



# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST

2013-0004

1

RESPONSE TYPE

FINAL

PARTIAL

REQUESTER

Bettina Hollis

DATE

DEC 11 2012

### PART I. -- INFORMATION RELEASED

- No additional agency records subject to the request have been located.
- Requested records are available through another public distribution program. See Comments section.
- |                 |
|-----------------|
| APPENDICES<br>A |
|-----------------|

 Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- |                 |
|-----------------|
| APPENDICES<br>B |
|-----------------|

 Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.
- Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 11555 Rockville Pike, Rockville, MD 20852-2738.
- |                 |
|-----------------|
| APPENDICES<br>B |
|-----------------|

 Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

### PART I.A -- FEES

AMOUNT\*

\$ 150.40

You will be billed by NRC for the amount listed.

None. Minimum fee threshold not met.

\* See comments for details

You will receive a refund for the amount listed.

Fees waived.

### PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- No agency records subject to the request have been located. For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.
- Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

### PART I.C COMMENTS ( Use attached Comments continuation page if required)

REVISED RESPONSE: Please disregard response previously sent.

The incoming request can be located in ADAMS at ML12278A336. Records with an ML accession number are available in the NRC's Public Electronic Reading Room at [www.nrc.gov/reading-rm/adams.html](http://www.nrc.gov/reading-rm/adams.html). For assistance in obtaining any records, please contact the NRC's Public Document Room (PDR) at 1-800-397-4209 or by email at [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Comments continued on following page.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

*Donna L. Sealing*  
Donna L. Sealing

**RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) / PRIVACY  
ACT (PA) REQUEST (Continued)**

2013-0004

1

RESPONSE  
TYPE

FINAL

PARTIAL

REQUESTER

Bettina Hollis

DATE

PART I.C COMMENTS (Continued)

By check dated November 13, 2012, requester advanced paid \$1,788.54 for search, review and duplication fees. You will receive a refund of \$150.40 for pages you were inadvertently charged for as released in their entirety (on original Appendix B items 1-13; now on Appendix A items 1-13) but actually are available to the public in the NRC Public Document Room (PDR).

**APPENDIX A  
RECORDS ALREADY PUBLICLY AVAILABLE**

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	05/15/2003	ML031350673	Final Status Survey Report for Survey Unit 2501. (2 pages)
2.	08/07/2003	ML042930331	Mallinckrodt, Inc.'s Final Status Survey Report (FSSR) for Survey Unit 235 Roof. (98 pages)
3.	01/05/2004	ML042570075	Mallinckrodt, Inc, "C-T Project – Phase I, Final Status Survey Report, Building 240 Exterior," Revision 0. (49 pages)
4.	01/05/2004	ML042570079	Mallinckrodt Inc, "C-T Project – Phase I, Final Status Survey Report, Building 240 Interior," Revision 0. (52 pages)
5.	01/05/2004	ML042570086	Mallinckrodt Inc, "C-T Project – Phase I, Final Status Survey Report, Building 245 Exterior," Revision 0. (41 pages)
6.	01/05/2004	ML042570096	Mallinckrodt Inc, "C-T Project – Phase I, Final Status Survey Report 9101," Revision 0. (43 pages)
7.	01/05/2004	ML042600291	Mallinckrodt, Inc, "C-T Project – Phase I, Final Status Survey Report, Building 200 Roof," Revision 0. (56 pages)
8.	01/05/2004	ML042600293	Mallinckrodt Inc, "C-T Project – Phase I, Final Status Survey Report, Buildings 222 & 223 Roof," Revision 0. (40 pages)
9.	01/05/2004	ML042600297	Mallinckrodt Inc, "C-T Project – Phase I, Final Status Survey Report, Buildings 235 & 236 Exterior Walls," Revision 0. (67 pages)
10.	01/05/2004	ML042600300	Mallinckrodt Inc, "C-T Project – Phase I, Final Status Survey Report, Buildings 235 & 236 Interior," Revision 0. (74 pages)
11.	04/14/2004	ML042570091	Mallinckrodt Inc, "C-T Project – Phase I, Final Status Survey Report, Building 250 Exterior," Revision 0. (77 pages)

