



KERR-McGEE CENTER • OKLAHOMA CITY, OKLAHOMA 73125

40-2061

PDR  
Return  
to: 396SS

October 11, 1982

J. L. RAINEY  
PRESIDENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Richard E. Cunningham  
Director  
Division of Fuel Cycle & Material Safety  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555



RE: Lic. No. STA-583  
Docket No. 40-2061

Dear Mr. Cunningham:

The draft environmental statement (NUREG-0904) indicates that your agency shares our view that our proposed encapsulation design is "adequate, in the staff's opinion, to provide long-term protection of the West Chicago environment."

In some of the public comments on the DES, concern has been raised about the potential for relinquishment by Kerr-McGee of title to the site and the fear that the site could then become a general waste disposal area or could be mined for the elements remaining in the waste materials. We have publicly stated time and again that Kerr-McGee would do all within our power to assure that this did not happen. But these uncertainties are still present.

To dispel these uncertainties and as further evidence of our confidence in the safety of the proposed on-site encapsulation, Kerr-McGee is amending its request for a stabilization license amendment to include a provision that Kerr-McGee be required to retain ownership and its NRC license for the site for a period of 25 years from the date of authorization. We recognize that this request is unusual. However, we are willing to commit our Company for this lengthy period to insure proper monitoring and site maintenance and to demonstrate our confidence in the plan and our sense of responsibility to the citizens of West Chicago. We will also assure that no mining occurs on the site and that the site will not receive non-project wastes as a general disposal site.



**FEE EXEMPT**  
*part of renewal - feed.*

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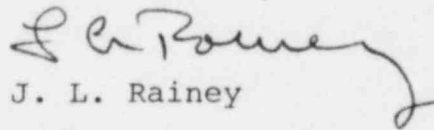
R. E. Cunningham  
October 11, 1982  
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During this 25-year period, Kerr-McGee would continue to monitor the site, subject to applicable regulations. If any problems occur, they would be remedied consistent with the performance criteria applicable to the site. Thus, by retaining a long-term license and the responsibility for the site, we are also committing the resources of our Company to surveillance and remedial action, if necessary, for a quarter of a century.

We would hope that this long-term commitment would cause the NRC to recommend in the final EIS that no criteria beyond those related to the safe performance of the proposed on-site encapsulation are pertinent. If our request is granted and the encapsulation design meets the applicable performance criteria over 25 years, as we believe it will, we can see no conceivable reason to disturb the capsule and move the materials.

We trust that the agency will give serious consideration to our request for a 25-year license amendment based on performance criteria. This length of license is necessary to provide the assurance to the various concerns that the design will prove to be technically sound. Our objective is to make absolutely certain that the West Chicago facility is safely and permanently decommissioned on-site for the long-term benefit of all concerned.

Sincerely,

  
J. L. Rainey

/ms

cc: Mr. W. A. Nixon  
Uranium Process Licensing Section  
Uranium Fuel Licensing Branch  
Division of Fuel Cycle and Material Safety  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

FOUF

"LICENSE AMENDMENTS"

Docket No. 40-2061

William O. Miller, License Fee Management Branch, ADM

MATERIALS LICENSE AMENDMENT CLASSIFICATION

Applicant: Kerr McGee  
 License No: STA-5831 Fee Category: \_\_\_\_\_  
 Application Dated: Oct 11, 1982 Received: \_\_\_\_\_  
 Applicant's Classification: \_\_\_\_\_

The above application for amendment has been reviewed by NMSS in accordance with §170.31 of Part 170, and is classified as follows:

1. Safety and Environmental Amendments to Licenses in Fee Categories 1A through 1H, 2A, 2B, 2C, and 4A
  - (a) \_\_\_ Major safety and environmental
  - (b) \_\_\_ Minor safety and environmental
  - (c) \_\_\_ Safety and environmental (Categories 1D through 1G only)
  - (d) \_\_\_ Administrative

2. Justification for reclassification: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3. The application was filed (a) \_\_\_ pursuant to written NRC request and the amendment is being issued for the convenience of the Commission, or (b)  Other (State reason): \_\_\_\_\_  
No Fee involved additional information on the  
stabilization plan:  
 \_\_\_\_\_  
 \_\_\_\_\_

*This will be an amendment*

Signature W. S. Brown  
 Division of Fuel Cycle & Material Safety  
 Date 10/19/82