



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION IV
1600 E. LAMAR BLVD
ARLINGTON TX 76011-4511

May 17, 2023

Mr. Timani Samau
McConnell Dowell (American Samoa) Ltd.
P.O. Box 4664
Pago Pago, AS 96799

**SUBJECT: AMENDMENT NO. 5 TO RADIOACTIVE MATERIALS LICENSE FOR
MCCONNELL DOWELL (AMERICAN SAMOA) LTD.,
NRC LICENSE NO. 56-29396-01**

Please find enclosed Amendment No. 5 to NRC License No. 56-29396-01 naming Timani Samau as the Radiation Safety Officer. An environmental assessment for this licensing action is not required since this action is categorically excluded under 10 CFR 51.22(c)(14)(viii). You should review this license carefully and be sure that you understand all conditions. You can contact me at 817-200-1187 if you have any questions about this license.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement is not a regulation, it sets forth the agency's expectations for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your radiation safety program according to the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate by NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC in writing of any change in mailing address.
3. By 10 CFR 30.36(d) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
 - a. When you decide to terminate all activities involving materials authorized under the license whether at the entire site or any separate building or outdoor area;

- b. If you decide not to acquire or possess and use authorized material; or
 - c. When no principal activities under the license have been conducted for a period of 24 months.
- 4. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers;
 - b. Order byproduct material in excess of the amount, radionuclide or form authorized on the license;
 - c. Add or change the areas or address(es) of use identified in the license application or on the license; or
 - d. Change the name or ownership of your organization.
- 65 Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.

In addition, please note that NRC Form 313 requires the applicant, by signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant. Since the NRC also accepts a letter requesting amendment of an NRC license, the signatory for such a request should also be the licensee or certifying official rather than a consultant.

NRC will periodically inspect your radiation safety program. Failure to conduct your program according to NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the NRC Enforcement Policy. The NRC Enforcement Policy is available at: www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at www.nrc.gov/reading-rm/adams.html.

T. Samau

-3-

Thank you for your cooperation.

Sincerely,

Alexus D.
Willis

Digitally signed by
Alexus D. Willis
Date: 2023.05.17
12:30:31 -05'00'

Alexus Willis, Health Physicist
Materials Licensing Branch

Docket: 030-38318

License: 56-29396-01

Control: 634808

Enclosure: As stated

From: [Alexus Willis](#)
To: [R4 Licensing Action Submittals](#)
Subject: FW: Licence holder name amendment
Date: Friday, May 17, 2024 6:49:51 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[56-29396-01L.pdf](#)
[56-29396-01C.pdf](#)
[RSC12_Craig Wrigglesworth McConnell Dowell Constructors Ltd.pdf](#)
[RSC12_John Faamau McConnell Dowell Constructors Ltd.pdf](#)
[RSC12_Apenisa Rabitu Maraivalu McConnell Dowell Constructors Ltd.pdf](#)

Hi Gia,

Please see the attached RSO change for McConnell Dowell. Thank you!

Best Regards,

Alexus Willis
Health Physicist | RIV/DRSS/MLB
U.S. NRC | 817-200-1187 | Office: 3087

From: Ben Maraivalu <Ben.Maraivalu@mcdgroup.com>
Sent: Friday, May 17, 2024 12:01 AM
To: Alexis Willis <Alexus.Willis@nrc.gov>
Cc: Craig Wrigglesworth <Craig.Wrigglesworth@mcdgroup.com>; lenisei Matautia <lenisei.matautia@mcdgroup.com>; Bronwen Wills <Bronwen.Wills@mcdgroup.com>; Lelani Collier <Lelani.Collier@mcdgroup.com>
Subject: [External_Sender] Licence holder name amendment

Good afternoon, Alexis ,

We would like to apply for licence amendment – requesting to change RSO on our license, Currently we have Timani Samau as our licence holder name and he has moved to New Zealand . We would like to seek your assistance on the procedure we must follow to change licence name. Also attached are the updated RSO officer.

