

Los Angeles Federation of Scientists  
P.O. Box 67941  
Los Angeles, CA 90067

January 4, 1982

H.E. Book, Chief  
Radiological Safety Branch  
Region V  
U.S. Nuclear Regulatory Commission  
1990 N. California Boulevard  
Suite 202, Walnut Creek Plaza  
Walnut Creek, California 94596

Dear Mr. Book:

The Los Angeles Federation of Scientists, an independent organization of scientists and engineers in the Southern California area, is conducting a review of a draft environmental statement issued by the City of Los Angeles regarding the proposed park to be built on land formerly used by the West Los Angeles Veterans Administration as a disposal site for low level radioactive wastes.

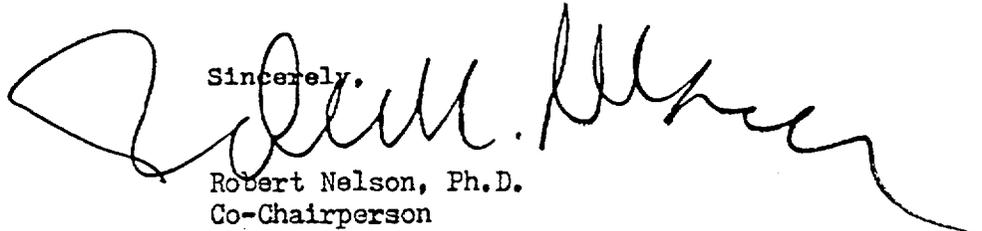
In order to facilitate that review, the Los Angeles Federation of Scientists has identified certain matters for which it requires additional information. We are hopeful you will be able to provide some of that needed information.

Please find enclosed a list of questions. Any information you can provide as to the matters described therein would be greatly appreciated.

For your information, we have also enclosed copies of two Freedom of Information requests we have submitted to NRC Headquarters in Washington.

As our comments on the draft environmental statement are due soon, we would appreciate hearing from you shortly.

Sincerely,



Robert Nelson, Ph.D.  
Co-Chairperson  
Los Angeles Federation of Scientists

enclosures: questions  
FOIA requests (copies)

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QUESTIONS TO NRC REGION V

1. How long were records of radwaste burials at the VA facility in West Los Angeles to be maintained by the licensee under the applicable regulations? When did those regulations go into effect, and what requirements existed prior thereto?
2. Was prior approval of site characteristics required before the VA could dispose of radwaste on their own property, so long as they obeyed the amount limits and limits on numbers of burials per year?
3. Was prior approval of radwaste dumping on the VA property required when it began?
4. Was prior approval granted by the Commission? If so, when?
5. Prior to 1969, did AEC regional headquarters have records of what was buried at the VA site in question? If so, please identify those records.
6. When AEC reviewed the VA disposal area in 1969, was it provided records only of the period 1963-1968? If not, what records were provided? If so, when was it believed by AEC at the time that disposal had begun at the property?
7. What information does NRC have as to when radwaste disposal began on the property? What information does NRC have that no radwaste disposal occurred prior to that time?
8. Prior to the opening of commercial low-level radwaste disposal centers (e.g. Beatty) in 1962, where and how were radwastes generated in the Southern California disposed of? In particular, where and how were these wastes disposed of from the AEC's Atomic Energy Project at UCLA, the other labs at UCLA utilizing radioactive materials, Atomics International, and USC?
9. What evidence does NRC have that no wastes from offsite were buried at the VA in West Los Angeles?
10. What information does NRC have as to wastes from offsite being buried at the VA?
11. The map of the former disposal sites included in NRC inspection report 81-02 would appear to indicate that the burials took place in part in the streambed separating the proposed leased area and the baseball field. Did the burials occur in or near the streambed? Please explain.
12. How were radwastes generated at the VA prior to 1960 disposed of? What information does NRC have regarding such possession and disposal?
13. How were leaking sources (e.g. Cobalt-60, or Strontium 90 eye applicators) disposed of prior to 1969? Prior to 1962?
14. Were radwastes from the VA ever transferred to UCLA for disposal? If so, on what basis was that relationship?
15. Did UCLA ever provide to the VA radwaste for disposal? If so, please give details, time periods and amounts.

16. In your memo of April 24, 1981, to L.B. Higginbotham, you indicate that the VA buried radwastes pursuant to authority to do so contained in 10 CFR Part 20, paragraph 20.304. When did that regulation come into effect, and what was permitted prior to the enactment of that regulation, both in terms of authority for shallow land burial and for record-keeping?

17. Is the kind of burial of radwaste conducted by the VA up through 1969 currently permitted by NRC? Please explain.

18. What would have prevented radioactive materials users from disposing of radwastes on VA property prior to 1960 (i.e. from 1940 to 1960), referring to users both on the property and off? Is it possible radwastes were buried at the VA prior to 1960? Please explain.

