

NJDEP - BER Procedure No. 2.01
Review of Application for License or Amendment Request

Prepared By: _____ Date _____

Reviewed By: _____ Date _____

Approved By: _____ Date _____

Effective Date: _____

Table of Contents
Section

1.0 PURPOSE

- 1.1. Applicability
- 1.2. References
- 1.3. Computer Based Letters, Forms, and Reports
- 1.4. Hardcopy Files
- 1.5. Definitions

2.0 RESPONSIBILITIES

- 2.1. Administrative Assistant
- 2.2. Radiation Physicist
- 2.3. Radioactive Materials Section Supervisor
- 2.4. Environmental Radiation Bureau Chief

3.0 PROCEDURE

- 3.1. Receipt of an Application or Request
- 3.2. Processing an Application for License
- 3.3. Processing a Request for a License Amendment

4.0 RECORDS

- 4.1. Hardcopy
- 4.2. Computer Based

5.0 ATTACHMENTS TO BER 2.01

1.0 PURPOSE

- 1.1. Applicability. The purpose of this procedure is to define the process for reviewing all types of specific license requests, with the exception of applications for license renewal or request for license termination. Standard review plans, checklists and policies that shall be used during the review process will be identified. The process for issuing a specific license or an amendment to a license and standard license conditions will be provided. The process for denying (State's initiative) or abandoning (applicant's or State's initiative) a request for licensing action shall be defined.
- 1.2. References
 - 1.2.1. N.J.A.C. 7:28
 - 1.2.2. NUREG-1556, "Consolidated Guidance About Materials Licenses."
- 1.3. Computer Based Letters, Forms and Reports
 - 1.3.1. <http://www.nj.gov/dep/rpp/download/rmlicap2.pdf>

Comment [JBC1]: This form appears to be different from the application form provided in Licensing form.xls on the disk!

- 1.3.2. others
- 1.4. Hardcopy Files
 - 1.4.1. Specific License
 - 1.4.2. License Application and/or Amendment Request Submittal
 - 1.4.3. Deficiency Letter
 - 1.4.4. License Transmittal Letter
- 1.5. Definitions
 - 1.5.1. Application request means a request for an application for a license from a prospective licensee.
 - 1.5.2. Licensing action means a request or application received from an applicant or a licensee as follows:
 - 1.5.2.1. an application for a license to manufacture, produce, transfer distribute or arrange for the distribution, sell, lease, receive, acquire, own, possess or use any licensed radioactive material;
 - 1.5.2.2. an application for renewal of a license;
 - 1.5.2.3. an application for an amendment to a license, e.g., change in administration, authorized use and/or user(s), RSO, quantity of material, add isotopes, facilities, and etc.; and,
 - 1.5.2.4. a request for termination of a license(s).
 - 1.5.3. Processing means reviewing the application for license or amendment, requesting additional information, if appropriate, and either issuing or denying with or without prejudice, the requested license or amendment.
 - 1.5.4. Denying without prejudice means that the application for license was deficient and denied, but that the applicant may reapply after correcting the deficiencies.
 - 1.5.5. Denying with prejudice means that the applicant for license is not qualified and shall not reapply for a license, e.g., a minor applying for a license to possess and use radioactive material or a non medical qualified individual applying for a license to use radioactive material in the diagnosis and/or treatment of humans.
 - 1.5.6. Regulatory Guide means guidance published by the NRC or the NJDEP, in which each guide defines an acceptable program or part of a program, for the possession and specific use of radioactive materials. An applicant is not obligated to follow one of these guidance documents when developing their program and applying for a license or amendment; however, if not followed, the applicant must demonstrate that the proposed program is at least equivalent to the one described in the guidance document.
 - 1.5.7. Consolidated Guidance About Materials License means guidance published by the NRC in NUREG-1556, in which each volume defines an acceptable program for a specific type of use of radioactive material.

2.0 RESPONSIBILITIES

2.1. Administrative Assistant

The Administrative Assistant is responsible for receiving, logging and acknowledging the receipt of an application for a new license. Requests for amendments to a license shall be received and logged. The Administrative Assistant is responsible for maintaining the computer based and hardcopy files and for tracking the applications for license or amendment during processing.

The Administrative Assistant is responsible for responding to requests for license applications by transmitting an application, order form and Internet address of the regulations, and a copy of, or reference to, specific guidance.

2.2. Radiation Physicist

The qualified Radiation Physicist is responsible for reviewing the assigned application, determining if it is complete, requesting additional information as appropriate, and if appropriate, preparing the license or amendment for review and signature by the Radioactive Materials Section Supervisor. The Radiation Physicist is responsible for recommending whether an application is deficient and should be denied either with or without prejudice. The Radiation Physicist is responsible for signing licenses and license amendments in the absence of the Radioactive Materials Section Supervisor.

2.3. Radioactive Materials Section Supervisor

The Radioactive Materials Section Supervisor is responsible for assigning a licensing action for processing to a Radiation Physicist. The Radioactive Materials Section Supervisor is responsible for reviewing, approving and signing licenses and license amendments. The Radioactive Materials Section Supervisor following the guidance in §4.16 and §4.17 is responsible for denying, with or without prejudice, an application for license or for license amendment.

3.0 PROCEDURE

3.1. **Receipt of an Application or Request**

Upon the receipt of an application for license or a request for a license amendment the following shall be performed:

3.1.1. Priority

An action priority shall be assigned to the application or request in accordance with BER 2.04, "Prioritization of Licensing & General License Registration Actions" and concurred with by the Radioactive Materials Section Supervisor.

Comment [JBC2]: Since nj sends this out— does this make sense

3.1.2. Assignment of Reviewer

The Radioactive Materials Section Supervisor shall assign a qualified Radiation Physicist to process the application or request. The review of an application or request shall be conducted by a Radiation Physicist qualified to conduct such a review.

3.1.3. The Administrative Assistant will check that the fee is included, if applicable.

3.1.4. The Radiation Physicist will check that the enclosed fee is correct. If not, the licensee will be contacted to send the correct amount.

3.1.5. The proper fee will be sent to the Department of Treasury.

3.2. **Processing an Application for License**

3.2.1. The application (Form NJRAD-313) and all appended and referenced material shall be reviewed. NJDEP specific Rule and Policies, and NRC Consolidated Guidance, Regulatory Guides, Standard Review Plans, Reviewers Evaluation Forms and Technical Assistance Requests shall be used, as appropriate, by the reviewer to evaluate the applicant and the application. If additional information is needed, a letter denoting application deficiencies shall be sent by the reviewer or, a meeting with the applicant, and/or a visit to the proposed facility(s) shall be requested by the reviewer. If

only NRC guidance is used in the evaluation of the application, then NJDEP specific rule and policies must be consulted. For example, use of radioactive materials in radiography or medicine is subject to specific NJDEP Rules.

- 3.2.2. Sections of the application that do not conform to, or fail to address areas in the appropriate guidance, become deficiencies that must be resolved before the license is issued. The application should be reviewed against the checklist/suggested format in the appropriate NUREG-1556 volume(s). All deficiencies should be clearly documented and communicated to the applicant.
- 3.2.3. Reviewers should apply the guidance in the NUREG-1556 series to the extent suitable to the applicant's proposed activities and should not apply any standards or criteria for which there is no specific regulatory basis. Reviewers should accept only procedures or proposals that result in a level of safety at least equivalent to that provided for in NRC guidance
- 3.2.4. The reviewer shall assure that the review of the application includes the following commonly missed items:
 - 3.2.4.1. Application signed by the highest ranking corporate, partnership, or governmental officer or official at the facility.
 - 3.2.4.2. Facility diagrams or sketches, including but not limited to, hoods, shielding, ventilation, work areas, storage areas, location of nearest occupied area, and physical security of radioactive material,
 - 3.2.4.3. Number, type and range of survey instruments including procedures for calibration, checks for operability and maintenance,
 - 3.2.4.4. Training and experience records for all authorized users,
 - 3.2.4.5. Training and experience records for and the duties, responsibilities, and if appropriate, the availability of the RSO,
 - 3.2.4.6. Training and experience records for the Radiation Safety Committee Chair, if appropriate,
 - 3.2.4.7. Records to be retained and responsibility for records retention assigned. Frequently missed records include training for new employees, annual refresher training, survey instrument calibrations and source checks, and dose calibrator constancy, accuracy, linearity, and geometric variation checks for medical licenses.
 - 3.2.4.8. Procedures for receipt of radioactive material, specifically off-hours and week-ends.
- 3.2.5. Following the completion of the review of the application and any supplemental material requested by the reviewer, a recommendation to issue a license or deny the application shall be made to the Radioactive Materials Section Supervisor.
- 3.2.6. If the recommendation is to issue the license and the Radioactive Materials Section Supervisor concurs, the reviewer shall prepare the license for the Radioactive Materials Section Supervisor's signature. All submitted and referenced information shall be tied- down. A tie-down license condition is used for procedures, radiation detection equipment, use locations, etc., that are not already specifically identified on the license.
- 3.2.7. If the recommendation is to deny the application and the Radioactive Materials Section Supervisor concurs, the reviewer shall prepare a

Comment [JBC3]: Beyond nrc

notification to the applicant. The notification shall state the reason for denial and if a new application would be accepted from the applicant.

