



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

JUN 03 2019

Graham L. Donahue
Radiation Safety Officer
Bacco Construction Company
P.O. Box 458
Iron Mountain, MI 49801

Dear Mr. Donahue:

Enclosed is Amendment No. 5 to your NRC Material License No. 21-26308-01 in accordance with your request. Please note that the format of your license has changed due to our new licensing process system.

Additionally, the following License Conditions have been updated in accordance with our licensing policy: Condition 10 regarding licensed material locations of use and temporary job sites, Condition 13 regarding the leak test requirements for sealed sources, and Condition 16 regarding the biannual inventory requirement. Condition 15 has been updated to remove the statement regarding use of two physical barriers to secure the gauge as this requirement is specified in 10 CFR 30.34(i). Lastly, License Condition 17, as described on Amendment No. 4, regarding transportation requirements has been deleted as these requirements are already specified in the regulations in 10 CFR Part 71.

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.

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.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and 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 <http://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.

In accordance with Title 10 Code of Federal Regulations 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 Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

Laura B. Cender

Laura B. Cender
Health Physicist
Materials Licensing Branch

License No. 21-26308-01
Docket No. 030-32149

Enclosure: Amendment No. 5