



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

July 22, 1971

*Make a
for your
file on
this problem*

Mr. Edward J. McGrath
260 East Jefferson Street
Rockville, Maryland 20850

Dear Mr. McGrath:

Thank you for your letter of June 29, 1971. I believe you are now in direct contact with the proper organizations within the Atomic Energy Commission to provide answers to your questions related to disposal of radioactive waste materials owned by the Cotter Corporation.

The question of burial of the material at the Hazelwood, Missouri, site or any other property controlled by Cotter Corporation should be pursued with the Division of Materials Licensing. Any questions you may have regarding burial of these materials on AEC sites should be addressed to the Division of Waste and Scrap Management.

Should there be any further questions, these two Divisions will either be able to answer them or will ensure that other appropriate Divisions will answer them for you.

Sincerely,

Wilfrid E. Johnson
Commissioner

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Distribution: w/cy. of Incoming

- Chairman Seaborg (2)
- Commissioner Ramey (2)
- Commissioner Larson (2)
- R. E. Hollingsworth (2)
- J. A. Erlewine, AGMO
- W. B. McCool, SECY (2)
- R. E. Cunningham, Acting Dir., DML
- E. B. Tremmel, Dir., DIP
- R. L. Faulkner, Dir., RM
- R. Sapiric, Mgr., ORO

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B/11

LAW OFFICES
EDWARD J. McGRATH
260 EAST JEFFERSON STREET
ROCKVILLE, MARYLAND 20850

(301) 424-4707

June 29, 1971

The Honorable Wilfrid E. Johnson
U.S. Atomic Energy Commission
Washington, D.C. 20545

Re: Cotter Corporation- Radioactive Waste Disposal Proposal

Dear Commissioner Johnson:

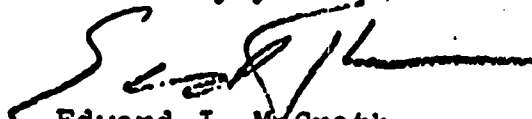
Pursuant to your suggestion made during our conference on June 24, 1971, I am enclosing copies of the correspondence between Cotter Corporation and the Commission relating to the disposal of radioactive waste materials owned by the corporation, which are now located in Hazelwood, Missouri.

I am also enclosing copies of a preliminary proposal for on site burial prepared for Cotter Corporation by the engineering firm of Ryckman, Edgerley, Tomlinson and Associates, Inc., together with a copy of a memorandum by Mr. Warren Goff, Safety Engineer for Cotter Corporation, reporting on the conference between representatives of Cotter Corporation and Nuclear Engineering Company, during which the latter firm gave an estimate of \$2,000,000.00 for burial of the waste material at the site owned by that firm in Illinois.

As Mr. Marcott advised, we are preparing to submit more detailed information to the Commission on the proposal for burial at the present site in Hazelwood, Missouri. We will furnish you with copies of further submissions and correspondence.

On behalf of Mr. Marcott, Cotter Corporation, and myself, I wish to thank you for providing us with an opportunity to discuss with you the problems and public policy issues which surround our efforts to dispose of the waste materials safely and quickly.

Sincerely yours,



Edward J. McGrath
Attorney for Cotter Corporation

EJM/dkb
Enclosures

Enclosures 10

LAW OFFICES
EDWARD J. McGRATH
260 EAST JEFFERSON STREET
ROCKVILLE, MARYLAND 20850

(301) 424-4707

April 28, 1971

Mr. Robert E. Hollingsworth,
General Manager
United States Atomic
Energy Commission
Washington D.C. 20545

Re: Cotter Corporation -
Waste Disposal Project

Dear Mr. Hollingsworth:

Paced upon the facts and circumstances hereinafter set forth, Cotter Corporation hereby makes application for authority to dispose of radioactive waste material described below by depositing the same in the abandoned quarry utilized for such disposal on the property owned and controlled by the Atomic Energy Commission at Weldon Spring, Missouri.

Cotter Corporation, in 1967, purchased from a private concern a substantial quantity of radioactive residues stored at that time at the so called "airport site" in St. Louis, Missouri for the purpose of reprocessing that portion of the material which was amenable to treatment in the uranium mill of Cotter Corporation located in Canon City, Colorado.

The residues purchased were the product of earlier Commission operations, and represented a substantial problem at the time when they were acquired by Cotter Corporation, because the firm which purchased them from the Commission and from which Cotter Corporation acquired them had done so speculatively, without a program for disposition, and subsequently terminated its business activities.

