

To DCS 11/24/82
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NOV 18 1982

FCUP:WAN
40-2061
STA-583

Mr. Harold J. Spelman
City Attorney
City of West Chicago
200 High Street
P.O. Box 190
West Chicago, IL 60185

Dear Mr. Spelman:

This refers to your letter of October 15, 1982, concerning the propriety of Kerr-McGee Chemical Corporation's installation of an incinerator at the Rare Earths facility while their request for permission to dismantle Building No. 16 is pending.

NRC approval for the use of an incinerator at the West Chicago site was not based on a specific defined location for the incinerator or on dismantling Building No. 16. The impact on the public from incineration operation is limited by the exhaust gas cleanup system so that the specific location of the equipment is relatively unimportant.

The final location chosen by Kerr-McGee made dismantling of Building No. 16 unnecessary for construction of the incinerator, but the choice of location did not invalidate the basis for our approval for the use of an incinerator at the site.

In conclusion, we believe Kerr-McGee acted within the intent of Amendment No. 2 to License No. STA-583 in choosing a final location and beginning construction of the incinerator.

Sincerely,

cc: D. Mausshardt

Original Signed by
Ralph G. Page

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