



7/2/96

# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

NRC FOIA REQUEST NUMBER(S)

FOIA — 96-343

RESPONSE TYPE

FINAL

☒ PARTIAL

(2nd)

DATE

JUN 23 1997

DOCKET NUMBER(S) (if applicable)

REQUESTER

Mary Beth Floyd

## PART I.—AGENCY RECORDS RELEASED OR NOT LOCATED (See checked boxes)

☐ No agency records subject to the request have been located.

☐ No additional agency records subject to the request have been located.

☐ Requested records are available through another public distribution program. See Comments section.

☐ Agency records subject to the request that are identified in Appendix(es) \_\_\_\_\_ are already available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.

☐ Agency records subject to the request that are identified in Appendix(es) \_\_\_\_\_ are being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.

☐ The nonproprietary version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.

☐ Agency records subject to the request that are identified in Appendix(es) \_\_\_\_\_ may be inspected and copied at the NRC Local Public Document Room identified in the Comments section.

☐ Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.

☐ Agency records subject to the request are enclosed.

☐ Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.

Fees

☐ You will be billed by the NRC for fees totaling \$ \_\_\_\_\_.

☐ You will receive a refund from the NRC in the amount of \$ \_\_\_\_\_.

☐ In view of NRC's response to this request, no further action is being taken on appeal letter dated \_\_\_\_\_, No. \_\_\_\_\_.

## PART II. A—INFORMATION WITHHELD FROM PUBLIC DISCLOSURE

☒ Certain information in the requested records is being withheld from public disclosure pursuant to the exemptions described in and for the reasons stated in Part II, B, C, and D. Any released portions of the documents for which only part of the record is being withheld are being made available for public inspection and copying in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC in a folder under this FOIA number.

## COMMENTS

Copies of the releasable portions of the records identified on Appendix C are enclosed.

FOIA 0/1

SIGNATURE, DIRECTOR, DIVISION OF FREEDOM OF INFORMATION AND PUBLICATIONS SERVICES

9701270072 970123  
PDR FOIA  
FLOYD96-343 PDR

RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) REQUEST  
(CONTINUATION)

FOIA NUMBER(S)

FOIA — 96-343

DATE

23 85

PART II.B — APPLICABLE EXEMPTIONS

Records subject to the request that are described in the enclosed Appendix(es) C are being withheld in their entirety or in part under the Exemption No.(s) and for the reason(s) given below pursuant to 5 U.S.C. 552(b) and 10 CFR 9.17(a) of NRC regulations.

1. The withheld information is properly classified pursuant to Executive Order. (Exemption 1)

2. The withheld information relates solely to the internal personnel rules and procedures of NRC. (Exemption 2)

3. The withheld information is specifically exempted from public disclosure by statute indicated. (Exemption 3)

Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).

Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).

4. The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated. (Exemption 4)

The information is considered to be confidential business (proprietary) information.

The information is considered to be proprietary information pursuant to 10 CFR 2.790(d)(1).

The information was submitted and received in confidence pursuant to 10 CFR 2.790(d)(2).

5. The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. (Exemption 5). Applicable Privilege:

Deliberative Process. Disclosure of predecisional information would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. Where records are withheld in their entirety, the facts are inextricably intertwined with the predecisional information. There also are no reasonably segregable factual portions because the release of the facts would permit an indirect inquiry into the predecisional process of the agency.

Attorney work product privilege. (Documents prepared by an attorney in contemplation of litigation.)

Attorney-client privilege. (Confidential communications between an attorney and his/her client.)

6. The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy. (Exemption 6)

7. The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated. (Exemption 7)

Disclosure could reasonably be expected to interfere with an enforcement proceeding because it could reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow recipients to take action to shield potential wrongdoing or a violation of NRC requirements from investigators. (Exemption 7 (A))

Disclosure would constitute an unwarranted invasion of personal privacy. (Exemption 7(C))

The information consists of names of individuals and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources. (Exemption 7 (D))

OTHER

PART II. C — DENYING OFFICIALS

Pursuant to 10 CFR 9.25(b) and/or 9.25(c) of the U.S. Nuclear Regulatory Commission regulations, it has been determined that the information withheld is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest. The persons responsible for the denial are those officials identified below as denying officials and the Director, Division of Freedom of Information and Publications Services, Office of Administration, for any denials that may be appealed to the Executive Director for Operations (EDO).

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL		
			EDO	SECRETARY	IG
Carl J. Paperiello	Director, Office of Nuclear Material Safety and Safeguards	Appendix C	X		

PART II. D — APPEAL RIGHTS

The denial by each denying official identified in Part II.C may be appealed to the Appellate Official identified there. Any such appeal must be made in writing within 30 days of receipt of this response. Appeals must be addressed, as appropriate, to the Executive Director for Operations, to the Secretary of the Commission, or to the Inspector General, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision."

