

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

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 5, 2009

ORDER  
(Notice Regarding Hearing)

On April 6, 2009, Intervenor, Concerned Citizens of Honolulu, filed an amendment to amended environmental contention 3. The NRC Staff and the Applicant, Pa'ina Hawaii, LLC, filed responses on May 1, 2009. The Board will address these filings in its forthcoming decision that, barring any unforeseen circumstances, will be issued in early summer.

The Board previously indicated it likely would hold an oral hearing pursuant to 10 C.F.R. § 2.1207. At this time, the Board has concluded that no hearing will be necessary.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD\*

*/RA/*

\_\_\_\_\_  
Thomas S. Moore, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
June 5, 2009

\* 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) Intervenor Concerned Citizens of Honolulu; and (3) the NRC Staff.

UNITED STATES OF AMERICA  
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 ( NOTICE REGARDING HEARING) 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 Linda D. Lewis]

\_\_\_\_\_  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 5<sup>th</sup> day of June 2009