



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Environmental Regulation
Office of Permit Coordination and Environmental Review
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JON S. CORZINE
Governor

MARK N. MAURIELLO
Acting Commissioner

February 26, 2009

Dennis Lawyer
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety, Region 1
475 Allendale Road
King of Prussia, Pennsylvania 19406

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DIVISION 1
2009 MAR -3 PM 12:33

RE: Environmental Assessment and Finding of No Significant Impact for License Amendment - Medarex Inc. Bloomsbury Boro, Hunterdon County

Dear Mr. lawyer,

03033421

The Office of Permit Coordination and Environmental Review of the New Jersey Department of Environmental Protection (NJDEP) has completed its review of the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for License Amendment to Byproduct Nuclear Materials License NO. 29-30119-01, For Termination of the License and Unrestricted Release of the Medarex Incorporated Facility in Bloomsbury, New Jersey. We offer the following comments for your consideration.

Staff of the Radiological Assessment and Decommissioning Section (RADS) of the Bureau of Environmental Radiation (BER) performed a radiological review of the following US Nuclear Regulatory Commission (NRC) document for Medarex, Inc.:

- Nuclear Regulatory Commission Docket NO. 030-33421 Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment to Byproduct Nuclear Materials License NO. 29-30119-01, For Termination of the License and Unrestricted Release of the Medarex Incorporated Facility in Bloomsbury, New Jersey

The results of the fixed and removable contamination surveys indicate levels which comply with the Department's remediation criteria of 15 mrem/y (N.J.A.C. 7:28-12.8(a)).

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The BER agrees with the NRC's Finding of No Significant Impact for the proposed action to release Medarex Inc.'s facility in **Bloomsbury**, New Jersey for unrestricted use, and to terminate the NRC license.

The NRC Environmental Assessment Notice has inconsistencies with the December 1, 2008 Medarex submittal. Page two states that licensed materials were used only in Room 145A; page three states that the final status survey covered Room 115A. In contrast, the Medarex submittal stated that both rooms were used for licensed material and the surveys for both rooms were submitted. This should be corrected before publication.

If there are any questions concerning the comments above, please contact Ed Truskowski at (609) 984-5542.

Thank you for giving the New Jersey Department of Environmental Protection the opportunity to comment on the **EA** and **FONSI**.

Sincerely,

Brian P. Quinn for K.K.

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

Cc: Patricia Gardner, NJDEP