NOVA GROUP INC.
Quality & Innovation in Construction

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DEC 17 2007
DNMS

December 13, 2007

Nuclear Regulatory Commission
Bureau of Licensing
Region IV
611 Ryan Plaza Drive
Arlington, TX 76011-8064

Re: Nova Group, Inc
License No. 04-19527-02

Dear Sir or Madam;

This letter is to request that Kenneth D. Cauble CHST, STS, replace Matt Weber as the Radiation Safety Officer on our Radioactive Materials License. His statement of training and experience and supporting documents are enclosed. Mr. Weber is no longer with Nova Group.

Sincerely,

Kenneth D. Cauble CHST, STS
Corporate Safety Director
Nova Group, Inc

NOVA GROUP INC. / P.O. BOX 4050 / NAPA, CA 94558
707-257-3200 / FAX 707-257-2774

MISSION STATEMENT:
*"Nova sets the standard for **quality, innovation, integrity and team work** for the construction industry."*

471592

№ 2310

Certificate Of Completion

This is to certify that Kenneth D. Gauble has completed the

CPN® Radiation Safety Officer Seminar for Nuclear Gauges,

held this 12th day of September 2007 in the

City of San Clemente State of CA by CPN International.

CPN International, Inc.
2630 Howe Road
Martinez, CA 94553 USA
Phone: (925) 228-9770
Fax: (925) 228-3183

CPN

Charles D. Chung
INSTRUCTOR

Douglas Carter
RADIATION SAFETY OFFICER

№ 471592

№ 45044

Certificate Of Completion

This is to certify that Kenneth D. Cauble *has completed the basic CPN® training course on Radiation Safety and Use of Nuclear Gauges, held this* 11th *day of* December 2007 *in the City of* Mission Viejo *State of* CA *by CPN International.*

CPN International, Inc.
4057 Port Chicago Highway
Suite 100
Concord, CA 94520 USA
Phone: (925) 363-9770
Fax: (925) 363-9385

CPN

Charles D. Cherry
INSTRUCTOR

Douglas Carter
RADIATION SAFETY OFFICER

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LITHO. IN U.S.A.

Kenneth D. Cauble CHST, STS

EDUCATION

Doctorate, PhD in Religion (2001)
Universal Life Church, Modesto, CA

Certification, Emergency Medical Technician (1997)
University of CA, Santa Barbara

Certification, Washington State Law Enforcement (1979)
Shoreline College, Washington

Clemson University – Safety Manager Academy

INDUSTRY TRAINING & CERTIFICATIONS

- Construction Health and Safety Technician (CHST)
- Safety Trained Supervisor (STS)
- OSHA 1926 10 hour and 30 hour instructor. OSHA 500 approved.
- Trenching and Excavation Competent Person Training
- Confined Space Competent Person (Train the Trainer Course)
- Haz. Waste Mgr. and Trainer of Personnel Engaged in Hazardous Waste Handling
- Asbestos Abatement Manager
- Environmental Health and Safety Law
- Construction Site Safety Master Instructor – National Center for Construction
- Master Trainer – National Center for Construction Education and Research
- Occupational Hearing Conservationist
- Drug Intervention Training
- Nuclear Gauge Operator Training
- Radiation Safety Officer Certification
- Safety Manager Academy – Clemson University
- Cal/OSHA Compliance

AFFILIATIONS

- American Society of Safety Engineers (ASSE)
- Masonic Lodge
- Shrine Temple
- Member of the AGC of California Safety and Health Council
- Association of Building Contractors – Safety Committee Co-Chairman.

EXPERIENCE

NOVA GROUP, INC. **2007 - Present**
Napa, CA

Corporate Safety Director
Responsible for developing, implementing and monitoring all aspects of the company's safety plan. Manage the site safety and health officers on various projects worldwide, and ensure our programs and personnel comply with all applicable safety and health regulations as they pertain to specific countries, states and jurisdictions.

NOVA GROUP, INC. **2003 – 2007**
Napa, CA

Safety Officer
Responsible for implementing and monitoring all aspects of the site safety plan, ensuring that construction hazards are identified and corrected, maintaining applicable safety reference material on the jobsite, and maintaining a log of safety inspections. Overall responsibility for jobsite safety enforcement for all subcontractors, suppliers and Nova employees.

Encompass Industrial Services
Benicia, CA

Safety Manager, Western Region **1998 – 2003**
Oversaw the safety efforts of the company in this region. Implemented or modified existing programs\policies to meet CALOSHA and clients requirements. Investigated all serious accidents to ascertain root cause to avoid future accidents and to maintain TRIR at acceptable levels.

