

October 28, 1981

ADM-DMB

PRELIMINARY NOTIFICATION OF EVENT OR UNUSUAL OCCURRENCE--PNO-III-81- 92

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 IE staff on this date.

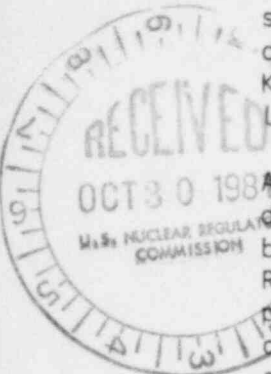
Facility: Kerr McGee Corporation
Kerr McGee Center
Oklahoma City, OK
License No. STA-583

Licensee Emergency Classification:
____ Notification of Unusual Event
____ Alert
____ Site Area Emergency
____ General Emergency
X Not Applicable

04002061

Subject: LAWSUIT AGAINST KERR MCGEE

The Robert Westrum family, current owners of the building located at 185-189 W. Washington St, West Chicago, Illinois, filed a \$100 million suit for negligence against Kerr McGee Corporation, the former building owner, in Cook County Circuit Court on October 27, 1981. The suit claims Kerr McGee did not fulfill its responsibility to determine if a radiological hazard existed at the time of sale.



A research and development program using thorium and rare earths was conducted in this building prior to the sale. In 1975, the NRC released this building for unrestricted use at the request of Kerr McGee. A 1979-1980 Region III survey identified radioactive material localized in selected pipes and flooring that was not reported in two 1975 radiological surveys conducted by the Eberline Instrument Corporation, a Kerr McGee contractor, and Region III, and a 1976 survey by the State of Illinois.

Also named as defendants in this suit were the Eberline Instrument Corporation, and Rempe-Sharp. The Albert Hoseld, Ltd, law firm of Chicago is representing the Westrum family; Kerr McGee is being represented by Chadwell, Kayser, Ruggles, McGee, and Hastings of Chicago. Kerr McGee has not been officially served the suit; no court date has been set.

The State of Illinois has been notified.

This PN is written for information only. Neither RIII nor the Licensee plan a press release. There is media interest and RIII will answer questions from the press. A local TV Station has already called.

This information is current as of 10:30 a.m., CST, October 28, 1981.

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JK J. A. Hind, FTS 384-2510

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CA	Regions I <u>12:34</u> , II <u>12:44</u> , IV <u>12:44</u> , V <u>1:05</u>			Licensee (Corporate Office) _____

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