

Sollenberger, Dennis

From: Monica Orendi - *FSMB*
Sent: Monday, January 05, 2009 11:58 AM
To: Jenny Goodman; Dennis Sollenberger
Cc: Catherine Biel; Patricia Gardner; Torre Taylor
Subject: RE: NJ License conditions

Jenny:

Thanks! That helps clear things up.

As for your question " Will the NRC be including IC requirements in a regulation?", the answer is: Yes the NRC is currently working on a rulemaking (although it is in the very early stages) to incorporate the IC's, Fingerprinting, and a few other security related items into regulation. They are currently on track to become a new Part 37. That said we probably won't see a final product on that until after NJ becomes an Agreement State.

Let me know if you have any other questions or if I can help with anything else.
Happy New Year!
Monica

Monica Orendi
Health Physicist
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Division of Materials Safety and State Agreements (DMSSA) State Agreements and Industrial Safety Branch (SAISB)
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-----Original Message-----

From: Jenny Goodman [mailto:Jenny.Goodman@dep.state.nj.us]
Sent: Monday, January 05, 2009 10:26 AM
To: Dennis Sollenberger; Monica Orendi
Cc: Catherine Biel; Patricia Gardner
Subject: Re: NJ License conditions

Dennis/Monica,

Here is the corrected Fingerprinting license condition to replace the one currently in our application. You can delete the NSTS license condition since it is in our regs. Regarding the Increased Control License Condition Replace the Additional IC license condition with the attached license condition for IC. This condition is for new licensees which must comply with the IC conditions before we issue the license. Since the NRC has taken care of existing licensees in NJ that require IC, we believe that this condition will suffice. NJ does not presently have any licensees that require IC. Will the NRC be including IC requirements in a regulation?

Thanks
Jenny

>>> Monica Orendi <Monica.Orendi@nrc.gov> 12/30/2008 2:46:25 PM >>>
Jenny:

M/08

The fingerprinting license condition you sent looks good except for one error. Can you please change the last sentence to read "The licensee shall notify the NRC within 24 hours if the results from a criminal history records check indicate that an individual is identified on the FBI's Terrorist Screening Data Base."

We are requiring that licensees at a minimum call us, however if you wish for them to call you as well the statement can read "The licensee shall notify the NRC and the Department within 24 hours if the results from a criminal history records check indicate that an individual is identified on the FBI's Terrorist Screening Data Base."

Once you make the change can you email the condition back to Dennis so it can be added to your application package.

Also I have a few more questions with regards to your license conditions:

1) For the increased controls you sent two license conditions. What is the purpose of the "Additional Increased Controls" license condition and where can I find the Department letter and attached document referenced in that license condition?

2) You included a license condition for the NSTS, however you already have these regulations covered by your regulations (adoption by reference). Is this license condition just a reminder for your licensees?

Thanks for your help!
Happy New Year!
Monica

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

From: Jenny Goodman [mailto:Jenny.Goodman@dep.state.nj.us]
Sent: Monday, December 22, 2008 10:36 AM
To: Monica Orendi
Cc: Catherine Biel; Patricia Gardner; Dennis Sollenberger
Subject: Re: RC-08-1

Monica,

Not sure what happened here. That seems to be the wrong NRC Order that we were referring to. I have revised and attached the license condition for fingerprinting which should be placed in Section 4.3.1 Appendix B after the sample letters.

Let me know if this is acceptable.

Jenny

>>> Monica Orendi <Monica.Orendi@nrc.gov> 12/22/2008 8:54:38 AM >>>

Hi Jenny:

Can you please tell me where I can find New Jersey Order RC-08-1 and the letter dated April 4, 2008 (referenced in your Fingerprinting license condition) in your submitted application package.

Thanks for the help!

Happy Holidays,
Monica

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License Condition – Fingerprinting

The licensee shall comply with the requirements described in the NRC Order EA-07-305 (the Order). The licensee shall complete implementation of said requirements by the first day that radionuclides in quantities of concern are possessed at or above the limits specified in "Table 1: Radionuclides of Concern" contained within the Order. The licensee shall notify the Department when they have achieved full compliance with the requirements described in the Order. The notification shall be made within **twenty-five (25) days** after full compliance has been achieved. This notification shall include a certification that the Trustworthiness and Reliability (T&R) Official (and any subsequent T&R Official) is themselves deemed trustworthy and reliable by the Licensee as required in paragraph B.2. of the Order. The licensee shall notify the NRC and the Department within 24 hours if the results from a criminal history records check indicate that an individual is identified on the FBI's Terrorist Screening Data Base.