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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

LOCKETED
USNRC

BEFORE THE COMMISSION

'94 JAN 28 P1:41

In the Matter of)

KERR-MCGEE CHEMICAL CORPORATION)

(West Chicago Rare Earths Facility))

)Docket No. 40-2061-ML
)
)

NRC STAFF'S RESPONSE TO KERR-MCGEE'S
MOTION FOR LEAVE TO FILE A REPLY

Ann P. Hodgdon
Counsel for NRC Staff

January 27, 1994

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MOTION FOR LEAVE TO FILE A REPLY

On January 18, 1994, Kerr-McGee Chemical Corporation (Kerr-McGee) filed a motion for leave to file a reply to the responses filed by the State of Illinois (State), the City of West Chicago (City)¹, and the NRC Staff² to Kerr-McGee's motion to terminate this proceeding and to vacate the underlying decisions of the Licensing and Appeal Boards. A copy of the reply was attached to Kerr-McGee's motion. Neither the Commission's regulation governing motions, 10 C.F.R. § 2.730, nor the Commission's order scheduling responses provides for a reply to a response to a motion. Nevertheless, the NRC Staff does not object to the Commission's granting Kerr-McGee's motion and accepting Kerr-McGee's reply.

Respectfully submitted,

Ann P. Hodgdon
Ann P. Hodgdon
Counsel for NRC Staff

Dated at Rockville, Maryland
this 27th day of January, 1994.

¹ Both the State and the City filed on January 5, 1994, pursuant to the Commission's Order of December 10, 1993.

² The NRC Staff filed on January 10, 1994.

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SECRETARY
SERVICE

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S RESPONSE TO KERR-MCGEE'S MOTION FOR LEAVE TO FILE A REPLY" in the above-captioned matter have been served on the following by deposit in the United States mail, first class, or as indicated by an asterisk through deposit in the Nuclear Regulatory Commission's internal mail system this 27th day of January, 1994:

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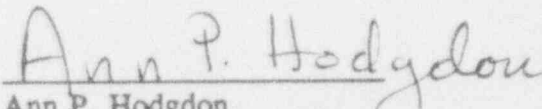
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