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SUBCHAPTER 62. EXEMPTIONS AND CONTINUED NRC REGULATORY AUTHORITY IN AGREEMENT STATES AND IN OFFSHORE WATERS UNDER 42 U.S.C. §2021 SECTION 274

7:28-62.1 Incorporation by reference

(a) Except as set forth in (b) and (c) below, this subchapter incorporates by reference [10 CFR Part 150](#).

(b) The following provisions of 10 CFR Part 150 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 150.3, Definition of "Commission";
2. 10 CFR 150.4, Communications;
3. 10 CFR 150.7, Persons in offshore waters not exempt;
4. 10 CFR 150.8, Information collection requirements: OMB approval;
5. 10 CFR 150.10, Persons exempt;
6. 10 CFR 150.14, Commission regulatory authority for physical protection;
7. 10 CFR 150.15, Persons not exempt;
8. 10 CFR Part 150.15a, Continued Commission authority pertaining to byproduct material;
9. 10 CFR Part 150.16, Submission to Commission of nuclear material transfer reports;
10. 10 CFR Part 150.17, Submission to Commission of source material reports;
11. 10 CFR Part 150.17a, Compliance with requirements of US/IAEA safeguards agreement;
12. 10 CFR Part 150.19, Submission to Commission of tritium reports;
13. 10 CFR Part 150.21, Transportation of special nuclear material by aircraft;
14. 10 CFR 150.31, Requirements for Agreement State regulation of byproduct material; and
15. 10 CFR 150.32, Funds for reclamation or maintenance of byproduct material.

(c) The following provisions of 10 CFR Part 150 are incorporated by reference with the specified changes:

1. "Commission," "Nuclear Regulatory Commission," "NRC," and "U.S. Nuclear Regulatory Commission," as used in the provisions of Part 150 of the Code of Federal Regulations that are incorporated by reference, mean the Department.

2. 10 CFR 150.20(b), references to specific sections of 10 CFR part 30, refer to N.J.A.C. 7:28-51, sections of 10 CFR part 40, refer to N.J.A.C. 7:28-58, and sections of 10 CFR part 70, refer to N.J.A.C. 7:28-60. Replace "parts 19, 20, and 71" with "N.J.A.C. 7:28-6, 50, and 61", and replace "part 34" with "N.J.A.C. 7:28-63".

(d) The incorporation by reference of 10 CFR 150.20(b) shall not include the ability to issue general licenses to operate in areas of exclusive Federal jurisdiction and

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offshore waters, but only to Agreement State and NRC licensees that wish to operate within New Jersey's jurisdiction in accordance with N.J.A.C. 7:28-50.1(d).

(e) 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.

(f) 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.