3.3. Processing a Request for License Amendment

3.3.1. A request for an amendment to a specific license need not and probably will not be on a department form. The request may be a letter plus attachments or a formal application. The request shall be signed by the individual in the position, or higher, that signed the application for license or the request shall be returned for proper signature. Alternatively, the licensing action request may be signed by an individual delegated by the person who signed the application or higher (the Administrator or Radiation Safety Officer).

Comment [JBC4]: Beyond nrc.

- 3.3.2. The initial review of the request for amendment shall determine if the request is so broad that it should be processed as a rewrite of the current license or as a new license. If it's determined that either a rewrite or a new license is appropriate and the Radioactive Materials Section Supervisor concurs, the request shall be returned to the licensee and an appropriate application shall be requested.
- 3.3.3. The reviewer should focus the evaluation on only those areas that the licensee indicates need revision. If the licensee completely resubmits the entire application, the reviewer should request that the licensee specifically identify the requested changes. The licensee may opt to resubmit the request and only discuss the specific changes, or may identify the changes by marking or highlighting the modified text.
- 3.3.4. The first task for the reviewer is to review the inspection and licensing correspondence, and query the NJEMS data base to see if the licensee has been effectively in compliance for the duration of the license. NJDEP licensing management reserves the option to request that the licensing staff perform a comprehensive review of a renewal even though the application is from a licensee that has been in compliance with the applicable regulations, but that may exhibit other characteristics warranting a comprehensive review.
- 3.3.5. The reviewer should use the following guidance and document any issues with the licensee that may arise during the course of the review.
- 3.3.5.1. Enforcement History - A licensee that is or has been the subject of an ongoing investigation by the Department or escalated enforcement action within 5 years will be considered for a comprehensive review of the renewal application. Escalated enforcement action includes any Order, civil penalty, or Notice of Violation issued at Severity Levels IV, III, II, or I. *Note:* Licenses should not be renewed if they are the subject of an ongoing investigation or pending enforcement action without the written concurrence of the appropriate office.
- 3.3.5.2. Loss of Material - If the licensee has been cited with a violation for the loss of control of a reportable quantity of licensed material presumed to be in the public domain in the last 5 years, the license application will be considered for a comprehensive review.
- 3.3.5.3. Unauthorized Disposal or Release of Material - If the licensee has been cited with a violation regarding unauthorized disposal or release

of material in the last 5 years, the license application will be considered for a comprehensive review.

- 3.3.5.4. Overexposure - If the licensee has been cited for a radiation exposure in excess of regulatory requirements in the last 5 years, a comprehensive review of the license application will be considered. Exposures would include those to members of the public as well as to occupationally exposed individuals.
- 3.3.6. A request from a medical licensee to add an authorized user to their license see shall be accompanied by records of the individuals training and qualifications. Records of training shall be signed by the preceptor and shall not be just a letter stating that these procedures had been performed at another licensed facility.
- 3.3.7. Where appropriate, material previously received for the license may be incorporated by reference.
- 3.3.8. A request to add an authorized user to a license shall be accompanied by records of the individuals training and qualifications.
- 3.3.9. A request to add or replace a Radiation Safety Officer (RSO) or Chair of the Radiation Safety Committee (RSC) shall include training and experience records and duties, responsibilities, and if appropriate availability.
- 3.3.10. A request to add isotopes, quantities, physical form, use, facilities, instrumentation, or the authorized place of use shall be reviewed in the same way as a request for a partial specific license for that activity.
- 3.3.11. An amendment to a license is normally amended in entirety and includes new tied-down license conditions as appropriate.
- 3.3.12. The Radioactive Materials Section Supervisor shall sign the amendment.
- 3.3.13. To document processing a licensing action the author and reviewer shall use NJEMS.
- 3.3.14. In the event the Radioactive Materials Section Supervisor is absent, the second review shall be conducted by a qualified reviewer and the NJEMS log shall be completed by the qualified reviewer.

4.0 RECORDS

4.1. Hardcopy

- 4.1.1. Applications for license plus attachments are kept in the license file.
- 4.1.2. Requests for amendments are maintained in the appropriate specific license file.

4.2. Computer Based

4.2.1. NJEMS

5.0 ATTACHMENTS TO BER 2.01

- 5.1. Checklist #1
- 5.2. BER 2.01-1 Sample Deficiency Letter
- 5.3. BER 2.01-2 Sample Confirmation of Deficiency Telephone Call
- 5.4. BER 2.01-3 Sample of Material License Cover Letter for Licensing Actions except Termination
- 5.5. BER 2.01-4 Sample of Temporary Exemption from NJDEP Regulations or License Condition letter.

Attachment to BER 2.01 - Checklist for review of license application

OK	DEF	NA	Item Description
			Item 2, Name and address
			Item 3, address(es)
			Item 4, name, telephone and email of contact
			Item 5, radioactive material list
			physical forms listed?
			Maximum amounts listed – do they seem reasonable
			Item 6,
			Item 7,
			Item 8, training program included
			Are different groups listed w separate training programs
			Are the programs appropriate for each group
			a) Application signed by upper management - RSO, only if appropriate;
			b) Facility diagrams or sketches, including but not limited to, hoods, shielding, ventilation, work areas, storage areas, location of nearest occupied area, and physical security of radioactive material,
			c) Number, type and range of survey instruments including procedures for calibration, checks for operability and maintenance,
			d) Training and experience records for all authorized users,
			e) Training and experience records for and the duties, responsibilities, and if appropriate, the availability of the RSO,
			f) Training and experience records for the Radiation Safety Committee Chair if appropriate,
			g) Records to be retained and responsibility for records retention assigned. Frequently missed records include training for new employees, annual refresher training, survey instrument calibrations and source checks, and dose calibrator constancy, accuracy, linearity, and geometric variation checks for medical licenses.
			h) Procedures for receipt of radioactive material,
			i) if new licensee, make sure fee worksheet is completed and correct fee is attached

Comment [JBC5]: Does this follow guidance

Comment [JBC6]: Beyond nrc

Attachment BER 2.01-1: Sample Deficiency Letter

[INSERT DATE]

[INSERT NAME AND ADDRESS]

SUBJECT: [INSERT APPROPRIATE DESCRIPTIVE TEXT]

[INSERT SALUTATION]:

We have reviewed your letter dated [INSERT DATE OF SUBMITTAL]. Before we can take further action, we will need the following additional information.

Comment [JBC7]: Application/

1. [DESCRIBE THE DEFICIENCY AND INCLUDE A CLEAR STATEMENT SPECIFYING THE INFORMATION NEEDED]

In accordance with NEW JERSEY STATUTES ANNOTATED, TITLE 47: PUBLIC RECORDS, CHAPTER 1A: EXAMINATION AND COPIES OF PUBLIC RECORDS. The Legislature finds and declares it to be the public policy of this State that: government records shall be readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest, and any limitations on the right of access accorded by P.L. 1963, c. 73 (C 47:1A-1 et seq.) as amended and supplemented, shall be construed in favor of the public's right of access.

To continue review of your application, we request that you submit your response to this letter within 30 calendar days from the date of this letter. Please reply in duplicate and refer to the license, docket, and control numbers specified below. If you have questions or require clarification on any of the information stated above, we encourage you to contact us at **609-984-5462**.

Sincerely,

[INSERT WRITER'S IDENTIFICATION]

Docket No.: [INSERT NUMBER]

License No.: [INSERT NUMBER]

Control No.: [INSERT NUMBER]

Comment [JBC8]: What if new lic app

Attachment BER2.01-2 Confirmation of Deficiency Telephone Call

[INSERT DATE]

[INSERT NAME & ADDRESS]

SUBJECT: [INSERT APPROPRIATE DESCRIPTIVE TEXT]

[INSERT SALUTATION]

This is to confirm our telephone conversation on [INSERT DATE] with [INSERT NAME], in that we discussed the information we need to continue review of your application dated [INSERT DATE]. The items specified below are those we discussed:

- 1.
2. (EACH ITEM SHOULD BE SIMPLE AND EXPRESSED IN ONE LINE.)
- 3.

In accordance with NEW JERSEY STATUTES ANNOTATED, TITLE 47. PUBLIC RECORDS, CHAPTER 1A. EXAMINATION AND COPIES OF PUBLIC RECORDS. The Legislature finds and declares it to be the public policy of this State that government records shall be readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest, and any limitations on the right of access accorded by P.L. 1963, c. 73 (C.47:1A-1 et seq.) as amended and supplemented, shall be construed in favor of the public's right of access.

[USE THE FOLLOWING TEXT FOR NEW APPLICATIONS AND AMENDMENTS]

If we do not receive a reply from you within 30 calendar days from the date of this letter, we shall assume that you do not wish to pursue your application.

[USE THE FOLLOWING TEXT FOR RENEWALS]

If we do not receive your reply within 30 calendar days from the date of this letter, it may be necessary to deny your application for license renewal and to terminate your license. This action would require you to divest yourself of all licensed material in your possession.

