

## STATUS OF NEW JERSEY AGREEMENT APPLICATION

### Purpose

1. Discuss the current status of the NJ Agreement application
2. Discuss outline of final schedule

### Status

1. Noticed in FR 5/27/09
  - a. 4 consecutive weeks
2. Comment period ends 6/26/09
3. Received 5 comments so far
  - a. Support
    - i. OAS
    - ii. Member of the public involved with decommissioning – Shieldalloy
  - b. Opposed
    - i. Member of the public – personal views re: corruption of NJ gov't,
    - ii. Shieldalloy
      1. Extensive – 13 pages
      2. Three main areas of comment
        - a. Compatibility
          - i. Many points raised about the LTR and the NJ regulations
          - ii. Claims NJ didn't follow its APA requirements
        - b. Implementation – not satisfactory under IMPEP
        - c. NRC can and should retain the NJ Shieldalloy site under it's authority
  - c. Miscellaneous
    - i. Jim Lieberman, as member of the public I believe (won't know until I receive official comment)
      1. Commented on the LTR limits of NRC vs NJ and commented that the Agreement should be conditioned such that NJ cannot reopen sites that have been decommissioned and terminated by NRC unless there is strong public health and safety issue.
4. Staff addressing comments and preparing comment resolution
5. Schedule
  - a. Working towards effective date no later than 9/30/09
  - b. Final steps
    - i. Finalize comment resolution, any necessary changes to staff assessment (none so far)

- ii. Prepare final SECY paper with required documentation (comment resolution, FRN, final staff assessment, etc.)
- c. Trying to complete and send for office concurrence no later than 7/16/09 but hopefully a few days earlier
- d. Office concurrences due no later than 7/29/09, but hopefully earlier
- e. To FSME front office – goal of no later than 8/10/09
- f. With this schedule, would have package to EDO no later than 8/17/09, with EDO signing out by 8/24/09 to Commission
- g. Stating in SECY and in management periodic information that an SRM critical by 9/16/09
  - i. For final steps – getting formal agreement signed by Chairman and by Governor Corzine
- h. Schedule is very tight and we'll need management support along the way
  - i. Information about schedule added to Periodics for Marty and for Charlie
  - ii. Helpful to discuss schedule in any briefings Division has with Office
  - iii. Might need administrative help depending on where we are with schedule and workload at that time of branch administrative staff
    - 1. For the proposed SECY, it took almost a week to get through all the processes