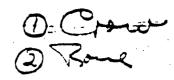
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JUN 1 7 1976

License No. SUB-1022

Mr. Kenneth M. Karch Director, Division of Environmental Quality Missouri Department of Natural Resources P. 0.11 Box 1368 Jefferson City, Missouri 65101

Dear Mr. Karch:

This is in response to your letter dated June 2, 1976, requesting additional information and follow-up action relative to the burial of some seven tons of natural uranium in a St. Louis County landfill in 1973.

The information published in the St. Louis Post-Dispatch on May 30 and June 1, 1976, which was enclosed with your letter of June 2, 1976, is new to this Office and, as you pointed out, conflicts with the information obtained by our inspectors in 1974. Based on this apparent discrepancy, the NRC plans to initiate a full investigation into this matter during the week beginning June 20, 1976. The findings from this investigation, which will be made available to you, will determine the need for further NRC action. At the conclusion of the investigation, all documents relative to this burial will be provided to your Office.

With respect to your June 2, 1976 letter, I would like to clarify one apparent misconception at this time. The Cotter Corporation, which was responsible for this burial, was an AEC licensee --- not an AEC subcontractor. Consequently, the Energy Research and Development Administration has no responsibility with regard to this material. As a former licensee, the NRC will look to Cotter Corporation to correct any safety or environmental related problems identified through our investigation.

Regarding your other request that this office obtain from materials licensees in the State of Missouri records of low level radioactive waste burials under 10 CFR 20.304, I must reiterate that there is no NRC regulation that requires reporting waste burials under 20.304. Therefore, there is no



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Mr. Kenneth M. Karch

basis for such a request to the licensees. If you believe that the NRC's current regulations concerning such burials are inadequate, you may petition the NRC for consideration of a change of the regulations. This rulemaking petition should be submitted under the provisions of 10 CFR 2.802, a copy of which is enclosed.

If you have any questions concerning the above, please let me A STATE OF THE STA

Sincerely yours,

James G. Keppler Regional Director

Enclosure: 10 CFR 2.802

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M. W. Freivogel, St. Louis Post-Dispatch

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D. P. Marcott, Cotter Corporation

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JUN 1

EL MARGARET W. FREIVOGEL Of the Past-Director Staff

No one edicinately monitors radicactive materials in Messieri and the state is unprepared to a findustry. I'd like to see them do a better jud." handle accidental releases of radiation, two state afficials familiar with the situation sav. ...

The dimension of feveral thousand tens of leadteral rad partice, waste at the West Lake. Landfill in St. Louis County, disclosed Sunday in the Post Disputch- is only one of several nuclear related problems, said Kenneth M. Rurch and Marsin Sodiff.

Karch is direct of all communicated quality for the state Department of Natural Resources; Notiff is the department's director of planning and policy development.

There is no evidence that the West Lake dumping caused a health hazard, but it apparently confused federal authorities who were supposed to be hosping track of the material.

False, business records of the transaction ended tederal officials to have incorrect records about the strength, volume and location of the material, the Post Dispatch found. To be

it is the state of a firm being monitored in connects they lith the dumping criticized the way 1. 4 1. 5 TV monatoring aside he

"I'm one of the Atomic Energy Commission's most carepoken critics," said David P. Marcott, executive a concessions of Cotter Corp., which had turchased the waste material to extract vulgar excessit contained.

"Ninety-nine per cent of the time they (the denal authorities) don't know what's going on even when they have someone standing there a ...As/a Citizen and as a member of this Marcott said

Modiff and Karch said they were disturbed by Sthe West Like incident because it was, in their opinion, andicative of serious gaps that exist in the monitoring of low-level waste.

The federal Nuclear Regulatory Commission, which replaced the now defunct Atomic Engray Commission is too shorthanded to investigate can broken avely, the officials said. State officoals have no authority to fill in for the federal. agency, they said.

They listed several problems, including:

(1) Inadequate monitoring of a disposal site at Sinclair Farms near Columbia, Mo., where lowlevel radioactive waste is buried in plastic bags.

(2) Inadequate preparations for possible accidents at two nuclear power plants situated near enough to Missouri to cause injury in the state and from Union Electric Company's Callaway County plant now under construction.

(3) Inadequate attention to the transportation. of a dioactive materials through the state. Iti-Stat . Motor Co., the largest transporter of nuclear materials in the nation is based in Johlin, Mo. However, most of its cargo does not eass through Missouri, a study by the Department of Satural Resources found.

Karch and Nodelf failed to convince the

\*Legislature to enact a radiation protection and during the last session. It would have empoyered state officials to monitor more effectively waste disposal and transportation. The state officials plan to urge enactment of the legislation again paxt session.

I "The federal agencies last aren't manned to do a thorough and comprehensive job," Nodiff said. "There're forced to set priorities on what they inspect They start with Mallinckie di (which manufactures larger amounts of ride opharmaceuticuls), and they're taking care of that. But when you get down to the bottom of the list they might be buting someone only once every 20 years "

A federal atomic safety official said he thought the menitoring program was comprehensive enough.

"It's disturbing that we might have got incorrect information (about the West Lake disposal)," said James Allen, chief of the fuel facility and material safety branch at the Nuclear Regulatory Commission's regional office in Glen Ellyn, Ill. "But when there's no health hazard involved in a situation, strict monitoring of it would be taking people away. from more important health issues."

Aften said he was not concerned about the agency being dured. The West Lake episode was an isolated incident, he said.

In that case, B&K Construction Co., Inc. apparently submitted false invoices tok Cotter. Corp. do to ing that it had moved nearly 40, 40

tons of waste and soil in 39% to the fasituated at St. Charles Rock Read and T. Control of the State of the Care of the

In fact, or B&K officer addicated recently confirm actually had moved feed than soon Relyangeon the uncerteet invoices, an in-Safety anspector, and laded that the ways. been diluted with soil to reduce it rudingers shous quently, the man complete intelligi error on the strengthon is me anotherships waster the principle crime, tederal and officials said the muremost el sed in hi hazard ber the fifteen ? Vere

- Safety chief Allen udded that he was worried about the waste burial site at Sin-Forms near Columbia. No the site. established in 1973 to save the cost of ship the londevel waste material to a fee dispisal area in Sheffield, III.

Allen said the material, congingting : research projects at the University of Miss. was very lew in radioactions, and its burigoverned by federal regulations.

But Karch said he was distorge dothar Sing Farms had her been the rights studied he burial was Started. He was indicated also federal officials reflied too beavily on recinstead of independent investigations in keetrack of activities there

The Nuclear Regulator Corrector Karat ship herete they are not a consequence was the annual transfer of