



NEW MEXICO  
HEALTH AND ENVIRONMENT  
DEPARTMENT

Post Office Box 968  
Santa Fe, New Mexico 87504-0968

ENVIRONMENTAL IMPROVEMENT DIVISION  
DIRECTOR'S OFFICE

40-8905 *Gore*  
*Lake Mill*

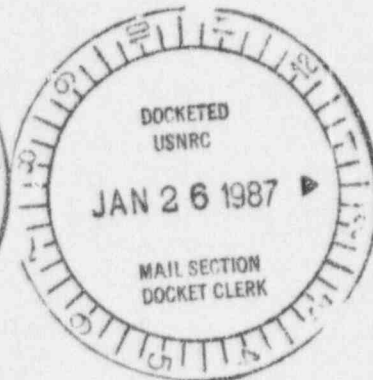
GARREY CARRUTHERS  
Governor

LARRY GORDON  
Secretary

CARLA L. MUTH  
Deputy Secretary

January 19, 1987

Mr. Larry H. Kehoe  
Director of Public Affairs  
Kerr McGee Corporation  
Kerr McGee Center  
Oklahoma City, Oklahoma 73125



Dear Mr. Kehoe:

I have been asked to respond to your letter addressed to Ms. Maralyn Budke dated December 1, 1986 and received here on January 5, 1987. In answer to your question on who should review your comprehensive waste management plan, you correctly sent it to the NRC for comments on the acceptability of milling the material with extractable uranium here in New Mexico. Since the NRC now has authority over the licensing of uranium mills in New Mexico, all further inquiries pertaining to such activities by Kerr McGee Corporation should be addressed to:

Dr. Harry Pettengill  
Uranium Recovery Field Office  
Nuclear Regulatory Commission  
P.O. Box 25325  
Denver, Colorado 80225  
(Telephone: (303) 236-2805)

Staff in the Radiation Protection Bureau contacted the URFO, NRC Office, to inquire about your waste management plan, but it appears that they have not yet received the program for review. However, once they have received it, a copy will be forwarded to us for review and comment with regard to appropriate New Mexico regulations. At this time, I would like to draw your attention to the need to file a new notice of intent to discharge with the Groundwater and Hazardous Waste Bureau if Kerr McGee plans to discharge due to the processing of by-product solids from the Kerr McGee uranium conversion facility. Since Kerr McGee's program has yet to be reviewed by the appropriate EID bureaus, it would be premature to comment further at this time.

Since it is now NRC's decision to authorize milling of the material described in the comprehensive waste management plan, the State is not in a position to comment specifically. The EID is, however, aware of the past history that pertains to this situation and would like to be informed about the transportation of radioactive waste into New Mexico. Should the NRC determine that the material for milling is in fact source material, then no further action will be required by Kerr McGee.

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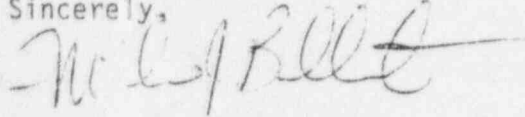
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Mr. Larry H. Kehoe  
January 19, 1987  
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I hope this letter serves to answer your inquiries. Should you need any more assistance, please don't hesitate to contact myself, or Michael Brown, Bureau Chief of the Radiation Protection Bureau at (505) 827-2959.

Sincerely,



Michael J. Burkhart  
Director

MJB/mp

cc: Larry Gordon, HED Secretary  
Kirkland Jones, Assistant Director, EID  
Michael Brown, Bureau Chief, RPB  
Richard Mitzelfelt, Bureau Chief, GW&HW Bureau  
Harry Pettengill, URFO, NRC



**KERR-McGEE CORPORATION**

KERR-McGEE CENTER • OKLAHOMA CITY, OKLAHOMA 73125

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December 1, 1986

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CARRUTHERS CO. 1001 1001

Maralyn Budke  
Chief of Staff  
Governor Carruthers  
Transition Office, Room 301  
State Capitol Building  
Santa Fe, New Mexico 87504

Dear Maralyn:

Your time and patience given to my phone call of November 26, 1986 regarding a Kerr-McGee plant in Oklahoma was appreciated, particularly during the hectic transitional period.

As discussed, the plan is a comprehensive waste management program for a Kerr-McGee facility in Gore, Oklahoma. The plan was submitted to the N.R.C. in November, 1986. The processing of certain material at a uranium mill for the recovery of uranium content is one of the methods under consideration in the plan. Our Grants, New Mexico mill is being considered as a potential location for this activity. The material contains a sufficient uranium content to allow its economical reprocessing as a feed material in a mill.

When appointments have been made and the transition is complete, your advice on who should review and discuss this plan would be helpful. However, should you want further information prior to that time, please give me a call.

Again, thank you for your prompt assistance. I am planning to be in Santa Fe over the holidays, perhaps you will have a few moments to spare for a former New Mexican.

Sincerely,

Larry H. Kenoe  
Director, Public Affairs

LHK/am