

Sollenberger, Dennis

From: Taylor, Torre
Sent: Tuesday, June 16, 2009 4:26 PM
To: DeCicco, Joseph
Cc: Sollenberger, Dennis
Subject: Periodic for Marty june 16 2009.doc
Attachments: Periodic for Marty june 16 2009.doc

Joe, here are the periodic updates for Marty and for Charlie - they are in the same document with the respective headings. If you feel Marty's is too long, let me know - I took some detail out. I could take out the paragraph about what the final paper will address but I think it's important for Charlie's periodic.

We are trying to find a polite way to let the Commission know how tight the schedule is and when we'll need direction by - for planning purposes. The SECY will have similar language so we need to be letting them know - and this would be the time for Marty to start letting his staff know as well as the Commission.

thanks, Torre

G/66

Periodic for Marty

New Jersey Agreement Application. (Torre Taylor/Dennis Sollenberger) The proposed Agreement with the State of New Jersey was noticed in the Federal Register on May 27, 2009. The public comment period ends on June 26, 2009. Staff is working towards an effective date of no later than September 30, 2009. The NARM waiver expires on August 7, 2009, and staff is trying to minimize the time period between August 7, 2009 and the effective date of the Agreement. The final SECY paper for the Agreement will discuss the steps staff is taking to ensure an efficient transition during this interim time period in order to minimize the impact to NARM licensees in New Jersey.

The schedule for processing the final steps of the Agreement is tight and staff has shortened the steps where possible. Staff is working to provide the Commission with final recommendations regarding the New Jersey Agreement application as soon as possible after the comment period ends, but no later than August 24, 2009. It is critical for staff to have Commission direction on this SECY paper no later than September 16, 2009, in order to meet the effective date of the Agreement by September 30, 2009, and finalize the last steps of processing the Agreement.

The final SECY paper will address any ongoing inspection and/or enforcement activities, outstanding orders, allegations, petitions, and complex decommissioning sites. There are currently two complex decommissioning sites in New Jersey. One licensee, Stepan Chemical, will remain with NRC since New Jersey has not requested 11e.(2) byproduct material under its Agreement. The second licensee, Shieldalloy Metallurgical Corporation, will transfer to New Jersey since New Jersey has requested authority for source material.

Periodic for Charlie

New Jersey Agreement Application. (Torre Taylor/Dennis Sollenberger) The proposed Agreement with the State of New Jersey was noticed in the Federal Register on May 27, 2009. The public comment period ends on June 26, 2009. Staff will evaluate the public comments and prepare a final package with its recommendations regarding the proposed Agreement for Commission consideration. Staff is working towards an effective date of no later than September 30, 2009. The NARM waiver expires on August 7, 2009, and staff is trying to minimize the time period between August 7, 2009 and the effective date of the Agreement. The final SECY paper for the Agreement will discuss the steps staff is taking to ensure an efficient transition during this interim time period in order to minimize the impact to NARM licensees in New Jersey.

The schedule for processing the final steps of the Agreement is tight and staff has shortened the steps where possible. Staff is working to provide the Commission with the staff's final recommendations regarding the New Jersey Agreement application as soon as possible after the comment period ends, but no later than August 24, 2009. It is critical for staff to have Commission direction on this SECY paper no later than September 16, 2009, in order to meet the effective date of the Agreement by September 30, 2009, and finalize the last steps of processing the Agreement.

The final SECY paper will address any ongoing inspection and/or enforcement activities, outstanding orders, allegations, petitions, and complex decommissioning sites.

There are currently two complex decommissioning sites in New Jersey. Under the Agreement, regulatory authority for Stepan Chemical Company will remain with NRC since the radioactive material at Stepan Chemical Company's site is Section 11e.(2) byproduct material and New Jersey has not requested this class of materials under its Agreement. The regulatory authority for Shieldalloy Metallurgical Corporation will transfer to New Jersey since the radioactive material at Shieldalloy Metallurgical Corporation's site is source material. Since New Jersey has requested the authority to regulate source material under its Agreement, the jurisdiction of this site will transfer to the State of New Jersey.