

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 01/27/06

ATOMIC SAFETY AND LICENSING BOARD

SERVED 01/27/06

Before Administrative Judges:

Thomas S. Moore, Chairman
Dr. Paul Abramson
Dr. Anthony J. Baratta

In the Matter of

PA'INA HAWAII, LLC

(Material License Application)

Docket No. 30-36974-ML

ASLBP No. 06-843-01-ML

January 27, 2006

ORDER

Paragraph 4.b. of the Licensing Board's December 8, 2005 Protective Order should be amended to include NRC Staff Counsel. As amended, paragraph 4.b. should read:

Be served only upon lead counsel for the Applicant, Fred Paul Benco, and the Petitioner, David Henkin; the Assistant for Rulemakings and Adjudications in the Commission's Office of the Secretary; NRC Staff Counsel; and the individual Members of the Licensing Board (in accordance with paragraph 4.e);

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD¹

[Original signed by:]

Thomas S. Moore, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
January 27, 2006

¹ Copies of this Order were sent this date by Internet e-mail transmission to counsel for (1) Applicant Pa'ina Hawaii, LLC; (2) Intervenor Concerned Citizens of Honolulu; and (3) the NRC Staff.

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NUCLEAR REGULATORY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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[Original signed by R. L. Giitter] _____
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 27th day of January 2006