

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–275–LR; 50–323–LR]

### Pacific Gas and Electric Company (Diablo Canyon Nuclear Power Plant, Units 1 And 2); Notice of Appointment of Adjudicatory Employee

*Commissioners:* Gregory B. Jaczko, Chairman; Kristine L. Svinicki; George Apostolakis; William D. Magwood, IV; William C. Ostendorff

Pursuant to 10 CFR 2.4, notice is hereby given that Dr. Tianqing Cao, Senior Seismologist, Office of Nuclear Material Safety and Safeguards, has been appointed as a Commission adjudicatory employee within the meaning of section 2.4, to advise the Commission regarding issues relating to pending appeals filed by the applicant and the Nuclear Regulatory Commission staff in this case, as well as a waiver request filed by the petitioner pursuant to 10 CFR 2.335(b). Dr. Cao has not previously performed any investigative or litigating function in connection with this proceeding. Until such time as a final decision is issued in this matter, interested persons outside the agency and agency employees performing investigative or litigating functions in this proceeding are required to observe the restrictions of 10 CFR 2.347 and 2.348 in their communications with Dr. Cao.

*It is so ordered.*

Dated at Rockville, Maryland, this 5th day of November, 2010.

**Annette L. Vietti-Cook,**  
*Secretary of the Commission.*

[FR Doc. 2010–30480 Filed 12–3–10; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 30–36974; NRC–2010–0374]

### Notice of Availability of Draft Supplement to the Environmental Assessment for the Proposed Pa'ina Hawaii, LLC Irradiator in Honolulu, HI

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

**SUMMARY:** Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) is issuing and publishing for public comment a Draft Supplement to the Environmental Assessment (EA) for the irradiator proposed by Pa'ina Hawaii, LLC (Pa'ina). On June 23, 2005, Pa'ina submitted an application to NRC

requesting a license to possess and use byproduct material in connection with a proposed underwater irradiator. NRC completed the Final EA and Finding of No Significant Impact (FONSI) for this action on August 10, 2007, and subsequently issued a license to Pa'ina on August 17, 2007. The license authorizes Pa'ina to possess and use byproduct material (sealed sources) in a commercial underwater irradiator to be located adjacent to Honolulu International Airport on Palekona Street near Lagoon Drive. NRC is issuing this Draft Supplement to the EA in response to a decision of the Atomic Safety and Licensing Board (Board) from the NRC's Atomic Safety and Licensing Board Panel (ASLBP). As directed by the Board, this Draft Supplement addresses the following three areas: (1) Environmental impacts of accidents that might occur during the transport of cobalt-60 sources to and from Pa'ina's irradiator, (2) electron-beam technology as an alternative to cobalt-60 irradiation, and (3) alternative sites for Pa'ina's irradiator.

**DATES:** The public comment period on the Draft Supplement begins on the date of publication of this notice and ends on January 6, 2011. Written comments should be submitted as described in the **ADDRESSES** section of this notice.

Comments submitted by mail should be postmarked by January 6, 2011, to ensure consideration. Comments received or postmarked after January 6, 2011 will be considered to the extent practical, but the Commission is able to assure consideration only for comments received on or before this date.

**ADDRESSES:** You may submit comments by any one of the following methods. Please include the Docket ID NRC–2010–0374 in the subject line of your comments. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed.

The NRC requests that any party soliciting or aggregating comments received from other persons for submission to the NRC inform those persons that the NRC will not edit their comments to remove any identifying or contact information, and therefore, they should not include any information in their comments that they do not want publicly disclosed.

*Electronic Mail:* Comments may be sent by electronic mail to the following address: [PainaEA@nrc.gov](mailto:PainaEA@nrc.gov).

*Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for documents filed under Docket ID

NRC–2010–0374. Comments may be submitted electronically through this Web site. Address questions about NRC dockets to Carol Gallagher, 301–492–3668, e-mail [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

*Mail comments to:* Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Division of Administrative Services, Office of Administration, Mail Stop: TWB5–B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, or by fax to RADB at 301–492–3446.

Comments submitted in writing or in electronic form will be posted on the NRC Web site and on the Federal rulemaking Web site <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Johari Moore, Project Manager, Environmental Review Branch A, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Rockville, Maryland 20852. Telephone: 301–415–7694; fax number: 301–415–5369; e-mail: [Johari.Moore@nrc.gov](mailto:Johari.Moore@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

By letter dated August 17, 2007, the U.S. Nuclear Regulatory Commission (NRC) issued Materials License No. 53–29296–01 to Pa'ina authorizing possession and use of byproduct material (sealed sources) in a commercial underwater irradiator to be located immediately adjacent to Honolulu International Airport on Palekona Street near Lagoon Drive. Also on August 17, 2007, NRC published a Notice of Availability in the **Federal Register** for the EA and FONSI prepared in support of this licensing action (72 FRN 46249). On September 4, 2007, Concerned Citizens of Honolulu filed contentions challenging the NRC staff's analysis in the Final EA. In an August 27, 2009 decision, the Board found that the staff needed to supplement the Pa'ina EA in order to address (1) environmental impacts of accidents that might occur during the transport of cobalt-60 sources to and from Pa'ina's irradiator, (2) electron-beam technology as an alternative to cobalt-60 irradiation, and (3) alternative sites for Pa'ina's irradiator. The Board's findings on these issues were affirmed in a July 8, 2010 decision by the NRC's Commission. In the Draft Supplement issued today, the NRC staff addresses each of the issues identified by the Board.