1. Craig Wrigglesworth
2. John Faamau
3. Apenisa Rabitu Maraivalu
4. Max Tomasi (not attached we can send tomorrow)

Many thanks,

Ben Maraivalu He/Him
Project Engineer - 2054 Pago Pago Runway 5-23 Rehabilitation work

McConnell Dowell
Pago Pago , Pago Pago US Territory 96799, American Samoa
M: 16842586452 | P: 16846992239 | E: Ben.Maraivalu@mcdgroup.com



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civiltrain.nz

CERTIFICATE OF ATTENDANCE

This is to certify that

Apenisa Rabitu Maraivalu

of

McConnell Dowell Constructors Ltd

on the 2nd of April 2024

has attended and satisfied the performance criteria of:

RADIATION SAFETY C12

As recognised by the Office of Radiation Safety under C12



Stuart R. Moulding - Tutor/Director

Expires: 02/04/2026

civiltrain.nz

**CERTIFICATE OF
ATTENDANCE**

This is to certify that

John Faamau

of

McConnell Dowell Constructors Ltd

on the 30th of March 2024

has attended and satisfied the performance criteria of:

RADIATION SAFETY C12

As recognised by the Office of Radiation Safety under C12



Stuart R. Moulding - Tutor/Director

Expires: 30/03/2026

civiltrain.nz

CERTIFICATE OF ATTENDANCE

This is to certify that

Craig Wrigglesworth

of

McConnell Dowell Constructors Ltd

on the 30th of March 2024

has attended and satisfied the performance criteria of:

RADIATION SAFETY C12

As recognised by the Office of Radiation Safety under C12



Stuart R. Moulding - Tutor/Director

Expires: 30/03/2026

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 70 and 71, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee 1. McConnell Dowell (American Samoa) Ltd. 2. P.O. Box 4664 Pago Pago, AS 96799		In accordance with email dated March 03, 2023.	4. Expiration Date: December 31, 2035
		3. License No.: 56-29396-01 is amended in its entirety to read as follows:	5. Docket No.: 030-38318 Reference No.:
6. Byproduct, source, and/or special nuclear material A. Cesium-137 B. Americium-241/ Beryllium	7. Chemical and/or physical form A. Sealed Sources (AEA Technology/QSA, Inc., Model CDC.805; Isotope Products Laboratories, Model HEG-137) B. Sealed Neutron Source (AEA Technology/QSA, Inc., Model AMN.V997; Isotope Products Laboratories, Model Am1.NO2)	8. Maximum amount that licensee may possess at any one time under this license A. 11 millicuries per source and 33 millicuries total B. 44 millicuries per source and 132 millicuries total	9. Authorized use A. For use in Humboldt Scientific, Inc., Model 5001 portable gauging devices for measuring physical properties of materials. B. For use in Humboldt Scientific, Inc., Model 5001 portable gauging devices for measuring physical properties of materials.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License No.: 56-29396-01

Amendment No. 5

Docket or Reference No.:
030-38318**CONDITIONS**

10. Licensed material shall be used or stored at the licensee's facilities located at:
- A. McConnell Dowell (American Samoa) Ltd, Tafuna Road Industrial Park (next to airport), Airport Road, Pago Pago, American Samoa, 96799, and
 - B. Licensed material may be used or stored at temporary job sites of the licensee anywhere in the United States where the U.S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material, including areas of exclusive Federal jurisdiction within Agreement States. If the jurisdiction status of a Federal facility within an Agreement State is unknown, the licensee should contact the Federal agency controlling the job site in question to determine whether the proposed job site is an area of exclusive Federal jurisdiction. Authorization for use of radioactive materials at job sites in Agreement States not under exclusive Federal jurisdiction should be obtained from the appropriate state regulatory agency.
11. Licensed material shall only be used by, or under the supervision and in the physical presence of, individuals who have received the training described in the applications dated June 26, 2020 and October 22, 2020. The licensee shall maintain records of individuals designated as users for 3 years following the last use of licensed material by the individual.
12. The Radiation Safety Officer (RSO) for this license is Timani Samau.
13. A. Sealed sources and detector cells shall be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or by an Agreement State. In the absence of a registration certificate, sealed sources shall be tested for leakage and/or contamination at intervals not to exceed 6 months, or at such other intervals as specified.
- B. In the absence of a certificate from a transferor indicating that a leak test has been made within the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or by an Agreement State, prior to the transfer, a sealed source received from another person shall not be put into use until tested and the test results received.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License No.: 56-29396-01

