



State of New Jersey

Department of Environmental Protection

Richard J. Codey
Acting Governor

Bradley M. Campbell
Commissioner

Radiation Protection and Release Prevention Programs
Bureau of Environmental Radiation
PO Box 415
Trenton, NJ 08625-0415
Phone (609) 984-5405
Fax (609) 984-5595

July 19, 2005

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2005 JUL 25 PM 1:29

Edele Hovnanian
Sr. Vice President
Hovnanian Industries
1 Hovchild Plaza
4000 Route 66
Tinton Falls, NJ 07753

Re: Heritage Minerals

Dear Ms. Hovnanian:

On May 16, 2005, the Radiation Protection Code (N.J.A.C. 7:28-1 et seq.) was amended and adopted. One of the new provisions of Subchapter 4, Licensing of Naturally Occurring or Accelerator Produced Radioactive Materials (N.J.A.C. 7:28-4.3 (a) 6), is an exemption for anyone who receives, owns, possesses, uses, processes, transfers, distributes, arranges for the distribution, sells, or leases technologically enhanced naturally occurring radioactive material (TENORM) if the TENORM contains any combination of Radium-226 and Radium-228 at concentrations less than five picocuries per gram (dry weight) above background and less than the quantity listed in N.J.A.C. 7:28-4.5(c).

Since Heritage Minerals possesses TENORM in excess of 5 pCi/g, a New Jersey radioactive materials license is required. I have enclosed an application and fee worksheet for your use. If you have any questions, you may call Bill Csaszar, Supervisor of the Radioactive Material Section of the Bureau of Environmental Radiation at (609) 984-5400.

Sincerely,

Patricia Gardner, Manager
Bureau of Environmental Radiation

Enclosure

c: B. Csaszar, Radioactive Materials Section, BER
J. Goodman, Radiological Assessment Section, BER
M. Miller, NRC Region I