STATUS OF NEW JERSEY AGREEMENT APPLICATION
RSAO COUNTERPART MEETING
JUNE 23-24, 2009

Purpose

- Discuss the current status of the NJ Agreement application
- Discuss outline of final schedule

Status

- Noticed in FR 5/27/09, for 4 consecutive weeks
- Comment period closes 6/26/2009
- To date, 5 comment letters received
    - Support – 2
    - Opposed – 2
    - Miscellaneous – 1

Discussion

- Staff is addressing comments and preparing comment resolution
- NARM Waiver
- Schedule
    - Working towards effective date no later than 9/30/09
    - Specific dates

TASK	DATE
Issue for Office Concurrence	7/16/09 at latest
Office concurrence due	7/29/09 at latest
To FSME Front Office	8/10/09
To EDO	8/17/09
Signed out to Commission	8/24/09
SRM Issued	9/16/09
Effective date of Agreement	9/30/09

Questions

E/53

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. NARM Waiver
    a. Expires 8/7/09
    b. In the NARM rule and transition plan – recognized that not all interested states could get Agreement in place by 8/7/09
        i. Provision for maximum flexibility
    c. NJ NARM licensees will be under our jurisdiction

d. NRC will accelerate inspections as always per agreement transition
e. NJ will accelerate inspections for NARM licensees
f. NJ understands this interim period and is working with us on this to minimize any impacts
g. Minimize inspections due during interim period from expiration of waiver until effective date of Agreement
h. Events – licensees will have to meet our requirements
    i. Requesting they report events to NJ as well during interim period – courtesy, no requirement
i. Normal steps regarding enforcement, event evaluation, etc. normal as for any transition
j. Licensing on urgent need or health and safety

6. Schedule
    a. Working towards effective date no later than 9/30/09
    b. Current schedule – SECY to Commission by 8/24/09
    c. Stating in SECY and in management periodic information that an SRM critical by 9/16/09

7. Regional activities
    a. Donna Janda working on this for Region 1; normal regional steps for license file transfers
    b. Anything she'd like to add

8. Questions