Included in the residues was certain material for which no utilization then existed, or now exists. Cotter Corporation has transported and processed all of the waste material which was amenable to treatment and made arrangements for disposition of a large quantity of unusable loose material.

There remains for disposition approximately one thousand (1,000) drums filled with contaminated trash, that is items such as bricks, clothing, boots, gloves and the like. The drums are currently located at Hanclwood, Missouri.

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Cotter Corporation, if authorized by the Commission to do so, will transport the drums by truck from Hazelwood, Missouri to the quarry site at Weldon Spring (a distance of approximately thirty (30) miles) and deposit them in the quarry, subject to Commission advice and direction, and at the expense of the corporation.

We believe deposit in the quarry to be the most satisfactory resolution of all substantial problems involved in disposition of the contaminated material. Among the factors which dictate our conclusion are that the quarry site is utilized by the Commission for disposal of similar contaminated material; that no conflict exists in this situation with the Commission policy against engaging in operations competitive with private industry, since existing privately operated waste disposal facilities are not designed in capacity or otherwise for disposition of material in the quantity and form involved in this situation; that the distance to the nearest commercial disposal site, even were it capable of handling the material is two hundred (200) miles as opposed to a distance of thirty (30) miles from Hazelwood to Weldon Spring, and finally the very substantial difference in expense in disposal other than at Weldon Spring quarry, even if such alternatives were otherwise feasible.

We request the opportunity to present and discuss this proposal with you and with those of the Commission staff concerned with the several aspects involved.

Very truly yours,

Edward J. McGrath
Attorney for Cotter
Corporation

EJM/dn

It is the intent of this proposal to provide a means whereby the Latty Avenue Ore Storage Site may be decontaminated and returned for normal land use with no restrictions on future use, in full compliance with all applicable rules and regulations of the Atomic Energy Commission.

Figure 1 shows a schematic of the Storage Site with the stockpiled material outlined. This material has had a long and varied history in relation to its ultimate disposal as outlined in your Commission's Invitation to Bid No. AT-(23-2)-52, dated January 10, 1964. At that time a partial listing of the material included: 74,000 tons of Belgian Congo Pitchblend Raffinate containing about 113 tons of uranium, 32,500 tons of Colorado Raffinate containing about 48 tons of uranium and 8700 tons of Leached Barium Sulfate containing 7 tons of uranium. Material indicated on the schematic represents those listed above as purchased by Commercial Discount Corporation of Chicago, Illinois [License #SNC-907 (40-7603)].

Since August, 1970, Cotter Corporation has been drying and shipping the Congo Raffinate to their site of operations in Canyon City, Colorado [License No. SUB-1022 (40-8035)]. At the present time this operation is being completed. Low concentrations of valuable metals and other elements have rendered the remaining material economically unfeasible to process in like manner. For this reason it is proposed to bury the remaining material on site.

The landfill will be constructed in a series of excavations and burials. The area previously occupied by the Congo Raffinate will be further excavated, with the original uncontaminated earth stockpiled in a spoils area, to provide sufficient space for burial of the Colorado Raffinate. The area occupied by the Colorado Raffinate will be made available for burial of the Leached Barium Sulfate settling pond residue and other non-compressible contaminated material.

Building "D", refer Figure 1, shall be thoroughly washed and otherwise decontaminated with all machinery being scrubbed, dismantled and removed

PROPOSAL

for

DECONTAMINATION

LATTY AVENUE STORAGE SITE

Hazelwood, Missouri

AEC License #SUB 1022 (40-8025)