Sincerely,

[WRITER'S IDENTIFICATION]

Docket No.: [INSERT NUMBER]

License No.: [INSERT NUMBER]

Control No.: [INSERT NUMBER]

Comment [JBC9]: What if new lic app

**Attachment BER 2.01-3 Materials License Cover Letter for Licensing
Actions except Terminations**

[INSERT DATE]

[INSERT NAME AND ADDRESS]

SUBJECT: [INSERT APPROPRIATE DESCRIPTIVE TEXT - NEW LICENSE,
LICENSE AMENDMENT, LICENSE RENEWAL]

[INSERT SALUTATION]:

Please find enclosed **Amendment No.** [INSERT NUMBER] to NJDEP License No. [INSERT LICENSE NUMBER] or please find enclosed License No. [INSERT LICENSE NUMBER] authorizing [INSERT AUTHORIZATION]. You should review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please contact the New Jersey Department of Environmental Protection (NJDEP), Bureau of Environmental Radiation [NAME, PHONE NUMBER, AND E-MAIL ADDRESS].

Comment [JBC10]: What if new lic -
no amend

[THE FOLLOWING DISCUSSION MAY BE OMITTED FOR AMENDMENTS:]

NJDEP expects licensees to conduct their programs with meticulous attention to detail and high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NJDEP requirements, you must conduct your radiation safety program according to the condition of your NJDEP license, representations made in your license application, and NJDEP regulations. In particular, note that you must--

1. Operate in accordance with New Jersey Administrative Code Title 7, Department of Environmental Protection, Chapter 28, Radiation Protection Programs (NJAC 7:28) regulations and NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspections and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NJDEP in writing of any change in mailing address.
3. In accordance with N.J.A.C. 7:28-51.1, notify NJDEP, promptly, in writing, and request termination of the license:
 - a) When you decide to terminate all activities involving materials authorized under the license; or
 - b) If you decide not to acquire or possess and use authorized material.
4. Request and obtain a license amendment before implementing changes to the license.

5. Submit a complete renewal application or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NJDEP regulations.

In addition, please note that BER Form 100 requires the applicant, by signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant.

Comment [JBC11]: In keeping with guidance

You will be periodically inspected by NJDEP. Failure to conduct your program in accordance with NJDEP regulations, license conditions, and representations made in your license application and supplemental correspondence with NJDEP may result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying, or revoking your license as specified in N.J.A.C. 7:28-4.16.

In accordance with NEW JERSEY STATUTES ANNOTATED, TITLE 47 PUBLIC RECORDS, CHAPTER 1A. EXAMINATION AND COPIES OF PUBLIC RECORDS: The Legislature finds and declares it to be the public policy of this State that government records shall be readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest, and any limitations on the right of access accorded by P.L.1963, c. 73 (C.47:1A-1 et seq.) as amended and supplemented, shall be construed in favor of the public's right of access.

Thank you for your cooperation.

Sincerely,

**[INSERT WRITER'S
IDENTIFICATION]**

Docket No.: **[INSERT NUMBER]**
License No.: **[INSERT NUMBER]**
Control No.: **[INSERT NUMBER]**

Enclosure: As stated

**Attachment BER 2.01-4 Temporary Exemption from DEP Regulation
or License Condition**

Comment [JBC12]: Beyond nrc

[INSERT DATE]

[INSERT NAME AND ADDRESS]

SUBJECT: TEMPORARY EXEMPTION TO NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP) [REGULATION OR LIST THE SPECIFIC LICENSE CONDITION(S)]

[INSERT SALUTATION]

Pursuant to the written request dated [date of request] for temporary exemption(s) from the requirements of [NJDEP regulation or license condition] by [name and position of requestor representing the licensee], the following temporary exemption(s) is (are) granted for the specified period of time:

[Each temporary exemption granted should be listed separately with documentation of the circumstances surrounding the request and the duration of time for that the exemption is granted.]

In accordance with NEW JERSEY STATUTES ANNOTATED, TITLE 47. PUBLIC RECORDS, CHAPTER 1A. EXAMINATION AND COPIES OF PUBLIC RECORDS: The Legislature finds and declares it to be the public policy of this State that government records shall be readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest, and any limitations on the right of access accorded by P.L. 1963, c. 73 (C.47:1A-1 et seq.) as amended and supplemented, shall be construed in favor of the public's right of access.

If your understanding of the above temporary exemption differs from that set forth above, you are to contact the Radioactive Materials Section immediately, at 609-984-5462.

[INSERT NAME], Supervisor
Radioactive Materials Section

Docket No.: [INSERT NUMBER]
License No.: [INSERT NUMBER]
Control No.: [INSERT NUMBER]

NJDEP - BER Procedure No. 2.02
Review of Application for Renewal of a Specific License

Prepared By: _____ Date _____

Reviewed By: _____ Date _____

Approved By: _____ Date _____

Effective Date: _____

Table of Contents

Section

1.0 PURPOSE

- 1.1. Applicability
- 1.2. References
- 1.3. Computer Based Letters, Forms, and Reports
- 1.4. Hardcopy Files
- 1.5. Definitions

2.0 RESPONSIBILITIES

- 2.1. Administrative Assistant
- 2.2. Radiation Physicist
- 2.3. Radioactive Materials Section Supervisor
- 2.4. Environmental Radiation Bureau Chief)

3.0 PROCEDURE

- 3.1. License Expiration
- 3.2. Short Form Renewal
- 3.3. Renewal in Entirety

4.0 RECORDS

- 4.1. Hardcopy
- 4.2. Computer Based

5.0 ATTACHMENTS TO BER 2.02

- 5.1. 2.02-1 Sample Letter for Expired License
- 5.2. 2.02-2 Sample Renewal Letter for 90 day Notification
- 5.3. 2.02-3 Sample Letter for Receipt of Renewal Application-Timely Filed

1.0 PURPOSE

1.1. Applicability

The purpose of this procedure is to define the steps required for renewal of a specific license. This procedure also defines when an expedited renewal form is allowed rather than renewal in entirety. Timely and untimely applications for renewal are also discussed.

1.2. References

- 1.2.1. NJAC 7:28
- 1.2.2. others
- 1.3. Computer Based Letters, Forms and Reports
 - 1.3.1. NJEMS
- 1.4. Hardcopy Files
- 1.5. Definitions
 - 1.5.1. Renewal In Entirety means that based on the review of the application, the inspection history, the current license, or a significant change in the applicable rule, the preparation of a total license revision is warranted. An example is a license that has been amended numerous times since the last renewal, such that the scope of the program has changed.
 - 1.5.2. Expedited Renewal means the renewal of a license where the application, the inspection history and the current license demonstrate that there has not been a significant change in the scope of the licensed program.
 - 1.5.3. Timely Renewal means the receipt of an application for renewal of a license that has been postmarked 30 days or more before the license's expiration date. The license remains in effect until processing of the application for renewal has been completed.

2.0 RESPONSIBILITIES

2.1. Administrative Assistant

The Administrative Assistant is responsible for notifying a licensee that their license(s) will expire in 90 days and sending appropriate guidance document(s) based on input from the technical staff. The Radioactive Materials Section Supervisor shall be informed of licensees that have not submitted renewal applications at least 30 days prior to expiration and of any licenses that have expired. The Administrative Assistant is responsible for receiving, logging and acknowledging the receipt of an application for license renewal and ensuring the applicant is informed that the application is considered to be timely. Maintains the hardcopy file with renewal documentation.

2.2. Radiation Physicist

The Radiation Physicist is responsible for reviewing the application to see if it is valid and, with the concurrence of the Radioactive Materials Section Supervisor, signing the letter informing the applicant that the application is considered to be timely, and for processing the application, as assigned. The Radiation Physicist is responsible for signing license renewals in the absence of the Radioactive Materials Section Supervisor, once a second review has been performed, and is responsible for approving or disapproving continued operation after the license's expiration date if the application was not deemed timely filed.

2.3. Radioactive Materials Section Supervisor

The Radioactive Materials Section Supervisor is responsible for determining if an application for renewal is timely or if the license has expired and should be terminated. The Radioactive Materials Section Supervisor is responsible for determining if a license should be an expedited renewal form or renewal in entirety and for assigning applications for renewal to a Radiation Physicist for processing. The Radioactive Materials Section Supervisor is responsible for reviewing, approving and signing the license renewal.

3.0 PROCEDURE

The review of an application for renewal of a specific license shall be conducted by a Radiation Physicist qualified to conduct such a review.

3.1. License Expiration

3.1.1. Ninety (90) days prior to a license's expiration date, the licensee should be notified of the pending expiration date and that if an application for renewal is post marked at least 30 days prior to the expiration date, the application will be considered to be timely. ~~If the renewal application is post marked less than 30 days prior to but not after the expiration date, the Radioactive Materials Section Supervisor shall determine if the application should be considered timely.~~

Comment [JBC13]: Why would it not be

3.1.2. If the application is found to be timely, the licensee is informed that activities authorized by the current license may continue until processing of the renewal has been completed.

Comment [JBC14]: how

3.1.3. If a timely application is not received, the licensee is informed that the license is considered to be expired, any activity using licensed radioactive material shall cease and all licensed radioactive material shall be placed in storage or be disposed. See sample letter attached as 2.02-1.

