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State of New Jersey

Department of Environmental Protection

Richard J. Cody
Acting Governor

Bradley Campbell
Commissioner

Division of Environmental Safety and Health
Radiation Protection and Release Prevention Elements
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March 1, 2005

Betsy Ullrich, Senior Health Physicist
Division of Nuclear Material Safety, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

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Dear Ms. Ullrich:

The New Jersey Department of Environmental Protection's (NJDEP) Bureau of Environmental Radiation (BER) reviewed the February 2, 2005 DRAFT document: (Docket No. 030-14680) *Environmental Assessment Related to an Amendment of the U.S. Nuclear Regulatory Commission Materials License No. 29-00117-06, Issued to Merck & Co, Inc.*

The results of the dose assessment calculations indicate levels at or near background which comply with the Department's remediation criteria of 15 mrem/y (N.J.A.C. 7:28-12.8(a)).

The BER agrees with the Nuclear Regulatory Commission's Environmental Assessment conclusion that a Finding of No Significant Impact (FONSI) is appropriate for the proposed action to dispose of the referenced soil.

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,

Patricia Gardner
Chief, Bureau of Environmental Radiation

cc. W. Csaszar, NJDEP, BER, Radioactive Material Section