



# NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

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## **NRC CONSIDERING REQUEST BY NEW JERSEY TO BECOME AN “AGREEMENT STATE”**

The Nuclear Regulatory Commission is considering a request from New Jersey Gov. Jon S. Corzine to assume part of the NRC’s regulatory authority over certain nuclear materials in the state. If the request is accepted, New Jersey will become the 37<sup>th</sup> state to sign such an agreement with the NRC.

Under the proposed agreement, the NRC would transfer to New Jersey the responsibility for licensing, rulemaking, inspection and enforcement activities for: (1) radioactive materials produced as byproducts from the production or utilization of special nuclear material (SNM--enriched uranium or plutonium); (2) naturally occurring or accelerator-produced byproduct material (NARM); (3) source material (uranium and thorium); (4) SNM in quantities not sufficient to support a nuclear chain reaction; and (5) the regulation of the land disposal of source, byproduct, and SNM received from other persons.

If the proposed agreement is approved, the NRC would transfer an estimated 500 licenses for radioactive material to New Jersey’s jurisdiction. New Jersey would retain regulatory authority over approximately 500 NARM licensees, including 300 who also hold NRC licenses. These licensees would have their NRC and New Jersey licenses combined into a single state license. In total, New Jersey would then have jurisdiction over approximately 700 licenses.

By law, NRC would retain jurisdiction over commercial nuclear power plants and federal agencies using certain nuclear material in the state. In addition, NRC would retain authority for: (1) the review, evaluation and approval of sealed radioactive materials and devices containing certain nuclear materials; and (2) the regulation of the tailings and other wastes from uranium milling within New Jersey.

Before entering into the agreement, the NRC must determine that New Jersey’s radiation control program is adequate to protect public health and safety, and is compatible with the agency’s own program for regulating the radioactive materials covered in the agreement.

The proposed agreement and the NRC staff's draft assessment of the New Jersey program will be published for public comment May 27 in the *Federal Register*, and repeated weekly for a total of four weeks. Comments should be sent to Michael T. Lesar, Chief, Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Copies of the proposed agreement, the governor's request and supporting documents, as well as the NRC staff's assessment are available through the NRC's Agency-wide Documents Access and Management System (ADAMS). Help in using ADAMS is available by contacting the NRC Public Document Room staff at 301-415-4737 or 1-800-397-4209, or by sending an e-mail message to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov). These documents are also available for public inspection at the NRC Public Document Room at 11555 Rockville Pike, Rockville, Maryland.

Thirty-six other states have previously signed similar agreements with the NRC. They are: Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, and Wisconsin.

More information about the Agreement State program is available on the NRC's Web site at: <http://nrc-stp.ornl.gov/>.

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NOTE: Anyone wishing to take photos or use a camera to record any portion of a NRC meeting should contact the Office of Public Affairs beforehand.

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