

RAS 10738

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

DOCKETED 11/16/05

SERVED 11/16/05

Before Administrative Judges:

Thomas S. Moore, Chairman
Dr. Paul B. Abramson
Dr. Anthony J. Baratta

In the Matter of

PA'INA HAWAII, LLC

(Honolulu, Hawaii Irradiator Facility)

Docket No. 30-36974-ML

ASLBP No. 06-843-01-ML

November 16, 2005

ORDER

The NRC Staff shall file with the Board a copy of Attachment 2 of the Commission's Security Order referenced on page 2 of the Staff's November 9, 2005 "Modified NRC Staff Motion for Protective Order Governing Disclosure of Information," by the close of business Monday, November 21, 2005. According to the Staff's motion and the Commission's order,¹ that attachment contains safeguards information. Therefore, the Staff shall take all appropriate steps in filing the safeguards information with the Board and shall not serve the safeguards information on any other participant in this proceeding. Further, the Staff shall include a cover letter with the safeguards material that briefly describes the filing without revealing any safeguards information. The Staff should serve the letter on all participants.

If it has not already done so, the Staff also shall have one of its safeguards security experts review the November 9, 2005 version of the Staff's proposed protective order to ensure it complies with all applicable agency regulations and requirements. By the close of business,

¹ See "In the Matter of All Panoramic and Underwater Irradiators Authorized to Possess Greater than 370 TerraBecquerels (10,000 Curies) of Byproduct Material in the Form of Sealed Sources; Order Imposing Compensatory Measures (Effective Immediately)," 68 Fed. Reg. 35, 458 n.1 (June 13, 2003).

Monday, November 21, 2005, the Staff shall, in a brief filing, inform the Board that its security experts have reviewed and approved the November 9, 2005 proposed protective order.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD**

/RA/

Thomas S. Moore, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland

November 16, 2005

** Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) applicant; (2) petitioners; and (3) the staff.

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER 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 Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 16th day of November 2005