

HARRIS W. FAWELL

13TH DIST. CT. ILLINOIS

EDUCATION AND LABOR

SUBCOMMITTEES

LABOR-MANAGEMENT RELATIONS
ELEMENTARY, SECONDARY, AND
VOCATIONAL EDUCATION

SCIENCE, SPACE, AND
TECHNOLOGY

SUBCOMMITTEES

ENERGY RESEARCH AND DEVELOPMENT
INTERNATIONAL SCIENTIFIC COOPERATION
SELECT COMMITTEE ON AGING

Congress of the United States
House of Representatives

Washington, DC 20515

October 29, 1987

HW FAWELL OFFICE
CANNON H. LIDE OFFICE BUILDING
(R) 226-3618
CONGRESSIONAL DISTRICT OFFICE
110 W. 55TH STREET
SUITE 100
CLARENCE, ON HILLS, IL 60614
(312) 666-2062

Mr. Lando W. Zech
Chairman
Nuclear Regulatory Commission
1717 H Street, N.W.
Washington, DC 20555

Dear Mr. Zech:

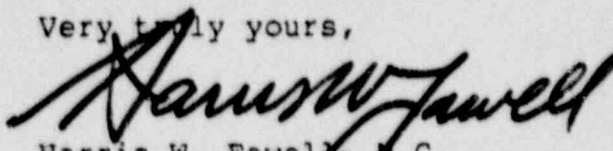
I am writing to protest a proposal by the Nuclear Regulatory Commission to permanently dispose of some 10 million cubic feet of low-level waste inside the city limits of the City of West Chicago, Illinois. I have been contacted by Mayor A. Eugene Rennels of the City of West Chicago and by the DuPage County Board, who strenuously object to this plan. Please be apprised that I was born and raised in West Chicago. I know the subject site very well. When I was a boy in that city, the Lindsay Light & Chemical Company was on that site. Unfortunately, the site is in a residential area and only a few blocks from the West Chicago Community High School. I cannot believe that some 10 million cubic feet of low-level waste should be allowed to remain permanently at that site.

Safety and local concerns, not cost, must dominate the decision-making process. I believe that the NRC has been motivated primarily by a desire to cut costs at the expense of the welfare of the City of West Chicago. I also believe that whatever cost savings the NRC might enjoy would be more than offset by the economic losses to the City of West Chicago, which would include \$12 million in commercial development, 250 new permanent jobs, and \$355,000 per year in local taxes that must be foregone if the waste is permanently stored at its present site.

I would like to know the NRC's own position on this issue. In particular, I would like to know what thought is being given to alternatives to disposal in West Chicago, and why these alternatives are not being taken more seriously. I would also like to know what the NRC sees as being the deciding factors behind its proposal. Finally, I would like to know why this action cannot be postponed until the Illinois low-level radioactive waste compact site is opened in 1993.

I will be awaiting your timely and informative reply. Until then, thank you for your assistance.

Very truly yours,


Harris W. Fawell, M.C.
318 House Office Building

9001290021 871130
FDR ADOCK 04002061
C FDC

HWF/byb
Enclosures

from the
Office of The Mayor



SEP 22 1987

A. EUGENE RENNELS
Mayor

D.C.

The City of West Chicago SEP 28 1987

September 16, 1987

ILLINOIS 60185

Congressman Harris Fawell
911 North Elm Street
Hinsdale, IL 60521

Dear Congressman Fawell:

Enclosed is a copy of a letter recently sent to Governor Thompson.

We would greatly appreciate your assistance and support in requesting the Governor to permanently resolve this problem by assuring this radioactive material is located or co-located at the Central Midwest Compact Site.

Very truly yours,

A. Eugene Rennels
Mayor

Att.

NC
2186 CB



The City of West Chicago

September 9, 1987

MEMORANDUM

The Honorable James R. Thompson
Governor, The State of Illinois
207 State House
Springfield, IL 62706

Dear Governor:

For more than a decade the City of West Chicago and the various Attorney Generals of the State of Illinois have been fighting one of the state's, if not the nation's, largest low-level radioactive waste problems.

Located on 43 acres in the middle of the City of West Chicago is approximately nine (9) million cubic feet of low-level radioactive waste. The permanent disposal of this material has been the subject of continuing adversarial action and litigation involving state agencies, the City, Kerr McGee Chemical Corp., and the U. S. Nuclear Regulatory Commission.

The major portion of this material has been deemed to be by-product material as defined in Section 11e(2) of the Atomic Energy Act as amended by the Uranium Mill Tailings Radiation Control Act of (UMTECA).

The U. S. Nuclear Regulatory Commission has now proposed (NUREG0904 Supp 1; June 1987) to allow permanent disposal of the material on 27+ acres of the 43 in the middle of a densely populated residential commercial area in West Chicago. The material is to be placed into an above-grade disposal cell 40' high surrounded by a high security fence and radioactive warning signs with a maintenance, monitoring and surveillance system for 1000 years. NRC proposes that Kerr McGee be responsible for the first 25 years of the MMS system. At the end of that time period their license will be terminated and the federal government will assume ownership and be responsible for the next 975 years of MMS. This decision is predicated totally on lower cost to Kerr McGee Chemical.

