



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
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May 11, 2026

Patrick Mulligan, Assistant Director
Radiation Protection Element
Division of Air Quality and Radiation
Protection
Department of Environmental Protection
P.O. Box 420; Mail Code 25-01
Trenton, NJ 08625-0420

TITLE: NEW JERSEY PERIODIC MEETING SUMMARY

Dear Patrick Mulligan:

A periodic meeting with you and your staff was held virtually on April 7, 2026. The purpose of this meeting was to review and discuss the status of the New Jersey Agreement State Program. The U.S. Nuclear Regulatory Commission was represented by Marc Ferdas and me.

I have completed and enclosed a general meeting summary. If you feel that the summary and its conclusion do not accurately reflect the meeting discussion or have any additional remarks about the meeting in general, please contact me at (610) 337-5201 or via email at farrah.gaskins@nrc.gov to discuss your concerns.

Sincerely,

A handwritten signature in cursive script that reads "Farrah C. Gaskins".

Signed by Gaskins, Farrah
on 05/11/26

Farrah C. Gaskins
Regional State Agreements Officer
Division of Radiological Safety and Security

Enclosure:
Periodic Meeting Summary for New Jersey

SUBJECT: NEW JERSEY PERIODIC MEETING SUMMARY DATED: May 11, 2026

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INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM

PERIODIC MEETING WITH THE STATE OF NEW JERSEY

TYPE OF OVERSIGHT: NONE

April 7, 2026

Enclosure

PERIODIC MEETING PARTICIPANTS

Nuclear Regulatory Commission

- Marc Ferdas, Acting Director, Division of Radiological Safety and Security
- Farrah Gaskins, Regional State Agreements Officer

State of New Jersey

- Patrick Mulligan, Radiation Control Program Director (entrance only)
- James McCullough, Manager, Bureau of Environmental Radiation
- Jack Tway, Supervisor, Agreement State Program
- Joseph Power, Supervisor, Radiological and Environmental Assessment Section
- Richard Peros, Supervisor, Medical Section
- Karen Flanigan, Supervisor, Industrial Section
- Nancey Stanley, Emergency Response Coordinator
- Claire Drozd, Inspector and License Reviewer
- Sarah Sanderlin, Inspector and License Reviewer
- Christopher Giaquinto, Inspector and License Reviewer
- Daniel Tabor, Inspector and License Reviewer
- KJ Karausky, Inspector and License Reviewer
- Kaitlin Rainey, Inspector and License Reviewer
- Carlie Jenney, Inspector and License Reviewer
- Emily Coleman, Inspector and License Reviewer

1.0 INTRODUCTION

This report presents the results of the periodic meeting held between the U.S. Nuclear Regulatory Commission (NRC) and the State of New Jersey. The meeting was held virtually via Microsoft Teams on April 7, 2026, which covered the period March 22, 2024 – April 6, 2026. The meeting was conducted in accordance with Office of Nuclear Material Safety and Safeguards (NMSS) Procedure [SA-116](#) “Periodic Meetings between IMPEP Reviews,” dated October 29, 2021.

The New Jersey Agreement State Program is administered by the Bureau of Environmental Radiation, which is in the Division of Air Quality & Radiation Protection of the New Jersey Department of Environmental Protection. Bureau of Environmental Radiation is comprised of four sections: the Radioactive Materials Industrial Section, Radioactive Materials Medical Section, the Radiological & Environmental Assessment Section, and the Radon Section, and research scientist currently assigned to focus on non-ionizing radiation. At the time of the periodic meeting, the New Jersey Agreement State Program regulated approximately 493 specific licenses authorizing possession and use of radioactive materials. The meeting focused on the radioactive materials program as it is carried out under Section 274b (of the Atomic Energy Act of 1954, as amended) Agreement between the NRC and the State of New Jersey.

The New Jersey Agreement State Program last underwent an Integrated Materials Performance Evaluation Program (IMPEP) review March 18 - 21, 2024. A Management Review Board (MRB) meeting to discuss the outcome of the IMPEP review was held on June 7, 2024. Based on the findings presented, the MRB found the New Jersey Agreement State Program’s performance satisfactory for the performance indicators: Technical Staffing and Training; Technical Quality of Inspections; Technical Quality of Licensing Actions; Technical Quality of Incident and Allegation Activities; and Legislation, Regulations, and Other Program Elements. New Jersey’s performance was also found satisfactory but needs improvement for the performance indicator Status of Materials Inspection Program. The MRB found the New Jersey Agreement State Program adequate to protect public health and safety and compatible with the NRC’s program. One recommendation was made for improved program performance. The MRB directed that the next IMPEP review take place in approximately 4 years and that a periodic meeting take place in 2 years. However, due to newly implemented requirements by NMSS, the next full IMPEP review is scheduled to be conducted in FY2029.