			(NRC Inspection No. 04006563/2003-001 (DNMS). (2 pages)
26.	02/06/2007	ML070530262	Safety Inspection Report and Compliance Inspection – IR 040-06563/2007-001. (2 pages)
27.	08/19/2008	ML082401021	Safety Inspection Report and Compliance Inspection – IR 040-06563/2008-001. (2 pages)
28.	11/13/2009	ML093230547	Safety Inspection Report and Compliance Inspection – IR 040-06563/2009-001. (2 pages)
29.	03/02/2011	ML110680213	Safety Inspection Report and Compliance Inspection – 040-06563/2010-001. (2 pages)
30.	05/09/2011	ML111430673	Safety Inspection Report and Compliance Inspection – 040-06563/2011-001. (2 pages)
31.	06/02/2011	ML111721708	Safety Inspection Report and Compliance Inspection – 040-06563/2011-002. (2 pages)
32.	06/29/2012	ML12181A332	NRC Inspection Report No. 040-06563/11-003 (DNMS) – Mallinckrodt, Inc. St. Louis, MO. (14 pages)
33.	07/26/2012	ML12209A203	ERRATA for NRC Inspection Report No. 040-06563/11-003 (DNMS) – Mallinckrodt, Inc. St. Louis, MO dated June 29, 2012. (5 pages)
34.	04/14/2004	ML042600286	Mallinckrodt, Inc, "C-T Project – Phase 1, Final Status Survey Report Building 101 Exterior," Revision 0. (97 pages)
35.	05/23/2005	ML051920026	Mallinckrodt Property Inc. Sewer Study – Phase 1, Rev. B, May 23, 2005. (49 pages)
36.	05/21/2007	ML071410273	6/12/2007 Notice of Meeting With Mallinckrodt, Inc to Discuss Source Removal in Plant 6W of the Mallinckrodt Facility Located in St. Louis, Missouri. (4 pages)
37.	05/24/2007	ML071510193	Letter from Mallinckrodt Re: Transfer of Solid Waste (Soils and Debris). (3 pages)

38. 06/26/2007 ML071770199 Review of "Mallinckrodt Disposal of Unimportant Quantities of Source Material" and Previous Analysis of Disposal of Unimportant Quantities of Source Material at Waste Control Specialist Andrews Facility and US Ecology in Grandview, Idaho. (4 pages)
39. 06/27/2007 ML071710022 Karen Burke Ltr re: Request to Transfer Waste to Waste Control Specialists Texas Facility or to US Ecology Idaho Facility. (3 pages)
40. 09/01/2011 ML112640373 Final Report – Independent Confirmatory Survey Results for Survey Units 1 and 3 Within the Plant 5 Footprint at the Mallinckrodt Inc. Site, St. Louis, Missouri. (37 pages)
41. 05/21/2012 ML12146A229 Oak Ridge Institute for Science and Education Re: Report for Analytical Results for Five Soil, and Two Sediment Samples from the Mallinckrodt Plant, St. Louis, Missouri. (4 pages)

**APPENDIX B  
RECORDS BEING RELEASED IN THEIR ENTIRETY  
(If copyrighted identify with \*)**

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	7/22/1971	9609050132	Ack receipt of 710629 ltr & informs that questions re burial of matl at Hazelwood, MO Site or any other property controlled by Cotter Corp be directed to Div of Matls Licensing. (11 pages)
2.	04/16/1979	7905250067	Confirms 790316 request for radiological survey of Bldgs 2-5 of former Cotter Corp property in Hazelwood, MO. Property previously released for unrestricted use. Requests addl samples from Bldg 1. (1 page)
3.	03/08/1979	9710070051	Confirms recent telcon re misunderstanding in ltr, dtd 790202 to Congressman Young re movement of contaminated soil from site on Latty Avenue to site adjacent to St. Louis Intl Airport. (1 page)
4.	04/17/1979	9710070089	Confirms 790329 telcon re reassignment of tasks. Imperative that surveillance of decontamination efforts at Latty Avenue site be continued. AML recommended to be subcontract so that project will not be delayed. (5 pages)
5.	08/22/1979	8311010443	Advises that contractor, ANL, indicated Parcel (BLDG 1) satisfactorily decontaminated. All bldgs, except as noted, released for unrestricted use. Map depicting external gamma radiation onsite encl. (2 pages)
6.	01/15/1980	9710070121	Confirms 800107 telcon re Westlake Landfill. Copy of 781231 ltr to E Harvison encl. Early response to questions raised appreciated. Resolution submitted by City of Bridgeton also encl. (5 pages)
7.	04/10/1981	8104230237	Confirms telcon re estimated vol of contaminated soil to be removed from former Cotter Corp site. Vol will be

