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DENIED

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For the Appeal Board \*

OFFICE OF  
DOCKETING  
BRANCH  
UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

11-24-86  
*C. Johnson*  
Secretary to the Appeal Board

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

\*Dr. Johnson did not  
participate.

In the Matter of )  
KERR-McGEE CHEMICAL CORPORATION )  
(Kress Creek Decontamination) )

Docket No. 40-2061-SC  
ASLBP No. 84-502-01-SC

MOTION TO REQUIRE AN EXPEDITED RESPONSE BY THE PARTIES

Kerr-McGee Chemical Corporation ("Kerr-McGee")  
hereby moves that the Appeal Board require the parties to file  
any response to Kerr-McGee's Motion for Reconsideration or for  
Referral to the Commission on or before November 26, 1986.

On October 16, 1986, Kerr-McGee filed a Motion for  
an Expedited Decision with the Appeal Board in the  
above-captioned proceeding. The Staff, although not opposing  
Kerr-McGee's motion, filed its response on October 31 -- the  
very last day for response allowed by the NRC rules. 10 CFR  
2.730(c). The State chose not to respond. The Board  
subsequently denied Kerr-McGee's motion and Kerr-McGee has  
today filed a motion seeking reconsideration or referral to  
the Commission.

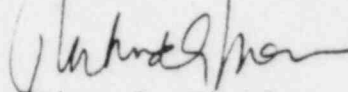
In light of the Staff's acquiescence in Kerr-McGee's  
underlying motion and the State's failure to respond to that  
motion, neither party will be prejudiced by a shortening of  
the response period. As explained in Kerr-McGee's Motion for

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Reconsideration or Referral to the Commission, however,  
Kerr-McGee is prejudiced by delay.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Peter J. Nickles", written over the typed name.

Peter J. Nickles  
Richard A. Meserve

Counsel for Kerr-McGee  
Chemical Corporation

November 21, 1986

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING APPEAL BOARD '86 NOV 25 P12:10

In the Matter of )  
)  
)

KERR-McGEE CHEMICAL CORPORATION )  
)

(Kress Creek Decontamination) )  
)

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Docket No. 40-2061-SC

CERTIFICATE OF SERVICE

I hereby certify that, on this 24th day of November, 1986, I mailed a copy of the Appeal Board's denial by stamp endorsement of Applicant's "Motion to Require an Expedited Response by the Parties," dated November 21, 1986, to each of the following:

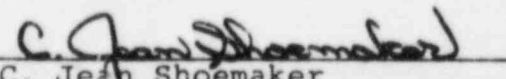
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C. Jean Shoemaker  
Secretary to the Appeal  
Board