2.0 COMMON PERFORMANCE INDICATORS

Five common performance indicators are used to review the NRC regional and Agreement State radioactive materials programs during an IMPEP review. These indicators are (1) Technical Staffing and Training, (2) Status of Materials Inspection Program, (3) Technical Quality of Inspections, (4) Technical Quality of Licensing Actions, and (5) Technical Quality of Incident and Allegation Activities.

2.1 Technical Staffing and Training (2024 IMPEP review: Satisfactory)

New Jersey’s Agreement State Program is comprised of 14 technical staff, one manager, and one administrative support staff. The combined Full Time Equivalent (FTE) assigned to the Agreement State Program has remained around 11 FTE through

2024 and 2025. Since the 2024 IMPEP review, the manager retired and two staff members were hired in trainee positions. One staff member was promoted to manager, and a new position was created to assist with Agreement State program matters. There are currently no vacancies in the program.

There are six staff members fully qualified in medical licensing and inspection, eight fully qualified in industrial licensing and inspection and two fully qualified for decommissioning. New Jersey's goal is to have all staff work towards cross training in at least two areas (medical, industrial, decommissioning).

The New Jersey Agreement State Program has a license reviewer and inspector training and qualification manual compatible with the NRC's Inspection Manual Chapter (IMC) [IMC 1248](#), "Formal Qualifications Program for Federal and State Material and Environmental Management Programs. New Jersey reported that the draft IMC 1248 is under review and will consider changes to their procedure as appropriate.

2.2 Status of Materials Inspection Program (2024 IMPEP review: Satisfactory)

The New Jersey Agreement State Program reported that it has conducted 146 Priority 1, 2, and 3 inspections since the 2024 IMPEP review. None of these inspections were performed overdue. New Jersey also reported that 25 initial inspections were conducted since the 2024 IMPEP review. Of the 25 initial inspections completed, 4 were conducted overdue: with 1 being 10 days late and 1 being conducted 2 days late. These two are part of the same private practice. The license applications were identical in everything except the addresses. New Jersey chooses to issue a separate license to each location rather than grouping them on one license. These inspections were conducted late due to unscheduled leave by the license reviewer (initial inspections are assigned to the staff member who conducted the pre-license visit). Additionally, one of the two locations was previously licensed and applied again after terminating two years prior. The other two licenses have been contacted and replied late; one indicated they will be terminating with no possession or use since issuance.

The New Jersey Agreement State Program's goal is to inspect 15 percent of the candidate licensees that come into the state. New Jersey indicated that they plan to update their reciprocity procedure to use a more risk-informed approach. Since the 2024 IMPEP review, 20 Reciprocity inspections have been conducted; 8 in 2024, 11 in 2025 and 1 so far in 2026. New Jersey reported they exceed their 15 percent goal in both 2024 and 2025.

New Jersey is more restrictive than NRC in some inspection planning. Program Codes 03120, 03121 & 02400 (Fixed, Portable gauges & Veterinary licenses) are considered priority 3 inspection frequency rather than NRC's priority 5.

2.3 Technical Quality of Inspections (2024 IMPEP review: Satisfactory, but needs Improvement)

The New Jersey Agreement State Program has inspection procedures equivalent to the NRC's IMC [IMC 2800](#), "Materials Inspection Program," and the NRC's Inspection Procedures for specific modalities. New Jersey reported that all qualified inspectors were accompanied in 2024 and all but one was accompanied in 2025. The one inspector missed in 2025 was due to an unplanned extended leave of absence. Section

supervisors as well as the Agreement State manager also perform inspections as needed and are accompanied by their supervisor or a designee.

Inspection reports are reviewed by a supervisor, manager or another qualified inspector, as assigned, prior to closure. All enforcement is reviewed by a supervisor or manager for Notices of Violation and up to Assistant Director for approvals. During the 2024 IMPEP review, it was noted that New Jersey had a goal to issue inspection results within 45 days, which was inconsistent with NRC's goal for inspection issuance. New Jersey reported that inspection results are now consistently documented and tracked to comply with NRC's 30-day timeline including team inspections. Inspector Accompaniment Evaluation Forms are utilized to record field accompaniments and include management review.

