

June 21, 2006

The Honorable Jon S. Corzine
Governor of New Jersey
Trenton, New Jersey 08625

Dear Governor Corzine:

I am responding on behalf of the U.S. Nuclear Regulatory Commission (NRC) to your letter of May 23, 2006, announcing the intention of the State of New Jersey to establish an agreement with the NRC pursuant to Section 274b of the Atomic Energy Act of 1954, as amended. Under the agreement, New Jersey would assume regulatory authority over the acquisition, possession, use, transfer, and disposal of certain byproduct, source, and special nuclear material in quantities not sufficient to form a critical mass. The agreement would also include radioactive materials currently regulated by New Jersey but redefined as byproduct material by the Energy Policy Act of 2005.

As you requested, the NRC staff will provide Commissioner Lisa Jackson of the New Jersey Department of Environmental Protection, and Mr. Paul Baldauf, Assistant Director of Radiation Protection and Release Prevention, with background information on the Agreement State Program, the criteria and process to become an Agreement State, and reference materials. As discussions proceed, the NRC will assign a Project Manager to coordinate with New Jersey staff on the process of becoming an Agreement State. In addition, the NRC would welcome the opportunity to provide a briefing on the Agreement State Program to Commissioner Jackson and appropriate staff.

The NRC looks forward to starting the agreement process in the near future. If you or your staff have any questions or wish to obtain additional information about the Agreement State Program, please contact Ms. Janet R. Schlueter, Director of the Office of State and Tribal Programs, at 301-415-3340.

The Commission appreciates New Jersey's interest in becoming an Agreement State.

Sincerely,

/RA/

Nils J. Diaz