Comments 01/28/2000	Ado mer
1995-1	Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use Parts 30, 32, 35 59 FR 61767; 59 FR 65243; 60 FR 322	01/01/1998	Final	No Comments 01/28/2000	Ado mer
1995-2	Frequency of Medical Examinations for Use of Respiratory Protection Equipment Part 20 60 FR 7900	03/13/1998	Final	No Comments 01/28/2000	Ado mer
1995-3	Low-Level Waste Shipment Manifest Information and Reporting Parts 20, 61 60 FR 15649; 60 FR 25983	03/01/1998	Not Applicable	Not Applicable	NY this Agr
1995-4	Performance Requirements for Radiography Equipment Part 34 60 FR 28323 **(Superceded by 1997-5)**	06/30/1998	Final	No Comments 01/28/2000	NY Reg Ado mer
1995-5	Radiation Protection Requirements: Amended Definitions and Criteria Parts 19, 20 60 FR 36038	08/14/1998	Final	No Comments 01/28/2000	Ado mer
1995-6	Clarification of Decommissioning Funding Requirements Parts 30, 40, 70 60 FR 38235	11/24/1998	Final	No Comments 01/28/2000	Ado mer
1995-7	Medical Administration of Radiation and Radioactive Materials Parts 20, 35 60 FR 48623 **(Superceded by 2002-2 and 2005-2)**	10/20/1998			

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	No
1996-1	Compatibility with the International Atomic Energy Agency Part 71 60 FR 50248; 61 FR 28724 **(Superceded by 2004-1)**	04/01/1999	Final	No Comments 01/28/2000	NY Reg 1. Ado mer
1996-2	One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses Parts 30, 40, 70 61 FR 1109	02/15/1999	Not Required	Not Required	The be a
1996-3	Termination or Transfer of Licensed Activities: Record keeping Requirements Parts 20, 30, 40, 61, 70 61 FR 24669	06/17/1999			
1997-1	Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act Part 20 61 FR 65120	01/9/2000	Not Applicable	Not Applicable	NY this Agr
1997-2	Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State Part 150 62 FR 1662	02/27/2000	Final ML092260295 License Condition ML092260295	No Comments 09/08/2009 ML092310687 No Comments 09/08/2009 ML092310687	
1997-3	Criteria for the Release of Individuals Administered Radioactive Material Parts 20, 35 62 FR 4120	05/29/2000	Final ML100120050	Comments 03/08/2010 ML100330046	
1997-4	Fissile Material Shipments and Exemptions Part 71 62 FR 5907 **(Superceded by 2004-1)**	02/10/2000	Not Required	Not Required	The be a (See
1997-5	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations Parts 30, 34, 71, 150 62 FR 28947	06/27/2000	Proposed Ml100600746 License Condition ML100600746	Comments 05/06/2010 ML100890066 Comments 05/06/2010 ML100890066	NY und regu

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	No
1997-6	Radiological Criteria for License Termination Parts 20, 30, 40, 70 62 FR 39057	08/20/2000			
1997-7	Exempt Distribution of a Radioactive Drug Containing One Micro curie of Carbon-14 Urea Part 30 62 FR 63634	01/02/2001	License Condition ML080170561	No Comments 03/20/2008 ML080800306	
1998-1	Deliberate Misconduct by Unlicensed Persons Parts 30, 40, 61, 70, 71, 150 63 FR 1890; 63 FR 13773	02/12/2001			
1998-2	Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees Parts 30, 40, 70 63 FR 29535	07/01/2001	Not Required	Not Required	The be a
1998-3	License Term for Medical Use Licenses Part 35 63 FR 31604 **(Superceded by 2002-2)**	07/10/2001	Not Required	Not Required	The be a (See
1998-4	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations Part 34 63 FR 37059	07/09/2001	Proposed Ml100600746 License Condition ML100600746	Comments 05/06/2010 ML100890066 Comments 05/06/2010 ML100890066	NY und regu
1998-5	Minor Corrections, Clarifying Changes, and a Minor Policy Change Parts 20, 35, 36 63 FR 39477; 63 FR 45393	10/26/2001	Proposed ML101310506	Comments 07/07/2010 ML101580277	
1998-6	Transfer for Disposal and Manifests: Minor Technical Conforming Amendment Part 20 63 FR 50127	11/20/2001	Not Applicable	Not Applicable	NY this Agr
1999-1	Radiological Criteria for License Termination of Uranium Recovery Facilities Part 40 64 FR 17506	06/11/2002	Not Applicable	Not Applicable	NY this Agr
1999-2	Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to Provide Requested	10/04/2002	Not Required	Not Required	The

