



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION I
2100 RENAISSANCE BLVD., SUITE 100
KING OF PRUSSIA, PA 19406-2713

March 30, 2016

Mr. Stephen Gavitt, CHP, Director
Bureau of Environmental Radiation
Protection
Department of Health
Empire State Plaza – Corning Tower
12th Floor
Albany, NY 12237

Dear Mr. Gavitt:

In order to help the Agreement States and the U.S. Nuclear Regulatory Commission (NRC) remain knowledgeable of each other's program and to initiate planning for the next Integrated Materials Performance Evaluation Program (IMPEP) review, the NRC conducts one-day periodic meetings with Agreement States between IMPEP reviews.

This letter confirms that, through previous coordination, the meeting is scheduled for May 5, 2016, and will be held in your offices. The meeting will be conducted in accordance with Office of Federal and State Materials and Environmental Management Programs Procedure SA-116, *Periodic Meetings Between IMPEP Reviews*. In addition to myself, Joseph Nick, Deputy Director, Division of Nuclear Materials Safety, Region I, and Lisa Dimmick, Agreement States Program Branch, Office of Nuclear Material Safety and Safeguards, will attend the meeting.

The likely topics for discussion at this meeting are listed in the enclosed agenda. If there are any additional specific topics you would like to cover, please let me know. If you have any questions, please contact me at (610) 337-5371 or via e-mail at Donna.Janda@nrc.gov.

Sincerely,

/RA/

Donna M. Janda
Regional State Agreements Officer
Division of Nuclear Materials Safety

Enclosure:
Agenda for May 5, 2016 Periodic
Meeting with New York Department
of Health

March 30, 2016

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of Health

Distribution:

L. Dimmick, NMSS P. Michalak, NMSS
J. Trapp, RI DNMS M. Ford, RI DNMS
J. Nick, RI DNMS

SUNSI Review Complete: DMJ (Reviewer's Initials)

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OFFICE	DNMS/RI	E							
NAME	DJanda/dmj								
DATE	03/30/16								

**Agenda for Periodic Meeting with New York
Department of Health
May 5, 2016**

Topic areas for discussion during the meeting may include:

1. Strengths and challenges of the State program as identified by the State or the NRC, including identification of actions that could strengthen the program.
2. Feedback on the NRC's program as identified by the State, including identification of any action that should be considered by the NRC.
3. Status of the State's program, including:

- a. Program reorganizations:

Discuss any changes in program organization, including program/staff relocations and new appointments.

- b. Changes in program budget/funding.

- c. Technical Staffing and Training (2014 IMPEP: Satisfactory, but Needs Improvement):

- i) Number of staff in the program and status of their training and qualifications;
- ii) Program vacancies;
- iii) Staff turnover; and,
- iv) Adequacy of FTEs for the materials program.

Recommendation: The review team recommends that the DOH continue to pursue vacancy waivers and implement a strategy to address current and future staffing vacancies in order to maintain effectiveness.

- d. Status of Materials Inspection Program (2014 IMPEP: Satisfactory):

- i) Number of inspections completed on time and overdue since last IMPEP
- ii) Number of initial inspections completed on time and overdue since the last IMPEP
- iii) Number of reciprocity inspections completed each year since the last IMPEP

- e. Technical Quality of Inspections (2014 IMPEP: Satisfactory)

- f. Technical Quality of Licensing Actions (2014 IMPEP: Satisfactory)

- g. Technical Quality of Incident and Allegation Activities (2014 IMPEP: Satisfactory):
 - i) Number of reportable events received since the last IMPEP and event reporting, including follow-up and closure information in NMED.
 - ii) Status of allegations and concerns referred by the NRC for action;
 - iii) Significant events and generic implications.
 - h. Compatibility Requirements (2014 IMPEP: Unsatisfactory)

Recommendation: The review team recommends that the Program make appropriate regulatory changes to resolve NRC-generated comments as noted in regulation review letters, and adopt NRC regulations in accordance with the current NRC policy on adequacy and compatibility.
 - i. Sealed Source and Device Evaluation Program (2014 IMPEP: Satisfactory)
 - j. Low Level Radioactive Waste Disposal Program (2014 IMPEP: Satisfactory)
- 4. Information exchange and discussion:
 - a. Current State initiatives;
 - b. Emerging technologies;
 - c. Large, complicated, or unusual authorizations for use of radioactive materials;
 - d. State's mechanisms to evaluate performance; and,
 - e. NRC current initiatives.
 - 5. Additional topics
 - 6. Schedule for the next IMPEP review
 - 7. Any action items resulting from the meeting
 - 8. Exit with Senior Management