Global Industrial Contractors
Shafter, CA

Corporate Safety & Security Manager **1997 – 1998**
Wrote and implemented company safety and health policies. Established training requirements and provided training to personnel, as well as, investigated accidents using previous experience as a police officer to develop a corporate security department to protect company assets.

Gulf States, Inc.
Freeport, TX

Safety Supervisor/Medic **1988 – 1997**
On-site safety supervisor, duties included training of competent persons, conducting safety meetings, site audits, recordkeeping, drug testing and medical treatment. Also established, trained and supervised a hazardous waste handling crew including asbestos abatement at the Bakersfield, Ca. Texaco Refinery site.

Brown & Root
Houston, TX

Safety Supervisor/Medic **1986 – 1988**
Duties basically the same as noted above. Remained in this position when Brown and Root completed their contract and became employed with Gulf States Inc.

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

(FOR LFMS USE)
INFORMATION FROM LTS

Program Code: 03121
Status Code: 0
Fee Category: 3P
Exp. Date: 20150831
Fee Comments: _____
Decom Fin Assur Reqd: N

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED
   Applicant/Licensee: NOVA GROUP, INC.
   Received Date: 20071217
   Docket No: 3031607
   Control No.: 471592
   License No.: 04-19527-02
   Action Type: Amendment

2. FEE ATTACHED
   Amount: /
   Check No.: /

3. COMMENTS

Signed Colleen Murnehan
Date 12-19-07

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered /__/)

1. Fee Category and Amount: _____

2. Correct Fee Paid. Application may be processed for:
   Amendment _____
   Renewal _____
   License _____

3. OTHER _____

Signed _____
Date _____

ACCEPTANCE REVIEW MEMO (ARM)

Licensee:	NOVA Group, Inc.	**License No.:** 04-19527-02	
Docket No.:	030-31607	**Mail Control No.:** 471592	
Type of Action:	Amendment	**Date of Requested Action:** 12-13-07	
Reviewer Assigned:		**ARM reviewer(s):** Torres	

Response	Deficiencies Noted During Acceptance Review
	[✓] Open ended possession limits (Submit inventory) (Limit possession.) [ ] Submit copies of latest leak test results. [ ] Add IC L.C., split cover letter from license, add SUNSI markings to license. [ ] Confirm with licensee if they have NARM material.
	Note: Reviewer - Please limit possession.

Reviewer's Initials: RTC **Date:** 12/28/07

☐Yes ☐No	Request for unrestricted release Group 2 or >. Consult with Bravo Branch.
☐Yes ☐No	Termination request < 90 days from date of expiration
☐Yes ☐No	Expedite (medical emergency, no RSO, location of use/storage not on license, RAM in possession not on license, other)
☐Yes ☐No	TAR needed to complete action.

Branch Chief's and/or HP's Initials: _____ **Date:** _____

SUNSI Screening according to RIS 2005-31

☐Yes ☑No **Sensitive and Non-Publicly Available** if <u>any</u> item below is checked

General guidance:

_____RAM = or > than Category 3 (Table 1, RIS 2005-31), use Unity Rule
_____Exact location of RAM (whether = or > than Category 3 or not)
_____Design of structure and/or equipment (site specific)
_____Information on nearby facilities
_____Detailed design drawings and/or performance information
_____Emergency planning and/or fire protection systems

Specific guidance for medical, industrial and academic (above Category 3):

_____RAM quantities and inventory
_____Manufacturer's name and model number of sealed sources & devices
_____Site drawings with exact location of RAM, description of facility
_____RAM security program information (locks, alarms, etc.)
_____Emergency Plan specifics (routes to/from RAM, response to security events)
_____Vulnerability/security assessment/accident-safety analysis/risk assess
_____Mailing lists related to security response

Branch Chief's and/or HP's Initials: RTC **Date:** 12-28-07

Checklist to Ensure That Radioactive Material Will Be Used as Intended

Applicant Information: **Control No.** 471592

Name: NOVA Group, Inc.	Type of Request: Amendment Program Code(s): 03121
Location: CA	License No.: 04-19527-02 Docket No.: 030-31607

STEP 1, ITEM A - INITIAL SCREENING

		YES or NO
Instructions for Step 1: Complete Step 1 for all applications. If Step 1, Items A and B, are "YES" then do not complete Step 2. Sign and date the completed form and add it to ADAMS as Non-Sensitive and Non-Publicly Available. If a "NO" response is indicated for Item A or Item B, add the completed form to ADAMS as Sensitive and Non-Publicly Available, and complete Step 2 (Additional Screening). If the type of use is subject to a Security Order, complete Step 3, Item A, without delay. If the additional requirements for increased controls will be applied or voided, complete Step 3, Item B, without delay.		
A.	The applicant is a known entity or a licensee transferring control to a known entity. This determination has been made using the screening criteria in Worksheet A below.	Yes

