

## Janda, Donna

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**From:** Marc Dapas *21*  
**Sent:** Thursday, April 02, 2009 4:49 PM  
**To:** John Kinneman  
**Cc:** Gina Matakas; Donna Janda; James Kottan; Daniel Collins; Trisha Haverkamp; Sam Collins  
**Subject:** RE: Regional Administrator Action Item No. 09-051, Commission Paper on NJ Agreement

John, given that you and your staff are satisfied with the subject Commission paper, please communicate to FSME Region I's concurrence on the paper. Thanks.

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**From:** John Kinneman  
**Sent:** Thursday, April 02, 2009 12:28 PM  
**To:** Marc Dapas; Sam Collins  
**Cc:** Gina Matakas; Donna Janda; James Kottan; Daniel Collins; Trisha Haverkamp  
**Subject:** Regional Administrator Action Item No. 09-051, Commission Paper on NJ Agreement

Sam and Marc,

As requested by Torre Taylor, FSME, on March 24, we have reviewed the proposed Commission Paper and associated Federal Register Notice for the New Jersey Agreement Application. DNMS staff discussed the following items with FSME program staff regarding the Agreement State application and the conclusions in the paper:

- On March 31, 2009, Governor Corzine announced plans to implement two mandatory furlough days (May 22 and June 15) for all New Jersey State employees due to budget issues. State offices will be closed on these dates. DNMS has discussed this issue with the Acting Chief, Bureau of Environmental Radiation (Bureau), NJ DEP, and with FSME staff and has determined that the NJ Program has plans in place to respond to any incidents at Materials facilities which may occur on the dates the State offices are closed due to the furloughs. These dates occur prior to the expected implementation of the Agreement.

In addition, the Governor announced plans to implement mandatory one day a month furloughs over 12 months for all State employees beginning in July 2009. Based on the 12-month timeframe the Governor described, most of these furloughs will occur after the Agreement is proposed to be effective. NRC staff has determined that the Bureau has sufficient staff to adequately maintain the Agreement State program throughout the 12-month period. The Governor's plans, which in effect reduce the staff available to complete technical work, do not change the NRC's determination that New Jersey is adequately staffed to become an Agreement State on September 30, 2009. FSME staff will brief FSME management and the DEDO on the issue next week. FSME management will respond to any inquiries about this situation from the EDO or the Commission.

- Recommendations for minor editorial changes.

Based on the above information and our review of the proposed paper, we recommend that you concur in the paper. I will be happy to brief you if you desire or to provide any additional information you need. We will work with Gina to complete the necessary documentation if you agree.

John

Received: from R1CLSTR01.nrc.gov ([148.184.99.7]) by R1MS01.nrc.gov  
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From: Marc Dapas <Marc.Dapas@nrc.gov>  
To: John Kinneman <John.Kinneman@nrc.gov>  
CC: Gina Matakas <Gina.Matakas@nrc.gov>, Donna Janda <Donna.Janda@nrc.gov>,  
James Kottan <James.Kottan@nrc.gov>, Daniel Collins  
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Date: Thu, 2 Apr 2009 16:49:15 -0400  
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on NJ Agreement  
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Paper on NJ Agreement  
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