

July 29, 2010

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

SCHEDULING INFORMATION FOR SUPPLEMENTS TO
PA'INA ENVIRONMENTAL ASSESSMENT

The Nuclear Regulatory Commission (NRC) Staff responds to the Board's July 16, 2010 Order¹ directing the Staff to provide scheduling information concerning the dates by which the Staff expects to issue draft and final supplements to the Environmental Assessment (EA) for Pa'ina Hawaii, LLC's proposed irradiator.² In its order the Board also directed that the Staff allow no less than thirty days for written public comments on the draft supplement to the EA.³

The dates below are the Staff's current best estimates of when it will issue the draft and final supplements to the Pa'ina EA. These dates reflect a Staff review period of approximately six months from today's date, in addition to a thirty-day public comment period.

- Draft supplement to EA issued Monday, December 6, 2010
- Public comment period ends Thursday, January 6, 2011
- Final supplement to EA issued Monday, March 7, 2011

¹ Order (Requesting Scheduling Information) (July 16, 2010) at 1.

² The draft and final supplements will address (1) the alternative technology of electron-beam irradiation, (2) alternative sites, and (3) the environmental consequences of accidents that might occur during the annual transport of cobalt-60 sources to and from Pa'ina's proposed irradiator.

³ Order at 2. Comments will be limited to the three subjects addressed in the draft supplement. *Id.*

The Staff would emphasize that these dates may need to be revised based on factors the Staff cannot anticipate at this time. For example, as the Board noted in its Order, the Staff cannot anticipate with absolute certainty the number of comments on the draft supplement to which it must respond.⁴ The Staff will notify the Board and the other parties immediately if the above estimates need to be revised.

Respectfully submitted,

/RA/

Michael J. Clark
Molly L. Barkman
Counsel for NRC Staff

Dated at Rockville, Maryland
This 29th day of July, 2010

⁴ Order at 2.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that today, July 29, 2010, copies of "SCHEDULING INFORMATION FOR SUPPLEMENTS TO PA'INA EA" were served on the recipients listed below by electronic mail, as indicated by an asterisk (*); by deposit in the United States mail, as indicated by a double asterisk (**); or by deposit in the Nuclear Regulatory Commission's internal mail system, as indicated by a triple asterisk (***).

Thomas S. Moore, Chair * ***
Administrative Judge
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555
thomas.moore@nrc.gov

Anthony J. Baratta * ***
Administrative Judge
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555
anthony.baratta@nrc.gov

Paul Abramson * ***
Administrative Judge
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555
paul.abramson@nrc.gov

Office of Commission Appellate
Adjudication * ***
U.S. Nuclear Regulatory Commission
Mail Stop: O-16 G4
Washington, D.C. 20555
OCAAMAIL.Resource@nrc.gov

Office of the Secretary * ***
ATTN: Rulemakings and Adjudication Staff
U.S. Nuclear Regulatory Commission
Mail Stop: O-16 G4
Washington, D.C. 20555
HEARINGDOCKET@nrc.gov

David L. Henkin, Esq. * **
Earthjustice
223 South King Street, Suite 400
Honolulu, HI 96813
dhenkin@earthjustice.org

Fred Paul Benco * **
The Law Offices of Fred Paul Benco
Suite 3409 Century Square
1188 Bishop Street
Honolulu, HI 96813
fpbenco@yahoo.com

Janice Brown, Officer Manager *
jbrown@earthjustice.org

Rachel Figueroa, Litigation Assistant *
rfigueroa@earthjustice.org

Michael Kohn, President **
Pa'ina Hawaii, LLC
P.O. Box 30542
Honolulu, HI 96820

Anthony C.Eitreim * ***
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
anthony.eitreim@nrc.gov

Mathew Rotman * ***
Erica LaPlante * ***
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
matthew.rotman@nrc.gov
erica.laplante@nrc.gov

/RA/

Michael J. Clark
Counsel for NRC Staff