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	No
	Information Part 31 64 FR 42269				be a
1999-3	Respiratory Protection and Controls to Restrict Internal Exposure Part 20 64 FR 54543; 64 FR 55524	02/02/2003	License Condition ML092260298	No Comments 09/03/2009 ML092320011	
2000-1	Energy Compensation Sources for Well Logging and Other Regulatory Clarifications Part 39 65 FR 20337	05/17/2003	License Condition ML100120053	No Comments 02/23/2010 ML100350697	
2000-2	New Dosimetry Technology Parts 34, 36, 39 65 FR 63750	01/08/2004	Final ML100050662	No Comments 03/08/2010 ML100321001	
2001-1	Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material Parts 30, 31, 32 65 FR 79162	02/16/2004	License Condition for 32.52 (a) & (b) only ML040770455	No Comments 04/02/2004 ML040930388	Ado mer
2002-1	Revision of the Skin Dose Limit Part 20 67 FR 16298	04/05/2005	Proposed ML101310506	No Comments 07/07/2010 ML101580277	
2002-2	Medical Use of Byproduct Material Parts 20, 32, 35 67 FR 20249	10/24/2005	Proposed ML100600745 License Condition ML080170561	Comments 05/18/2010 ML100890015 No Comments 03/20/2008 ML080800306	 Part radi
2003-1	Financial Assurance for Materials Licensees Parts 30, 40, 70 68 FR 57327	12/03/2006			
2004-1	Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments Part 71 69 FR 3697	10/01/2007	Final ML092590171	Comments 10/23/2009 ML092710056	

2005-1	Security Requirements for Portable Gauges Containing Byproduct Material Part 30 70 FR 2001	07/11/2008	License Condition ML092590174	No Comments 10/07/2009 ML092710325	
2005-2	Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 70 FR 16336; 71 FR 1926	04/29/2008	Proposed ML100600745	Comments 05/18/2010 ML100890015	
2005-3	Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090) 70 FR 72128	12/01/2005	License Condition ML053120138	No Comments 11/10/2005 ML053180041	
2006-1	Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005	03/27/2009	Proposed ML100600745	Comments 05/18/2010 ML100890015	
2006-2	National Source Tracking System - Serialization Requirements Part 32 with reference to Part 20 Appendix E 71 FR 65685	02/06/2007	Not Applicable[ii]	Not Applicable	NY FSM had ML
2006-3	National Source Tracking System Part 20 71 FR 65685, 72 FR 59162	01/31/2009	License Condition ML083240082	No Comments 12/11/2008 ML083390393	
2007-1	Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207	10/29/2010	Proposed ML100600745	Comments 05/18/2010 ML100890015	
2007-2	Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements Parts 30, 31, 32, 150 72 FR 58473	12/17/2010			
2007-3	Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61, 150 72 FR 55864	11/30/2010			
2007-4	Order Imposing Fingerprinting Requirements and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material NRC Order EA-07-305 72 FR 70901	06/05/2008	Final ML091730154	Comments 08/04/2009 ML091820407	

2008-1	Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20 72 FR 68043	02/15/2011			
2009-1	Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901	09/28/2012	Proposed ML100600745	Comments 05/18/2010 ML100890015	

STATE REGULATION STATUS

State: New York City Department of Health
[# amendment(s) reviewed is identified by a ★
at the beginning of the equivalent NRC requirement.]