**APPENDIX C**  
**RECORDS BEING WITHHELD IN PART**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	08/05/65	NRC ltr to Nuclear Consultants Corp. Subject: reports on 10CFR 9, Public Records (3 pages) EX. 6
2.	09/17/65	AEC memo to R.G. Page frm E. Moretti with enclosed compicance inspection report (45 pages) EX. 6
3.	07/21/66	AEC memo to R.G. Page frm E.J. Moretti with enclosed inspection report - Mallinckrodt (62 pages) EX. 6
4.	07/25/66	Ltr. to Dir. Isotopes Branch frm Donald Soldan. Subject: resubmitting information on radiation exposures during first quarter of 1966 (13 pages) EX. 6
5.	07/29/66	Ltr. to Donald Soldan frm Eber Price with enclosed 07/25/66 ltr. to Dir. Isotopes frm Donald Soldan informing of radiation exposures (14 pages) EX. 6
6.	05/07/68	Ltr. to Donald Soldan frm Lawrence Low with enclosed 04/23/68 ltr. to Dir. Div. of Compliance, AEA frm Donald Soldan (4 pages) EX. 6
7.	02/01/71	Ltr. to Frank Schottelkorb frm Lawrence Low with enclosed 01/06/71 ltr. to Gen Roy frm Donald Soldan; 01/11/71 ltr. to Lawrence Low frm Fran Schottelkorb; 12/22/70 ltr. to Frank Schottelkorb frm Lawrence Low; 10/21/70 ltr. to Jack Roeder frm Donald Soldan; 11/13/70 ltr. to Gen Roy frm Donald Soldan; 10/26/70 ltr. to Lawrence Low frm A.J. Virgona; 11/19/70 ltr. to G.W. Roy frm James Allan; and Compliance inspection report of 10/20-23, 1970 (54 pages) EX. 6
8.	06/30/71	AEC routing slip to R. Cunningham frm G.W. Roy. Subject inspection/investigation report with enclosed 06/22/71 memo to G. Roy frm James Allan (47 pages) EX. 6
9.	08/27/71	Ltr. to Norman Drissell frm Lawrence Low. with enclosed 08/13/71 ltr. to Lawrence Low frm Norman Drissell. Subject: compliance inspection report (54 pages) EX. 6
10.	01/17/72	AEC route slip to J.C. Malara frm Gen Roy with enclosed 01/11/72 ltr to Drissell frm Royce Grier ( 7 pages) EX. 6
11.	09/01/67	Ltr. to Donald Soldan frm Lawrence Low with enclosed 08/16/67 ltr. to Lawrence Low frm Donald Soldan & compliance inspection report 04/24-28/67 (68 pages) EX. 6
12.	09/26/67	Ltr. to Dir. Isotopes Branch frm Donald Soldan. Subject: measurements of skin or hair contamination (4 pages) EX. 6
13.	10/05/67	Ltr. to Dir. Isotopes Branch frm Donald Soldan. Subject: thyroid measurements performed on 9/7/67 (4 pages) EX. 6
14.	10/11/67	AEC ltr. to J.R. Roeder. Subject report of excessive Iodine-131 thyroid burden (2 pages) EX. 6
15.	10/20/67	Ltr. to Dir. Isotopes Branch frm Donald Soldan. Subject: thyroid measurements performed on 09/20/67 (4 pages) EX. 6
16.	10/25/67	AEC report of excessive thyroid burden of Iodine-131 ( 1 page) EX. 6
17.	10/27/67	Ltr. to Dir. of Isotopes frm Donald Soldan. Subject: Thyroid measurements performed on 09/27/67 4 (4 pages) EX. 6
18.	11/01/67	AEC report of excessive thyroid burden of Iodine-131 ( 1 page) EX. 6
19.	11/21/67	Ltr. to Dir. Isotopes Branch frm Donald Soldan. Subject: Thyroid measurements performed on 10/24/67 (16 pages) EX. 6
20.	11/30/67	Ltr. to Harold Thayer frm Lawrence Low with enclosed 11/07/67 ltr. to J.R. Roeder attaching reports of an inspection to Mallinckrodt Chemical (48 pages) EX. 6
21.	11/30/67	AEC memo to J. R. Roeder. Subject: report of excess thyroid burden of iodine-131 (1 page) EX. 6

