

**NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE  
PROGRAM IMPROVEMENT PLAN**

<b>Regulation</b>	<b>Tasks</b>	<b>Milestones</b>	<b>Assignment</b>	<b>Anticipated Completion Date</b>	<b>Status/Completion Date</b>
Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements Parts 30, 31, 32, 150 72 FR 58473; RATS ID 2007-2	Prepare draft language in collaboration w NYS Health	Prepare draft language for regulation and submit to GC for preliminary approval	Lickerman	March, 2012	
Exemptions From Licensing, Due date for State Adoption – 12/17/2010	Send to State Programs for comment	Review by State Health, DEC (30-day turnaround)	State Health, State DEC	Apr, 2012	
	Submit to FSME for review. Obtain FSME approval.	FSME review (60 day turnaround)	FSME	Apr, 2012	
	Prepare proposed rule for Board	Prepare and submit Certificate of Necessity (CON) and rule language done	Lickerman & Office of GC	Aug, 2012	
	Rule published for public comment	Reconcile comments	Lickerman	Sept, 2012 - Nov, 2012	
	Review comments from State and FSME	Incorporate all comments	Lickerman	Sept, 2012 - Nov, 2012	
	Hold public hearing	Incorporate comments	Office of GC	Oct, 2012	
	Prepare final rule language	Present to Board for Approval and Publication	Lickerman & Office of GC	December, 2012	
	Publish Notice of Adoption in City Record			December, 2012	
Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61, 150 72 FR 55864; RATS ID 2007-3	Draft and submit to General Counsel	Prepare draft language for regulation and submit to GC	Lickerman	March, 2012	
Requirements for Expanded Definition of Byproduct Material Due date for State Adoption – 11/30/2010	Send to State Programs for comment	Review by State Health, DEC (30-day turnaround)	State Health, State DEC	Apr, 2012	
	Submit to FSME for review  Obtain FSME approval	FSME review (60 day turnaround)	FSME	Apr, 2012	

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	Prepare proposed rule for Board	Prepare and submit Certificate of Necessity (CON) and rule language done	Lickerman & Office of GC	June, 2012	
	Rule published for public comment	Reconcile comments	Lickerman	Sept, 2012 - Nov, 2012	
	Review comments from State and FSME	Incorporate all comments	Lickerman	Sept, 2012 - Nov, 2012	
	Hold public hearing	Incorporate comments	Office of GC	Oct, 2012	
	Prepare final rule language	Present to Board for Approval	Lickerman & Office of GC	December, 2012	
	Publish final rule in City Record			December, 2012	
Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20 72 FR 68043 RATS ID 2008-1	Prepare draft language in collaboration w NYS Health	Prepare draft language for regulation and submit to GC for preliminary approval	Lickerman	March, 2012	
Occupational Dose Records, Due date for State Adoption – 02/15/2011	Send to State Programs for comment	Review by State Health, DEC (30-day turnaround)	State Health, State DEC	Apr, 2012	
	Submit to FSME for review. Obtain FSME approval.	FSME review (60 day turnaround)	FSME	Apr, 2012	
	Prepare proposed rule for Board	Prepare and submit Certificate of Necessity (CON) and rule language done	Lickerman & Office of GC	Aug, 2012	
	Rule published for public comment	Reconcile comments	Lickerman	Sept, 2012 - Nov, 2012	
	Review comments from State and FSME	Incorporate all comments	Lickerman	Sept, 2012 - Nov, 2012	
	Hold public hearing	Incorporate comments	Office of GC	Oct, 2012	
	Prepare final rule language	Present to Board for Approval and Publication	Lickerman & Office of GC	December, 2012	
	Publish Notice of Adoption in City Record			December, 2012	
Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901 RATS ID 2009-1	Draft and submit to General Counsel	Prepare draft language for regulation and submit to GC	Lickerman	June, 2012	