- contingent on decontamination criteria proposed. (1 page)
8. 09/12/1983 8309160131 Ack receipt of 830902 ltr informing NRC of steps taken to correct violations noted in NRC 830727 ltr forwarding notice of violation. (4 pages)
  9. 04/17/1986 8604240443 Confirms changes discussed at 860403 meeting re recipient rept on West Lake landfill. Mod of Option B required to show need for removal of contaminated soil in farm field bordering northwest side of Area 2. (2 pages)
  10. 05/05/1986 8605300214 Discusses rev to draft rept, "Engineering Evaluation of Option for Disposition of Radioactively Contaminated Residues Presently in West Lake Landfill, St. Louis, MO." Rev expected by 860616. Budget for work encl. (3 pages)
  11. 10/25/1989 8911080128 Advises that vendor responsible for presence of matl in landfill & consequent environ & radiation health problems. Radioactive matls concentration of Ra-226 & other decays will increase by decay of Th-230 present. (2 pages)
  12. 02/26/1990 9004250278 Ack receipt of recent ltr advising that provisions of 10CFR40 app appropriate guidance for disposal of radioactive matl found in Westlake landfill. Unresolved concerns listed. (2 pages)
  13. 10/03/1990 9102080197 FOIA request for documents re radioactive matl presently located at West Lake Landfill, Bridgeton, MO, previously licensed to Cotter Corp. (5 pages)
  14. 05/31/1990 9006110039 Advises of review of 900413 ltr re areas of West Lake Landfill in which radwaste had previously been landfilled. Ltr correctly depicts waste mgt program position on issuance of solid waste disposal area operating permit for areas. (2 pages)
  15. 06/10/1964 LL8706160704 Insp Findings & Licensee Ack of insp on 640610 of Licenses 24-05804-02, SNM-276, SUB-176 & STB-401. No noncompliance noted. Licensee telephone notification of insp dtd 640609 encl. (2 pages)

16. 12/04/1970 LL9102080259 Rept of Insp of activities under License SUB-1002 on 701117, Contrary to 10CFR2.201(b), air sample surveys inadequate to determine concentrations of airborne U ore matls to which persons exposed during drying & loading operations. (11 pages)
17. 12/04/1970 LL9102080254 Forwards rept of 741117 insp of activities under License SUB-1022 & requests licensee response concerning plans for corrective actions. (2 pages)
18. 01/07/1971 LL9102080301 Responds to NRC 701204 ltr re noncompliance of certain aspects of drying & processing operations w/AEC regulations. Monitoring initiated to comply w/10CFR20.201(b). Rept will be submitted by 710115. List of St. Louis Airport residues encl. (5 pages)
19. 05/16/1974 LL9102080247 Insp Rept 40-8035/74-01 on 740410 & 21-24, Disposal of licensed matl from 730731-1012 not authorized. Major areas inspected :followup on enforcement action re inadequate air sample surveys to determine concentrations of airborn U. (8 pages)
20. 05/17/1974 LL9102080287 Forwards Insp Rept 40-8035/74-01 on 740410 & 21-24. Licensee disposed of approx. 8,700 tons of leached barium sulfate containing 7 tons of natural U in land fill near St. Louis, MO. Licensee in clear violation of 10CFR20.301. (2 pages)
21. 06/26/1974 LL9608300102 Concurs w/Region III conclusion that attempts to recover seven tons of natural U under 100 ft of refuse & earth would serve no useful purpose & believes that Cotter Corp should be cited against 10CFR20.301. Draft enforcement ltr encl. (13 pages)
22. 11/01/1974 LL9102080244 Forwards Insp Rept 40-8035/74-01 on 740410 & 24. Disposal of 8,700 tons of leached barium sulfate containing approx. 0.08% natural U not within 10CFR40 regulations. (6 pages)
23. 06/17/1976 LL8606040409 Responds to 760602 request for addl info & followup action re 1973 burial of 7 tons natural U in St. Louis County landfill. Full investigation will begin during wk of 760620



due to listed newspaper articles apparent discrepancy. (3 pages)