3.1.4. ~~The Environmental Radiation Bureau Chief must approve continued operation under the authority, of any license for which the renewal application was submitted after the license's expiration date.~~

Comment [JBC15]:

3.1.5. Processing of terminated licenses is covered in BER 2.03, License Termination.

3.2. Short Form Renewal

3.2.1. If available, the application for license renewal and the inspection history shall be reviewed.

3.2.2. The application for renewal consists of a completed expedited renewal form, BER-102.

3.2.3. Expedited renewal of a license may be considered only if the following conditions have been satisfied:

3.2.3.1. The authorized place of use and facilities are the same.

3.2.3.2. The program codes for the category-of-use have not changed.

3.2.3.3. The authorized users have not changed.

3.2.3.4. The allowable isotopes, quantities, physical form and use have not changed.

3.2.3.5. The tied down license conditions are the same.

3.2.3.6. Only instruments that will enhance performance have been added.

3.2.3.7. No items of noncompliance equal to or greater than Class IV severity have been observed during inspections of the license. Items of questionable significance that do not satisfy the above requirements, such as adding an authorized user, may be overlooked with concurrence of the Radioactive Materials Section Supervisor.

3.2.3.8. The renewed license shall consist of items 1, 2, 3 and 15 of the tied-down expedited renewal (NJEMS) form and if appropriate, new tied-down license conditions.

3.2.3.9. Checklist for review of license renewal

			3.2.1 The authorized place of use and facilities are the same.
			3.2.2 The program codes for the category-of-use have not changed.
			3.2.3 The authorized users have not changed.
			3.2.4 The allowable isotopes, quantities, physical form and use have not changed.
			3.2.5 The tied down license conditions are the same.
			3.2.6 Only instruments that will enhance performance have been added.
			3.2.7 No items of noncompliance equal to or greater than Class IV severity have been observed during inspections of the license.

3.3. Renewal in Entirety

- 3.3.1. One of the principal reasons for renewing a license in its entirety is to eliminate the confusion that can be caused by multiple amendments to the license and numerous tied down conditions.
- 3.3.2. The application, all referenced material, prior applications for amendment, and inspection history shall be reviewed. The reviewer shall use, as appropriate, NJDEP regulations, Consolidated Guidance, Regulatory Guides and/or Review Evaluation Forms. If needed, additional information should be requested from the applicant. In particular NJDEP specific rule and policy should be reviewed if only NRC guidance was utilized.
- 3.3.3. The license should contain all information that would be included in an initial license of the same program code(s) including tied down license conditions that are based on a referenced license amendment.

4.0 RECORDS

4.1. Hardcopy

- 4.1.1. Application for license renewal plus attachments are maintained in the licensee's file as well as any deficiency letters generated by the technical staff.
- 4.1.2. Letter for Expired License

4.2. Computer Based

- 4.2.1. NJEMS

5.0 ATTACHMENTS TO BER No. 2.02

- 5.1. BER 2.02-1 Sample letter for expired license
- 5.2. BER 2.02-2 Sample Renewal Letter for 90 day Notification
- 5.3. BER 2.02-3 Sample Letter for Receipt of Renewal Application-Timely Filed
- 5.4. BER 2.02-4 Sample Letter for Follow-up on Returned Mail

Attachment BER 2.02-1 Sample Letter for Expired License

Division of Environmental Safety and Health
Bureau of Environmental Radiation
Radioactive Materials Section
PO Box 415
Trenton, NJ 08625-0415
Phone (609)-984-5462
Fax (609)-633-2210

<<DATE>>

<<NAME>>

Administrator

<<COMPANY>>

<<ADDRESS>>

<<CITY, STATE ZIP CODE>>

Dear <<NAME>>:

SUBJECT: IMPORTANT NOTICE OF LICENSE EXPIRATION
LICENSE NO.: <<LICENSENO>>
EXPIRATION DATE: <<EXP_DATE>>

Our records indicate that your New Jersey State Radioactive Materials License has or will expire on the date shown above. A letter was sent {DATE} (copy enclosed) informing you that your license would expire in 90 days and requesting a timely renewal application within 30 days. As of the date of this letter, no renewal application has been filed in accordance with NJAC 7:28- {subchapter}.

It is our understanding that you still possess material that requires a specific department license. Your possession of such material without a current license is a violation of NJAC 7:28- {subchapter}. You must place your radioactive material in secure storage until such time as you acquire a valid department Radioactive Material License. No use of radioactive material or purchase of additional radioactive material is authorized.

If you currently possess licensed material but have decided not to continue your program, you must immediately do the following in order to comply with NJAC 7:28- {subchapter}.

1. Transfer all radioactive material formerly authorized by the expired license. Transfer must comply with the requirements of NJAC 7:28- {subchapter}. Before transferring any radioactive material, you must verify that the recipient's license authorizes the receipt of the isotope(s), type, form, and quantity of radioactive material that is to be transferred.

2. Send copies of the transfer records, a completed copy of form NJRAD-314 "Request for Termination of Specific License and Disposition of Radioactive Material", and a separate written request for termination of the license to this office within 15 days of the date of this letter, so we can close our files on the expired license.

If you do not possess licensed materials and do not desire to continue your program, you must submit copies of records documenting transfer or disposal of the material, a completed Form NJRAD-314 "Request for Termination of Specific License and Disposition of Radioactive Material" (copy attached), and a letter confirming your decision.

If you desire to continue your radioactive material(s) program, an application for renewal of the license should be filed with this office in a timely manner. According to NJAC 7:28-4.11, an existing license shall not expire until the Department has acted on the renewal application provided it has been filed in proper form not less than 30 days prior to expiration of the existing license.

In submitting the "Application for Radioactive Materials License", all items must be completed with no reference to previously filed documents. If you wish to support an application through information contained in other documents, you may submit copies of those documents.

In an effort to reduce the time required to process license renewal applications, which are to be renewed as they currently exist or with only minor amendments, and provided you have submitted a complete license application within the last 6 years, the Department will accept a certification statement in lieu of a complete license renewal application. This should also reduce the effort required of the licensee in the license renewal process. The License Renewal Certification document is to be completed and include all necessary support information. It is to be signed by both the Radiation Safety Officer and the Certifying Official for the licensee. However, if you have not submitted a complete license application within the last 6 years, you must do so at this time and may not use the License Renewal Certification Process.

These actions should keep your license as complete and up-to-date as possible. Enclosed is regulatory guidance which you should utilize in preparing the application. Be advised that the guidance may not correspond to the current rule and that the rule takes precedence. Also, for your information, the Department has guidance available on the Internet. The Internet address is <http://www.nj.gov/dep/rpp/rms/index.htm>

Should you have questions regarding the license renewal process, please call 609-984-5462.

Sincerely,

William P. Csaszar, License Administrator
Radioactive Materials Section

Attachment BER 2.02-2 Sample Renewal Letter for 90 day Notification

[DATE]
{LICENSEE NAME}
{ADDRESS}
{ADDRESS}
{CITY, STATE ZIP CODE}
Attention: {FIRST NAME, LAST NAME}
Administrator
Dear {SALUTATION, LAST NAME}:

Your NJDEP Radioactive Materials License No. {LICENSE NO.} expires on {DATE}. If you wish to renew or renew and amend your license, please submit a complete new application on NJRAD-313, "Application for Radioactive Material License" that does not reference any information or documents that have been previously submitted. Please consult the department if you wish to reference previously submitted information. Your license will be amended in its entirety utilizing the latest wording on the conditions of your license. These actions should help keep your license as complete and up-to-date as possible.

For guidance in preparing this application, Regulatory Guide NUREG 1556 (all Volumes) can be found on the US Nuclear Regulatory Commission website at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/> Please be aware that you must use the Volume which corresponds to your particular situation.

All of the items in the guide must be addressed.

Please submit all renewal and amendment request to the following address:

Radioactive Materials Section
Bureau of Environmental Radiation
NJ Department of Environmental Protection
PO Box 415
Trenton, NJ 08625-0415

If your application is submitted at least 30 days before the license expiration date, your license will remain in effect until the application has been finally determined by the Bureau of Environmental Radiation.

However, if your renewal application cannot be filed before the expiration date, you should contact NJDEP immediately to see if you can obtain a temporary extension of the expiration date. Without NJDEP approval of that extension request, your license expires on the expiration date stated on the license. If your license expires, you no longer have a valid license, but you are required to maintain all licensed materials in safe, locked storage until your application for a license or request for termination is submitted and approved. Use of the licensed material after the expiration of your license may subject you to criminal and/or civil sanctions.

If you do not wish to renew your license, you must dispose of or transfer all licensed radioactive material in your possession in an authorized manner (see the appropriate requirements in NJAC 7:28-51.1, 58.1, or 60.1); then complete the enclosed NJRAD Form 314, "Certificate of Disposition of Materials," and return it before the expiration date of your license, with a request that your license be terminated. If you cannot dispose of or transfer all licensed radioactive material in your license before the expiration date, you must request a license renewal, for storage only, of the radioactive material, to avoid enforcement action for violations involving the possession of licensable material without a valid license. Enforcement action may include a substantial monetary civil penalty that could also include daily civil penalties until you achieve compliance.

In accordance with NEW JERSEY STATUTES ANNOTATED, TITLE 47 PUBLIC RECORDS, CHAPTER 1A: EXAMINATION AND COPIES OF PUBLIC RECORDS: The Legislature finds and declares it to be the public policy of this State that: government records shall be readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest, and any limitations on the right of access accorded by P.L. 1963, c. 73 (C.47:1A-1 et seq.) as amended and supplemented, shall be construed in favor of the public's right of access.