22. 12/18/67 Ltr. to Dir. Div. of Compliance frm Donald Soldan. Subject: incidents occurred during May, June & July, 1967 (6 pages) EX. 6
23. 12/18/67 Ltr. to Dir. Div. of Compliance frm Donald Soldan. Subject: 06/05/67 routine thyroid measurements (4 pages) EX. 6
24. 12/18/67 Ltr. to Dir. Div. of Compliance frm Donald Soldan. Subject: 07/17 & 18/67 routine thyroid measurements (4 pages) EX. 6
25. 04/23/68 AEC route slip frm J. Roeder with enclosed 04/18/68 ltr to Boyce Grier frm M. G. Mason; 04/02/68 ltr. to Mont Mason frm Boyce Grier and attachment report (39 pages) EX. 6
26. 04/29/68 AEC memo to J. Roeder with enclosed 04/23/68 ltr. to Dir. Div. of Compliance frm Donald Soldan (4 pages) EX. 6
27. 05/07/68 Ltr. to Donald Soldan frm Lawrence Low with enclosed 04/23/68 ltr. to Dir. Div. of Compliance frm Donald Soldan (4 pages) EX. 6
28. 10/29/69 Ltr. to Lawrence Low frm Donald Soldan. Subject: report accumulative exposure of 3050 millirems (2 pages) EX. 6
29. 11/06/69 Ltr. to J. Roeder frm J. Allan. Subject: report on whole body overexposure (1 page) EX. 6
30. 12/03/69 Ltr. to Donald Soldan frm Jack Roeder with enclosed 11/18/69 ltr. to Jack Roeder frm Donald Soldan (4 pages) EX. 6
31. 02/03/70 Ltr. to Jack Roeder frm Donald Soldan. Subject: thyroid burden measurements performed on 12/30/69 (3 pages) EX. 6
32. 03/11/70 Ltr. to Jack Roeder frm Donald Soldan. Subject: exposure of individual to Iodine-125 (3 pages) EX. 6
33. 01/11/72 Ltr. to W. Drissell frm Boyce Grier with enclosed 01/07/72 ltr. to Boyce Grier frm N. Drissell; 01/07/72 ltr. to Dir. Div. of Compliance, AEA frm Donald Soldan; 12/23/71 ltr. to W. Drissell frm Boyce Grier; 12/27/71 ltr to G. Roy frm J. Allan (22 pages) EX. 6
34. 01/18/72 Ltr. to Donald Soldan frm Lawrence Low with enclosed 01/07/72 ltr. to Dir. Div. of Compliance frm Donald Soldan (4 pages) EX. 6
35. 02/14/75 Ltr. to AEC frm J. Glenn Subject: report of an uptake of I-131 (5 pages) EX. 6
36. 01/20/77 Ltr. to D. Soldan frm J. Allan with enclosed 12/29/76 ltr. to J. Allan frm D. Soldan, Subject: iodine intake (4 pages) EX. 6
37. 06/05/59 Ltr. to L. Johnson frm E.D. North, Subject: Dr. Leaders' ltrs. of 11/28/58 & 01/22/59 (7 pages) EX. 6
38. 12/27/71 AEC ltr. to Gen W. Roy frm J. Allan, Subject: inspection report conducted on 12/6-9/71 (10 pages) EX. 6
39. 03/13/72 Ltr. to D. Soldan frm L. Low, Subject: ltr. of 02/23/72 ref exposure of personnel to radioactive material (6 pages) EX. 6
40. 03/19/73 Ltr. to D. Soldan frm F. Kruesi, Subject: acknowledge receipt of 03/01/73 (enclosed) reporting exposure (4 pages) EX. 6
41. 04/10/73 Ltr. to F. Kruesi frm D. Soldan, Subject: exposure Iodine-125 (4 pages) EX. 6
42. 04/23/73 Ltr. to D. Soldan frm D.F. Knuth, Subject: ackn. receipt of 04/10/73 ltr (enclosed) (5 pages) EX. 6
43. 05/02/73 Ltr. to D. Soldan frm D.F. Knuth, Subject: ackn. receipt of 04/25/73 ltr. to F. Kruesi frm D Soldan - exposure Iodine-131 (4 pages) EX. 6
44. 07/03/73 Ltr. to D. Soldan frm J. Davis with 06/19/73 ltr. to Kruesi frm D. Soldan (5 pages) EX. 6
45. 08/01/73 Ltr. to D. Soldan frm J. Davis with enclosed of 07/24/73 & 07/20/73 ltrs (5 pages) EX. 6
46. 01/08/74 Ltr. to W. Fadling frm J. Davis with 12/10/73 ltr. to Kruesi frm W. Fadling, Subject: radioactive exposure (3 pages) EX. 6
47. 02/27/74 Ltr. to W. Fadling frm J. Davis acknowledging receipt of 02/04/74 ltr (enclosed) (5 pages) EX. 6

