

Chairman Signs New Jersey Agreement State Document With photo

Chairman Gregory Jaczko recently signed the document that will make New Jersey an Agreement State.

When the document is countersigned by New Jersey officials, New Jersey will become the 37th State to sign such an agreement with the NRC.

In 2006, New Jersey Governor Jon Corzine submitted a letter to the NRC indicating the State's intention to seek Agreement State status, and the State submitted a final application in October 2008. The staff provided its final recommendations to the Commission in SECY-09-0114, "Section 274b Agreement with the State of New Jersey," dated August 18, 2009. The Agreement is expected to be effective on September 30, 2009.

Agreement State status allows a State to assume part of the NRC's regulatory authority over certain nuclear materials in the State. When the Agreement is signed by the Chairman and the Governor of New Jersey, the NRC relinquishes authority to the State who will then be responsible for licensing, rulemaking, inspection, and enforcement activities for

- radioactive materials produced as byproducts from the production or utilization of special nuclear material (enriched uranium or plutonium)
- naturally occurring or accelerator-produced byproduct material
- source material (uranium and thorium)
- special nuclear material in quantities not sufficient to support a nuclear chain reaction
- the regulation of the land disposal of source, byproduct, and special nuclear material received from other persons

Once the Agreement is effective, the NRC will transfer an estimated 500 licenses for radioactive material to New Jersey's jurisdiction. New Jersey will also have regulatory authority over approximately 500 naturally occurring or accelerator-produced byproduct material licensees, including 300 who also hold NRC licenses. These licensees would have their NRC and New Jersey licenses combined into a single State license. New Jersey will have jurisdiction over approximately 700 licenses.

NRC will 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 and for the regulation of the tailings and other wastes from uranium milling within New Jersey.

As part of the process of approving New Jersey's Agreement State request, the NRC staff determined that New Jersey's radiation control program is adequate to protect public health and safety and that it is compatible with the NRC's program for regulating the radioactive materials covered in the agreement.

The 36 States that have previously signed similar agreements with the NRC are Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky,

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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.