April, 1971

RETA-780

RYCKMAN · EDGERLEY · TOMLINGTON and ASSOCIATES

210 CORNHILL BUILDING • 225 SOUTH MERAMEC AVENUE • SAINT LOUIS, MISSOURI 63105
TELEPHONE (314) 842-1424



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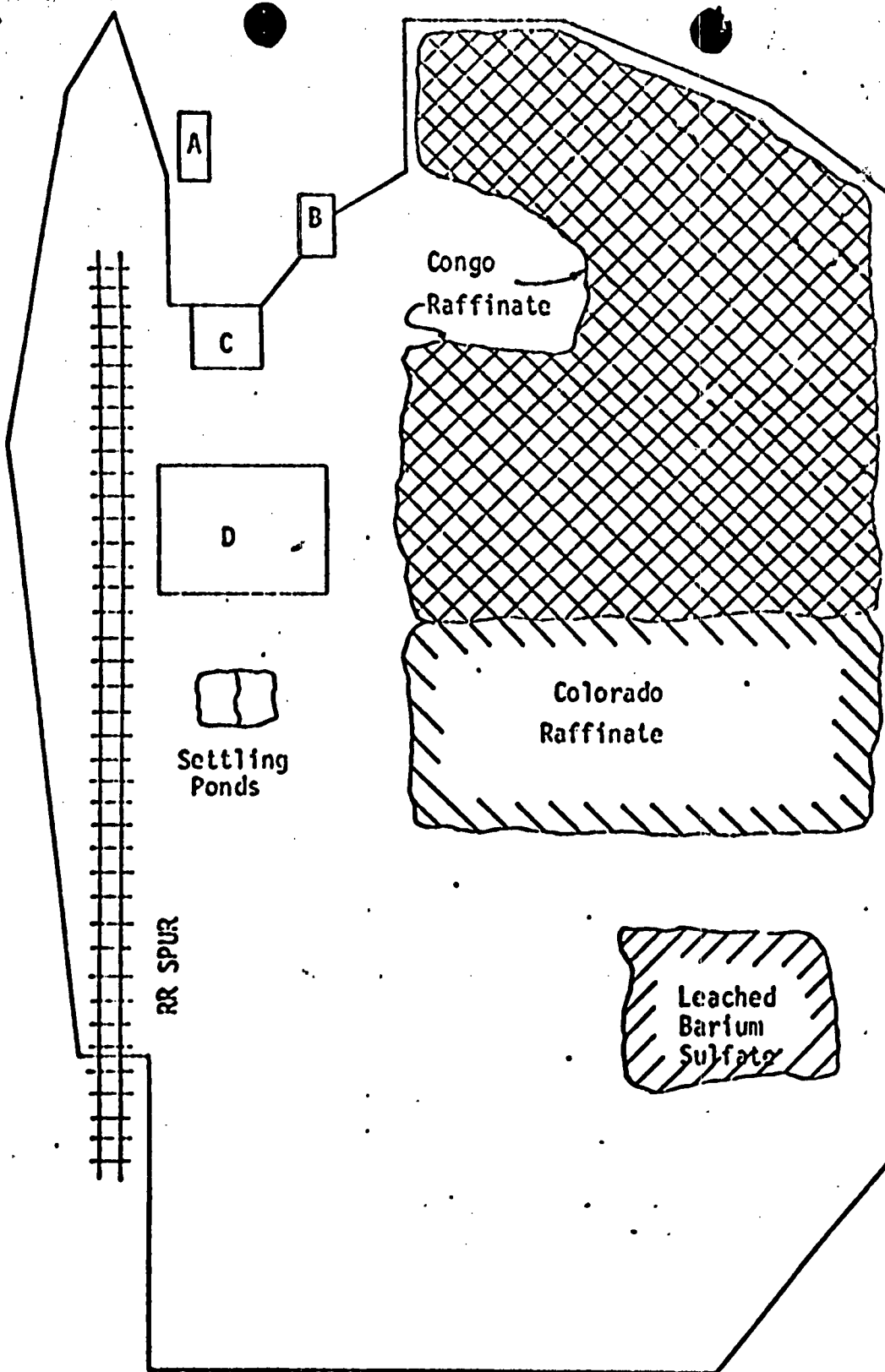
From the site. Building "A", an office, "B", a garage and dining area, and "C", an equipment storage area will not require extensive decontamination. Dirt, debris and other material deposited within Building "D" during the drying operation will be removed and buried, along with slightly contaminated original earth, on top of the Barium Sulfate. The top layer of earth on all contaminated areas will be removed and buried until radiation levels have been reduced to below AEC limits.

Guidelines for the burial pits will comply with good engineering practices as well as the rules and regulations of your Commission. All pits will be of sufficient size to insure a minimum of four feet earth cover on the finished installation. All excavations will be sealed on the top and bottom with a four inch (4") thick asphaltic layer. If "wet" conditions are encountered while opening the pit, all sides will receive the asphaltic seal. All areas will be scraped clean of contaminated earth sufficiently deep to insure a maximum gross radiation level of 0.05 mR/hr. The entire site will be graded to insure proper drainage with no unsightly mounds or depressions.