Docket or Reference No.:
030-38318

Amendment No. 5

- C. Sealed sources need not be tested if they are in storage and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.
- D. The leak test shall be capable of detecting the presence of 185 becquerels (0.005 microcuries) of radioactive material on the test sample. If the test reveals the presence of 185 becquerels (0.005 microcuries) or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(c)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations.
- E. Analysis of leak test samples and/or contamination shall be performed by persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services. The licensee is authorized to collect leak test samples but not perform the analysis.
- F. Records of leak test results shall be kept in units of becquerels (microcuries) and shall be maintained for 3 years.
14. Sealed sources or source rods containing licensed material shall not be opened or sources removed from source holders or detached from source rods, by the licensee, except as specifically authorized.
15. The licensee shall conduct a physical inventory every 6 months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sealed sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 3 years from the date of each inventory, and shall include the radionuclides, quantities, manufacturer's name and model numbers, and the date of the inventory.
16. Except for maintaining labeling as required by 10 CFR Part 20, or Part 71, the licensee shall obtain authorization from the U.S. Nuclear Regulatory Commission before making any changes in the sealed source, device, or source-device combination that would alter the description or specifications as indicated in the respective certificate of registration issued either by the U.S. Nuclear Regulatory Commission pursuant to 10 CFR 32.210 or by an Agreement State.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License No.: 56-29396-01

Amendment No. 5

Docket or Reference No.:
030-38318

17. Each portable nuclear gauge shall have a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position. The gauge or its container must be locked when in transport or storage, or when not under the direct surveillance of an authorized user.
18. Any cleaning, maintenance, or repair of the gauge(s) that requires detaching the source or source rod from the gauge shall be performed only by the manufacturer or by other persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.
19. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. This license condition applies only to those statements, representations, and procedures that are required to be submitted in accordance with the regulations. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence impose on the licensee requirements that are more restrictive than or in addition to the regulations.
- A. Application dated June 26, 2020 (ML20181A452) (excluding operating, emergency, and security procedures)
 - B. Application and e-mail with attachments dated October 22, 2020 (ML20351A304)
 - C. Emails and attachments dated November 17, 2020 to December 15, 2020 (ML20351A449) (excluding page 42-62)

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date: May 17, 2023By: Michelle R. Simmons

Digitally signed by Michelle R.

Simmons

Date: 2023.05.17 10:11:10 -05'00'

Alexus Willis
Region 4



ACKNOWLEDGEMENT - RECEIPT OF CORRESPONDENCE

Name and Address of Applicant and/or Licensee

McConnell Dowell (American Samoa) Ltd.
Timani Samau, RSO
P.O. Box 4664
Pago Pago, AS 96799

Date

05/17/2024

License Number(s)

56-29396-01

Mail Control Number(s)

640757

Licensing and/or Technical Reviewer or Branch

Giavanna Muffelletto

This is to acknowledge receipt of your: ☒ Letter and/or ☐ Application Dated: 05/17/2024

The initial processing, which included an administrative review, has been performed.

☒ Amendment ☐ Termination ☐ New License ☐ Renewal

☐ There were no administrative omissions identified during our initial review.

☐ This is to acknowledge receipt of your application for renewal of the material(s) license identified above. Your application is deemed timely filed, and accordingly, the license will not expire until final action has been taken by this office.

