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Governor

State of New Jersey  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Environmental Regulation  
Office of Permit Coordination and Environmental Review  
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LISA P. JACKSON  
Commissioner

January 31, 2008

Q-5

Ms. Betsy Ullrich  
Senior Health Physicist  
Commercial and R&D Branch  
Division of Nuclear Materials Safety  
Region 1  
475 Allendale Road  
King of Prussia, PA 19406

RE: **Nuclear Regulatory Commission  
Docket Nos. 030-5215 And 040-06377  
Notice of Availability of Environmental Assessment and  
Finding of No Significant Impact for License Amendments to  
Byproduct Materials License No. 29-00047-02 and  
Source Materials License No. SUB-248 for  
Termination of License and Unrestricted Release of the  
Department of the Army Facilities in Picatinny Arsenal, New Jersey**

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REGION 1

Dear Ms. Ulrich:

The Office of Permit Coordination and Environmental Review of the New Jersey Department of Environmental Protection (NJDEP) has completed its review of the above referenced draft document. We offer the following comments for your consideration.

The NJDEP's Radiological Assessment Section (RAS) of the Bureau of Environmental Radiation (BER) performed a radiological review of document. The BER believes that the above referenced title of the document is in error. They recommend that the title of the document be changed from "Termination of License and Unrestricted Release of the Department of the Army Facilities in Picatinny, New Jersey" to "Amendment of the License and Unrestricted Release of the Department of the Army's Building 167, Magazine 3018, Bunker 3030 in Picatinny, New Jersey".

The BUR concurs with the referenced January 30, 2006 New World Technology's "Final Report" (ML06150185) that the Dog Pound area and the

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Gorge area do not meet criteria for free release and further investigation / remediation is recommended.

The results of the fixed and removable contamination surveys, and soil concentration data for Buildings 167, Magazine 3018, and Bunker 3030 indicate levels which comply with the Department's remediation criteria of 15 rem/y (N.J.A.C. 7:28-12.8(a)).

The BER agrees with the Nuclear Regulatory Commission's (NRC) FONSI for the proposed action to release Building 167, Magazine 3018, and Bunker 3030 in Picatinny, New Jersey for unrestricted use.

If there are any questions concerning these comments, please feel free to contact Ed Truskowski at (609) 984-5542 of the BER.

Thank you for the opportunity to be part of the review process.

Sincerely,



Kenneth C. Koschek  
Supervising Environmental Specialist  
Office of Permit Coordination and  
Environmental Review

C: Pat Gardner, NJDEP  
Ed Truskowski, NJDEP