

EDO Principal Correspondence Control

FROM: DUE: 06/06/06 EDO CONTROL: G20060526
DOC DT: 05/23/06
FINAL REPLY:

Governor Jon s. Corzine

TO:

Chairman Diaz

FOR SIGNATURE OF : ** PRI ** CRC NO: 06-0265

Chairman Diaz

DESC:

Agreement State Program

ROUTING:

Reyes
Virgilio
Kane
Silber
Dean
Cyr/Burns
Strosnider, NMSS
Collins, RI

DATE: 05/25/06

ASSIGNED TO: CONTACT:
STP Schlueter

SPECIAL INSTRUCTIONS OR REMARKS:

Template: SECY-017

E-RIDS: SECY-01

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: May 25, 2006 11:00

PAPER NUMBER: LTR-06-0265 **LOGGING DATE:** 05/25/2006
ACTION OFFICE: EDO

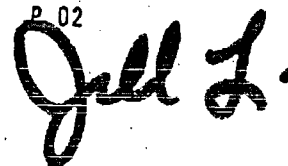
AUTHOR: Gov. Jon Corzin
AFFILIATION: NJ-GOV
ADDRESSEE: Chrm. Nils Diaz
SUBJECT: Agreement State program

ACTION: Signature of Chairman
DISTRIBUTION: RF, SECY to Ack

LETTER DATE: 05/23/2006
ACKNOWLEDGED: No
SPECIAL HANDLING: *Comm. Correspondence*
NOTES:
FILE LOCATION: ADAMS

DATE DUE: 06/08/2006 **DATE SIGNED:**

EDO --G20060526



STATE OF NEW JERSEY
OFFICE OF THE GOVERNOR
P.O. BOX 001
TRENTON
08625
(609) 292-6000

JON S. CORZINE
GOVERNOR
May 23, 2006

Dr. Nils J. Diaz, Chairman
Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Chairman Diaz:

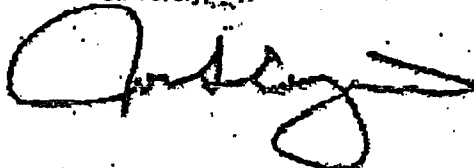
The U. S. Nuclear Regulatory Commission has been effective in regulating radioactive material usage in the State of New Jersey over the past several decades. As you are aware from your regulatory role, New Jersey has a large industrial base, including many high tech companies, many of which utilize radioactive material in industrial or research applications. Additionally, academia and the health professions share in the statewide usage of radioactive material.

While such usage benefits all of us, radiation safety has always been a prime concern. I feel that the State of New Jersey should play a vital role in the radiation protection of its citizens. Toward that end, it is our intent to pursue an agreement with the U.S. Nuclear Regulatory Commission for transfer of authority for the regulation of radioactive material to the State of New Jersey under Section 274b of the Atomic Energy Act of 1954, as amended. This becomes particularly important since the Energy Policy Act of 2005 amended the definition of byproduct material. New Jersey's fine radioactive material regulatory program for naturally occurring and accelerator produced materials would be preempted. We wish to retain that responsibility.

New Jersey has a comprehensive program to regulate many other sources of radiation including x-ray and particle accelerators. We also license many radiation professionals. I believe that by becoming an Agreement State, we will create a more efficient regulatory program and reduce license fees to the regulated community in the long term.

Commissioner Lisa P. Jackson of the New Jersey Department of Environmental Protection will be responsible for implementation of the Agreement State program. Details of the implementation will be the responsibility of Mr. Paul Baldauf, Assistant Director, Radiation Protection and Release Prevention, who can be reached at 609-984-5636.

Sincerely,



Jon S. Corzine