

RAS 11744

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

DOCKETED 06/08/06

SERVED 06/08/06

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

June 8, 2006

ORDER

To aid the Board in its assessment of the portion of the Intervenor's May 1, 2006 motion to amend Contentions #4 and #6 addressing the alleged inadequacy of the proposed outline of emergency procedures for natural disasters,¹ each party shall file a supplemental filing by Thursday, June 15, 2006, presenting its position regarding the following:

1. The applicability and relevance of the section of the Pa'ina Hawaii, LLC Application entitled "Training (familiarization) for Off-Site Individuals (Not Employees Of the Licensee) Who Must be Prepared to Respond to Alarms: Emergency Response Personnel (ERP)," beginning on page 19 of the Application, ADAMS Accession Number ML052060372, to the portion of the Intervenor's amended Contention #6 asserting a failure to address "how outside emergency responders will be notified and/or trained 'regarding the unique concerns and hazards associated with emergencies at the irradiator facility.'"²

¹ See Intervenor Concerned Citizens of Honolulu's Motion for Leave to Amend Safety Contentions #4 and #6 (May 1, 2006).

² Id. at 9-10 (quoting NUREG-1556 at 8-50).

2. If the referenced portion of the Application is applicable and/or relevant to the noted portion of amended contention #6, explain its absence from your prior pleadings.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*

/RA/

Thomas S. Moore, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland

June 8, 2006

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

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NUCLEAR REGULATORY COMMISSION

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)
)
(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 Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 8th day of June 2006