



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 7, 2022

Ms. Jenny Goodman, Manager
Bureau of Environmental Radiation
NJ Department of Environmental
Protection
Mail Code 25-01
P.O. Box 420
Trenton, New Jersey 08625-0420

Dear Ms. Goodman:

We have reviewed the proposed revisions to the New Jersey "Protecting Against Climate Threat" regulations that were added to the equivalent New Jersey 10 CFR Part 61 Regulations, received by our office on June 3, 2022. These regulations were reviewed by comparison to the equivalent U.S. Nuclear Regulatory Commission (NRC) rules and the requirements of 10 CFR Part 61 as identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the regulations with you on July 5, 2022.

As a result of our review, we have no comments. Please note that we have limited our review to regulations required for compatibility and/or health and safety. We have determined that the regulations, as proposed, meet the compatibility and health and safety categories established in the Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200, "Compatibility Categories and Health and Safety Identification for NRC Regulations and Other Program Elements." We request that when the proposed regulations are adopted and published as final regulations, a copy of the "as published" regulations be provided to us for review. As requested in NMSS Procedure SA-201, "Review of State Regulatory Requirements," please highlight any final changes and provide a copy to Division of Materials, Safety, Security, State and Tribal Programs, NMSS.

The SRS Data Sheet summarizes our knowledge of the status of other New Jersey regulations, as indicated. Please let us know if you note any inaccuracies, or have any comments on the information contained in the SRS Data Sheet. This letter, including the SRS Data Sheet, is posted on the NMSS State Communication Portal: <https://scp.nrc.gov/rulemaking.html>.

If you have any questions regarding the review, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact Michelle Beardsley, State Regulation Review Coordinator, at (301) 415-0275 (michelle.beardsley@nrc.gov) or Stephen Poy at (301) 415-7135 (stephen.poy@nrc.gov).

Sincerely,



Signed by Anderson, Brian
on 07/07/22

Brian C. Anderson, Chief
State Agreement and Liaison Programs Branch
Division of Materials Safety, Security, State
and Tribal Programs
Office of Nuclear Material Safety
and Safeguards

Enclosure:
New Jersey SRS Data Sheet

SUBJECT: NEW JERSEY PROPOSED REGULATIONS TO 10 CFR PART 61
DATE July 7, 2022

DISTRIBUTION: SP05

DIR RF 22-45

FGaskins, RSAO

New Jersey File

ADAMS Accession No. ML22157A440 pkg and ML22166A348 letter

OFFICE	NMSS/MSST	NMSS/MSST	OGC	NMSS/MSST
NAME	SPoy	MBeardsley	CMcCann NLO via email	BCAnderson
DATE	07/07/2022	07/07/2022	07/05/2022	07/07/2022

OFFICIAL RECORD COPY

STATE REGULATION STATUS

State: New Jersey

Tracking Ticket Number: 22-45

Date: July 7, 2022

[# amendment(s) reviewed identified by a * at the beginning of the equivalent NRC requirement.]

