

Janda, Donna

From: Donna Janda *RI*
Sent: Friday, October 19, 2007 3:50 PM
To: Dennis Sollenberger; Jennifer Tobin
Subject: comments on NJ draft application
Attachments: NJDEP application comments janda.doc

See attached. Jenny - I will call you shortly.

Thanks,
Donna

Comments on Section 4.4, Inspection Program Elements, NJDEP Draft Application

4.4.1 Procedures for Inspecting Facilities Where Radioactive Materials Are Stored or Used

Review Team Comments: The inspection procedures submitted in the draft request did not include the following manual chapters or inspection procedures:

- a. IP 87126 Industrial/Academic/Research Programs
- b. IP 87130 Brachytherapy Programs
- c. IP 87103 Inspection of Materials Licensees Involved in an Incident or Bankruptcy
- d. MC 2602 Decommissioning Inspection Program for Fuel Cycle Facilities and Materials Licensees
- e. IP 84750 Radioactive Waste treatment and Effluent and Environmental Monitoring
- f. IP 86740 Inspection of Transportation Activities
- g. IP 84850 Radioactive Waste Management – Inspection of Waste Generator Requirements of 10 CFR Part 20 and 10 CFR Part 61
- h. IP 84900 Low Level Radioactive Waste Storage
- i. IP 87102 Maintaining Effluents from Materials Facilities As Low As Is Reasonably Achievable (ALARA)
- j. IP 83822 Radiation Protection

Jenny/Dennis: Please note that items a. and b. above involve program codes associated with New Jersey licensees and must be submitted for review; items c.-j. above were mentioned in various Inspection Procedures which were submitted by NJDEP. I am not sure that they need to submit these items (I put them here just in case). You can delete or add to this list as necessary.

The inspection procedures submitted did not include a list of NJDEP's field and laboratory instrumentation or instrument calibration for review.

The inspection procedures did not include procedures covering Section 11(e).2 byproduct material as described in SA-700 Handbook, Section 4.4.1.2. a.-c.

NJDEP MC 2800 and several inspection procedures discuss the Nuclear Materials Management and Safeguards System (NMMSS) database, which is not a program under Agreement State authority. New Jersey should delete all references to NMMSS from its Agreement request.

Recommendations: The review team recommends that New Jersey revise its Agreement request to address the comments above.

4.4.2 Procedures for Assuring the Technical Quality of Inspections and Technical Reports

Review Team Comment: The draft request contained sufficient information to enable NRC staff to conduct a review.

4.4.3 Administrative Procedures for Inspections

Review Team Comment: The draft request contained sufficient information to enable NRC staff to conduct a review.

Comments on Section 4.5, Enforcement Program Elements, NJDEP Draft Application:

4.5.1 Routine Enforcement Procedures

Review Team Comment: The draft request contained sufficient information to enable NRC staff to conduct a detailed review.

4.5.2 Escalated Enforcement Procedures

Review Team Comment: The draft request contained sufficient information to enable NRC staff to conduct a detailed review.