

## NRC COMPLETES THE STATE OF NEW JERSEY AGREEMENT



*The New Jersey Agreement signing at NRC Headquarters  
(from left to right: NRC Chairman Gregory Jaczko; Joan Olmstead, Office of the General Counsel; Dennis Sollenberger, FSME; Torre Taylor, FSME; and Terrence Reis, Deputy Director, National Materials Program Directorate, FSME)*

On September 2, 2009, the U.S. Nuclear Regulatory Commission (NRC) approved an Agreement with the State of New Jersey under Section 274b of the Atomic Energy Act (AEA) of 1954, as amended. Under the Agreement, the NRC transferred regulatory responsibility to New Jersey for licensing, rulemaking, inspection and enforcement activities for the following:

- radioactive materials produced as a result of processes related to the production or utilization of special nuclear material
- naturally occurring or accelerator-produced radioactive material (NARM)
- source material (uranium and thorium)
- special nuclear material in quantities not sufficient to form a critical mass; and
- the regulation of the land disposal of source, byproduct material and special nuclear material received from other persons

On September 30, 2009, New Jersey became the 37th State to sign such an Agreement with the NRC. New Jersey now has regulatory authority over approximately 700 licensees.

By law, the NRC retained jurisdiction over commercial nuclear power plants and Federal agencies using certain nuclear material in New Jersey. In addition, the NRC retained authority for the review, evaluation and approval of sealed radioactive materials and

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**Deleted:** The NRC transferred approximately 500 licenses to the State of New Jersey acquired jurisdiction. In addition, the State retains regulatory authority for approximately 500 NARM licenses, including 300 who also hold NRC licenses. These licensees would have their NRC and New Jersey licenses combined into a single State License. As a result, New Jersey would then have jurisdiction over approximately 700 licenses (500 NRC licenses + 500 NARM licenses - 300 combined licenses, over approximately 700 licenses.

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devices containing certain nuclear materials manufactured in New Jersey and distributed throughout the country.



*The New Jersey staff*

*(Top left: Paul Baldauf, Dennis Zannoni, Ed Truskowski, Bill Cszasz, James McCullough and Cathy Biel. Center: Jenny Goodman, Nancy Stanley and Janice Baumann. Bottom left: Jack Tway, Rich Peros, Pat Gardner, Jodie Murl, Karen Flanigan and Adria Wentzel. Missing from the picture: Emelia Taubel.)*

Before approving the Agreement, the NRC reviewed New Jersey's radiation control program to ensure that it provided adequate protection to public health and safety. The NRC also compared New Jersey's existing radiation control program to the one outlined in the Agreement. On May 27, 2009, the NRC published the proposed Agreement for 4 consecutive weeks in the *Federal Register* to invite comments from the public. The NRC received six comment letters on the proposed Agreement – two supported; two opposed; one supported the rationale of States assuming regulatory authority, but opposed the fee-associated action; and one did not express support or opposition.

The Governor's request for the Agreement with the NRC and supporting documents, as well as the NRC staff's assessment are available through the NRC's Agencywide 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, MD 20852-2738.

Thirty-six States that previously signed such Agreements with the NRC including 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.

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