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USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'99 JUL 12 P3:15

ATOMIC SAFETY AND LICENSING BOARD PANEL

OFFICE OF GENERAL COUNSEL  
RULEMAKING AND ADJUDICATION  
ADJUDICATION STAFF

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

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In the Matter of

CABOT PERFORMANCE MATERIALS,  
Reading, Pennsylvania

Docket No. 40-9027-MLA

Re: Site Decommissioning Plan

LICENSEE'S THIRD 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 March 25, 1999 Cabot Performance Materials, the Licensee, moved that this proceeding be held in abeyance until July 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 March 26, 1999 the Presiding Officer granted Licensee's Motion.

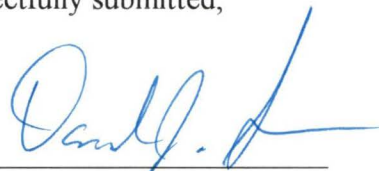
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In Licensee's second request for an additional extension of time, it noted that the parties had agreed that: (1) additional time is required to collect further technical and other information regarding the Reading site; (2) such information would be obtained and shared among the Requestors and the Licensee; and (3) collection of such information should assist in resolving the concerns of the Requestors with the Site Decommissioning Plan. 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. As a result, Licensee is requesting a further extension of time until October 15, 1999 for its Answers to the Requests for Hearing. Counsel for all of the Requestors have indicated that they do not object to this Motion. Counsel for Jobert, Inc. and Metals Trucking, Inc., however, has not reviewed the specific text of 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, 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 October 15, 1999.

Respectfully submitted,



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Dated: July 8, 1999

Attorneys for Cabot Performance Materials

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OFFICE OF THE SECRETARY  
RULEMAKING AND ADJUDICATION  
STAFF

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that on this date copies of **LICENSEE'S THIRD 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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Dated: July 8, 1999