19. Plutonium, americium, polonium-contaminated wastes produced in the Southern California were disposed of how and where during the period 1940-1960?

20. Inspection report 81-02 indicates 6 hours by 5 inspectors were spent doing the inspection. Is that 30 person-hours or 6 person-hours? Besides the physical inspection of the disposal site, what else did the inspection consist of? Were any soil, water, or vegetation samples taken?

21. When were radioactive materials first used on the VA site? Prior to 1960, what quantities and amounts of these materials were employed on the site?

22. Inspection report 80-01 at page 7 refers to 2 blocks of depleted uranium (not licensed) were found. (a) Is depleted uranium supposed to be licensed? (b) What is it used for on the VA property?

23. Where is the proposed neutron generator for fast neutron therapy to be located on the VA site? Who is to be the licensee? When is construction expected to begin and end? Would the generator also be capable of producing neutrons for neutron activation analysis?

24. What information do you have that the only radwaste disposed of on the VA property was in the three circles marked A, B, and C on the map in inspection report 81-02?

25. Inspection Report 81-02 refers to monitoring with sensitive gamma-detection devices. Would materials buried under four feet of dirt which were primarily beta-emitting materials or alpha-emitting materials be detected with such devices?

26. The 1969 statements that "the Commission places no regulatory restrictions on the use of land where licensed byproduct material has been buried in conformance with the limitations and conditions" of 10 CFR 20.304 refers to the limits in force at the time of burial or time of release of the land? In other words, were the facility to have buried in accordance with the then-current isotope limits, and then wish to release the land for public use, could it if those standards had become more strict since initial burial?

27. How did AEC make the determination of whether the material had been buried in conformance with 10 CFR 20.304? Precisely what in addition to a review of the VA's records did AEC do to make such a determination?

28. Letter of December 16, 1969, "Note to Files" by C.R. Buchanan of AEC, states that "all burial records since 1960 indicate disposal in accordance with 10 CFR 20." (a) Were burial records prior to 1960 not in accordance with 10 CFR 20? (b) If there were no burial records provided prior to 1960, what evidence does NRC have that no burials occurred prior to 1960?

Los Angeles Federation of Scientists  
P.O. Box 67941  
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(213) 354-6893

Director  
Office of Administration  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

RE: FREEDOM OF INFORMATION REQUEST (I)

Gentleperson:

Pursuant to the Freedom of Information Act, 5 U.S.C. 552, and the NRC's Regulations as to Public Records, 10 CFR Part 9, the Los Angeles Federation of Scientists herewith requests that it be provided the following documents or categories of documents:

(1) all correspondence to and from the NRC, and any predecessor agencies, regarding the disposal of radioactive wastes on the property of the Veterans Administration in West Los Angeles.

(2) all internal memoranda or other documents produced within the NRC or predecessor agencies related to the disposal of radioactive wastes on said property.

(3) all records in the possession of the NRC or predecessor agencies detailing what was buried on the site.

(4) all records detailing monitoring of said site.

(5) all records indicating precisely when radwaste disposal began on the site and which provide evidence that no radwaste disposal occurred prior to that time.

(6) all past licenses granted to the Veterans Administration permitting handling and/or disposal of radioactive materials at the VA's West Los Angeles facilities.

(7) all inspection reports performed by NRC or other agencies of the VA.

(8) a copy of the regulations in effect in the 1940s and 1950s regarding disposal of radwastes on one's own property by soil burial and requirements for recordkeeping of said disposal.

(9) response(s), if any, to letter of May 14, 1981, from Joan Shaffran-Brandt of Congressman Anthony Beilenson's office to Herbert E. Book of the NRC's Region 5 office regarding transmittal of certain questions about the radwaste disposal site at the VA facility.

(10) all documents which provide answers to the questions attached to the May 14, 1981, letter described in (9) above, other than any responses provided as per (9) above.

(11) all maps of the burial areas for radwaste at the VA in West Los Angeles, including but not limited to the 2 drawings "showing the location of the 50-acre tract" mentioned in the October 22, 1969, letter to the Director of Licensing and Regulations of the AEC from Fred H. Johnston, Chief, Real Property Division, Property Management and Disposal Service, of the General Services Administration.

The documents to be provided need not include the following, copies of which we already possess:

(a) letter August 6, 1981, from Vandy Miller, Chief, Material Licensing Branch, Division of Fuel Cycle and Material Safety, NMSS, of USNRC to Congressman Anthony Beilenson

(b) all documents listed as enclosures to the above August 6 letter, aside from drawings identified in (11) above.

We request that special attention be given in your search to any documents which may exist from the period 1940 to 1960.