This notice of your license expiration is sent for your convenience only and does not mean that similar notices will be sent in the future. The responsibility for timely submission of the license renewal remains with the licensee

If you have any questions concerning your license or the renewal process, please contact the Radioactive Materials Section at 609-984-5462.

Sincerely,
(Name), Supervisor, Radioactive Material Section

Attachment 2.02-3 Sample Letter for Receipt of Renewal Application – Timely Filed

{DATE}
{LICENSEE NAME}
{ADDRESS}
{ADDRESS}
{CITY, STATE ZIP CODE)
Attention: {FIRST NAME, LAST NAME)
Administrator
Dear {SALUTATION, LAST NAME}:

This acknowledges receipt of your application for renewal of New Jersey Radioactive Material License No. {LICENSE NO.}. In accordance with NJAC 7:28-{subchapter} your existing license shall not expire until the application has been fully determined by this office.

If you have any questions concerning your license or the renewal process, please contact this office at (609) 984-5462.

Sincerely,
{NAME}, Supervisor, Radioactive Materials Program

Attachment BER 2.02-4 Sample Letter for Follow-up on Returned Mail

[INSERT DATE]

[INSERT NAME & ADDRESS]

SUBJECT: [INSERT APPROPRIATE DESCRIPTIVE TEXT]

[INSERT SALUTATION]:

This letter concerns your radioactive material license issued by the New Jersey Department of Environmental Protection (NJDEP), identified below. Correspondence sent to the address on your license has been returned to us unopened. We have found through telephone contacts or other sources that you can be reached at the above address.

Please be advised that you must notify us of changes in your mailing address and/or location of licensed radioactive material. We would appreciate it if you would review your current license and confirm whether it correctly reflects your mailing address and locations of radioactive material. If there are changes, you should immediately submit an amendment request to the Bureau of Environmental Radiation, Department of Environmental Protection, PO Box 415, Trenton, NJ 08625-0415.

If we do not hear from you within 30 days, we plan to turn your files over to our Inspection Section for appropriate review.

In accordance with NEW JERSEY STATUTES ANNOTATED, TITLE 47. PUBLIC RECORDS, CHAPTER 1A. EXAMINATION AND COPIES OF PUBLIC RECORDS: The Legislature finds and declares it to be the public policy of this State that: government records shall be readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest, and any limitations on the right of access accorded by P.L. 1963, c. 73 (C.47:1A-1 et seq.) as amended and supplemented, shall be construed in favor of the public's right of access.

Thank you for your cooperation.

Sincerely,

[WRITER'S IDENTIFICATION]

Docket No.: [INSERT NUMBER]

License No.: [INSERT NUMBER]

NJDEP - BER Procedure No. 2.03
Review of an Application for License Termination

Prepared By: _____ Date _____

Reviewed By: _____ Date _____

Approved By: _____ Date _____

Effective Date: _____

Table of Contents

SECTION

1.0 PURPOSE

- 1.1 Applicability
- 1.2 References
- 1.3 Computer Based Letters Forms and Reports
- 1.4 Hardcopy Files

2.0 RESPONSIBILITIES

- 2.1 Administrative Assistant
- 2.2 Radiation Physicist
- 2.3 Radioactive Materials Section Supervisor
- 2.4 Environmental Radiation Bureau Chief

3.0 PROCEDURE

- 3.1 General Provisions
- 3.2 Request for Termination
- 3.3 License Termination - Sealed Sources
- 3.4 License Termination - Solid, Liquid, Sealed and Gaseous Sources
- 3.5 Expired Licenses

4.0 RECORDS

- 4.1 Hardcopy
- 4.2 Computer Based

5.0 ATTACHMENTS TO BER 2.03

- 5.1 none

1.0 PURPOSE

1.1. Applicability

This procedure defines the process for terminating a license for such activities as possession, use, storage and disposition of licensed radioactive material. This procedure applies to the disposal of licensed material, decommissioning of the site and facilities, and surveys adequate to demonstrate that residual radioactivity is within regulatory limits at such time that a license is terminated.

1.2. References

- 1.2.1. N.J.A.C. 7:28.
- 1.2.2. NUREG 1727, NMSS Decommissioning Standard Review Plan, October, 2000 (evaluation of License Termination Plans, offers suggestions for evaluation of residual contamination in subsurface soil)
- 1.2.3. NUREG/BR-0241 NMSS Handbook for Decommissioning Fuel Cycle and Materials Licensees (replaced by NUREG 1727, however, Type I, II, III, and IV Decommissioning Types only addressed in this guidance)
- 1.2.4. NUREG-1575 - EPA 402-R-97-016, Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM), August, 2000 (evaluation of residual contamination of building surfaces and in surface soil)
- 1.2.5. NUREG-1549, (Draft) "Decision Methods for Dose Assessment to Comply with Radiological Criteria for License Termination" (replaced by NUREG 1727, discusses use of site specific modeling)
- 1.2.6. RaSoRS, Radioactive Soil Remediation Standards spreadsheet available at <http://www.nj.gov/dep/rpp/ras/rasdown.htm>
- 1.2.7. D & D, Dose Modeling Code (Buildings)
- 1.2.8. RESRAD, Dose Modeling Code (Soil Concentration Levels)
- 1.2.9. RESRAD-Build, Dose Modeling Code (Buildings)
- 1.2.10. RESRAD-Offsite, Dose Modeling Code
- 1.2.11. Regulatory Guide 1.86 Termination of Operating Licenses For Nuclear Reactors (1974) (provides values for acceptable levels of surface contamination, however, not dose based)

1.3. Computer Based Letters, Forms and Reports

- 1.3.1. Standard Termination Letter
- 1.3.2. Form NJRAD-314, "Request for Termination of Specific License and Disposition of Radioactive Material"

1.4. Hardcopy Files

- 1.4.1. Terminated License File

1.5. Definitions

- 1.5.1. Background radiation means radiation from cosmic sources, naturally occurring radioactive materials, including radon, except as a decay product of source or special nuclear material, and including global fallout as it exists in the environment from the testing of nuclear explosive devices or from past nuclear accidents such as Chernobyl that contribute to background radiation and are not under the control of a licensee or registrant. "Background radiation" does not include sources of radiation from radioactive materials regulated by the department.
- 1.5.2. Critical group means the group of individuals reasonably expected to receive the greatest exposure to radiation for any applicable set of circumstances.
- 1.5.3. Decommission means to remove a facility or site safely from service and reduce residual radioactivity to a level that permits release of the property for unrestricted use and termination of the license.
- 1.5.4. Distinguishable from background means that the detectable concentration of a radionuclide is statistically different from the background concentration of that radionuclide in the vicinity of the site or, in the case of structures, in

similar materials using adequate measurement technology, survey, and statistical techniques.

- 1.5.5. Residual radioactivity means radioactivity in structures, materials, soils, groundwater, and other media at a site resulting from activities under the licensee's control. This includes radioactivity from all licensed and unlicensed sources used by the licensee, but excludes background radiation. It also includes radioactive materials remaining at the site as a result of routine or accidental release of radioactive material at the site and previous burials at the site, even if those burials were made in accordance with N.J.A.C. 7:28-11 or 10 CFR 20.
- 1.5.6. Voluntary termination means that a licensee has requested that a license be terminated.
- 1.5.7. License revocation means a license is terminated because the licensee has allowed the license to expire; did not respond after being informed that the license had expired; and/or, did not request that the license be terminated or renewed. NOTE: The Department must take formal action in order to revoke a license under NJAC 7:28-4.16

2.0 RESPONSIBILITIES

- 2.1. Administrative Assistant. The Administrative Assistant is responsible for:
 - 2.1.1. Identifying those licenses that have expired and for notifying the Radioactive Materials Section Supervisor
 - 2.1.2. Sending out acknowledgment letters for receipt of termination requests.
 - 2.1.3. Maintaining hardcopy and computer based files.
- 2.2. Radiation Physicist. The Radiation Physicist is responsible for:
 - 2.2.1. Processing requests for license termination or for processing expired licenses, as assigned.
 - 2.2.2. Conducting final decommissioning surveys, as assigned, or
 - 2.2.3. Overseeing contractors that are conducting final decommissioning surveys, as assigned.
- 2.3. Radioactive Materials Section Supervisor. The Radioactive Materials Section Supervisor is responsible for:
 - 2.3.1. Assigning a request for license termination or an expired license to a Radiation Physicist for processing. The Radioactive Materials Section Supervisor will instruct the technical staff member in the required scope of the termination or expired license process, i.e., whether the licensee is required to submit a License Termination Plan (LTP).
 - 2.3.2. Reviewing, approving and signing the license termination.
 - 2.3.3. In concert with legal counsel, initiate a petition for revocation of the license or other sanction.
- 2.4. Environmental Radiation Bureau Chief
 - 2.4.1. The Environmental Radiation Bureau Chief is responsible for reviewing and concurring or not concurring in the recommended petition for revocation of the license or other sanctions.
 - 2.4.2. The Environmental Radiation Bureau Chief is responsible for approving the implementation of a revocation action and for signing the final order.
 - 2.4.3. The initial decision to proceed with a revocation can be delegated to the Radioactive Materials Section Supervisor.