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Medical Use ... Authorized User Clarification Due date for State Adoption – 09/28/2012	Send to State Programs for comment	Review by State Health, DEC (30-day turnaround)	State Health, State DEC	Jul, 2012	
	Submit to FSME for review  Obtain FSME approval	FSME review (60 day turnaround)	FSME	Jul, 2012	
	Prepare proposed rule for Board	Prepare and submit Certificate of Necessity (CON) to General Counsel and Notice of Intention (NOI) to Board	Lickerman & Office of GC	Nov, 2012	
	Rule published for public comment	Reconcile comments	Lickerman	Dec, 2012 - Feb, 2013	
	Review comments from State and FSME	Incorporate all comments	Lickerman	Dec, 2012 - Feb, 2013	
	Hold public hearing	Incorporate comments	Office of GC	Jan, 2013	
	Prepare final rule language	Present to Board for Approval	Lickerman & Office of GC	March, 2013	
	Publish final rule in City Record			March, 2013	
Decommissioning Planning Parts 20, 30, 40, 70 76 FR 35512 RATS ID 2011-1	Prepare draft language in collaboration w NYS Health	Prepare draft language for regulation and submit to GC for preliminary approval	Lickerman	March, 2013	
Decommissioning Planning Due date for State Adoption – 12/17/2015	Send to State Programs for comment	Review by State Health, DEC (30-day turnaround)	State Health, State DEC	Apr, 2013	
	Submit to FSME for review. Obtain FSME approval.	FSME review (60 day turnaround)	FSME	Apr, 2013	
	Prepare proposed rule for Board	Prepare and submit Certificate of Necessity (CON) and rule language done	Lickerman & Office of GC	Aug, 2013	
	Rule published for public comment	Reconcile comments	Lickerman	Sept, 2013 - Nov, 2013	
	Review comments from State and FSME	Incorporate all comments	Lickerman	Sept, 2013- Nov, 2013	
	Hold public hearing	Incorporate comments	Office of GC	Oct, 2013	

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	Prepare final rule language	Present to Board for Approval and Publication	Lickerman & Office of GC	December, 2013	
	Publish Notice of Adoption in City Record			December, 2013	
Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites] Parts 30, 40 58 FR 39628 RATS ID 1993-1	Submit to FSME for review. Obtain FSME approval.				Final Regulation Filed with NRC ML112260003
Decommissioning Recordkeeping Due date for State Adoption – 10/25/1996		NRC Reviews Final Regulation			Final Regulation approved by NRC with No Comments 09/22/2011 ML112450346
Notification of Incidents Parts 20, 30, 31, 34, 39, 40, 70 56 FR 64980 RATS ID 1991-4  Due date for State Adoption – 10/15/1994	Submit to FSME for review. Obtain FSME approval.				Final Regulation Filed with NRC ML113040041
Notification of Incidents  Due date for State Adoption – 10/15/1994		NRC Reviews Final Regulation			Final Regulation reviewed by NRC With Comments 12/05/2011 ML112450346
	Incorporate NRC comments into final regulation				NRC Comments incorporated into Final Regulation December, 2011
				Present Final Regulation to Board of Health, June, 2012	
Medical Use of Byproduct Material Parts 20, 32, 35 67 FR 20249 RATS ID 2002-2	Submit to FSME for review. Obtain FSME approval.				Final Regulation Filed with NRC 05/13/11
Medical Use of Byproduct Material  Due date for State Adoption –		NRC Reviews Final Regulation			Final Regulation reviewed by NRC With Comments 07/07/2011 ML111580570

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10/24/2005					
	Incorporate NRC comments into final regulation		Prepare final regulation with NRC comments incorporated		Final Regulation with NRC comments incorporated approved by Board of Health, September, 2011  (*See Note below)

**\*Note –**

- Medical Use of Byproduct Material Parts 20, 32, 35 (RATS ID 2002-2)
- Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 (RATS ID 2005-2);
- Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005 (RATS ID 2006-1); and
- Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207 (RATS ID 2007-1)

Were all addressed and reviewed together in one submittal to NRC; all approved by Board of Health September, 2011

**RECOMMENDATIONS**

2. The review team recommends that NYC respond to each incident received in accordance with its established Incident Response Procedure. (Section 3.5.1)

**NYC Response-**

Radioactive Material staff have been reminded to follow the established ORH Medical Event Protocol for medical events reported to the program. The Section Chief, Senior Physicist, Field Supervisor and Inspectors have been reminded about the proper sequence of events to be followed to close out all reported Incidents reported.

3. The review team recommends that NYC modify the Incident Response Procedure to add timely notifications to the NRC Operations Center in accordance with the timeliness identified in SA-300. (Section 3.5.1)

**NYC Response-**

Radioactive Materials staff and the Senior Physicist were instructed to review the timelines in SA-300 to ensure that those events that were reportable were reported in the required timelines.

4. The review team recommends that NYC evaluate all incident statistical information received from licensees, both retrospectively and prospectively, and follow-up in a manner to ensure that each incident is properly evaluated for health, safety, and security implications.

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NYC Response-

Radioactive Materials staff have been reminded to follow the ORH Medical Event Protocol for all event information received, whether sent in voluntarily or through Department Order.