As per 10 CFR 9.14a, we request that fees for copying and searching be waived. The information obtained from the above-requested documents will be used in three ways benefitting the public interest: (1) to assist the Los Angeles Federation of Scientists in providing informed comment, based upon all the available data and a comprehensive technical review of that data, on a Draft Environmental Impact Statement published for comment by the City of Los Angeles regarding a proposed children's park to be established upon the site of the former radwaste site at the VA, (2) to provide to the general public information reassuring them about the safety of the site, if the available data support that conclusion, or assisting the public and responsible officials in taking action to avert any possible hazard, should one exist, and (3) to provide a solid data base for a study being conducted by the Los Angeles Federation of Scientists regarding radwaste disposal generally.

Information gathered from the above documents and analyzed by the scientists and engineers associated with our organization will be disseminated to the general public through our formal comments to the Draft Environmental Impact Statement prepared by the City, through revisions of that Statement that may result from our comments, through public testimony that may result from our review of that material when hearings are held by the City on the proposed park, and through public release of our study conclusions on the larger issue of radwaste disposal.

Members of the Los Angeles Federations of Scientists, and the Federation itself, will receive no financial benefit from said documents. Their time for review of the material is donated. Furthermore, the organization is a voluntary and public-interest organization, and therefore has extremely limited means.

Because our comments on the Draft Environmental Impact Statement are due shortly, we request that your response to this request be expedited. To assist you in that regard, we have sent a copy of this FOIA request to NRC Region V headquarters, where some of the requested information may be possibly located.

Finally, we request that any documents determined to be available in the Public Document Room be provided directly in response to this request rather than referring us to the PDR. We do this because (1) there is no LPDR in our area for these documents, (2) the documents go back to the forties and fifties, some of the records which might normally expected (like inspection reports) to be in the PDR may not be, and (3) the Draft Environmental Statement was published only a few days ago and responses are due shortly, necessitating reduction of all possible delays.

We look forward to your early response.

Sincerely,

Robert Nelson, Ph.D.  
Co-Chairperson  
Los Angeles Federation of Scientists

cc: NRC Region V HQ

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RE: FREEDOM OF INFORMATION REQUEST (II)

Gentleperson:

Pursuant to the Freedom of Information Act, 5 U.S.C. 552, and the NRC's Regulations as to Public Records, 10 CFR Part 9, the Los Angeles Federation of Scientists herewith requests that it be provided the following documents or categories of documents:

(1) records indicating how, where, when, and what radioactive wastes were disposed of by the Atomic Energy Project at UCLA, operated for the USAEC beginning in the 1940s and continuing to this day, under succeeding names (Laboratory of Nuclear Medicine and Radiation Biology, Laboratory of Biomedical and Environmental Sciences). By how disposed we mean disposal method (i.e. soil burial, sea disposal); by where we mean precise location of the disposal site; by when we mean the period of time during which said disposal took place; and by what radwastes we mean for each method, location, and time period, which isotopes, in what quantities, were disposed of as waste in what forms (e.g. lab animals, leaking sources, etc.) These records to include all available records from the inception of the Atomic Energy Project.

(2) records providing the information requested in (1) above except relating to the Atomic International facilities in Southern California, likewise beginning at their inception.

(3) records providing the information requested in (1) above, except for UCLA facilities other than the Atomic Energy Project or its successors.

(4) all records besides those identified in (1), (2) and (3) above which detail how and where radioactive wastes generated in Southern California from 1940-1968 were disposed of. This to include hospitals, universities, research centers, private industry, and nuclear reactor and nuclear weapons facilities. As commercial land-based disposal sites did not open until 1962, we are particularly interested in information about how and where radwaste was disposed of prior to that time, particularly those wastes generated in Southern California that may have been disposed of in Southern California.

As per 10 CFR 9.14a, we request the search and copying fees be waived. Information obtained from the materials will, after analysis by scientists volunteering their time in the public interest, be released in the form of a publicly available study of radwaste policy, with a special focus on Southern California experience. Any information that can help determine whether any locally generated radwaste was buried at the Veterans Administration facility in West Los Angeles prior to 1960 will be provided the public in the form of comments on a Draft Environmental Statement considering conversion of the area to a park. The public interest will be served by the availability of this data and analysis--either public assurance if warranted or official action

stimulated, if warranted.

We request that any classified documents identified in your search be sent for de-classification review, that such review be expedited, and where possible, de-classification occur and those documents be provided to us.

We request that any documents determined to be available in the Public Document Room be provided directly rather than referring us to the PDR. We do this because (1) there is no LPDR in our area for these documents, (2) the documents go back to the forties and fifties, thus some records normally expected to be in the PDR are likely to be missing there, and (3) the Draft Environmental Statement for which our comments are to be made requires such comments in a matter of a few weeks, necessitating reduction of all possible delays.

In order to expedite matters, a copy of this request has been provided to NRC Region V. A similar request is being addressed to DOE for those documents which it may possess that may not be in NRC files.

We look forward to your early response.

Sincerely,

Robert Nelson, Ph.D.  
Co-Chairperson  
Los Angeles Federation of Scientists

cc: NRC Region V HQ