

## Sollenberger, Dennis

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**From:** Jennifer Tobin *FSME*  
**Sent:** Tuesday, September 25, 2007 4:54 PM  
**To:** Jenny Goodman; Dennis Sollenberger; Donna Janda  
**Cc:** Patricia Gardner; Richard Peros  
**Subject:** Re: NJ Regulations

Jenny,  
As you revise wording, please do call when you reach items that may be significant. I was one of the regulation reviewers when you submitted the regulations before so I have familiarity with the comments.

I look forward to working with you. Please contact me if you have any questions.

-Jenny

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>>> "Jenny Goodman" <[Jenny.Goodman@dep.state.nj.us](mailto:Jenny.Goodman@dep.state.nj.us)> 9/25/2007 3:57 PM >>>

Jenny/Dennis/Donna,

I am working on the revision of our regulations. Aaron completed the compatibility review. We addressed all the NRC issues, but as I am revising based on our attorney review, can I run sections by you to make sure they are still OK with revised wording? I would only send what I think are substantive revisions. Here is an example.

Wording reviewed by NRC: 20.2301

(b) For radioactive materials, the Department may, upon application by a licensee or upon its own initiative, grant an exemption from the requirements of these rules in this part if it determines the exemption is authorized by law and would not result in undue hazard to life or property.

Revised wording:

(b) For radioactive materials, the Department, upon application and a showing of hardship or compelling need, may grant an exemption from any requirement of these rules should it determine that such exemption will not result in any exposure to radiation in excess of the limits permitted by N.J.A.C. 7:28-6, Dose Limits.

So the question is, is this revised wording still ok with the NRC? Based on the way in which our legal review operates, it will be too late for us to change anything when the rule is ready for official proposal, so I would like to be able to send revisions to you periodically and incorporate required changes before official proposal. If we have to change anything after proposal, it could very well end up that we would have to repropose the rules and we don't have time for that exercise.

Thanks  
Jenny