



# STATE OF NEW YORK DEPARTMENT OF HEALTH

Flanigan Square, 547 River Street, Troy, New York 12180-2216

Antonia C. Novello, M.D., M.P.H., Dr.P.H.  
*Commissioner*

Dennis P. Whalen  
*Executive Deputy Commissioner*

November 1, 2006

**RE: Respiratory Protection Program  
(Notice No. BERP 2006-2)**

Dear Licensee:

This notice provides information to Decommissioning and Decontamination licensees, as well as Broad Scope licensees, in regard to Respiratory Protection. The type of use authorized by such licenses carries the greatest potential for a situation that may require implementation of a respiratory protection program pursuant to 10 NYCRR 16.26.

The Department is in the process of amending 10 NYCRR 16 to update respiratory protection requirements in section 16.26 for consistency with the provisions in the federal requirements (10 CFR 20). The updated federal requirements are provided in the attachment to this correspondence.

Please note that 10 NYCRR 16.26(c)(4) requires the licensee to notify the Department in writing at least 30 days before the date that respiratory protection equipment is first used pursuant to subdivision (c) of section 16.26. Upon such notification, the Department will amend the applicable license to require implementation of the updated requirements.

If you have any questions of if we may be of assistance, please contact this office at 518/402-7590, e-mail us at [berp@health.state.ny.us](mailto:berp@health.state.ny.us) or write to:

New York State Department of Health  
Bureau of Environmental Radiation Protection  
Radioactive Materials Section  
547 River Street, Flanigan Square – Room 530  
Troy, New York 12180-2216

Sincerely,

Bureau of Environmental Radiation Protection

RD:ks

Attachment