PRELIMINARY NOTIFICATION OF EVENT OR UNUSUAL OCCURRENCE PNO-III-62A Date September 26, 1989

This preliminary notification constitutes EARLY notice of events of POSSIBLE safety or public interest significance. The information is as initially received without verification or evaluation, and is basically all that is known by the Region III staff on this date.

Facility: Kerr-McGee Chemical Corporation
West Chicago, IL

Docket 40-7061

Licensee Emergency Classification:
____Unusual Event
____Alert
____Site Area Emergency
____General Emergency
XX Not Applicable

Subject: ORDINANCE BANNING SHIPMENTS OF RADIOACTIVE MATERIAL (UPDATE)

On September 25, 1989, the Mayor of West Chicago, Illinois, announced that the city is assuming jurisdiction over radioactively contaminated materials within a half mile of the city. The city has been seeking to block movement of soil containing thorium ore residues from a residence near West Chicago to the Kerr-McGee site within the city.

The NRC has identified the residues as source material, which is under the jurisdiction of the State of Illinois as an Agreement State. The state, however, is contesting that classification. State officials have stated that the contaminated soils are not considered to be under state jurisdiction. In a September 25 letter to the State, the NRC staff reiterated its position that the thorium-contaminated material was under state jurisdiction.

The Mayor announced that the city was "filling a void created when the NRC and the Illinois Department of Nuclear Safety failed to take jurisdiction." He cited a state law granting municipalities the power to enforce health regulations in areas surrounding their corporate limits.

The Mayor is inviting the licensee and representatives of state and federal agencies, including the NRC, to meet on October 3, 1989, to discuss the issue.

There is continuing area news media interest in this issue.

This updated information is current as of 10:00 a.m., September 26, 1989.

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