3.0 PROCEDURE

3.1. General Provisions

3.1.1. The criteria for termination of a license is listed NJAC 7:28-4.16. The regulations for implementation of decommissioning are below.

N.J.A.C. Section	Description
N.J.A.C. 7:28-12.8	Radiation dose standards applicable to remediation of all real property
N.J.A.C. 7:28-12.9	Minimum standards for TENORM and source material
N.J.A.C. 7:28-12.10	Minimum remediation standards for accelerator produced, byproduct, and certain special nuclear materials
N.J.A.C. 7:28-12.11	Petition for alternative remediation standards for radioactive contamination
N.J.A.C. 7:28-12.12	Requirements pertaining to engineering or institutional controls
N.J.A.C. 7:28-12.14	Requirements pertaining to the final status survey
N.J.A.C. 7:28-12.15	Minimization of contamination

3.1.2. License termination under restricted conditions must demonstrate compliance with N.J.A.C. 7:28-12.11 (e).

3.1.3. The licensee shall determine the peak annual Total Effective Dose Equivalent (TEDE when calculating TEDE to the average member of the critical group.

3.2. Request for Termination

3.2.1. Following the receipt of a request for termination, a determination of the potential for residual radioactive contamination of the facility shall be made.

3.2.2. The license and inspection history shall be reviewed to determine the potential risk of residual radioactive contamination. The highest risk would be licensees that utilize significant quantities of unsealed radioactive material such as, but not limited to, nuclear pharmacies; waste disposal processing and repackaging services; manufacturing and distribution; nuclear laundries; academic, or medical Type A Broad; and, research and development, Type A Broad. The lowest risk would be licensees that utilize radioactive materials only in the form of sealed sources. Unless there has been a significant leak of a sealed source, the probability of residual contamination is essentially zero. NOTE: However, there have been a number of cases of residual contamination resulting from melting sealed sources contained in measuring gauges.

3.2.3. For licenses that authorize both sealed and unsealed sources of radioactive material the highest risk use shall dictate the decommissioning process.

3.3. License Termination - Sealed Sources

- 3.3.1. Upon the receipt of a request for termination of a license that authorizes the possession and use of radioactive materials only in the form of sealed sources, the following information shall be requested from the licensee:
 - 3.3.1.1. A listing of sealed sources currently or last possessed including type, isotope and quantity, serial number, vendor, date received and use.
 - 3.3.1.2. Copies of the results of leak tests for each sealed source, if appropriate
 - 3.3.1.3. Copies of the records of disposal, decay or transfer to an authorized recipient, for each sealed source.
 - 3.3.1.4. Copies of periodic inventories, if appropriate.
 - 3.3.1.5. A copy of the results of the final survey of the area where sources were used and stored. The record should include the type of instrument used and the last calibration date.
 - 3.3.1.6. The licensee has submitted a properly completed Form NJRAD-314 "Request for Termination of Specific License and Disposition of Radioactive Material."
- 3.3.2. If the above information, when compared to the license and the inspection history, appears to be accurate and complete, the license shall be terminated.
- 3.3.3. If the information is incomplete or appears to be inaccurate an inspection of the facility shall be conducted and if warranted, enforcement action taken prior to license termination.

3.4. License Termination - Solid, Liquid, Sealed and Gaseous Sources

- 3.4.1. Upon receipt of a request for termination of a license(s) that authorizes the possession and use of any radioactive materials in solid, liquid or gaseous form, plus sealed sources, the licensee shall be requested to submit the following information:
 - 3.4.1.1. A listing of licensed radioactive materials currently or last possessed including type, isotope and quantity, serial number, vendor, date received and use.
 - 3.4.1.2. Copies of the results of leak tests for each sealed source, if appropriate.
 - 3.4.1.3. Copies of the records of disposal, decay or transfer to an authorized recipient, for each radioactive material.
 - 3.4.1.4. Copies of periodic inventories, if appropriate.
 - 3.4.1.5. A copy of the results of the final survey of the area where radioactive materials were used and stored. The record should include the type of instrument(s) used and the last calibration date.
 - 3.4.1.6. licensee has submitted a properly completed Form NJRAD-314, "Request for Termination of Specific License and Disposition of Radioactive Material".
- 3.4.2. If the above information, when compared to the license and the inspection history, appears to be accurate and complete, and with the exception of sealed sources, the licensee has not possessed radioactive material with a half life greater than 30 days, the license(s) shall be terminated.
- 3.4.3. If the information is incomplete, appears to be inaccurate, the final survey revealed radioactive contamination or the licensee has possessed unsealed

radioactive material with a half life greater than 30 days, an inspection of the facility may be conducted.

- 3.4.4. If the inspection reveals that all radioactive material has been properly disposed of and an independent survey reveals no residual activity, the license shall be terminated.
- 3.4.5. However, if items of noncompliance were noted during the inspection enforcement action shall be taken prior to license termination.
- 3.4.6. If an independent survey reveals possible residual activity the licensee shall be requested to submit a sufficient License Termination Plan (LTP) such that the facility will be decontaminated to levels acceptable for unrestricted use. NUREG- 1575 and the most recent version of the Department's *Field Sampling Procedures Manual* (available on the Department's web site) can be used in the development, implementation of the LTP and the termination of the license(s). NUREG 1727 can be used to evaluate the LTP by the Radioactive Materials Section. In addition, other guidance and/or modeling codes may address specific issues and may be used as needed (see sub-Section 1.2 of this procedure).

Checklist for review of license termination

		a) a listing of licensed radioactive materials currently or last possessed including type, isotope and quantity, serial number, vendor, date received and use.
		b) copies of the results of leak tests for each sealed source, if appropriate.
		c) copies of the records of disposal, decay or transfer to an authorized recipient, for each radioactive material listed in a) above.
		d) copies of periodic inventories, if appropriate.
		e) a copy of remediation standards and documentation on how they were developed, such as computer model runs and justification of all assumptions.
		f) a copy of the results of the final survey of the area where radioactive materials were used and stored. The record should include the type of instrument(s) used, the minimum detectable activity, and the last calibration date.
		g) licensee has submitted a properly completed Form BER-103, "Request for Termination of Specific License and Disposition of Radioactive Material."

3.5. Expired License

3.5.1. Licensee Contacted

- 3.5.1.1. Within ten (10) working days following the expiration date of a license without the receipt of a request for license termination or license renewal, the licensee shall be contacted by telephone or in person and informed that the license expired.
- 3.5.1.2. The licensee shall be informed that any activity using radioactive material under the license shall cease, the licensed material shall be placed in storage or disposed of, and an application for license termination shall be submitted within 30 days.

- 3.5.1.3. If the licensee intends to continue licensed operations and states that the failure to submit an application for license renewal was just an oversight, the licensee shall be informed that operations shall cease and that an application for license renewal (extension) should be submitted as quickly as possible.
- 3.5.1.4. The licensee shall be informed that operation without a current license constitutes noncompliance and that appropriate enforcement action will result.
- 3.5.1.5. The licensee shall be informed that only the Radioactive Materials Section Supervisor may authorize continued use of radioactive material without a current license, i.e., grant an exemption.
- 3.5.1.6. The above contact shall be recorded in a Confirmatory Action Letter and transmitted to the licensee by Registered Mail, Return Receipt Requested. (A sample letter is attached to BER. 2.03, License Renewal)
- 3.5.2. Licensee Not Contacted
 - 3.5.2.1. If the licensee cannot be contacted either by telephone, visit to the address on the license or all other reasonable efforts, the authorized place of use shall be inspected and surveyed.
 - 3.5.2.2. If no radioactive materials are found and the survey indicates the facility is free of radioactive contamination, necessary legal action may proceed in order to revoke the license.
 - 3.5.2.3. If residual contamination is discovered, the facility shall be decontaminated to acceptable levels and the license revoked.

Comment [JBC16]: beyond nrc

Comment [JBC17]: beyond nrc

4.0 RECORDS

- 4.1. Hardcopy
 - 4.1.1. Terminated License File
- 4.2. Computer Based
 - 4.2.1. Standard Termination Letter
 - 4.2.2. Form NJRAD-314, "Request for Termination of Specific License and Disposition of Radioactive Material"

5.0 ATTACHMENTS TO BER 2.03

- 5.1. none

NJDEP - BER Procedure No. 2.04
Prioritization of Licensing & General License Registration
Actions

Prepared By: _____ Date _____

Reviewed By: _____ Date _____

Approved By: _____ Date _____

Effective Date: _____

Table of Contents

SECTION

1.0 PURPOSE

- 1.1. Applicability
- 1.2. References
- 1.3. Computer Based Letters, Forms, and Reports
- 1.4. Hardcopy Files
- 1.5. Definitions

2.0 RESPONSIBILITIES

- 2.1. Administrative Assistant
- 2.2. Radiation Physicist
- 2.3. Radioactive Materials Section Supervisor

3.0 PROCEDURE

- 3.1. Receipt of Application or Request
- 3.2. Licensing and Registration Actions - Priorities

4.0 RECORDS

- 4.1. Hardcopy
- 4.2. Computer Based

5.0 ATTACHMENTS TO BER 2.04

None

1.0 PURPOSE

1.1 Applicability

The purpose of this procedure is to define the process for prioritizing each licensing or registration action received by the Radioactive Materials Section. Implementation of this procedure will assure that each licensing or registration action will be processed in a timely and efficient manner.

