Sollenberger, Dennis FSMB

From: Dennis Sollenberger
Sent: Friday, February 27, 2009 9:18 AM
To: David McIntyre
Cc: Torre Taylor
Subject: Draft Press release for New Jersey Draft Agreement
Attachments: Press release for draft NEW JERSEY.doc

David:

To get things started and to get you the New Jersey information, I edited the Virginia draft agreement press release and inserted the New Jersey information.

I thought this email would follow up on our hallway discussion. Thanks you for your assistance.
Please send the press release to both Torre Taylor and myself.

Dennis Sollenberger

Tracking:

G/36

NRC CONSIDERING REQUEST BY NEW JERSEY TO BECOME AN "AGREEMENT STATE"

The Nuclear Regulatory Commission is considering a request from New Jersey Gov. Jon S. Corzine to assume part of the NRC's regulatory authority over certain nuclear materials in the State. If the request is accepted, New Jersey will become the 37th State to sign such an agreement with the NRC.

Under the proposed agreement, the NRC would transfer to New Jersey the responsibility for licensing, rulemaking, inspection and enforcement activities for: (1) radioactive materials produced as byproducts from the production or utilization of special nuclear material (SNM--enriched uranium or plutonium); (2) naturally occurring or accelerator-produced byproduct material (NARM); (3) source material (uranium and thorium); (4) SNM in quantities not sufficient to support a nuclear chain reaction; and (5) the regulation of the land disposal of source, byproduct, and SNM received from other persons.

If the proposed agreement is approved, it is estimated that there will be 700 total licenses in the State of New Jersey. NRC would transfer 500 licenses to the State's jurisdiction. In addition, the State would retain regulatory authority for approximately 500 NARM licenses. Approximately 300 of these NARM licenses are dually regulated by New Jersey and the NRC.

By law, NRC would retain jurisdiction over commercial nuclear power plants and federal agencies using certain nuclear material in the state. In addition, NRC would retain authority for the review, evaluation and approval of sealed radioactive materials and devices containing certain nuclear materials within the State.

Before entering into the agreement, NRC must determine that New Jersey's radiation control program is adequate to protect public health and safety, and is compatible with the agency's own program for regulating the radioactive materials covered in the agreement.

The proposed agreement and the NRC staff's draft assessment of the New Jersey program will be published for public comment soon in the *Federal Register*, and also will be published for comment thereafter, once a week for four consecutive weeks. Comments should be sent to Michael T. Lesar, Chief, Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Copies of the proposed agreement, the governor's request and supporting documents, as well as the NRC staff's assessment are available through the NRC's Agency-wide Documents Access and Management System (ADAMS). Help in using ADAMS is available by contacting the NRC Public Document Room staff at 301-415-4737 or 1-800-397-4209, or by sending an email message to PDR.Resource@nrc.gov. These documents are also available for public inspection at the NRC Public Document Room at 11555 Rockville Pike, Rockville, Maryland.

Thirty-six other states have previously signed such agreements with NRC. They are: Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Iowa, Kansas,

Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, and Wisconsin.

More information about the Agreement State program is available on the NRC's Web site at: http://nrc-stp.ornl.gov/.