



# NRC NEWS

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## **NRC STAFF ISSUES CONFIRMATORY ORDER TO MAGNA CHEK FOR RADIOACTIVE MATERIAL STORAGE VIOLATIONS**

The Nuclear Regulatory Commission staff has issued a confirmatory order to Magna Chek Inc., of Madison Heights, Mich., for failing to follow the conditions of the NRC license which authorizes storage of radioactive materials.

The NRC identified apparent security violations during inspections and an investigation conducted in 2008 at the company's Warren, Mich. facility. While the details of the apparent violations are being withheld because they are related to security, the problems associated with them have been appropriately addressed.

Magna Chek has agreed to the terms and conditions of the Confirmatory Order that requires it take a number of actions such as: (1) safely disposing of all the radioactive material in its possession or establishing an account to pay for the costs; (2) cooperating with the Department of Energy and/or the Conference of Radiation Control Program Directors to dispose of the material in its possession and; (3) submitting an application to terminate its NRC license after the safe disposal of the materials.

The terms of the Confirmatory Order were agreed to following Alternative Dispute Resolution (ADR), which uses a neutral mediator with no decision-making authority to assist the NRC and its license holders in resolving differences regarding enforcement actions. Often, the ADR process is more effective than traditional enforcement in developing broad, long-term corrective actions, thus producing a greater benefit for public safety than a one-time fine or other enforcement action.

The NRC will not issue any violation or take other enforcement actions for these issues. However, the NRC staff will evaluate the commitments during future inspections. Copies of the Confirmatory Orders issued will be available on the NRC Web site at: <http://www.nrc.gov/reading-rm/adams.html>.

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