Q-5

State of New Jersey

JON S. CORZINE
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Environmental Regulation
Office of Permit Coordination and Environmental Review
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MARK N. MAURIELLO
Acting Commissioner

September 4, 2009

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REGION 1
2009 SEP 14 PM 1:25

Betsy Ullrich, MS, CHP
U.S. Nuclear Regulatory Commission
Region 1, Nuclear Materials Section B
475 Allendale Road
King of Prussia, PA 19406-1415

RE: Hoffman La Roche
Environmental Assessment (EA)
Finding of No Significant Impact for License Amendment (FONSI)
Nutley, Essex County

Dear Ms. Ullrich:

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 the Hoffman La Roche license amendment in Nutley, Essex County. We offer the following comments for your consideration.

Bureau of Environmental Radiation (BER)

Staff of the Radiological Assessment and Decommissioning Section (RADS) of the BER performed a radiological review of the following US Nuclear Regulatory Commission (NRC) document for Hoffman La Roche:

- Nuclear Regulatory Commission Docket No. 030-05210 Notice of availability of Environmental Assessment and finding of no significant impact for license amendment to byproduct materials license No. 29-00018-01, for unrestricted release of Building 43 at Hoffman La Roche Inc. facility in Nutley, New Jersey.

The BER agrees with the NRC's Finding of No Significant Impact (FONSI) for the proposed action to approve the licensee's amendment request to release building 43, the medical waste incinerator facility, for unrestricted use.

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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)).

Please contact Ed Truskowski at (609) 984-5542, if you have any questions. Thank you for the opportunity to comment on the EA and FONSI.

Sincerely,

Joseph D. Corleto
Principal Environmental Specialist
Office of Permit Coordination
and Environmental Review

Cc: Pat Gardner, NJDEP
Jenny Goodman, NJDEP