

August 26, 2008

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
PA'INA HAWAII, LLC	)	Docket No. 30-36974-ML
	)	
(Materials License Application)	)	ASLBP No. 06-843-01-ML

NRC STAFF'S TESTIMONY OF PATRICIA SWAIN CONCERNING  
AMENDED ENVIRONMENTAL CONTENTIONS

**Q.1.** Could you please state your name, occupation and employer?

**A.1.** My name is Patricia Swain. I am a Project Manager in the Low-Level Waste Branch in the NRC's Office of Federal and State Materials and Environmental Management Programs (FSME). I manage the NRC's activities at the Idaho Nuclear Technology and Engineering Center Tank Farm Facility, which is part of Idaho National Laboratory. Specifically, I manage activities relating to NRC requirements for monitoring disposal actions taken by the Department of Energy pursuant to the Ronald Reagan National Defense Authorization Act for FY 2005. In addition, I am responsible for responding to various stakeholder concerns regarding low-level waste. Prior to being a Project Manager in the Low-Level Waste Branch, I was a Project Manager in the FSME Environmental Review Branch, which issued the Pa'ina EA. I joined the NRC from private industry in January 2007. A copy of my professional qualifications is attached.

**Q.2.** Did you have a role in preparing the Draft or Final EA issued by the Staff in connection with Pa'ina Hawaii, LLC's application for a materials license?

**A.2.** Not a direct role. I was assigned to the Pa'ina project when Matt Blevins left the NRC in August 2007. I reviewed the Final EA before it was issued, and I provided comments to Matt before a Notice of Availability was published in the Federal Register.

**Q.3.** You are listed as the contact person for the Final EA. Did anyone contact you about the EA?

**A.3.** One person called me to ask how she could get a copy of the Final EA. I directed the person to the NRC's website, where she could obtain a copy of the EA.

**Q.4.** What are your current responsibilities with respect to the Pa'ina Hawaii licensing action?

**A.4.** After Matt Blevins left the NRC, I assumed responsibility as the Technical Project Manager for the Task Order that the NRC has with the Center for Nuclear Waste Regulatory Analyses. In that capacity I have performed administrative duties such as monitoring monthly expenditures and ensuring the availability of technical staff and funding.

**Q.5.** Are there any other NRC Staff who are currently assigned to this project?

**A.5.** Not at NRC headquarters. The NRC issued Pa'ina its license in August 2007. The NRC's Regional Office in Arlington, Texas is responsible for overseeing that license.

**Q.6.** Does this conclude your testimony?

**A.6.** Yes.