Ref: SA/JOL

OCT 1 1982

Robert F. Flacke, Commissioner
New York State Department of
    Environmental Conservation
50 Wolf Road
Albany, New York 12233

Dear Commissioner Flacke:

Thank you for your letter of May 11, 1982 responding to our comments and
recommendations following our 1982 review of the Department's radiation
control program. I also wish to acknowledge Mr. Cashman's July 9, 1982
letter to me and his September 13, 1982 letter to Joel Lubenau.

In my March 31, 1982 letter to you, I expressed the staff's view that
the Department's program for regulation of agreement material is adequate
to protect the public health and safety and that the staff was prepared
to offer an opinion on compatibility following confirmation by the
Department that it will initiate action to enact minor amendments to
Part 380 to conform them to Federal regulations. Mr. Cashman informed
us in his September 13, 1982 letter that this has been done. Accordingly,
I am pleased to advise you of the staff's opinion that the Department's
program for regulation of agreement material is compatible with the
Commission's program.

Following established practice, I am enclosing a second copy of this
letter which should be placed in your State Public Document Room or
otherwise made available for public review.

                                Sincerely,

                                Original Signed By:
                                Ronald C. Haynes
                                Regional Administrator

cc: Mr. H. H. Hovey, Jr.   Distribution:
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