1.2 References

- 1.2.1 NJAC 7:28
- 1.2.2 others

1.3 Computer Based Letters, Forms and Reports

1.3.1 NJEMS

1.4 Hardcopy Files

1.5 Definitions

- 1.5.1 Application request means a request for an application for a license from a prospective applicant.
- 1.5.2 Licensing action means a request or application received from an applicant or a licensee as follows:
 - a) an application for a license to receive, possess and use licensed radioactive material;
 - b) an application for renewal of a license;
 - c) an application for an amendment to a license, e.g., change in administration, authorized use and/or users, RSO, quantity of material, add isotopes, facilities, and etc.; and,
 - d) a request for termination of a license(s).
- 1.5.3 Registration action means a response to the receipt of quarterly shipping reports from device manufacturers that require the radioactive materials section to contact the recipient of the generally licensed device(s) to initiate registration of the device(s).
- 1.5.4 Prioritizing means establishing the order and time increment in which the requests or applications are to be processed and completed.
- 1.5.5 Processing means reviewing the application for license or amendment, requesting additional information, if appropriate, and either issuing or denying the requested license or amendment.
- 1.5.6 Expedited Renewal means the renewal of a license where the application indicates that there is no change or a very minor change, e.g., change in dosimetry, or leak test vendor, from the previously licensed activity.
- 1.5.7 Timely Renewal means receipt of an application for renewal of a license that has been postmarked or received 30 days or more before the license's expiration date. The license remains in effect until processing of the application for renewal has been completed.

2.0 RESPONSIBILITIES

- 2.1 Administrative Assistant. The Administrative Assistant is responsible for:
 - 2.1.1 Receiving, and logging and acknowledging the receipt of a renewal or termination request, a new application, or an annual general license registration,
 - 2.1.2 Maintaining the hardcopy and the computer based letters, forms and report files, and
 - 2.1.3 Updating the files, as necessary.
 - 2.1.4 Setting initial priority.
- 2.2 Radiation Physicist
 - 2.2.1 The Radiation Physicist is responsible for processing the assigned licensing or general license registration actions in accordance with the priorities.
- 2.3 Radioactive Materials Section Supervisor. The Radioactive Materials Section Supervisor is responsible for:

- 2.3.1 Assigning a priority to a licensing action when administrative assistant has questions and
- 2.3.2 Assigning the licensing action to a Radiation Physicist for processing.

3.0 PROCEDURE

3.1 Licensing Actions - Priorities

Every licensing action request is assigned a default priority of ninety days for completing the processing of the action. Notice of deficiencies of the request will be sent to the licensee within 45 days.

3.2 The priorities for licensing actions follow: Priority Time Increment Licensing Action as found in the NJEMS Procedures, Chapter 6 of the Radioactive Materials Section Procedures Manual. If there is a statement on the request that expedited processing is requested and approved by the Radioactive Materials Section Supervisor, the Radioactive Materials Supervisor will assign a due date for completion of review that is less than ninety days.

3.3 The prioritization for general license device registrations is dictated by the receipt of the quarterly reports from the manufacturers.

4.0 RECORDS

4.1 Hardcopy

- 4.1.1 Requests for applications are maintained in a file.
- 4.1.2 Applications for license, license renewal or license amendment are maintained in applicable files.

NJDEP - BER Procedure No. 2.05
Processing Withholding Correspondence

Prepared By: _____ Date _____

Reviewed By: _____ Date _____

Approved By: _____ Date _____

Effective Date: _____

Table of Contents

SECTION

1.0 PURPOSE

- 1.1. Applicability
- 1.2. References
- 1.3. Computer Based Letters, Forms, and Reports
- 1.4. Hardcopy Files
- 1.5. Definitions

2.0 RESPONSIBILITIES

- 2.1. Administrative Assistant
- 2.2. Radiation Physicist
- 2.3. Radioactive Materials Section Supervisor

3.0 PROCEDURE

- 3.1. Receipt of Application or Request
- 3.2. Licensing Actions - Priorities

4.0 RECORDS

- 4.1. Hardcopy
- 4.2. Computer Based

5.0 ATTACHMENTS TO BER 2.05

- 5.1. BER 2.05-1 Agreement with Request to Withhold Information from Public Disclosure Letter
- 5.2. BER 2.05-2 Sample Disagreement with Request to Withhold Information from Public Disclosure Letter
- 5.3. BER 2.05-3 Sample Partial Agreement with Request to Withhold Information from Public Disclosure Letter

1.0 PURPOSE

- 1.1 Applicability: Licensees wishing the New Jersey Department of Environmental Protection (DEP) to withhold, as proprietary or confidential, the information contained in submittals from public disclosure should submit an application for withholding accompanied by an affidavit. Note: Only the information requested to be withheld as proprietary needs to be accompanied by an affidavit.

2.0 RESPONSIBILITIES

- 2.1 Administrative Assistant. The Administrative Assistant is responsible for:
 - 2.1.1 Receiving and logging the receipt of a request for withholding,
 - 2.1.2 Maintaining the hardcopy and the computer based letters, forms and report files, and
 - 2.1.3 Updating the files, as necessary.
 - 2.1.4 Sets initial priority
- 2.2 Radiation Physicist
 - 2.2.1 The Radiation Physicist is responsible for processing the assigned request for withholding request in accordance with the priorities.
- 2.3 Radioactive Materials Section Supervisor. The Radioactive Materials Section Supervisor is responsible for:
 - 2.3.1 Assigning a priority to a withholding request when administrative assistant has questions and
 - 2.3.2 Assigning the withholding request to a Radiation Physicist for processing.

3.0 PROCEDURE:

- 3.1 For the Department to determine whether the information should be withheld from public disclosure, the following information should be provided in sufficient explanatory detail: The Radiation Physicist will determine if the following information is submitted and make a determination if withholding is appropriate:
 - 3.1.1 Clear identification of the document(s), or parts thereof, to be withheld as proprietary or confidential.
 - 3.1.2 Statement that this information is held in confidence by the owner of the information.
 - 3.1.3 A rational basis for requesting withholding of the information, clearly stating the reasons why the company believes the information contained therein is proprietary or confidential.
 - 3.1.4 Confirmation, with details provided, that the information transmitted to, and received by, NJDEP is held in confidence.
 - 3.1.5 Statement as to whether the information is currently available in public sources.
 - 3.1.6 Confirmation whether the company customarily treats this information, or this type of information, as confidential, with an explanation.
 - 3.1.7 Determination whether the public disclosure of the information would be likely to cause substantial harm to the competitive position of the company, with an explanation in detail as to why. Affidavit should also include the value of the information to the company, the amount of effort or money expended in developing the information, and the ease or difficulty for others to acquire the information.
 - 3.1.8 Clear identification of the position of the person executing the affidavit (an officer or upper-level management official delegated to review the information sought to be withheld and authorized to apply for withholding on behalf of the company.)

Comment [JBC18]: beyond nrc

- 3.1.9 Statement that the company submitting the affidavit is the owner of the information or is required, by agreement with the owner of the information, to treat the information as proprietary and that the affiant is an employee of the company.
- 3.2 If it is determined that the request is appropriate, the Radiation Physicist will prepare a letter for signature of the Radioactive Materials Section Supervisor confirming the determination.
- 3.3 If in agreement with the determination, the radioactive material supervisor will sign and mail the letter and log the action per NJEMS procedures found in Chapter 6 of the Radioactive Materials Section Procedures Manual.
- 3.4 If not in agreement with the determination, the Radioactive Materials Section Supervisor will edit, sign and mail the letter and log the action as per NJEMS procedures in Chapter 6 of the Radioactive Materials Section Procedures Manual.

**Attachment BER 2.05-1 Agreement with Request to Withhold
Information from Public Disclosure**

[INSERT DATE]

[INSERT NAME & ADDRESS]

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION CONTAINED ON
[APPLICATION, LETTER, FORM] FROM PUBLIC DISCLOSURE

[INSERT SALUTATION]:

By [Application, Letter, Form] from [Licensee's Name] dated [date], and affidavit dated [date], you submitted [proprietary, confidential] material consisting of [brief description, e.g., personal or client information] and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. This letter is our response to your request.

You stated that the submitted information should be considered exempt from public disclosure for the following reasons:

- 1.
- 2.

We have reviewed your application and the material in accordance with the requirements of N.J.A.C. 7:28-4.19 and, on the basis of your statements, have determined that the submitted information sought to be withheld does contain proprietary, confidential information. Therefore, the brief description of information to be withheld contained in application, letter, or form, marked as proprietary, or confidential will be withheld from public disclosure pursuant to applicable sections of N.J.A.C. 7:28-4.19 through 4.27..

Withholding documents from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the New Jersey Department of Environmental Protection (NJDEP). You should understand that NJDEP may have cause to review this determination in the future (e.g., if the scope of a Freedom of Information Act request includes your information.) In all review situations, if NJDEP makes a determination adverse to the decision above, you will be notified in advance of any public disclosure.

If you have any questions concerning this action, please feel free to contact me at
[INSERT PHONE NUMBER].

