

Janda, Donna

From: Donna Janda -K1
Sent: Wednesday, May 27, 2009 4:16 PM
To: Torre Taylor; James Kottan
Subject: NJ NARM language
Attachments: NJ NARM language.doc

Please review revised language and provide comments.

Thanks,
Donna

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(b)(6)

EX.6

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NARM Waiver Expiration and Impact on New Jersey Agreement

The Energy Policy Act of 2005 (EPAAct) authorized the NRC to regulate naturally-occurring and accelerator-produced radioactive material (NARM). Many States regulated this material under their existing State radiation programs. The NRC issued a time-limited waiver to allow the continued use of NARM under State regulatory authority until the NRC could codify new regulations for these materials.

The time-limited waiver will expire on August 7, 2009, and New Jersey's approximately 500 NARM licensees will be under NRC jurisdiction until the effective date of the Agreement, which is anticipated to occur on or about September 30, 2009. As of August 8, 2009, all persons that possess byproduct material must be in compliance with NRC regulations, including reporting and recordkeeping requirements. Licensees have 6 months to apply for necessary license amendments if they already possess an NRC license or 12 months to apply for a new license if they do not already possess an NRC license. If you submit a request for a license amendment or new license involving NARM during the time period that NRC maintains jurisdiction, we will not process the request unless it is necessary for health and safety or security-related authorizations. We will hold the request until New Jersey assumes regulatory authority and we will transfer the requests to New Jersey for appropriate action. During the time period that NRC maintains jurisdiction over NARM, we request that in addition to reporting all events to NRC, licensees also report NARM-related events to New Jersey.