

## Sollenberger, Dennis

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**From:** Duncan White - *FW: NR*  
**Sent:** Monday, May 12, 2008 5:39 PM  
**To:** Dennis Sollenberger  
**Subject:** FW: Notice of Rule Proposal  
**Attachments:** notice of rule proposal.doc

FYI

-----Original Message-----

From: Jenny Goodman [mailto:Jenny.Goodman@dep.state.nj.us]  
Sent: Monday, May 12, 2008 4:47 PM  
To: davidmackie@AMEC.com; info@anjec.org; proradcon@aol.com; sgoogins@canbreraservices.com; dculp@chaseenv.com; <Nogaki.jan; dbahrle@comcast.net; kjohan@comcast.net; drn@delawareriverkeeper.org; Wjlee@demaximis.com; Bill.Csaszar; Nancy.Stanley; Patricia.Gardner; pmarshall@ecologyservices.com; Azzam.Nidal@epa.gov; giardina.paul@epa.gov; Thomas.Griffin@erm.com; micheleegberts@hotmail.com; christopher.clayton@hq.doe.gov; jwlively@mactec.com; king.mak@mcguire.af.mil; vincent\_williams@merck.com; dwhite@metron.com; chanm@mskcc.org; Duncan.White; Philip.Egidi; RJPASTOR@PHILOTECHNICS.COM; bmontag@phks.com; selwood@princeton.edu; mcdermot@rehs.rutgers.edu; michael.drzyzga@roche.com; jyang@sbhcs.com; anthony.thompson@shawpittman.com; rgrube@sovcom; Mcicalese@sovcon.com; moji.moshaashae@spcorp.com; drsmith@trcsolutions.com; david.c.hays@usace.army.mil; wesvanpelt@verizon.net; dormanm@wyeth.com  
Subject: Notice of Rule Proposal

Attached is the notice of rule proposal for New Jersey to become an Agreement State. The proposal will not be available until Monday, May 19, 2008, at which time it will be available to download from the DEP website listed in the notice.

Jenny Goodman  
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## **NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Environmental Regulation

Radiation Protection Programs

### **Notice of Rule Proposal**

Revision to Radiation Protection Programs' Regulations in Support of Agreement State Initiative  
N.J.A.C. 7:28-1 through 13, 17, 18, 48 and proposed new N.J.A.C. 7:28-50 through 64

### **Public Notice**

Take notice that the NJ Department of Environmental Protection is proposing the amendment and repeal of certain existing rules and the addition of new rules as cited above. A statement of the substance of the proposal follows: The proposed revisions are required in order to make New Jersey's regulations adequate and compatible as compared to those of the U.S. Nuclear Regulatory Commission (NRC). These revisions are required in support of New Jersey's effort to become an Agreement State, as described in Governor Corzine's letter of intent to the NRC dated May 23, 2006. The changes will allow the State to regulate not only naturally occurring and accelerator produced radioactive materials, which it already does under the current regulations, but also byproduct, source and certain special nuclear materials that are currently regulated by the NRC. If New Jersey did not become an Agreement State, the State program would be pre-empted by the Federal government in August 2009.

The proposal is scheduled to be published in the New Jersey Register dated May 19, 2008. A copy of the proposal is available from the Department of Environmental Protection's web site at: <http://www.nj.gov/dep/rules/notices.html>. An electronic copy is also available from the Radiation Protection Programs website at: <http://www.nj.gov/dep/rpp/rms/rmsagree-1.htm>. Copies may also be obtained from LexisNexis Customer Service at (800)223-1944 or [www.lexisnexis.com/bookstore](http://www.lexisnexis.com/bookstore). Be advised that there may be a fee for obtaining a copy of the proposal from some sources.

Written comments may be submitted by July 18, 2008 to:

NJ Department of Environmental Protection

Alice A. Previte, Esq.

ATTN: 04-08-04/637

Office of Legal Affairs

PO Box 402

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