☐ Your application for a new NRC license did not include your taxpayer identification number. Please complete and submit NRC Form 531, Request for Taxpayer Identification Number, located at the following link: <http://www.nrc.gov/reading-rm/doc-collections/forms/nrc531.pdf>
Follow the instructions on the form for submission.

☐ The following administrative omissions have been identified:

Your application has been assigned the above listed MAIL CONTROL NUMBER. When calling to inquire about this action, please refer to this control number. Your application has been forwarded to a technical reviewer. Please note that the technical review, which is normally completed within 180 days for a renewal application (90 days for all other requests), may identify additional omissions or require additional information. If you have any questions concerning the processing of your application, our contact information is listed below:

Region IV
U. S. Nuclear Regulatory Commission
DNMS/NMSB - B
1600 E. Lamar Boulevard
Arlington, TX 76011-4511
(817) 200-1103 or (817) 200-1140

BETWEEN:

Accounts Receivable/Payable
and
Regional Licensing Branches

[FOR ARPB USE]
INFORMATION FROM WBL

Program Code: 03121
Status Code: Pending Amendment
Fee Category: 3P
Exp. Date: 12/31/2035
Fee Comments:
Decom Fin Assur Req: N

License Fee Worksheet - License Fee Transmittal

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: McConnell Dowell (American Samoa) Ltd.
Received Date: 05/17/2024
Docket Number: 3038318
Mail Control Number: 640757
License Number: 56-29396-01
Action Type: Amendment

2. FEE ATTACHED

Amount: N/A

Check No.: N/A

3. COMMENTS

Signed: Giavanna Muffelletto

Date: 05/17/2024

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: _____

Agency: NRC

WBL WORKSHEET

DOCKET NUMBER: 3038318	LICENSE NUMBER: 56-29396-01	STATUS: Pending Amendment
MAIL CONTROL NUMBER: 640757	RECEIPT DATE: 05/17/2024	ACTION TYPE: Amendment
DUE DATE: 08/15/2024	INST. CODE: 29396	LICENSE REGION: Region 4
LICENSE TYPE: 30	ENTITY TYPE: C	LICENSE GROUP: Industrial
ISSUE DATE:	ORIGINAL DATE: 07/26/2010	EXPIRATION DATE: 12/31/2035
DECOMMISSIONING CATEGORY: Group 1	LAST ISSUE DATE:	
LICENSEE NAME: McConnell Dowell (American Samoa) Ltd.	DECOM FIN ASSUR REQD: N SUBM: N	
MAILING ADDRESS LINE1: P.O. Box 4664	CONT PLAN REQD: N APPRV: N	
MAILING ADDRESS LINE 2:		
CITY: Pago Pago	STATE: AS	ZIP: 96799
CONTACT PERSON: PREFIX: Mr.	FIRST NAME: Timani	MIDDLE INITIAL:
LAST NAME: Samau	SUFFIX:	
JOB TITLE: Branch Manager	PHONE: 684-254-2612 FAX:	EMAIL: timani.samau@mcdgro
BILLING ADDRESS LINE 1:		
BILLING ADDRESS LINE 2:		
CITY:	STATE: American Samoa	ZIP:
BILLING CONTACT PERSON: FIRST NAME:	MIDDLE INITIAL:	LAST NAME:
PHONE:	EMAIL:	FAX:
PRIMARY PGM CODE: 03121	SECONDARY PGM CODE:	
INSPECTION REGION: Region 4	PRIORITY: 5	
RSO: PREFIX:	FIRST NAME: Timani	MIDDLE INITIAL: LAST NAME Samau
SUFFIX:	RSO JOB TITLE: Radiation Safety Officer	
RSO PHONE: 684-254-2612	RSO FAX:	RSO EMAIL: timani.samau@mcdgroup.com
STATES WHERE USE IS AUTHORIZED:	0- ALL LISTED STATES 1- SAME AS STATE IN ADDRESS 2- ALL STATES 3- NON-AGREEMENT-STATES	
AUTHORIZED STATES (USE ONLY IF ABOVE IS ZERO):		