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USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD PANEL '00 MAY -9 P3:04

In the Matter of

CABOT PERFORMANCE MATERIALS
Reading, PA

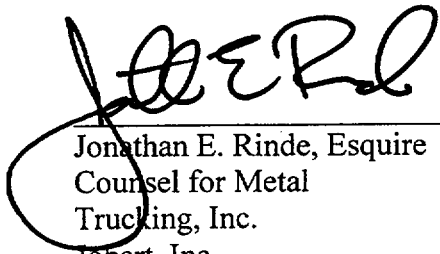
Docket No. 40-9027 - MLA

Re: Site Decommissioning
Plan

**JOBERT, INC.'S AND METALS TRUCKING, INC.'S
VIEWS ON PRESIDING OFFICER ROSENTHAL'S POSED QUESTION**

Requesters Jobert, Inc. ("Jobert") and Metals Trucking, Inc. ("MTI") request that the Presiding Officer rule upon their request for a hearing in this matter. Although MTI has not filed Preliminary Objections in the eminent domain matter, MTI may continue to have rights to the property for up to three years. (The condemnee retains the right of possession until it receives just compensation or a written offer of just compensation from Condemnor. Pa. Stat. Ann. tit. 26 § 1-407(a) (In this matter, no written offer of just compensation has been made); If condemnor relinquishes condemnation within one year, title may revert back to condemnee. Pa. Stat. Ann. tit. 26 § 1-408; If condemnor abandons project, in certain conditions condemnee retains a right of first refusal for up to three years. Pa. Stat. Ann. tit. 26 § 1-410.) As a purchase money lender, Jobert's rights flow through MTI's in the eminent domain action.

Respectfully submitted,


Jonathan E. Rinde, Esquire
Counsel for Metal
Trucking, Inc.
Jobert, Inc.

Dated: May 1, 2000

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SECY-02

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:
Alan S. Rosenthal, Presiding Officer
Dr. Richard F. Cole, Special Assistant

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OFFICE OF THE SECRETARY
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001
ATTN: RULEMAKING AND ADJUDICATION STAFF

In the Matter of

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CABOT PERFORMANCE MATERIALS
Reading, Pennsylvania

Re: Site Decommissioning Plan

CERTIFICATE OF SERVICE

I hereby certify that on this date copies of JOBERT, INC.'S AND METALS TRUCKING, INC.'S Views on Presiding Officer Rosenthal's Posed Question were served upon the following persons by facsimile and deposit in the United States mail, first class, postage prepaid and properly addressed:

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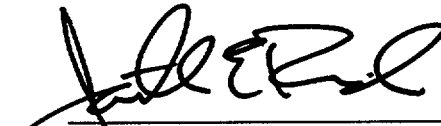
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Respectfully submitted,



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Counsel for
Metal Trucking, Inc.
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Dated: May 1, 2000