Sincerely,

**[INSERT WRITER'S
IDENTIFICATION]**

Docket No.: **[INSERT NUMBER]**
License No.: **[INSERT NUMBER]**
Control No.: **[INSERT NUMBER]**

**Attachment BER 2.05-2 Disagreement with Request to Withhold
Information from Public Disclosure**

[INSERT DATE]

[INSERT NAME & ADDRESS]

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION CONTAINED ON
[APPLICATION, LETTER OR FORM] FROM PUBLIC DISCLOSURE

[INSERT SALUTATION]:

By [Application, Letter, Form] from [Licensee's Name] dated [date], and affidavit dated [date], you submitted [proprietary, confidential] material consisting of [brief description, e.g., personal or client information] and requested that it be withheld from public disclosure pursuant to NJAC 7:28-4.19. This is our response to your request.

We have reviewed your [application, letter, form] and the material in accordance with the requirements of NJAC 7:28-4.19, and, for the following reasons, have determined that the submitted information, in whole or in part, sought to be withheld, does not contain proprietary information.

- 1.
- 2.

Therefore, we have determined that the material, specifically [brief description] should be released for public disclosure. In accordance with NJAC 7:28-4.19, this information is being forwarded to you as notice that the information will be made available to the public within 30 days of the date of this letter. If within that time you request withdrawal of these documents in accordance with NJAC 7:28-4.19, or provide additional reasons for the withholding of information, your request will be considered in light of applicable statutes and regulations and a determination made as to whether the documents should be withheld from public disclosure or returned to you.

Withholding documents from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public disclosure should change in the future such that the information could then be made available for public inspection, you should promptly notify the New Jersey Department of Environmental Protection (NJDEP). You should understand that NJDEP may have cause to review this determination in the future (e.g., if the scope of a Freedom of Information Act request

includes your withheld information.) In all review situations, if the Department makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions concerning this action, please feel free to contact me at [INSERT PHONE NUMBER].

Sincerely,

**[INSERT WRITER'S
IDENTIFICATION]**

Docket No.: [INSERT NUMBER]
License No.: [INSERT NUMBER]
Control No.: [INSERT NUMBER]

**Attachment BER 2.05-3 Partial Agreement with Request to Withhold Information
from Public Disclosure**

[INSERT DATE]

[INSERT NAME & ADDRESS]

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION CONTAINED ON
[APPLICATION, LETTER, FORM] FROM PUBLIC DISCLOSURE

[INSERT SALUTATION]:

By [application, letter, form] from [Licensee's Name] dated [date], and affidavit dated [date], you submitted [proprietary, confidential] material consisting of [brief description, e.g., personal or client information] and requested that it be withheld from public disclosure pursuant to NJAC 7:28-4.19. This is our response to your request.

We have reviewed your application and the material in accordance with the requirements of NJAC 7:28-4.19, and, on the basis of your statements, have determined that only certain information contained in [application, letter, form] is [proprietary, confidential].

The [brief description] information contained in [application, letter, form], marked as [proprietary, confidential] does contain [proprietary, confidential] information and will, therefore, be withheld from public disclosure pursuant to NJAC 7:28-4.19

We have also determined that, for the following reason(s), the information contained in [application, letter, form] does not contain proprietary information.

- 1.
- 2.

Therefore, the [brief description] contained in [application, letter, form] should be released for public disclosure. In accordance with NJAC 7:28-4.19, this information is being forwarded to you as notice that the information will be made available to the public 30 days from the date of this letter. If within that time you request withdrawal of these documents in accordance with NJAC 7:28-4.19, or provide additional reasons for the withholding of information, your request will be considered in light of applicable statutes and regulations and a determination made as to whether the documents should be withheld from public disclosure or returned to you.

Withholding documents from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public disclosure should change in the future such that the information could then be made available for public inspection, you should promptly notify the New Jersey Department of Environmental Protection (NJDEP). You should understand that NJDEP may have cause to review this determination in the future (e.g., if the scope of a Freedom of Information Act request includes your withheld information.) In all review situations, if NJDEP makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions concerning this action, please feel free to contact me at **[INSERT PHONE NUMBER]**.

Sincerely,

**[INSERT WRITER'S
IDENTIFICATION]**

Docket No.: **[INSERT NUMBER]**
License No.: **[INSERT NUMBER]**
Control No.: **[INSERT NUMBER]**

NJDEP - BER Procedure No. 2.06
Review of Annual Registration of Generally Licensed Devices

Comment [JBC19]: does this follow nrc format - doesn't nrc send a form with info already in it that they understand is what is possessed

Prepared By: _____ Date _____

Reviewed By: _____ Date _____

Approved By: _____ Date _____

Effective Date: _____

Table of Contents

Section

6.0 PURPOSE

- 6.1. Applicability
- 6.2. References
- 6.3. Computer Based Letters, Forms, and Reports
- 6.4. Hardcopy Files
- 6.5. Definitions

7.0 RESPONSIBILITIES

- 7.1. Administrative Assistant
- 7.2. Radiation Physicist
- 7.3. Radioactive Materials Section Supervisor
- 7.4. Environmental Radiation Bureau Chief

8.0 PROCEDURE

- 8.1. Receipt of an Annual Registration
- 8.2. Processing an Annual Registration

9.0 RECORDS

- 9.1. Hardcopy
- 9.2. Computer Based

10.0 ATTACHMENTS TO BER 2.06

- 10.1. Attachment 1 - Letter to All Users of Devices Subject to General License Registration, containing NJRAD Form 644

6.0 PURPOSE

- 6.1. Applicability. The purpose of this procedure is to define the process for reviewing General License Registrations. Standard review plans, checklists and policies that shall be used during the review process will be identified. The process for handling a General License Registration will be provided.
- 6.2. References
 - 6.2.1. N.J.A.C. 7:28-52.1
- 6.3. Computer Based Letters, Forms and Reports (NJEMS)
- 6.4. Hardcopy Files
 - 6.4.1. General License Registration NJRAD Form 664
- 6.5. Definitions
 - 6.5.1. General License Registration means the annual registration of generally licensed devices which meet the criteria set for the in N.J.A.C. 7:28-52.1.

6.5.2. Registration action means a form received from a registrant as follows:

6.5.2.1. a registration form for an annual General License Registration;

6.5.3. Processing means reviewing the annual general +license registration packet, and requesting additional information, if appropriate.

7.0 RESPONSIBILITIES

7.1. Administrative Assistant

The Administrative Assistant is responsible for receiving, logging and acknowledging the receipt of an annual registration packet. The Administrative Assistant is responsible for maintaining the computer based and hardcopy files and for tracking the applications for annual registrations during processing. The Administrative Assistant is responsible for responding to requests for annual registration packets by transmitting a packet, Internet address of the regulations, and reference to specific guidance.

7.2. Radiation Physicist

The qualified Radiation Physicist is responsible for reviewing the assigned annual registration, determining if it is complete, requesting additional information as appropriate, and if appropriate, preparing the registration for review and signature by the Radioactive Materials Section Supervisor. The Radiation Physicist is responsible for recommending whether a registration is deficient and requires additional information. The Radiation Physicist is responsible for signing registrations in the absence of the Radioactive Materials Section Supervisor.

7.3. Radioactive Materials Section Supervisor

The Radioactive Materials Section Supervisor is responsible for assigning a registration action for processing to a Radiation Physicist. The Radioactive Materials Section Supervisor is responsible for reviewing, approving and signing registrations.

8.0 PROCEDURE

8.1. **Receipt of a General License Registration Packet**

Upon the receipt of an application for a General License Registration the following shall be performed:

8.1.1. Priority

An action priority shall be assigned to the registration request in accordance with BER 2.04, "Prioritization of Licensing & General License Registration Actions" and concurred with by the Radioactive Materials Section Supervisor.

8.1.2. Assignment of Reviewer

The Radioactive Materials Section Supervisor shall assign a qualified Radiation Physicist to process the registration. The review of an application or request shall be conducted by a Radiation Physicist qualified to conduct such a review.

8.1.3. The Administrative Assistant will check that the fee is included, if applicable.

8.1.4. The Radiation Physicist will check that the enclosed fee is correct. If not, the appropriate responsible party will be contacted to send the correct amount.

8.2. **Processing a General License Registration**

- 8.2.1. The application (Form NJRAD-664) and all appended and referenced material shall be reviewed. NJDEP specific Rule and Policies, and NRC Consolidated Guidance, Regulatory Guides, Standard Review Plans, Reviewers Evaluation Forms and Technical Assistance Requests shall be used, as appropriate, by the reviewer to evaluate the registration. If additional information is needed, the appropriate responsible party will be contacted.
- 8.2.2. The reviewer shall assure that the review of the registration includes the following commonly missed items:
 - 8.2.2.1. Application signed by the highest ranking corporate, partnership, or governmental officer or official at the facility,
 - 8.2.2.2. Complete contact address and phone number(s) included.
- 8.2.3. Following the completion of the review of the application and any supplemental material requested by the reviewer, a recommendation to issue the registration shall be made to the Radioactive Materials Section Supervisor.

9.0 RECORDS

9.1. Hardcopy

- 9.1.1. Applications for registrations plus attachments are kept in the registration file.

9.2. Computer Based

- 9.2.1. NJEMS files

10.0 ATTACHMENTS TO BER 2.01

- 10.1. Letter to All Users of Devices Subject to General License Registration, containing NJRAD Form 644