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## **SUBCHAPTER 50. NOTICES, INSTRUCTIONS AND REPORTS TO WORKERS: INSPECTION AND INVESTIGATIONS**

### 7:28-50.1 Incorporation by reference

(a) Except as set forth in (b) and (c) below, this subchapter incorporates by reference [10 CFR Part 19](#).

(b) The following provisions of 10 CFR Part 19 are not incorporated by reference. If there is a cross reference to a Federal citation specifically entirely excluded from incorporation, then the cross referenced citation is not incorporated by virtue of the cross reference:

1. 10 CFR 19.5, Communications.
2. 10 CFR 19.8, Information collection requirements: OMB approval

(c) The following provisions of 10 CFR Part 19 are incorporated by reference with the specified changes:

1. At 10 CFR 19.2, Scope, delete references to 10 CFR Parts 50, 60, 63, 72 and 76.
2. At 10 CFR 19.3, Definitions, "Commission" shall mean the New Jersey Department of Environmental Protection;
3. "Nuclear Regulatory Commission," "NRC," and "U.S. Nuclear Regulatory Commission," as used in the provisions of Part 19 of the Code of Federal Regulations that are incorporated by reference, mean the New Jersey Department of Environmental Protection, except when specifically noted in this subchapter;
4. 10 CFR 19.4, delete "Except as specifically authorized by the Commission in writing, no" with "No," and replace "by the General Counsel" with "signed and approved by the Commissioner of the Department,";
5. 10 CFR 19.11(a)(1), replace "Part 20" with "N.J.A.C. 7:28-6";
6. 10 CFR 19.13(b), replace "§ 20.2106 of 10 CFR Part 20" with "N.J.A.C. 7:28-6";
7. 10 CFR 19.13(c)(1)(i), replace "§ 20.2106" with "N.J.A.C. 7:28-6";
8. 10 CFR 19.13(c)(1)(i), replace "§ 20.1502" with "N.J.A.C. 7:28-6";
9. 10 CFR 19.13(d), replace "§§ 20.2202, 20.2203, 20.2204, or 20.2206 of this Chapter" with "N.J.A.C. 7:28-6";
10. 10 CFR 19.17(a), replace all references to "Executive Director for Operations" with "Chief, Bureau of Environmental Radiation of the Department";
11. 10 CFR 19.17(a) and (b), replace all references to "Administrator of the appropriate Regional Office" with "Supervisor, Radioactive Materials Section";
12. 10 CFR 19.18(b), replace "Office of the General Counsel" with "Office of the Attorney General of New Jersey";
13. 10 CFR 19.20, delete references to 10 CFR Parts 50, 60, 63, 72 and 76;
14. 10 CFR 19.32, add "Allegations of discrimination are to be reported to the Division on Civil Rights, Department of Law and Public Safety, 140 East Front Street, P.O. Box 089, Trenton, New Jersey, 08625-089."

(d) For those facilities whose radioactive materials are licensed solely by the Department, NRC Form 3, "Notice to Employees" shall mean the Department's Form RPP-14, "Notice to Employees, Standards for Protection Against Radiation," available

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from the Department via the Department's website at: [www.nj.gov/dep/rpp/rms/rmsdown.htm](http://www.nj.gov/dep/rpp/rms/rmsdown.htm), or by requesting a copy by telephone during business hours at (609) 984-5462.

(e) Those facilities which possess a license from the Department and the NRC for radioactive materials shall post both the NRC's Form 3, "Notice to Employees," and the Department's Form RPP-14, "Notice to Employees, Standards for Protection Against Radiation."

(f) Reports that are to be submitted to the Department pursuant to this subchapter shall be submitted to the address at N.J.A.C. 7:28-1.5.

(g) Requests for adjudicatory hearings shall be made in accordance with N.J.A.C. 7:28-4.17, and requirements governing requests for stay of the effective date of the Department decision for which an adjudicatory hearing is requested are set forth at N.J.A.C. 7:28-4.18.