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State of New Jersey

Department of Environmental Protection

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Commissioner

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Acting Governor

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RECEIVED

OCT 11 2001

September 19, 2001

Lake H. Barrett, Acting Director  
Office of Civilian Radioactive Waste Management  
U.S. Department of Energy  
Washington, D.C. 20585

RE: **COMMENTS** - Disposal of Spent Nuclear Fuel and High Level Radioactive Waste at Yucca Mountain

Dear Mr. Barrett:

The Office of Program Coordination of the New Jersey Department of Environmental Protection (NJDEP) in coordination with the Department's Radiation Protection Program has completed its review of your recent request for comments on the possible recommendation by the Secretary of Energy to develop Yucca Mountain as the nation's repository for spent nuclear fuel. We offer the following comment for your consideration.

One of the suggested topics for public comment stated:

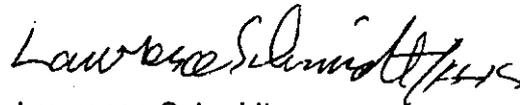
- *If the Secretary determines that the scientific analysis indicates that the Yucca Mountain site is likely to meet the applicable radiation protection standards established by the Environmental Protection Agency and the Nuclear Regulatory Commission, do you believe that the Secretary should proceed to recommend the site to the President at this time?*

The radiation protection standards established by the Environmental Protection Agency and the Nuclear Regulatory Commission are consistent with the soil clean-up standards promulgated by the NJDEP. Specifically, radiation exposure to the public is limited to 15 mrem per year, with an additional constraint that the groundwater meets the federal drinking water quality standards. Our department believes that these standards provide adequate protection of public health and if the Yucca Mountain site is likely to meet the standards, the Secretary should proceed to recommend the site to the President.

The standard would provide the same protection to citizens living near the Yucca Mountain site as are provided to NJ citizens.

Please contact Jill Lipoti, Assistant Director of the Radiation Protection Program, if you have any questions regarding our comment. Thank you for the opportunity to comment.

Sincerely,



Lawrence Schmidt  
Director  
Office of Coastal Planning  
& Program Coordination

C: Jill Lipoti, NJDEP