



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

April 17, 2007

OFFICE OF THE  
GENERAL COUNSEL

Thomas S. Moore  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Anthony J. Baratta  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Paul Abramson  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

In the Matter of  
PA'INA HAWAII, LLC  
(Honolulu, Hawaii Irradiator Facility)  
Docket No. 30-36974-ML; ASLBP No. 06-843-01-ML

Dear Administrative Judges:

Pursuant to 10 C.F.R. §§ 2.336 and 2.1203, enclosed please find an update to the Staff's hearing file index in the above-captioned proceeding, along with an affidavit from Leonard Wert dated today, April 17, 2007, and an original signed copy of Mr. Wert's affidavit concerning the Staff's April 2, 2007 update to the hearing file index. Document ML071000340 contains security-related information and is not publicly available. A hard copy is being provided to counsel for the parties.

Sincerely,

A handwritten signature in black ink that reads "Margaret J. Bupp".

Margaret J. Bupp  
Counsel for the NRC Staff

Enclosures: As stated

cc w/encls: David L. Henkin  
Fred Paul Benco  
Jered Lindsay

Michael Kohn  
Office of the Secretary

Office of Commission  
Appellate Adjudication

**Pa'ina Hawaii, LLC**  
**Docket No. 30-36974; ASLBP No. 06-843-01**  
**Hearing File Index Update 04/17/2007**

| <b>ADAMS ML<br/>Number</b> | <b>Full Name</b>   | <b>Recipient</b> | <b>Author</b> | <b>Date</b> |
|----------------------------|--|------------------|---------------|-------------|
| ML071000340                | Pa'ina Hawaii, Pre-licensing Security Screening<br>(Official Use Only-Security-Related Information). |                  |               | 04/02/07    |

**Pa'ina Hawaii, LLC**  
**Docket No. 30-36974; ASLBP No. 06-843-01**  
**Hearing File Index Update 04/17/2007**  
**Attorney-Client Privilege Documents**

| <b>Privilege</b>                             | <b>ADAMS ML<br/>Number</b> | <b>Full Name</b>  | <b>Recipient</b> | <b>Author</b> | <b>Date</b> |
|--|----------------------------|---|------------------|---------------|-------------|
| Attorney-Client                              | ML071060233                | E-mail Subj: Discussion of Terrorism in Pa'ina Final EA     | M. Bupp          | M. Blevins    | 04/04/07    |
| Attorney-Client/<br>Attorney<br>Work Product | ML071060276                | E-mail Subj: Re: Discussion of Terrorism in Pa'ina Final EA | M. Blevins       | M. Bupp       | 04/11/07    |

April 17, 2007

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

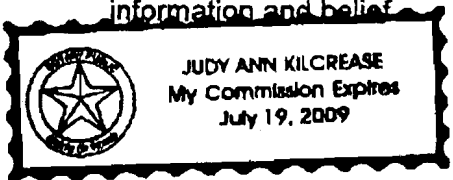
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

AFFIDAVIT OF LEONARD D. WERT, JR.

I, Leonard D. Wert, being first duly sworn, do hereby state as follows:

1. I am employed as the Division Director, Division of Nuclear Materials and Safety, Region IV, overseeing the review of the Pa'ina Hawaii, LLC application for a license for possession and use of byproduct material in the Nuclear Regulatory Commission's Region IV office in Arlington, Texas.
2. I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336(b) and (d) in the above-captioned proceeding have been disclosed, and that the disclosures are accurate and complete as of the date of this certification.
3. I hereby certify that the foregoing is true and complete to the best of my knowledge, information and belief.



*Leonard D. Wert*  
 \_\_\_\_\_  
 Leonard D. Wert, Jr.

Executed in Arlington, TX  
This 17<sup>th</sup> day of April, 2007

April 2, 2007

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

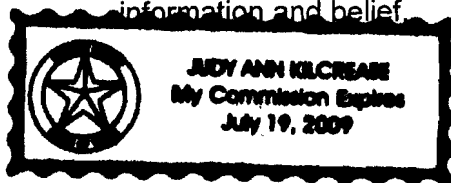
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

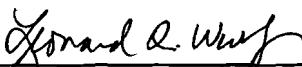
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3. I hereby certify that the foregoing is true and complete to the best of my knowledge, information and belief.



  
\_\_\_\_\_  
Leonard D. Wert, Jr.

Executed in Arlington, TX  
This 2<sup>nd</sup> day of April, 2007