2.4 Technical Quality of Licensing Actions (2024 IMPEP review: Satisfactory)

Since the 2024 IMPEP review, the New Jersey Agreement State Program successfully completed 506 licensing actions. This included 387 Amendments, 71 License Renewals, 32 Terminations, and 16 Initial Licenses. The New Jersey Agreement State Program utilizes the NRC's NUREG 1556 series when processing licensing actions. Staff perform pre-licensing site visits in accordance with applicable guidance.

The 2024 IMPEP review resulted in one recommendation in this indicator:

- Perform a review of all research and development licenses to ensure that radiation safety officers who are also designated as authorized users on the licenses are appropriately qualified for the authorized use and take corrective actions as needed.

Status: New Jersey reported that all research and development other licenses were reviewed to ensure that all Radiation Safety Officers were either not listed as an Authorized User (AU) or were qualified through training and experience to be listed as an AU. This review was conducted in April 2024. No amendments were required.

2.5 Technical Quality of Incident and Allegation Activities (2024 IMPEP review: Satisfactory)

New Jersey received three allegations from the NRC since the 2024 IMPEP review. New Jersey has followed up with the NRC and requested more information for two concerns forwarded to New Jersey from the NRC; these involve the sale of tungsten welding rods imported from China and the sale of beads containing uranium from different sales locations in New Jersey. An additional three allegations were received directly by the New Jersey Agreement State Program: one from Occupational Safety and Health Administration, one from the Department of Environmental Protection Communication Center, and one from a concerned citizen. All allegations except for one have been closed.

New Jersey has received 18 reportable events since the 2024 IMPEP review. Of the events received, four events remain open with three being from the current year (2026). All open events are awaiting additional information. Reportable events met appropriate NRC timeliness metrics.

3.0 NON-COMMON PERFORMANCE INDICATORS

Four non-common performance indicators are used to review Agreement State programs: (1) Compatibility Requirements, (2) Sealed Source and Device (SS&D) Evaluation Program, (3) Low-Level Radioactive Waste Disposal (LLRW) Program, and (4) Uranium Recovery (UR) Program. The NRC's Agreement with New Jersey does not relinquish regulatory authority for SS&D and UR; therefore, only the non-common performance indicators Compatibility Requirements and LLRW apply.

3.1 Legislation, Regulation, And Other Program Elements (2024 IMPEP review: Satisfactory)

New Jersey's current effective statutory authority is contained in the Radiation Protection Act (N.J.S.A. 26:2D-1) and the Atlantic Interstate LLRW Compact Implementation Act. The Department of Environmental Protection is designated as the State's radiation control agency. At the time of the periodic meeting, New Jersey stated that aside from fee increases finalized by administrative notices for 2024 and 2025, no new legislation has been enacted. New Jersey's Radiation Protection Code will be sunset in 2027. A notice will be filed for publication in the New Jersey Register if it is readopted without change at that time.

New Jersey incorporates NRC requirements by reference except for Title 10 of the Code of Federal Regulations (10 CFR) 20.1401 - 20.1405. The State has requirements compatible with 10 CFR 20.1401 - 20.1405. For the NRC rules that New Jersey incorporate by reference, amendments to the requirements are automatically adopted by New Jersey without further rulemaking activities. There were no regulations due within the review period of the periodic meeting.

3.2 LLRW Program (2024 IMPEP review: Not rated)

Although New Jersey has authority to regulate the LLRW disposal facility, the NRC has not required States to have a program for licensing a disposal facility unit until such time as the State has been designated as a host State for a LLRW disposal facility. When an Agreement State has been notified or becomes aware of the need to regulate a LLRW disposal facility, it is expected to put in place a regulatory program that will meet the criteria for an adequate and compatible LLRW disposal program. This indicator was not discussed during the periodic meeting.

4.0 SUMMARY

New Jersey continues to maintain an effective Agreement State program. Staffing remains stable, with active cross-training and full-qualification coverage across medical, industrial, and decommissioning areas. Priority 1, 2, and 3 inspections were completed on time and reciprocity inspections exceeded New Jersey's established goals. Minor delays in initial inspections were appropriately addressed. The program's inspection, licensing, incident response, and allegation handling processes continue to meet the NRC expectations.

New Jersey reported that they have completed corrective actions associated with the 2024 IMPEP review recommendation regarding research and development licenses and verification of qualifications for Radiations Safety Officers. The State's regulations remain compatible with the NRC requirements, and no new legislation beyond fee changes was enacted during the review period.

The meeting identified no significant issues or concerns across the performance indicators. Discussions also included emerging topics such as fusion rulemaking and Executive Order 14300 rule changes. Consistent with NMSS scheduling efficiencies, the next IMPEP review for New Jersey is planned for fiscal year 2029.