

February 17, 2010

Valeria Anne Gray, Esq.
Deputy Attorney General
Office of the Attorney General
Department of Law and Public Safety
Division of Law
25 Market Street
PO Box 093
Trenton, New Jersey 08625-0093

Dear Ms Gray:

This letter is in response to Ms. Milgram's January 8, 2010 letter regarding the appropriateness of New Jersey's adoption by reference of 10 CFR 30.7, Employee Protection. As we discussed on January 25, 2010, the requirements in 10 CFR 30.7 are classified as Compatibility Category D, which are NRC program elements that do not meet any of the Criteria of Category A, B, or C as noted in Management Directive 5.9, *Adequacy and Compatibility of Agreement State Programs* (see <http://www.nrc.gov/reading-rm/doc-collections/management-directives/volumes/vol-5.html>) and do not need to be adopted by Agreement States for purposes of compatibility.

The complete listing of NRC regulations and their compatibility categories required for adoption by Agreement States can be found on the Federal and State Materials and Environmental Management Programs website Regulation Toolbox: Review Summary Sheets for Regulation Adoption for New Agreement States/Programs http://nrc-stp.ornl.gov/regsumsheets_newregs.html. The requirements for Part 30 are posted at <http://nrc-stp.ornl.gov/regulationtoolbox/10cfr30.pdf>.

If you have any additional questions regarding the compatibility and health and safety categories, or any of the NRC regulations please contact me at (301) 415-2320 (kathleen.schneider@nrc.gov).

Sincerely,

/RA/

Kathleen N. Schneider, Senior Project Manager
State Regulation Review Coordinator
Agreement State Program Branch
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

cc: Jill Lipoti, NJ
Paul Baldorf, NJ
Jenny Goodman, NJ

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cc: Jill Lipoti, NJ
 Paul Baldorf, NJ
 Jenny Goodman, NJ

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