

**Sollenberger, Dennis**

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**From:** Donna Janda -FSME  
**Sent:** Wednesday, May 27, 2009 4:09 PM  
**To:** Torre Taylor  
**Cc:** Dennis Sollenberger; Duncan White  
**Subject:** RE: language for Region I letter to NJ licensees re:NARM

Thanks Torre! I am making the changes and will send it back to you for comment.

*Donna M. Janda*  
State Agreements Officer  
U.S. NRC Region I  
610-337-5371 Office  
610-337-5269 Fax  
267-216-7546 Cell

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**From:** Torre Taylor  
**Sent:** Wednesday, May 27, 2009 4:00 PM  
**To:** Donna Janda  
**Cc:** Dennis Sollenberger; Duncan White  
**Subject:** RE: language for Region I letter to NJ licensees re:NARM

Hi Donna, I took a look - I have one change re; the date of the waiver expiration - see attached. The waiver expires on 8/7/09 - technically at midnight. I modified the language a bit.

Also, we'd talked earlier about asking the licensees, as a courtesy, to also report "reportable events" to NJ as well as NRC. Is this the letter in which we remind them to report events to NRC during this interim time period, and ask them nicely to report to NJ as well - as a courtesy. I think we have to emphasize the courtesy part since there is no legal reason to request this.

have fun at the IMPEP - Torre

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**From:** Donna Janda  
**Sent:** Wednesday, May 27, 2009 3:02 PM  
**To:** Torre Taylor; Dennis Sollenberger; Duncan White  
**Subject:** language for Region I letter to NJ licensees re:NARM

Please review the attachment and let me know what you think about the language I would like to add to the Region I letter we are sending to NJ licensees regarding the upcoming Agreement.

I am out of the office next week for the Nevada IMPEP and would like to get the letter ready for John Kinneman's signature ASAP.

Thanks,  
Donna

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### **NARM Waiver Expiration and Impact on New Jersey Agreement**

The Energy Policy Act of 2005 (EPAct) authorized the NRC to regulate naturally-occurring and accelerator-produced radioactive material (NARM). Many States regulated this material under their existing State radiation programs. The NRC issued a time-limited waiver to allow the continued use of NARM under State regulatory authority until the NRC could codify new regulations for these materials.

The time-limited waiver will expire on August 7, 2009, and New Jersey's approximately 500 NARM licensees will be under NRC jurisdiction until the effective date of the Agreement, which is anticipated to occur on or about September 30, 2009. As of August 8, 2009, all persons that possess byproduct material must be in compliance with NRC regulations, including reporting and recordkeeping requirements. Licensees have 6 months to apply for necessary license amendments if they already possess an NRC license or 12 months to apply for a new license if they do not already possess an NRC license. If you submit a request for a license amendment or new license involving NARM during the time period that NRC maintains jurisdiction, we will not process the request unless it is necessary for health and safety or security-related authorizations. We will hold the request until New Jersey assumes regulatory authority and we will transfer the requests to New Jersey for appropriate action.

Deleted: As of August 8, 2009, the

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**Attachments:** NJ NARM language.doc

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