



California  
Department of  
Health Services  
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Director

State of California—Health and Human Services Agency  
Department of Health Services



GRAY DAVIS  
Governor

August 9, 2002

Ms. Sarah M. Fields  
P.O. Box 143  
Moab, UT 84532-0143

**SUBJECT: LETTER DATED JUNE 3, 2002, REQUESTING RECORDS AND  
INFORMATION RELATED TO MOLYCORP, INC., MOUNTAIN PASS,  
CALIFORNIA**

Dear Ms. Fields:

This is in response to your June 3, 2002, letter to Frieda Y. Taylor, Senior Health Physicist, Radiologic Health Branch (RHB). You requested the following information pertaining to the Molycorp facility in Mountain Pass, California:

- (1) Lead sludge ponds (P-8, P-11, P-24) – Any documentation related to the Radioactive Materials License (RML) application and any documents related to the characterization of the material in the ponds, reclamation and remediation of the ponds, and how Molycorp plans to satisfy the various state and federal regulations related to the possession of source material.
- (2) An index of RHB's documents related to the licensing of the facility.
- (3) RHB's response to your specific questions.

Since your request is categorically a Public Records Act (PRA) request, you will be charged a copy fee of ten cents per page, as mandated by the State of California. By September 30, 2002, RHB will inform you of the total monetary amount you will need to pay in order to have all documents pertaining to the lead sludge ponds copied. RHB does not maintain an index of documents associated with the licensing of facilities. Consequently, we are unable to provide a response to that request.

The remainder of this letter serves as the narrative response to the specific "questions" you posed in your June 3, 2002, letter. Currently, Molycorp is in the process of resubmitting their California Radioactive Materials license application. Ponds P-8, P-11, and P-24 will be included in that application. Although licensing of the Molycorp site is



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P.O. Box 9423732, MS 178, Sacramento, CA 94234-7320  
(916) 322-3482  
Internet Address: [www.dhs.ca.gov](http://www.dhs.ca.gov)

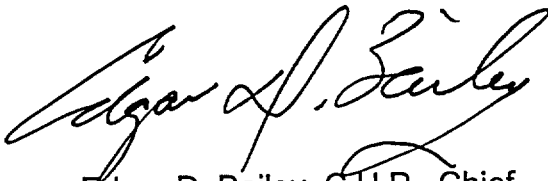
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not complete, RHB has been involved in providing regulatory oversight of the reclamation of the P-8, P-11, and P-24 ponds. The material in the ponds is source material pursuant to the definition of source material in title 10 of the Code of Federal Regulations, Part 40 (10 CFR 40). Molycorp has not requested an exemption from state or federal regulations for these materials. RHB has authority over the radioactive constituents in waste, including radioactive constituents in waste identified as mixed waste (having radioactive and hazardous constituents). Any questions regarding hazardous waste or the hazardous constituent of mixed waste should be referred to the Department of Toxic Substances Control. Finally, until a California Radioactive Materials license for the Molycorp facility has been issued, RHB is implementing 10 CFR 20 for the remediation of the P-8, P-11, and P-24 ponds by reviewing the work plan, health and safety plan and transportation plan.

If you have any additional questions, please contact Judy Hardy at (916) 445-7036.

Sincerely,



Edgar D. Bailey, C.H.P., Chief  
Radiologic Health Branch

cc: Mr. Paul Lohaus, Director ✓  
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Mr. David Wesley, C.H.P.  
Mrs. Frieda Taylor, Sr. Health Physicist  
Mrs. Judy Hardy, AGPA