

9501

November 21, 1989

'89 NOV 22 10:11

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF THE SECRETARY
DOCKETING & SERVICE
SECTION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
KERR-MCGEE CHEMICAL CORPORATION)	Docket No. 40-2061-ML
)	
(West Chicago Rare Earths)	ASLEP No. 83-495-01-ML
Facility))	

NRC STAFF MOTION TO
EXTEND TIME FOR FILING TESTIMONY BY ONE DAY

I. Introduction

On November 14, 1989, the Atomic Safety and Licensing Board issued a Memorandum and Order (Denying Motions for Summary Disposition on Contentions 4(a) and 3 (g)(2) and Scheduling a Hearing). The Licensing Board indicated in the Order that Kerr-McGee and the Staff are to file testimony on the contentions identified in the Order by November 27, 1989, and that the State of Illinois may file any testimony it wishes to offer by December 8, 1989. The Licensing Board also indicated that a hearing on the two contentions would be held in Chicago, Illinois on December 14 and 15, 1989.

The NRC Staff's testimony on the two contentions will be provided by the Staff's contractor, Argonne National Laboratories. Because of conflicting schedules, Dr. Paul Benioff, Dr. Charley Yu and Mr. Jeffrey Schubert, who will prepare the testimony on behalf of the Staff and appear at the hearing, will not be available for most of this week and will therefore not be able to provide testimony to be filed by November 27, 1989.

8912050075 891121
PDR ADOCK 04002061
C PDR

DS07

II. Motion

Wherefore, the NRC Staff moves the Licensing Board to extend the time for filing its testimony by one day until November 28, 1989, that testimony to be in the hands of the Licensing Board and the other parties on that same date. Counsel for Kerr-McGee has indicated to Staff counsel that it has no objection to the Staff's being granted a one-day extension in which to file, provided that Kerr-McGee is given the same extension. Illinois' counsel also indicated that Illinois does not object to the one day extension.

Respectfully submitted,

Ann P. Hodgdon

Ann P. Hodgdon
Counsel for NRC Staff

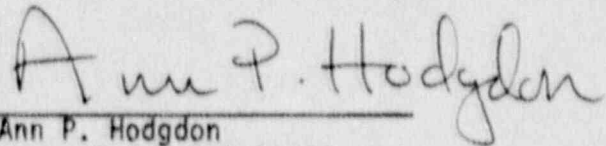
Dated at Rockville, MD
this 21st day of November, 1989.

Atomic Safety and Licensing Appeal
Panel (5)*
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Joseph A. Young, Jr.
Kerr-McGee Chemical Corporation
123 Robert S. Kerr Avenue
Oklahoma City, Oklahoma 73125

Stephen J. England, Esq.
Legal Chief Counsel
Illinois Department of
Nuclear Safety
Springfield, Illinois 62704

Adjudicatory File*
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555



Ann P. Hodgdon
Counsel for NRC Staff