

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

RAS 1757

ATOMIC SAFETY AND LICENSING BOARD PANEL

DOCKETED 05/30/00

SERVED 05/30/00

Before Administrative Judges:

Alan S. Rosenthal, Presiding Officer  
Dr. Richard F. Cole, Special Assistant

In the Matter of  
  
CABOT PERFORMANCE MATERIALS  
(Reading, Pennsylvania)

Docket No. 40-9027-MLA

ASLBP No. 99-757-01-MLA

May 30, 2000

ORDER

(Granting Extension of Time to File  
Answer to Hearing Request)

By virtue of my May 16, 2000, order (LBP-00-13, 51 NRC \_\_), all that now remains before me in this source material license amendment proceeding is the hearing request filed by the City of Reading and the Redevelopment Authority of that City. As noted in the May 16 order, the Licensee, Cabot Performance Materials, previously sought and obtained several uncontested extensions of the time within which to respond to that hearing request, the purpose of the extensions being to accommodate ongoing studies that might produce a settlement of the concerns of those hearing requestors. The last of the obtained extensions runs out today.

On May 25, 2000, the Licensee filed a motion seeking a further extension to and including June 30, 2000. The motion recites (at 1) that the "parties have now reached an agreement on the basic terms of a full and amicable settlement and Licensee

has prepared a proposed written settlement agreement." It goes on to state (at 1-2) that the requested additional extension is necessary to allow the hearing requestors time to review the settlement agreement put before them by the Licensee and to obtain the necessary approvals.

For good cause shown, the motion is granted.

It is so ORDERED.

BY THE PRESIDING OFFICER\*

/RA/

---

Alan S. Rosenthal  
ADMINISTRATIVE JUDGE

Rockville, Maryland

May 30, 2000

---

\* Copies of this memorandum and order were sent this date by Internet e-mail transmission to counsel for the Licensee, the Petitioners, and the NRC Staff.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
)  
CABOT PERFORMANCE MATERIALS ) Docket No. 40-9027-MLA  
)  
(Request for Materials License )  
Amendment) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing PRESIDING OFFICER'S ORDER (GRANTING EXTENSION OF TIME TO FILE ANSWER TO HEARING REQUEST) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Alan S. Rosenthal, Presiding Officer  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Richard F. Cole, Special Assistant  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Giovanna M. Longo, Esq.  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Alvin H. Gutterman, Esq.  
Donald J. Silverman, Esq.  
Morgan, Lewis & Bockius LLP  
1800 M Street, NW  
Washington, DC 20036

Jonathan E. Rinde, Esq.  
Manko, Gold & Katcher, LLP  
401 City Avenue, Suite 500  
Bala Cynwyd, PA 19004

Carl J. Engleman, Jr., Esq.  
Ryan, Russell, Ogden & Seltzer, LLP  
1100 Berkshire Boulevard, Suite 301  
Reading, PA 19610-1221

Timothy G. Dietrich, Esq.  
Kozloff Stoudt  
Sixth Floor, The Berkshire  
501 Washington Street, Box 877  
Reading, PA 19603-0877

Docket No. 40-9027-MLA  
PRESIDING OFFICER'S ORDER  
(GRANTING EXTENSION OF TIME  
TO FILE ANSWER TO HEARING REQUEST)

Keith Mooney, Esq.  
City of Reading  
Department of Law  
City Hall, Room 2-54  
815 Washington Street  
Reading, PA 19601-3690

Anthony T. Campitelli  
Cabot Performance Materials  
P.O. Box 1608  
Boyertown, PA 19512

Original signed by Emile L. Julian

---

Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 30<sup>th</sup> day of May 2000