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1991-1 – 2009-1	55 FR 843; 56 FR 11504; 56 FR 23360; 56 FR 61352; 57 FR 38588; 57 FR 57877; 58 FR 67657; 59 FR 41641; 60 FR 20183; 56 FR 64980; 56 FR 34104; 57 FR 45566; 58 FR 39628; 58 FR 7715; 58 FR 33886; 58 FR 68726; 59 FR 1618; 59 FR 28220; 59 FR 36026; 59 FR 61767; 59 FR 65243; 60 FR 322; 60 FR 7900; 60 FR 15649; 60 FR 25983; 60 FR 28323; 60 FR 36038; 60 FR 38235; 60 FR 48623; 60 FR 50248; 61 FR 28724; 61 FR 1109; 61 FR 24669; 61 FR 65120; 62 FR 1662; 62 FR 4120; 62 FR 5907; 62 FR 28947; 62 FR 39057; 62 FR 63634; 63 FR 1890; 63 FR 13773; 63 FR 29535; 63 FR 31604; 63 FR 37059; 63 FR 39477; 63 FR 45393; 63 FR 50127; 64 FR 17506; 64 FR 42269; 64 FR 54543; 64 FR 55524; 65 FR 20337; 65 FR 63750; 65 FR 79162; 67 FR 16298; 67 FR 20249; 68 FR 57327; 69 FR 3697; 70 FR 2001; 70 FR 16336; 71 FR 1926; 70 FR 72128; 71 FR 15005; 71 FR 65685; 71 FR 65685, 72 FR 59162; 72 FR 45147; 72 FR 54207; 72 FR 58473; 72 FR 55864; 72 FR 70901; 72 FR 68043; 74 FR 33901	N/A	10/16/08 ML090510716 Final ML14148A131	Comments 03/13/09 ML090510003 No Comments 08/13/2014 ML14148A028	New Jersey submitted an application for Agreement State Status on October 16, 2008 (see Incoming Package ML). This package contained a final version of all New Jersey's regulations which will be used once the Agreement between NRC and New Jersey is effective. Comments from the 3/13/2009 comment letter are addressed in the 4/18/2013 submission And response (see ML13108A246 and ML13119A402).
2009-1	Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901	09/28/2012	Final ML14148A131	No Comments 08/13/2014 ML14148A028	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2011-1	Decommissioning Planning Parts 20, 30, 40 and 70 76 FR 35512	12/17/2015	Final ML14148A131 Revised Final ML15323A231	Comments 08/13/2014 ML14148A028 No Comments 01/13/2016 ML15323A228	
2011-2	Licenses, Certifications, and Approvals for Materials Licensees Parts 30, 36, 39, 40, 70 and 150 76 FR 56951	11/14/2014	Final ML14148A131	No Comments 08/13/2014 ML14148A028	
2012-1	Change of Compatibility Parts 31.5 and 31.6 (See RATS ID: 2001-1 for Rule text) 77 FR 3640	01/25/2015	05/23/2014 ML14148A131	No Comments 08/13/2014 ML14148A028	
2012-2	Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste Part 71 77 FR 34194	08/10/2015	Final ML14148A131	No Comments 08/13/2014 ML14148A028	
2012-3	Technical Corrections Parts 30, 34, 40 and 71 77 FR 39899	08/06/2015	Final ML14148A131	No Comments 08/13/2014 ML14148A028	
2012-4	Requirements for Distribution of Byproduct Material Parts 30, 31, 32, 40 and 70 77 FR 43666	10/23/2015	Final ML14148A131	No Comments 08/13/2014 ML14148A028	

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2013-1	Physical Protection of Byproduct Material Parts 20, 30, 32, 33, 34, 35, 36, 37, 39 and 71 78 FR 16922	03/19/2016	Proposed License Condition ML15274A377 Proposed ML15292A555 Final ML16070A204	No Comments 10/20/2015 ML15274A372 Comments 11/17/15 ML15292A442 No Comments 04/04/16 ML16070A199	NJ addressed Part 37 only
2013-2	Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions Parts 30, 40 and 70 78 FR 32310	08/27/2016	Proposed ML15323A231 Final ML16070A204	Comments 01/13/2016 ML15323A228 No Comments 04/04/16 ML16070A199	
2015-1	Domestic Licensing of Special Nuclear Material – Written Reports and Clarifying Amendments Part 70 79 FR 57721, 80 FR 143	01/26/2018	Proposed ML15323A231 Final ML16070A204 Revised Final ML18032A673	Comment 01/13/2016 ML15323A228 No Comments 04/04/16 ML16070A199 No Comments 03/22/2018 ML18032A632	

