

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

'99 OCT 13 A11:13

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:  
Peter B. Bloch, Presiding Officer  
Richard F. Cole, Special Assistant

FILED  
ADJUDICATED  
OCT 13 1999

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In the Matter of

CABOT PERFORMANCE MATERIALS,  
Reading, Pennsylvania

Docket No. 40-9027-MLA

Re: Site Decommissioning Plan

LICENSEE'S FOURTH UNOPPOSED MOTION FOR  
ADDITIONAL EXTENSION OF TIME  
TO RESPOND TO REQUESTS FOR A HEARING OF  
(1) REDEVELOPMENT AUTHORITY OF THE CITY OF READING  
AND CITY OF READING  
AND (2) JOBERT INC. AND METALS TRUCKING, INC.

On July 8, 1999 Cabot Performance Materials, the Licensee, moved that this proceeding be held in abeyance until October 15, 1999 to permit it to conduct further discussions with the Redevelopment Authority of the City of Reading, the City of Reading, and Jobert Inc. (Jobert) and Metals Trucking, Inc. (MTI) (Requestors) to resolve their concerns about the Site Decommissioning Plan. In a Memorandum and Order dated July 19, 1999 the Presiding Officer granted Licensee's Motion.

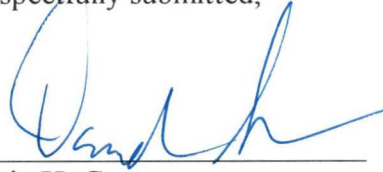
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In Licensee's third request for an additional extension of time, it noted that the parties had agreed that the efforts, primarily by the City of Reading and the Redevelopment Authority of the City of Reading, to collect technical and other information regarding the Reading site are continuing, and additional time is required to permit those efforts to be completed. Since that time, the Redevelopment Authority of the City of Reading has commissioned and completed a Phase I environmental investigation of the site and is now awaiting receipt of the report of that investigation. At the request of the Redevelopment Authority, Licensee is requesting a further extension of time until January 15, 2000 for its Answers to the Requests for Hearing. Counsel for all of the Requestors have indicated that they do not object to this Motion. This agreement does not affect the NRC Staff's ability to proceed with its normal process of considering Licensee's application. Counsel for the NRC Staff have indicated that the Staff does not object to this Motion provided that the Staff is subject to the same schedule as the Licensee for the filing of Answers as ordered by the Presiding Officer, and provided that the Staff's normal process for consideration of and action on the Licensee's application is not limited by the granting of this Motion.

Accordingly, in order to allow for the additional collection of the site-related information, for the receipt and review by the Redevelopment Authority of the Phase I environmental review report, and to facilitate settlement in this case, Licensee hereby moves that

this proceeding be held in abeyance, and for a further extension of the time for submission of its Answers, until January 15, 2000.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Alvin H. Gutterman', written over a horizontal line.

Alvin H. Gutterman  
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Dated: October 7, 1999

Attorneys for Cabot Performance Materials

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ATOMIC SAFETY AND LICENSING BOARD PANEL

OFFICE OF THE SECRETARY  
ADJUDICATION

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Re: Site Decommissioning Plan

CERTIFICATE OF SERVICE

I hereby certify that on this date copies of **LICENSEE'S FOURTH UNOPPOSED MOTION FOR ADDITIONAL EXTENSION OF TIME TO RESPOND TO REQUESTS FOR A HEARING OF (1) REDEVELOPMENT AUTHORITY OF THE CITY OF READING AND CITY OF READING AND (2) JOBERT INC. AND METALS TRUCKING, INC.** was 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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Judge Peter B. Bloch  
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Dated: October 7, 1999