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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'82 NOV -1 A11:45

COMMISSIONERS:

Nunzio J. Palladino, Chairman  
Victor Gilinsky  
John F. Ahearne  
Thomas M. Roberts  
James K. Asselstine

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In the Matter of  
KERR-McGEE CORPORATION  
(West Chicago Rare Earths Facility)

Docket No. 40-2061

ORDER

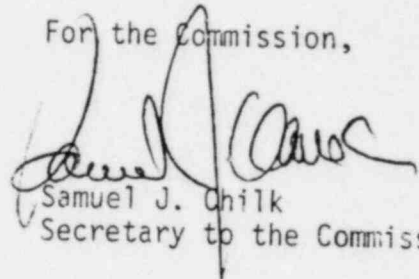
In Kerr-McGee Corp. (West Chicago Rare Earths Facility), CLI-82-21, 16 NRC \_\_\_\_\_ (1982), as amended by order dated September 17, 1982, the Commission delegated to the Director of the Office of Nuclear Material Safety and Safeguards the authority to conduct an informal proceeding with regard to the petition for a hearing by the City of West Chicago, Illinois, on Kerr-McGee Corporation's (Kerr-McGee) request for Amendment No. 5 to its NRC License for the West Chicago Rare Earths Facility. In the proposed Amendment No. 5 Kerr-McGee seeks authority to dismantle additional buildings on its West Chicago site. By letter dated August 16, 1982, Kerr-McGee also requested that the NRC staff issue a sixth amendment to its license that would authorize the demolition of still additional buildings. In line with that request, Kerr-McGee has come before the Commission to ask that any hearing with regard to Amendment No. 6 be consolidated with the pending proceeding on Amendment No. 5. On October 22, 1982, the City of West Chicago filed a response supporting Kerr-McGee's consolidation request.

The Commission will construe the City of West Chicago's filing as a request for a hearing on the Kerr-McGee application for Amendment No. 6. Further, because of the similarity of the activities proposed by Kerr-McGee under Amendment Nos. 5 and 6, the request for consolidation has merit. Accordingly, we direct the Secretary to refer the City's hearing request on Amendment No. 6 to the NRC staff for consolidation with the pending proceeding on proposed Amendment No. 5 and disposition under the procedures established in CLI-82-21. However, within thirty days the City is to provide Presiding Officer Mausshardt with its specific objections to Amendment No. 6.

IT IS SO ORDERED.



For the Commission,

  
Samuel J. Chilk  
Secretary to the Commission

Dated at Washington, DC,  
this 1st day of Nov. , 1982.