

From: Leonard Wert
To: Margaret Bupp
Date: 5/4/2007 4:55:06 PM
Subject: Questions from Mr. Kohn

Molly,

I just got a call from Mr. Kohn. He asked two what I regard as general process questions regarding the Pa'ina irradiator:

1. If NRC issues the license, can a court subsequently decide that the license should not have been issued and cause it to be revoked or withdrawn?
2. He wanted to understand more about the ASLB's influence over the license - can the ASLB stop the process or decide that a license should not be issued?

He also asked how things were going as far as answering the ASLB's questions. I said we are working on them. He indicated that he thinks the EA won't be issued on May 4 and I agreed with that. He indicated that he is asking these two questions because he is trying to decide if he should start construction after the license is issued or should he wait until any subsequent appeals are exhausted. I did not feel comfortable providing him definitive answers to his questions, but I did commit to someone getting back to him with more information.

Thanks, Len

CC: Jack Whitten; Roberto J Torres

Mail Envelope Properties (463B9D9A.735 : 11 : 59025)

Subject: Questions from Mr. Kohn
Creation Date 5/4/2007 4:54:50 PM
From: Leonard Wert

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MESSAGE

Size

1526

Date & Time

5/4/2007 4:54:50 PM

Options

Expiration Date: None

Priority: Standard

ReplyRequested: No

Return Notification: None

Concealed Subject: No

Security: Standard