

AGENCY: U.S. Nuclear Regulatory Commission
TITLE OF ACTION: Agreement with the State of New Jersey
LEVEL OF SIGNIFICANCE: Not a major rule
UPCOMING ACTION: Issuance of Agreement
AGENCY NO: None
ESTIMATED DATE OF ISSUANCE: September 2009
STATUTORY OR JUDICIAL DEADLINE: None

DESCRIPTION OF ACTION:

The NRC is authorized under Section 274 of the Atomic Energy Act of 1954 as amended (Act), to enter into an agreement with the Governor of any State. This agreement authorizes the State to regulate the possession and use of:

- (1) Byproduct materials as defined in Section 11e.(1) of the Act;
- (2) Byproduct materials as defined in Section 11e.(3) of the Act;
- (3) Byproduct materials as defined in Section 11e.(4) of the Act;
- (4) Source materials;
- (5) Special nuclear materials in quantities not sufficient to form a critical mass; and
- (6) Land disposal of byproduct, source, or special nuclear waste materials received from other persons.

The Governor of New Jersey requested that the Commission enter into this agreement. Under the Agreement, the State of New Jersey would assume regulatory authority over the materials listed above.

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