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	No
1991-1	Safety Requirements for Radiographic Equipment Part 34 55 FR 843 (**Superceded by 1997-5**)	01/10/1994	Not Applicable	Not Applicable	NY reg of t
1991-2	ASNT Certification of Radiographers Part 34 56 FR 11504 (**Superceded by 1997-5**)	none	Not Required	Not Required	The be Cor
1991-3	Standards for Protection Against Radiation Part 20 56 FR 23360; 56 FR 61352; 57 FR 38588; 57 FR 57877; 58 FR 67657; 59 FR 41641; 60 FR 20183;	01/01/1994	Final	No Comments 10/14/1997	
1991-4	Notification of Incidents Parts 20, 30, 31, 34, 39, 40, 70 56 FR 64980;	10/15/1994			
1992-1	Quality Management Program and Misadministrations Part 35 56 FR 34104 **(Superceded by 2002-2)**	01/27/1995			
1992-2	Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions Parts 30, 35 57 FR 45566	none	Not Required	Not Required	The req Cor
1993-1	Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites] Parts 30, 40 58 FR 39628	10/25/1996			
1993-2	Licensing and Radiation Safety Requirements for Irradiators Part 36 58 FR 7715	07/01/1996	Not Applicable	Not Applicable	NY reg of t
1993-3	Definition of Land Disposal and Waste Site QA Program	07/22/1996	Not Applicable	Not Applicable	NY

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	No
	Part 61 58 FR 33886				reg of t
1994-1	Self-Guarantee as an Additional Financial Mechanism Parts 30, 40, 70 58 FR 68726; 59 FR 1618	none	Not Required	Not Required	The req Cor
1994-2	Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards Part 40 59 FR 28220	07/01/1997	Not Applicable	Not Applicable	NY reg of t
1994-3	Timeliness in Decommissioning Material Facilities Parts 30, 40, 70 59 FR 36026	08/15/1997	Final ML061290502	No Comments 06/12/2006 ML061630264	
1995-1	Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use Parts 30, 32, 35 59 FR 61767; 59 FR 65243; 60 FR 322	01/01/1998			
1995-2	Frequency of Medical Examinations for Use of Respiratory Protection Equipment Part 20 60 FR 7900	03/13/1998	Final ML061290502	No Comments 06/12/2006 ML061630264	
1995-3	Low-Level Waste Shipment Manifest Information and Reporting Parts 20, 61 60 FR 15649; 60 FR 25983	03/01/1998	Not Applicable	Not Applicable	NY reg of t
1995-4	Performance Requirements for Radiography Equipment Part 34 60 FR 28323 **(Superceded by 1997-5)**	06/30/1998	Not Applicable	Not Applicable	NY reg of t
1995-5	Radiation Protection Requirements: Amended Definitions and Criteria Parts 19, 20 60 FR 36038	08/14/1998	Final ML070290581	No Comments 02/23/2007 ML070520527	
1995-6	Clarification of Decommissioning Funding Requirements Parts 30, 40, 70 60 FR 38235	11/24/1998	Final ML061290502	No Comments 06/12/2006 ML061630264	
1995-7	Medical Administration of Radiation and Radioactive Materials Parts 20, 35 60 FR 48623	10/20/1998			NY reg 200

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	No
	(Superceded by 2002-2 and 2005-2)				
1996-1	Compatibility with the International Atomic Energy Agency Part 71 60 FR 50248; 61 FR 28724 **(Superceded by 2004-1)**	04/01/1999	Proposed	No Comments 02/09/1999	NY reg 200
1996-2	One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses Parts 30, 40, 70 61 FR 1109	02/15/1999	Not Required	Not Required	The req Co
1996-3	Termination or Transfer of Licensed Activities: Record keeping Requirements Parts 20, 30, 40, 61, 70 61 FR 24669	06/17/1999	Final ML061290502	No Comments 06/12/2006 ML061630264	
1997-1	Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act Part 20 61 FR 65120	01/9/2000	Not Applicable	Not Applicable	NY reg of t
1997-2	Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State Part 150 62 FR 1662	02/27/2000	Final ML070290581	No Comments 02/23/2007 ML 070520527	
1997-3	Criteria for the Release of Individuals Administered Radioactive Material Parts 20, 35 62 FR 4120	05/29/2000	Final ML100120050	Comments 03/08/2010 ML100330046	
1997-4	Fissile Material Shipments and Exemptions Part 71 62 FR 5907 **(Superceded by 2004-1)**	02/10/2000	Not Required	Not Required	The req Co
1997-5	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations Parts 30, 34, 71, 150 62 FR 28947	06/27/2000	Not Applicable	Not Applicable	NY reg of t
1997-6	Radiological Criteria for License Termination Parts 20, 30, 40, 70 62 FR 39057	08/20/2000	Final ML070290581	No Comments 02/23/2007 ML070520527	