The Honorable James R. Thompson
September 9, 1987
Page 2

I have discussed this problem with Dr. Terry Lash, Director, Illinois Department of Nuclear Safety and members of his staff. I have also reviewed the situation with Clark Bullard, Chairman, Central Midwest Interstate Low-Level Radioactive Waste Commission.

It is their consensus that this material should be located at the Central Midwest Compact site. In addition to the West Chicago site not meeting state requirements for disposal of this material, the disposal of this material at the compact site would guarantee an immediate high degree of financial return to the state. In addition this volume would assure the, selected developer/operator of the site recovery of a substantial portion of his capital investment.

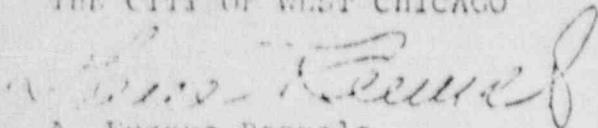
In addition to the benefit to the state, our Economic Development Director, in collaboration with a local developer, has determined that by moving this material out of West Chicago and releasing the 27 acres to unrestricted use a commercial development could be located on the site. The estimated construction cost, in 1987 dollars, is \$12,000,000.00. This development would generate 250 new permanent jobs and return \$355,000.00 per year to the local taxing bodies.

As discussed with Dr. Lash, in order to locate this material on the site starting in 1993, the agreement between the State of Illinois and the Nuclear Regulatory Commission would need to be amended to incorporate the authority for the state to assume Sec. 11e(2) by-product regulatory jurisdiction.

Accordingly, and on behalf of the residents of West Chicago, we respectfully request your assistance in the matter by your requesting that the Agreement State status be amended to include State of Illinois Regulatory Authority for all of the material presently under NBC license at the closed Kerr McGee facility in West Chicago.

Respectfully yours,

THE CITY OF WEST CHICAGO


A. Eugene Rennels
Mayor

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cc: Dr. Terry Lash, Director, Illinois Dept. Nuclear Safety
Mr. Clark Bullard, Chairman,
Central Midwest LLRW Compact Commission
Representative Donald Hensel
Senator Doris Karpel

RESOLUTION
EX-0069-87
OPPOSING PERMANENT SITING OF
RADIOACTIVE WASTE IN DUPAGE COUNTY

WHEREAS, 10 million cubic feet of radioactive waste was generated and left undisposed in the City of West Chicago on a 27-acre site bounded by a residential and factory area; and

WHEREAS, the Nuclear Regulatory Commission now proposes to permanently dispose of this waste by burying it on this parcel in the City of West Chicago, and to implement a 1000-year monitoring program; and

WHEREAS, disposal of the radioactive waste on this site would make the City of West Chicago and the County of DuPage the home of the second largest radioactive waste site in the nation.

NOW, THEREFORE, BE IT RESOLVED by the members of the DuPage County Board that we join with the City of West Chicago in asserting that it would not be in the best interests of the health, welfare and safety of the citizens of the County of DuPage to locate this hazardous waste site in the County, and that siting of the radioactive waste in the County of DuPage could seriously affect the economic development of the County; and

BE IT FURTHER RESOLVED that the Nuclear Regulatory Commission be urged to dispose of this radioactive waste at one of its alternate locations, including the Illinois low level radioactive waste compact site scheduled to open in 1993; which will not be as adversely affected by disposal of this waste; and

BE IT FURTHER RESOLVED that the County Clerk of DuPage County send a certified copy of this Resolution upon its adoption to each of the following:

President Ronald R. Reagan
2100 Pennsylvania Avenue, Washington D.C. 20515

Hon. Henry J. Hyde
2104 Rayburn, Washington, D.C. 20515

Hon. Farris W. Fawell
Cannon House Office Building, Washington, D.C. 20515

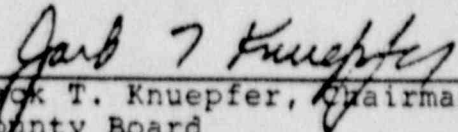
Hon. J. Dennis Hastert
515 Cannon HOB, Washington, D.C. 20515

Governor James R. Thompson
State Capitol, Springfield, IL 62706

Mayor Eugene Rennels
City of West Chicago
475 Main Street
West Chicago, IL 60185

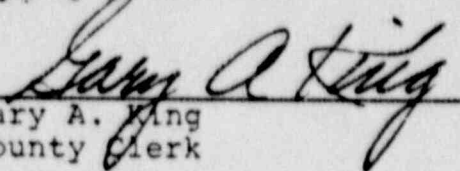
and to Jack T. Knuepfer, Chairman, DuPage County Board.

Approved and adopted this 29th day of September,
1987 at Wheaton, Illinois.



Jack T. Knuepfer, Chairman
County Board

ATTEST:



Gary A. King
County Clerk

Ayes: 19
Absent: 6