

**Clark, Michael**

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**From:** John Hayes *FSME*  
**Sent:** Monday, November 24, 2008 2:13 PM  
**To:** Rebecca Tadesse; Allen Fetter; Allen Gross; Andrea Kock; Christianne Ridge; Daniel Gillen; Duane Schmidt; Eugene Cobey; John Bradbury; John Hull; Jon Peckenpaugh; Karen Pinkston; Kenneth Kline; Lifeng Guo; Mark Fuhrmann; Mark Roberts; Michael Clark; Phil Reed; Robert Johnson (FSME) (b)(6)  
**Cc:** Shieldalloy NPEmails  
**Subject:** NJDEP Statement on 11192008.pdf  
**Attachments:** NJDEP Statement on 11192008.pdf

EX. 6

fyi

NJDEP's statement at 11/19/08 meeting.

No statement was made at the 11/20/08 meeting.

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## NRC Public Meeting Statement

On October 20, 2008, the Department of Environmental Protection submitted its final application to the NRC to become an Agreement State. The application included a certification letter signed by Governor Corzine. The Department is on schedule to sign the Agreement in August of 2009 at which time Shieldalloy will be required to comply with the Department's decommissioning regulations. Based on the NRC staff's latest status report, the final Safety Evaluation Report is not scheduled to be completed until October of 2009 and the final Environmental Impact Statement on SMC's decommissioning plan is not scheduled until 2010.

The Department has been participating in site visits and conference calls regarding the decommissioning plan to stay informed on NRC and SMC activities. Such participation is not an endorsement of the current approach to decommissioning the site. The Department has challenged the proposed on-site disposal in litigation currently before the Atomic Safety and Licensing Board. SMC's continued pursuit of on-site disposal with the NRC in the months before the Department assumes regulatory authority over SMC seems ill-advised.

The Department is in the process of scheduling a meeting between Shieldalloy and Department upper management to discuss the implications of complying with the Department regulations in the context of their proposed decommissioning plan. We look forward to working with SMC to find a viable means of decommissioning the site and terminating the license.