It is the desire of Cotter Corporation to return to its Lessor land which will in no way be limited in its usefulness or value and will in no way endanger the surrounding environment and its inhabitants.

RETA-780

Latty Avenue



RETA



780

FIGURE 1

Sketch not to scale

**COTTER CORPORATION
LATTY AVENUE STORAGE SITE
HAZLEWOOD, MISSOURI**



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

MAY 24 1971

RECEIVED

MAY 23 1971

E. J. McGRATH

Mr. Edward J. McGrath
250 East Jefferson Street
Rockville, Maryland 20850

Dear Mr. McGrath:


This is in response to your letter of April 28, 1971, proposing to dispose of certain radioactive wastes owned by the Cotter Corporation in an AEC-owned quarry at Weldon Spring, Missouri. Your letter states, in part; that

"... no conflict exists in this situation with the Commission policy against operations competitive with private industry, since existing privately operated waste disposal facilities are not designed in capacity or otherwise for disposition of material in the quantity and form involved in this situation ..."

This statement raises some questions on which we would appreciate further information. First, what is the intent of the phrase "or otherwise?" Does it mean that the licensed burial ground operators could not handle the material within the safety requirements of their present licenses? Second, is the judgment expressed in this statement that of the Cotter Corporation or that of the licensed burial ground operators? More specifically, have the three licensed burial ground operators (Nuclear Engineering, Nuclear Fuel Services, and Chem-Nuclear Services) stated that they could not handle the material?

We would appreciate your views on these points in order to consider the proposal further.

Sincerely,


Henry A. Novak, Director
Division of Waste and
Scrap Management

460-103000-1P



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

June 28, 1971

MEMORANDUM FOR THE FILES

SUBJECT: MEETING WITH REPRESENTATIVES OF COTTER CORPORATION

At the request of Senator Peter Dominick (Colorado), Commissioner Johnson met with David Marcott, Executive Vice President, and Edward McGrath, Washington Counsel, for Cotter Corporation on June 24, 1971. Others attending were Dr. Martin Biles and U. M. Staebler. Messrs. Marcott and McGrath had previously met with personnel from the Division of Materials Licensing and Waste and Scrap Management.

Cotter Corporation acquired radioactive residues from early AEC milling operations which had been moved from the St. Louis Airport to Hazelwood, a site in metropolitan St. Louis, by a Baltimore Corporation which went bankrupt. The material was acquired from Commercial Discount, the financier of the original purchase from the AEC. Selected materials were sent to a plant at Canyon City for recovery of valuable minerals. Cotter has about 15,000 tons of materials to be disposed of in addition to about a thousand drums of contaminated materials which can be disposed of commercially at a reasonable cost. They are committed to restore the property on which the material is stored but have found that disposal on-site is not acceptable under present regulations. The \$150,000 they had allowed for on-site disposal is to be compared with an estimate of \$2 million they have received from Nuclear Engineering for commercial disposal at a site about 200 miles away.

Mr. Marcott would like to dispose of the material at the quarry formerly used by the AEC near the St. Louis operations which is about 30 miles from the Hazelwood site. Dr. Biles reviewed the situation at the quarry, concluding that disposal there would not be acceptable. The basis for the estimate of \$2 million for disposal by Nuclear Engineering was not known but it did not seem consistent with the usual charge of about \$0.70 per cu. ft. for commercial disposal plus transportation. (Separate information indicates this estimate may include decontamination of buildings at the site.) Dr. Biles suggested that transporting the material to Colorado

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and adding it to existing piles of tailings there might be worth exploring since the material is similar and would be quite small in quantity relative to these piles.

It was agreed that:

- a) Both Cotter and AEC (Biles) would look into the feasibility of disposal on other tailings piles (including licensing).
- b) Cotter would provide a breakdown of the \$2 million estimate from Nuclear Engineering.
- c) AEC (Biles) would investigate the basis being used for private commercial disposal -- in particular whether pricing on a unit volume basis was reasonable for this kind of material.
- d) Cotter would provide a summary of the history of the material and the contract obligations relative to ultimate disposal associated with the various transfers.

U. N. Staebler
U. N. Staebler

cc: General Manager
Dr. Martin Biles, OS
R. O'Neill, Cong. Rel.
H. Nowak, WSM
C. Henderson, DR