

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555



July 3, 1985

DOCKETED
USNRC

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Theodore Voorhees, Jr., Esq.
Covington and Burling
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In the Matter of
KERR-MCGEE CHEMICAL CORPORATION
(West Chicago Rare Earths Facility)
Docket No. 40-2061 ML, ASLBP No. 83-495-01-ML

and

In the Matter of
KERR-MCGEE CHEMICAL CORPORATION
(Kress Creek Decontamination)
Docket No. 40-2051; ASLBP No. 84-502-01-SC

Dear Mr. Voorhees:

This letter relates to your June 7, 1985 response to the NRC staff's request that Kerr-McGee state the basis for its claim of privilege with respect to certain documents. The Staff has reviewed Attachment B to your response and believes that the information provided with respect to certain withheld documents is insufficient to support a claim of privilege. Enclosed with this letter is a list of those documents, with a brief explanation of why the Staff believes the information to be insufficient. As you agreed, please review the identified documents and provide additional explanation of the basis for each claim.

This letter is being filed in both the Rare Earths and the Kress Creek dockets, since the documents on the enclosed list relate to both proceedings. As reflected in the Staff's letter to the Licensing Board of June 13, 1985, motions to compel responses to discovery in the Kress Creek proceeding are to be filed by today. You have agreed, however, not to object on the basis of timeliness should the Staff find it necessary to file a motion to compel after it has reviewed your supplemental response.

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Your prompt attention to this request will be appreciated.

Sincerely,

Stephen H. Lewis

Stephen H. Lewis
Deputy Assistant Chief Hearing Counsel

Enclosure: As stated

cc w/enclosure: Anne Rapkin, Esq.

cc w/o enclosure:

John H. Frye, III, Chairman
Dr. Peter A. Morris
Peter Nickles, Esq.
Mead Hedglon, Esq.
Stephen Seiple, Esq.
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