



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

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December 10, 1999

Patricia Gardner, Chief
New Jersey Department of Environmental Protection
Radiation Protection Programs
Bureau of Environmental Radiation
P.O. Box 415
Trenton, NJ 08625-0415

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OSP

Dear Ms. Gardner:

In response to your recent request, I am enclosing copies of recent letters of intent to become an Agreement State from Governor Tommy G. Thompson, Wisconsin, September 25, 1998; Governor Arne H. Carlson, Minnesota, July 10, 1998; Governor Tom Ridge, Pennsylvania, December 6, 1995; Governor David Walters, Oklahoma, October 21, 1992; and Governor George V. Voinovich, Ohio, April 5, 1991 (Enclosure 1). Also enclosed is a copy of the Council of State Governments' *Suggested State Legislation* for a Radiation Control Act (Enclosure 2).

The Commission's Policy Statement, "Criteria for Guidance of States and NRC in Discontinuance of NRC Regulatory Authority and Assumption Thereof by States Through Agreement." specifies the criteria the Commission will apply in making a finding that a proposed State program is adequate to protect public health and safety and compatible with NRC's regulatory program, as required by the Atomic Energy Act [effective January 23, 1981 (46 FR 7540), and amended by Policy Statements published July 16, 1981 (46 FR 36969) and July 21, 1983 (48 FR 33376)]. The Commission's finding is supported by a written assessment of the State's program, which is developed by staff based on review of the State's request for an Agreement against the criteria. A copy of the policy statement is enclosed (Enclosure 3)

To facilitate both State activities to prepare an Agreement application, and NRC staff review activities, we are developing a procedure for the reviews based on the above criteria, the performance indicators set out in Management Directive 5.6, "Integrated Materials Performance Evaluation Program (IMPEP)," and staff experience in reviewing previous Agreement requests. The procedure, OSP Procedure SA-700, contains a handbook in which we identify the types of documentation needed in an Agreement application. A copy of the draft procedure and handbook is enclosed (Enclosure 4). The handbook includes a summary on page 31 of the information needed in an Agreement application which we hope will be of assistance to you.

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PDR STPRG BEN

SP-NA-14

P. Gardner
New Jersey Department of Environmental Protection

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If you have any questions, or require further information, please contact me at (610) 337-5042 or by e-mail at adw@nrc.gov.

Sincerely,

A handwritten signature in cursive script that reads "Duncan White".

Duncan White
State Agreements Officer
Division of Nuclear Materials Safety

Enclosures: As stated

cc:

Jill Lipoti, Ph.D., Assistant Director (w/o enclosures)

P. Gardner
New Jersey Department of Environmental Protection

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