48. 11/20/74 Ltr. to D. Soldan from J. Davis with 08/13/74 ltr. to J. Davis from D. Soldan. Subject: report incident involved Iodine-131 (9 pages) EX. 6
49. 08/07/75 Letter to Director of Inspection and Enforcement regarding a production supervisor receiving a whole body exposure of 1,965 mRem for the quarter ending 6/29/75, as determined by the sum of weekly filmbadge reports. (3 pages) EX. 6
50. 08/22/75 Letter to Director RIII regarding dosimeter supplier reading of 3,250 mRem for the second quarter of 1975. (2 pages) EX. 6
51. 01/06/76 Letter to Mallinckrodt from John G. Davis acknowledging receipt of letter dated August 7, 1975, with enclosure, and also letter dated 8/22/75, with enclosure (14 pages) EX. 6
52. 04/08/76 Letter to James Allan in regards to production technician receiving an exposure to his extremities of 23,000 mRem beta and 250 mRem gamma for the week ending 3/14/76. (3 pages) EX. 6
53. 05/06/76 Letter to Mallinckrodt from Dudley Thompson acknowledging receipt of letter dtd 4/8/76 reporting the exposure of an individual to radiation. (4 pages) EX. 6
54. 10/26/76 Letter to James Allan in reference to a QC technician having an elevated thyroid burden of Iodine-131 on 9/24/76 at 1500 (3 pages) EX. 6
55. 11/10/76 Letter to Mallinckrodt to acknowledge receipt of letter dated October 26, 1976, reporting the exposure of an individual to radiation. (4 pages) EX. 6
56. 12/07/66 Thank you letter to Mallinckrodt Chemical Works of November 14, 1966, with enclosures, informing them of the exposure to several of their employees to iodine 131. (7 pages) EX. 6
57. 06/07/60 Letter to L. Johnson regarding oversight of exposures of seven eugenite plant employees to airborne radioactive material concentrations in excess of  $5/10^{-11}$  microcuries per milliliter as specified in CFR Part 20 during the period of February 15 to February 21, 1960. (2 pages) EX. 6
58. 07/14/59 Ltr fm LRogers to (Individual) reg: Mallinckrodt (5 pages) EX. 6
59. 07/14/59 Note fm LRogers to MMann reg: Mallinckrodt (5 pages) EX. 6
60. 12/15/59 Ltr fm LRogers to (Individual) reg: Mallinckrodt (6 page) EX. 6
61. 02/01/60 Mallinckrodt Chem Compliance Inspection Report (11 pages) EX. 6
62. 06/07/60 Ltr fm CKnopp Mallinckrodt to AEC (2 pages) EX. 6
63. 05/15/56 Ltr fm FBelmore to LJohnson, AEC (11 pages) EX. 6

48. 11/20/74 Ltr. to D. Soldan from J. Davis with 08/13/74 ltr. to J. Davis from D. Soldan, Subject: report incident involved Iodine-131 (9 pages) EX. 6
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63. 05/15/56 Ltr fm FBeltmore to LJohnson, AEC (11 pages) EX. 6



Holme Roberts & Owen LLC  
ATTORNEYS • AT • LAW

Boulder  
Colorado Springs  
Denver  
Salt Lake City  
London  
Moscow

1700 Lincoln  
Suite 4100  
Denver, CO 80203  
303 861-7000  
Fax 303 866-0200

August 21, 1996

**FREEDOM OF INFORMATION  
ACT REQUEST**

FOIA-96-343  
Rec'd 8-26-96

Mary Jean Pool  
FOIA Officer  
United States Nuclear Regulatory Commission  
6D35 TWFN 6 D8  
One White Flint North Building  
11555 Rockville Pike  
Rockville, MD 20852

Re: FOIA Request

Dear Ms. Pool:

This is a request under the Freedom of Information Act, 5 U.S.C. § 552.

I would like copies of all documents that discuss the original process at Mallinckrodt (sometimes called the Destrehan Street Refinery) that produced the residues stored at the St. Louis Airport and at Latty Avenue in Hazlewood, Missouri.

I realize that there may be reasonable costs associated with locating and reproducing the requested documents. Should search and reproduction costs appear likely to exceed \$500.00, please contact me prior to incurring such costs.

Once the documents are located and copied, would you send them to me via Federal Express? My Federal Express number is 0802-0401-8.

Should you have any questions concerning this request, please call me at the phone number listed above. As specified in the Act, I will expect to receive a reply within ten working days from your receipt of this request.

Please call me if you have questions or concerns. Thank you very much for your assistance.

Mary Jean Pool  
August 21, 1996  
Page 2

Sincerely,

A handwritten signature in cursive script that reads "Mary Beth Floyd". The signature is written in dark ink and is positioned above the printed name.

Mary Beth Floyd  
Information Specialist