Worksheet A

		YES, NO, or NA
Instructions for Worksheet A: Answer each of the 6 questions below by placing a "Yes", "No", or "NA" response in the column on the right. Best practices for a reviewer are provided after each of the questions. If the answer to **any** of the 6 questions is "Yes" then indicate "Yes" in Step 1, Item A, above. If the answers to all of the 6 questions is "No" then indicate "No" in Step 1, Item A, above. **NOTE** - If the reviewer has personal knowledge of the applicant's veracity, this can be taken into account in responding to any questions. For example, if the applicant's management and/or RSO have been associated with a current or previous NRC or Agreement State license, then the applicant may be considered as a known entity.		
1.	**Does the applicant have a current Agreement State or NRC license?** The reviewer should 1) confirm that a valid license/registration/authorization exists for the applicant; and 2) compare the current license to the application to verify that the application represents a reasonable expansion of the licensee's operation (i.e., medical facility adding a gamma knife or an Agreement State licensee obtaining an NRC license in order to work in NRC jurisdiction without filing reciprocity).	Yes
2.	**Does the applicant have a current Agreement State or NRC license at another location and the new application represents the addition of a new facility within the scope of the licensee's core business?** The reviewer should contact the appropriate licensing authority to confirm that a valid license/registration/authorization exists for the applicant and the corporate office of the licensee to verify that it has knowledge of and approves of the new application.	
3.	**Does the applicant have a current State or Federal government license, registration, authorization, etc., for other operations within the scope of its proposed license activities?** (e.g., a company authorized by a State for mining that is now requesting authorization to use fixed gauges). The reviewer should contact the appropriate government office to confirm that the license, registration, authorization, etc., is valid; and the applicant's corporate office to confirm that it has knowledge of and approves of the new application to possess radioactive materials.	
4.	**Is the applicant a local, State or Federal government agency?** The reviewer should contact the local, State or Federal government office to confirm that the applicant is a government entity.	
5.	**Does the application only involve the relocation of an existing licensee, or its mailing address, to another State?** This includes new licenses created from existing licenses listing locations in multiple States, in preparation for transfer of licenses to States that will shortly sign an Agreement with the NRC.	
6.	**Is the application only the result of a licensee failing to submit a renewal application in a timely manner?**	

STEP 1, ITEM B - INITIAL SCREENING CONTINUED

B.	The applicant is requesting certain radionuclides and quantities that are less than the Risk Significant Quantity (TBq) values in Worksheet B, below, as "highlighted" by the reviewer, or is currently subject to a security order or additional requirements for increased controls. If "Yes", there is no need to proceed further.	NA

Worksheet B - Risk Significant Quantities

(Category 2 Quantities, IAEA Safety Guide No. RS-G-1.9, Categorization of Radioactive Sources, August 2005)

Radionuclide	Risk Significant Quantity (TBq[1])	Risk Significant Quantity (Ci[1])	Radionuclide	Risk Significant Quantity (TBq[1])	Risk Significant Quantity (Ci[1])
Am-241	0.6	16	Pm-147	400	11,000
Am-241/Be	0.6	16	Pu-238	0.6	16
Cf-252	0.2	5.4	Pu-239/Be	0.6	16
Cm-244	0.5	14	Ra-226[2]	0.4	11
Co-60	0.3	8.1	Se-75	2	54
Cs-137	1	27	Sr-90 (Y-90)	10	270
Gd-153	10	270	Tm-170	200	5,400
Ir-192	0.8	22	Yb-169	3	81

[1] The primary values are TBq. The curie (Ci) values are for informational purposes only.

[2] The Atomic Energy Act, as amended by the Energy Policy Act of 2005, authorizes NRC to regulate Ra-226 and NRC is in the process of amending its regulations for discrete sources of Ra-226.

Calculations of the Total Activity or the Unity Rule were completed. **NOTE–If an amendment of an existing license is being requested, the calculations will include the previously authorized quantities for the radionuclide(s).**	Yes , No, or Not Applicable (NA)
Total Activity–multiple activities are requested for a single radionuclide and the sum of the activities is less than the Risk Significant Quantity (TBq) for the radionuclide.	—
Unity Rule-multiple radionuclides are requested and the sum of the ratios is less than 1.0, e.g.,[(total activity for radionuclide A) ÷ (risk significant quantity for radionuclide A)] + [(total activity for radionuclide B) ÷ (risk significant quantity for radionuclide B)] < 1.0.	✓

Signature and Date for Step 1: RTR 12/28/07

License Reviewer and Date