

**RAS 10581**

UNITED STATES OF AMERICA

**DOCKETED 10/13/05**

NUCLEAR REGULATORY COMMISSION

**SERVED 10/13/05**

PA'INA HAWAII, LLC

Docket No. 30-36974-ML

ASLBP No. 06-843-01-ML

ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 Fed. Reg. 28,710 (1972), and the Commission's regulations, see 10 C.F.R. §§ 2.104, 2.300, 2.303, 2.309, 2.311, 2.318, and 2.321, notice is hereby given that an Atomic Safety and Licensing Board is being established to preside over the following proceeding:

PA'INA HAWAII, LLC  
(Honolulu, Hawaii Irradiator Facility)

A Licensing Board is being established pursuant to a July 26, 2005 notice of opportunity for hearing, 70 Fed. Reg. 44,396 (Aug. 2, 2005), regarding the June 27, 2005 application of Pa'ina Hawaii, LLC, for authorization to build and operate a commercial pool-type industrial irradiator in Honolulu, Hawaii, near the Honolulu International Airport. This proceeding concerns an October 3, 2005 request for hearing regarding the application submitted by the Concerned Citizens of Honolulu.

The Board is comprised of the following administrative judges:

Thomas S. Moore, Chair  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dr. Paul B. Abramson  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dr. Anthony J. Baratta  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

All correspondence, documents, and other materials shall be filed with the administrative judges in accordance with 10 C.F.R. § 2.302.

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G. Paul Bollwerk, III  
Chief Administrative Judge  
Atomic Safety and Licensing Board Panel

Issued at Rockville, Maryland,  
this 13<sup>th</sup> day of October 2005.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
PA'INA HAWAII, LLC ) Docket No. 30-36974-ML  
 )  
 )  
(Honolulu, Hawaii Irradiator Facility) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD 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 20555-0001

Administrative Judge  
Thomas S. Moore, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Paul B. Abramson  
Atomic Safety and Licensing Board Panel  
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Administrative Judge  
Anthony J. Baratta  
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Washington, DC 20555-0001

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Honolulu, HI 96813-4501

Michael Kohn, President  
Pa'ina Hawaii, LLC  
P.O. Box 30542  
Honolulu, HI 96820

[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 13<sup>th</sup> day of October 2005