

4/16/09

NARM Waiver issues

- 1. As we do for all transitions, RI will be working closely with NJ regarding licensing actions – usually hold those coming in the last 30 days
 - a. RI will work with NJ on any actions that come in - if urgent action needed, RI will do to meet licensee's need
- 2. RI will be accelerating inspections for those due in October – December
 - a. Normal process
- 3. We are discussing with NJ the possibility of accelerating any NARM inspections due in the August – September timeframe so that none will be needed then.
 - a. Preliminary discussions –
 - i. Believe there won't be any due during that time period
 - ii. Believe they can accelerate if there are
- 4. Upon the expiration of the waiver, per the NARM rule, licensees in NJ will be in NRC jurisdiction and have to meet our regulations and reporting requirements
 - a. They will have 6 months to apply for needed amendments and 12 months to apply for a new license
 - b. We have not seen a huge rush within the 1st few weeks of phase 1 and 2 waiver terminations
 - c. Don't expect that to be different for phase 3
- 5. Fees – NRC licensees have already paid fees for FY 2009.
 - a. Fees are issued on anniversary date
 - b. CFO, once agreement is effective, issues final fee bill to remaining NRC licensees in NJ that have not received their statement for 2009.

6. Discussions with OGC and OE

- a. (b)(5)
- b.
- c.
- d.

Ex 5
Attorney
client
privilege.

e. Questions from management meetings

- i. What happens if there is a violation and we don't have a license issued? What about a violation of a NJ license condition?
 - (1) After 8/7/09, NJ licensees will have to meet NRC regulations and that will be enforceable.
 - (2) Technically, I believe NJ license is recognized by NRC. However, we don't plan to accelerate the physical transfer of license files.
 - (3) Won't be rushing out to do inspections of these facilities
 - (4) If there are violations of license conditions, should be found by NJ staff during inspections. They have been inspecting NARM licensees all along.

- ii. Inspections during the 7 week "gap?" Could we look at 274i?
 - (1) Yes; but not worth the effort
 - (2) NRC will accelerate inspections as normal process so none will be due
 - (3) We've begun discussions with NJ re: the same for the NARM licensees
 - (4) If there is an event – we would do the enforcement
 - (a) However, there will be coordination with NJ since they will address corrective actions and/or follow-up in the future

- iii. Fees – general questions
 - (1) Fees will be assessed when apply for a license
 - (a) We're not expecting them to have to apply given the short time period and the time requirements provided in the Transition Plan
 - (2) There are only 200 NJ NARM licensees to whom this will apply. The remaining licensees also have NRC licenses and already pay fees.