



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION III  
2443 WARRENVILLE ROAD  
LISLE, ILLINOIS 60532-4352

JAN 03 2005

Christopher Head  
Radiation Safety Officer  
Michigan Paving & Materials/  
Cadillac Asphalt  
P. O. Box 787  
Belleville, MI 48111-1119

Dear Mr. Head:

Enclosed is Amendment No. 05 to your NRC Material License No. 21-26517-01 in accordance with your request. Please note that the changes made to your license are printed in **bold font**.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

- A. This also refers to the change of ownership transaction which is currently in process, and to the letters dated October 8, 2004, and January 3, 2005, informing NRC of the change of ownership and control of NRC License No. 21-26517-01.

Based upon our review of the information you provided, the NRC consents to the change of ownership. For future reference, please note that we generally require at least 90 days prior written notice in order to evaluate changes of ownership and control requests in order to provide timely consent before completion of the transaction.

In addition, we have determined that the transaction as described in your letters does require an amendment to the existing license. The corporate name has been changed.

This also refers to the telephone discussion between you and me on January 3, 2005, concerning clarification of information provided in the letters above. In that discussion you stated that no definite date for the change of ownership or control had been set because the process was on-going. You also directed me to update and change the corporate nomenclature that appears in Condition No. 10.B. of the license.

In the letters above, you requested the release of your former facility located at 422 East High Street, Jackson, Michigan. The NRC staff has reviewed your final status surveys consisting of leak tests taken of your sealed sources. Based on its review, the staff has concluded that all licensable radioactive material has been removed from your facilities and residual radioactive material attributable to licensed activities does not exceed current NRC criteria.

Based on these conclusions no further remediation or actions with respect to NRC regulated material is required. Your facility at 422 East High Street, Jackson, Michigan

is suitable for unrestricted use.

Please also be reminded of the provisions in 10 CFR 30.9(a), "Completeness and accuracy of information,"..."(a) Information provided to the Commission by an applicant for a license or by a licensee or information required by statute or by the Commission's regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects."

If you have any further questions concerning this amendment please call me at either (630) 829-9841 or (800) 522-3025.

- B. Please be advised that your license expires at the end of the day, in the month, and year stated in the license.

Unless your license has been terminated, you must conduct your program involving byproduct materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC, in writing, within 30 days:
  - a. When an authorized user or Radiation Safety Officer permanently discontinues performance of duties under the license or has a name change; or
  - b. When the mailing address listed on the license changes.
3. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license when you decide to terminate all activities involving materials authorized under the license.
4. Request and obtain a license amendment before you:
  - a. Change Radiation Safety Officers;
  - b. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;
  - c. Add or change the areas of use or address or addresses of use identified in the license application or on the license; or
  - d. Change ownership of your organization.

5. Submit a complete renewal application or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations.

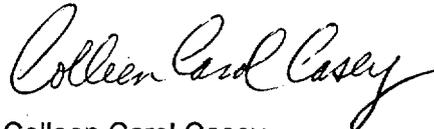
A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, please note that NRC Form 313 requires the applicant, by his/her signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

Please note that on October 25, 2004, the NRC suspended public access to ADAMS, and initiated an additional security review of publicly available documents to ensure that potentially sensitive information is removed from the ADAMS database accessible through the NRC's web site. Interested members of the public may obtain copies of the referenced documents for review and/or copying by contacting the Public Document Room pending resumption of public access to ADAMS. The NRC Public Document Room is located at NRC Headquarters in Rockville, MD, and can be contacted at 800-397-4209 or 301-415-4737 or [pdr@nrc.gov](mailto:pdr@nrc.gov).

Sincerely,



Colleen Carol Casey  
Materials Licensing Branch

License No. 21-26517-01  
Docket No. 030-33253

Enclosures:

1. Amendment No. 05
2. 10 CFR Part 30