



State of New Jersey

James E. McGreevey
Governor

Department of Environmental Protection

Bradley Campbell
Commissioner

Division of Environmental Safety and Health
Radiation Protection and Release Prevention Elements
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February 26, 2004

Donna Janda, Health Physicist
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Nuclear Materials Safety Branch 2
Division of Nuclear Material Safety, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

Dear Ms. Janda:

The New Jersey Department of Environmental Protection's (NJDEP) Radiation Protection Program is submitting the following comment on the February 4, 2004 document: (Docket No. 030-05222) *Environmental Assessment Related to an Amendment of the U.S. Nuclear Regulatory Commission Materials License No. 29-00139-02, Issued to E.R. Squibb & Sons, Incorporated.*

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The NJDEP reviewed the September 2003 Final Status Survey (FSS) referenced in the February 4, 2004 document and through subsequent correspondence with E. R. Squibb and Sons (Squibb) has determined that both the soil and buildings comply with the Department's remediation criteria of 15 mrem/yr.

The New Jersey Department of Environmental Protection's Radiation Protection Program agrees with the Nuclear Regulatory Commission's Environmental Assessment conclusion that a Finding of No Significant Impact (FONSI) is appropriate for the proposed action of releasing a portion of the licensee's facilities in New Brunswick, New Jersey, for unrestricted use.

Thank you for giving us the opportunity to comment on this Environmental Assessment. Please contact Ed Truskowski at (609) 984-5542, if you have any questions.

Sincerely,

Jill Lipoti, Ph.D., Assistant Director

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