

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

Before Administrative Judges:

E. Roy Hawkens, Chairman
Dr. Anthony J. Baratta
Dr. Michael F. Kennedy

In the Matter of

U.S. ARMY INSTALLATION COMMAND

(Schofield Barracks, Oahu, Hawaii, and
Pohakuloa Training Area, Island of Hawaii,
Hawaii)

Docket No. 40-9083

ASLBP No. 10-895-01-ML-BD01

December 22, 2009

NOTICE

(Expected Date for Decision on Hearing Requests)

Pending before the Board are several hearing requests challenging the application of the U.S. Army Installation Command for a Source Material License to possess depleted uranium at the following two sites in Hawaii: Schofield Barracks, Oahu, and the Pohakuloa Training Area, Island of Hawaii.¹ On November 6, 2009, all the pleadings had been submitted. On November 19, the Office of the Secretary referred the case to the Atomic Safety and Licensing Board Panel (ASLBP), and on November 24, this Board was established. During a teleconference on December 8, the Board informed the participants that oral argument was warranted, and the participants indicated their availability for an argument during the week of January 11, 2010.² In light of this procedural background and the need for oral argument, the Board provides notice

¹ See Notice of Opportunity for Hearing, 74 Fed. Reg. 40,855 (Aug. 13, 2009).

² As stated in this Board's Order of December 17, 2009, oral argument will be held in the ASLBP's Rockville Hearing Room. Counsel for the Army and the NRC Staff will appear before the Board in Rockville, and the petitioners will participate from Hawaii by videoconference or teleconference. For the benefit of interested individuals in Hawaii who wish to observe the oral argument, the Board will webstream the proceeding.

that it anticipates issuing a decision regarding petitioners' hearing requests in February 2010.

See 10 C.F.R. § 2.309(i).

FOR THE ATOMIC SAFETY
AND LICENSING BOARD³

/RA/

E. Roy Hawkens, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
December 22, 2009

³ In addition to being filed through the e-filing system, copies of this order were sent this day by Internet email to: (1) Cory Harden; (2) Jim Albertini; (3) Isaac Harp; (4) Luwella Leonardi; (5) counsel for the U.S. Army; and (6) counsel for the NRC Staff.

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NUCLEAR REGULATORY COMMISSION

In the Matter of)	
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U.S. ARMY INSTALLATION COMMAND)	Docket No. 40-9083-ML
)	
(Depleted Uranium at Pohakuloa Training)	
Area and Schofield Barracks, Hawaii))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing NOTICE (EXPECTED DATE FOR DECISION ON HEARING REQUESTS) have been served upon the following persons by E-mail with additional service on representatives of the NRC Staff and the U.S. Army Installation Command by Electronic Information Exchange (EIE).

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Docket No. 40-9083-ML
NOTICE (EXPECTED DATE FOR DECISION ON HEARING REQUESTS)

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[Original signed by Nancy Greathead]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 22nd day of December 2009.