

Tracy Shackelford  
335 E. York Street  
West Chicago, IL 60185

FEB 13 1991

Dear Ms. Shackelford:

I am responding to your letter of January 10, 1991, to Chairman Carr, expressing concerns about potential hazards associated with unprotected waste material at Kerr-McGee's site in West Chicago, Illinois. As the matters about which you express concern are related to litigation that may come before the Commission for a judicial-type decision in which Chairman Carr will participate, it would be improper for him to comment outside of the formal proceeding.

In addressing your concern regarding hazards to the environment caused by the site's not being protected from external elements, two points should be noted. First, protective covers consisting of a synthetic asphalt/fiber layer have been applied to the top of piles of contaminated material, although not to the entire 43-acre site. Additional protection has been provided by a layer of soil applied to dried-up ponds and other specific areas containing concentrations of contamination. These measures were taken by Kerr-McGee in the early 1980s to minimize spread of contamination. Second, continuous monitoring stations are located around the site's perimeter to ensure that offsite contamination and exposure levels stay within acceptable limits. These stations measure contamination levels in the air as well as direct radiation exposure. Substantial monitoring of the groundwater has been done at the site and in its vicinity, showing that the groundwater pollution existing from earlier site operations has been improving in recent years. Nevertheless, Kerr-McGee's plan for onsite disposal or any of the alternative offsite disposal methods evaluated by the NRC Staff in its Supplement to the Final Environmental Statement would appreciably enhance environmental protection.

Regarding the oral argument presented before the Appeal Board on January 16, 1991, the Appeal Board has not yet issued its decision on the issues that were argued. The Appeal Board's decision, once issued, will be subject to review by the Commission and to an appeal to the United States Court of Appeals.

The resolution of these and other legal issues will determine the terms and conditions of the cleanup.

Thank you for your interest in these matters.

Sincerely,

*for* Robert M. Bernero, Director  
Office of Nuclear Material Safety  
and Safeguards

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