

TELEPHONE CONVERSATION RECORD

LICENSEE: Sigma-Aldrich Chemical Company
11542 Fort Mims Drive
Maryland Heights, MO
License Number: 24-16273-01
Docket Number: 030-10716

DATE OF CALL: January 4, 2010

PARTICIPANTS: Randy Noland, Building Commissioner
City of Maryland Heights, Missouri

Katie Streit, Health Physicist *Katie Streit, 1/5/10*
Nuclear Regulatory Commission, Region III

SUBJECT: DISCUSSION REGARDING THE STATUS AND CONDITION OF THE
SIGMA-ALDRICH CHEMICAL COMPANY FORT MIMS
DECOMMISSIONING SITE IN MARYLAND HEIGHT, MISSOURI

On the above date, in response to an inquiry from the Building Commissioner of the City of Maryland Heights, Missouri, was contacted to discuss the status of Sigma-Aldrich Chemical Company (SAC) Fort Mims Decommissioning Site. The Building Commissioner was informed that Sigma-Aldrich Fort Mims site is currently licensed by the NRC and is in the process of decommissioning to allow the site to be released for unrestricted use. The Building Commissioner indicated, since the building was demolished in October 2009 and associated concrete slab was removed in May 2010, that municipal code requires the removal of an asphalt parking lot and reseed the site. The Commissioner was informed that the site does indeed have an NRC license, but that license does not relieve the site from any other agencies requirements.

The Building Commissioner was also advised of the status of the site as it pertains to the NRC decommissioning and release for unrestricted use requirements. He was also informed that SAC possesses a NRC license authorizes possession of licensed materials incident to radiological survey, storage of waste awaiting disposal, and decommissioning and remediation as described in SAC's approved decommissioning plan dated October 22, 2008 (see ADAMS ML083010187). This decommissioning plan was approved by the NRC authorizing a phased approach, which allowed the building to be released from the NRC license prior to termination of the license to facilitate site soil characterization (ML083510270). Furthermore, SAC's NRC decommissioning plan does not include procedures for removal of the parking lot to ensure that potential residual contamination in the soil does not impact public health and safety or the environment.

By letter dated December 15, 2008, SAC requested to proceed with collection of soil samples around the facility and the NRC agreed to this approach by letter dated January 23, 2009. However, complete characterization of the site could not be completed until after the building had been demolished and allowed for soil sample collection below the building slab. During the survey of the site soil, SAC identified localized surface and subsurface residual contamination above previously approved release values incorporated in the decommissioning plan. On December 13, 2010, SAC submitted a request with an incorporated assessment to justify that

the site meets the NRC release criteria for unrestricted use at the values identified during their survey.

The Building Commissioner was apprised of the NRC termination request review process. The process begins with an acceptance review to ensure the licensee provided the technical information necessary to review the request. If accepted for full review, the NRC will issue a notice of license amendment request in the Federal Register to inform the public of the requested action, solicit comments, and provide an opportunity for interested stakeholders to request a hearing. The Federal Register Notice will stay open for a minimum of 60 days. The NRC will additionally hold a public meeting to ensure stakeholders and interested members of the public are informed of the requested action and can provide comments. Once the comment period is closed, the NRC may approve the request if it technically justifies that the site meets the NRC requirements for unrestricted use and ensures public health and safety.

In closing, it was emphasized to the Commissioner that the NRC license does not relieve the site from other agency's commitments or requirements. Furthermore, it is the NRC intent to work with the city and SAC to address this issue. He was also advised if modifications to the site are required prior to the final release for unrestricted use that are outside the bounds of the NRC decommissioning plan, the site may request a NRC license amendment. The NRC may amend the license if the amendment provides appropriate information to ensure the activities provide adequate protection of public health and safety. The NRC committed to keep the Building Commissioner informed of the status of the site.

End of conversation.