

July 30, 2012

Mr. Chad Glenn, Sr. Program Manager
FSME/DWMEP/DURLD
MS T-8-F5, TWFN
U.S. Nuclear Regulatory Commission
11545 Rockville Pike
Rockville, MD 20852

SUBJECT: Transmittal of the Radiation Protection Program for the Non-SDA, Non-WVDP Portions of the Western New York Nuclear Service Center

Dear Mr. Glenn:

The New York State Energy Research and Development Authority (NYSERDA) has completed the development of a Radiation Protection Program (RPP) for the non-SDA, non-WVDP portions of the Western New York Nuclear Service Center (Center). The program, which was developed to meet the requirements of 10 CFR Part 20: *Standards for Protection Against Radiation*, was first discussed with you and other NRC staff during a conference call on March 3, 2011. I have enclosed a copy of the RPP plans and procedures for your information.

The program was prepared to provide a structured process for the review and approval of work activities that will be conducted on the non-SDA, non-WVDP portions of the Center where low-levels of Part 50-Licensed radioactive materials may be present. The U.S. Department of Energy does not provide radiation protection for NYSEDA's workers and contractors in these areas, and these areas fall outside the jurisdiction of the NYS Department of Health Radioactive Materials License for the State-Licensed Disposal Area.

During the March 3, 2011 conference call, you stated that NRC understands that NYSEDA was developing this RPP out of an abundance of caution; and that NRC had no objections to NYSEDA establishing an RPP as a framework for the review of such work activities. You also acknowledged that NRC was not formally requiring this program, and as such, NRC's review and approval of the program was not necessary prior to implementation. The program was formally implemented on July 17, 2012.

PJB/12amd019.ejt

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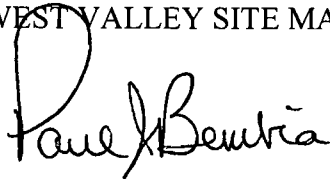
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If the plans and procedures for this RPP are revised over time, we will provide you with an electronic copy for your records.

If you have any questions or comments, please contact NYSERDA's Radiation Safety Officer, Edward Traverso, RPPT, at (716) 942-9960 at extension 4027.

Sincerely,

WEST VALLEY SITE MANAGEMENT PROGRAM

A handwritten signature in black ink that reads "Paul J. Bembia". The signature is written in a cursive style with a large initial "P".

Paul J. Bembia, Director

EJT/amd

Enclosures:

1. Copies of the RP-RPP plans and procedures
2. Index of RP-RPP Plans and Procedures, dated 7/30/2012

cc: B. C. Bower, DOE-WVDP (w/encs.)
E. J. Traverso, RPPT, RSO, NYSERDA-WV (w/o encs.)
J. L. Williams, NYSERDA-WV (w/o encs.)
D. A. Munro, NYSERDA-Albany (w/o encs.)
D. J. O'Hehir, NYSDEC, Albany (email w/encs.)
File: 10512-12 (w/encs.)