1997-7	Exempt Distribution of a Radioactive Drug Containing One Micro curie of Carbon-14 Urea Part 30 62 FR 63634	01/02/2001	Not Applicable	Not Applicable	NY reg of t
1998-1	Deliberate Misconduct by Unlicensed Persons Parts 30, 40, 61, 70, 71, 150 63 FR 1890; 63 FR 13773	02/12/2001	Final ML061290502	No Comments 06/12/2006 ML061630264	
1998-2	Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees Parts 30, 40, 70 63 FR 29535	07/01/2001	Not Required	Not Required	The req Cor
1998-3	License Term for Medical Use Licenses Part 35 63 FR 31604 **(Superceded by 2002-2)**	07/10/2001	Not Required	Not Required	The req Cor
1998-4	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations Part 34 63 FR 37059	07/09/2001	Not Applicable	Not Applicable	NY reg of t
1998-5	Minor Corrections, Clarifying Changes, and a Minor Policy Change Parts 20, 35, 36 63 FR 39477; 63 FR 45393	10/26/2001			
1998-6	Transfer for Disposal and Manifests: Minor Technical Conforming Amendment Part 20 63 FR 50127	11/20/2001			
1999-1	Radiological Criteria for License Termination of Uranium Recovery Facilities Part 40 64 FR 17506	06/11/2002	Not Applicable	Not Applicable	NY reg of t
1999-2	Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to Provide Requested Information Part 31 64 FR 42269	10/04/2002	Not Required	Not Required	The req Cor
1999-3	Respiratory Protection and Controls to Restrict Internal Exposure Part 20	02/02/2003	Final ML061290502	No Comments 06/01/2006 ML061530099	

	64 FR 54543; 64 FR 55524				
2000-1	Energy Compensation Sources for Well Logging and Other Regulatory Clarifications Part 39 65 FR 20337	05/17/2003	Not Applicable	Not Applicable	NY reg of t
2000-2	New Dosimetry Technology Parts 34, 36, 39 65 FR 63750	01/08/2004	Final ML100050662	No Comments 03/08/2010 ML100321001	
2001-1	Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material Parts 30, 31, 32 65 FR 79162	02/16/2004	Not Applicable	Not Applicable	NY reg of t
2002-1	Revision of the Skin Dose Limit Part 20 67 FR 16298	04/05/2005	Final ML061290502	No Comments 06/01/2006 ML061530099	
2002-2	Medical Use of Byproduct Material Parts 20, 32, 35 67 FR 20249	10/24/2005	Proposed ML101260366	Comments 06/08/2010 ML101370069	
2003-1	Financial Assurance for Materials Licensees Parts 30, 40, 70 68 FR 57327	12/03/2006	Final ML092010319	No Comments 08/17/2009 ML092100446	
2004-1	Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments Part 71 69 FR 3697	10/01/2007	Final ML092010319	Comments 08/17/2009 ML092100446	
2005-1	Security Requirements for Portable Gauges Containing Byproduct Material Part 30 70 FR 2001	07/11/2008	Not Applicable	Not Applicable	NY reg of t
2005-2	Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 70 FR 16336; 71 FR 1926	04/29/2008	Proposed ML101260366	Comments 06/08/2010 ML101370069	
2005-3	Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090) 70 FR 72128	12/01/2005	License Condition ML052910113	No Comments 10/20/2005 ML052940009	
2006-1	Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005	03/27/2009	Proposed ML101260366	Comments 06/08/2010 ML101370069	

2006-2	National Source Tracking System - Serialization Requirements Part 32 with reference to Part 20 Appendix E 71 FR 65685	02/06/2007	Not Applicable	Not Applicable	NY reg of t
2006-3	National Source Tracking System Part 20 71 FR 65685, 72 FR 59162	01/31/2009	License Condition ML090080848	No Comments 01/22/2009 ML090120617	
2007-1	Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207	10/29/2010	Proposed ML101260366	Comments 06/08/2010 ML101370069	
2007-2	Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements Parts 30, 31, 32, 150 72 FR 58473	12/17/2010			
2007-3	Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61, 150 72 FR 55864	11/30/2010			
2007-4	Order Imposing Fingerprinting Requirements and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material NRC Order EA-07-305 72 FR 70901	06/05/2008	Final ML092010319	No Comments 08/17/2009 ML092100446	
2008-1	Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20 72 FR 68043	02/15/2011			
2009-1	Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901	09/28/2012			