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2015-2	Safeguards Information - Modified Handling Categorization, Change for Materials Facilities Parts 30, 37, 73 and 150 79 FR 58664, 80 FR 3865	01/28/2018	Proposed ML15323A231 Final ML16070A204 Revised Final ML18032A673	Comment 01/13/2016 ML15323A228 No Comments 04/04/16 ML16070A199 No Comments 03/22/2018 ML18032A632	
2015-3	Revisions to Transportation Safety Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements Part 71 80 FR 33987	07/13/2018 *extended to 08/15/2020 See STC 17-060	Proposed ML15323A231 Final ML16070A204 Revised Proposed ML19150A287	Comments 01/13/2016 ML15323A228 No Comments 04/04/16 ML16070A199 No Comments 07/26/2019 ML19150A277	
2015-4	Miscellaneous Corrections Parts 37 and 40 80 FR 45841	09/02/2018	Proposed ML15323A231 Final ML16070A204 Revised Final ML18032A673	No Comments 01/13/2015 ML15323A228 No Comments 04/04/16 ML16070A199 No Comments 03/22/2018 ML18032A632	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2015-5	Miscellaneous Corrections, Parts 19, 20, 30, 32, 37, 40, 61, 70, 71 and 150 80 FR 74974	12/31/2018	Final ML18032A673	No Comments 03/22/2018 ML18032A632	
2018-1	Medical Use of Byproduct Material – Medical Event Definitions, Training and Experience, and Clarifying Amendments Parts 30, 32 and 35	01/14/2022	Proposed ML19150A287	No Comments 07/26/2019 ML19150A277	
2018-2	Miscellaneous Corrections -Organizational Changes Parts 37, 40, 70 and 71	12/21/2021	Final ML19015A213	No Comments 01/28/2019 ML19015A185	
2018-3	Miscellaneous Corrections Parts 1, 2, 34, 37, 50, 71, 73, and 140	07/30/2022	Final ML20027B386 Revised Final ML20054A998	Comment 02/07/2020 ML20027B300 No Comments 03/02/2020 ML20054A832	
2019-1	Miscellaneous Corrections Parts 2, 21, 37, 50, 52, 73, and 110	12/18/2022	Final ML20027B386 Revised Final ML20054A998	Comment 02/07/2020 ML20027B300 No Comments 03/02/2020 ML20054A832	

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2019-2	Organizational Changes and Conforming Amendments Parts 1, 2, 37, 40, 50, 51, 52, 55, 71, 72, 73, 74, 100, 140, and 150	12/30/2022	Final ML20027B386	No Comments 02/07/2020 ML20027B300	
2020-1	Individual Monitoring Devices Parts 34, 36, and 39	06/16/2023	Final ML20161A364	No Comments 06/30/2020 ML20161A346	
2020-2	Social Security Number Fraud Prevention 10 CFR Parts 9 and 35	08/17/2023	Final ML20	No Comments 09/21/2020 ML20	
2020-3	Miscellaneous Corrections 10 CFR Parts 1, 2, 19, 20, 21, 30, 34, 35, 40, 50, 51, 52, 60, 61, 62, 63, 70, 71, 72, 73, 74, 75, 76, 110, and 140	11/16/2023	Final ML20323A236	No Comments 12/08/2020 ML20323A221	
2021-1	Miscellaneous Corrections 10 CFR Parts 2, 11, 20, 25, 32, 35, 37, 50, 52,55, 70, 72, 73, 95, and 110	09/08/2024	Final ML21273A338	No Comments 10/15/2021 ML21273A316	
2021-2	Miscellaneous Corrections 10 CFR Parts 9, 37, 40, 50, 51, 52, 55, 71, 73, and 110	12/30/2024	Final ML22021A774	No Comments 02/07/2022 ML22021A667	
2022-1	Miscellaneous Corrections 10 CFR 1, 2, 20, 30, 40, 50, 55, 70, 73, and 170	none			Provisions are not required for compatibility.
N/A	Parts 19.4, 32.1, 35.60 and 70.73	N/A	Final ML14148A131	No Comments 08/13/2014 ML14148A028	

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N/A	N.J.A.C. 7:28-1.5 and 1.6	N/A	Proposed ML15323A231 Final ML16070A204 Proposed ML19150A287	Comments 01/13/2016 ML15323A228 Comment 04/04/16 ML16070A199 No Comment 7/28/2019 ML19150A277	
N/A	N.J.A.C. 7:13 10 CFR 61.50 Provision	N/A	Proposed ML22157A442	No Comment 7/06/2022 ML22157A440	