24. 06/11/1976 LL9102080239 Forwards Insp Rept 40-8035/74-01 conducted on 740410 & 24 & rept of insp conducted on 701117, for licensee review for proprietary info prior to placement in PDR. (1 page)
25. 01/05/1977 LL8606040407 IE Investigation Rept 40-8035/76-01 on 760622-24 & 0811. No noncompliance identified. Major areas investigated: allegations re disposition of 8,700 tons of leached barium sulfate from former facility at Hazelwood, MO. (20 pages)
26. 05/26/1978 LL8706170176 Insp Rept 40-6563/78-01 on 780509. No noncompliance noted. Major areas inspected: organization, summary of licensed program, internal audits or insps & training/retraining & instruction to workers. (16 pages)
27. 07/27/1983 LL9710170119 Refers to special insp conducted by State of Washington on 830517 & 830707 telcon between M Roberts & D Gibbons re shipment of radwaste shipped on 830513 to Richland Washington. Activities appear to be in noncompliance. (2 pages)
28. 07/27/1983 LL9710210041 Notice of violation from insp on 830517. Violation noted: one package was shipped from facility on 830513 & arrived at Richland Washington bursite on 830517 w/open lid. (1 page)
29. 09/02/1983 LL8309160135 Responds to NRC 830727 ltr re violations noted in IE insp rept. Corrective actions: procedures for packaging & shipping radioactive matl revised. Revised procedure encl. (4 page)
30. 03/06/1985 LL8503110410 Insp Repts 30-00001/85-01, 30-10823/85-01, 30-10801/85-01, 30-18546/85-01, 30-12559/85-01, 30-05094/85-01 & 40-6563/85-01 on 850130-31, 2010 & 05. No noncompliance noted. Major areas inspected: organization, licensee audits & training. (18 pages)
31. 05/08/1985 LL8505130417 Ack receipt of 850426 ltr informing NRC of steps taken to correct noncompliance noted

- in insp of License STB-1097. (1 page)
32. 10/04/1988 LL8810100145 Forwards summary rept on radioactive matl in West Lake Landfill (NUREG-1308, Rev 1) per request. w/o encl. (1 page)
33. 10/04/1988 LL8810100148 Forwards summary rept (NUREG-1308, Rev 1) re radioactive matl in West Lake Landfill per 880921 request. w/o encl. (1 page)
34. 05/24/1991 LL9106070007 Safety insp on 910524 of License STB-401. Insp findings: no violations observed. (1 page)
35. 03/02/1993 LL9303090337 Insp Rept 40-6563/93-01 on 930208. No violations noted. Major areas inspected: organization, facility, environ sampling, training, waste disposal, posting & independent measurements. (6 pages)
36. 03/23/1994 LL9404040028 Insp rept 99990003/93-30 on 930915-16. No violations or deviations noted. Major areas inspected: Major areas inspected: Contemporary Metals Coop & Continental Mining & Milling Company former AEC licenses. (19 pages)
37. 10/13/1994 LL9410180016 Insp Rept 30-29675/94-01 on 940908-22, Violations noted. Major areas inspected: review of events that led up to incident that occurred on 40302, organization, mgt controls, staffing, qualifications, training & instruction to workers. (12 pages)
38. 03/14/1996 LL9603190187 Insp rept 40-6563/96-01 on 960213. No violations noted. Major areas inspected: Radiation Safety Program, including organization, facility, environ sampling, posting & independent measurements. (6 pages)
39. 10/08/1998 LL9812210201 Safety & compliance insp on 981007-08 of license 24-17450-01. Insp findings: no violations identified. (1 page)