



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 6, 2022

EA-21-157

Cammenga and Associates, LLC
ATTN: Mr. Christopher Karchon, Vice President
2011 Bailey Street
Dearborn, MI 48124

SUBJECT: CAMMENGA AND ASSOCIATES, LLC. – CONFIRMATORY ORDER,
INVESTIGATION REPORT NO. 3-2021-008

Dear Mr. Karchon:

The enclosed Confirmatory Order is being issued to Cammenga and Associates, LLC (Cammenga) as a result of a successful alternative dispute resolution mediation session. The enclosed commitments were made as part of a settlement agreement between Cammenga and the U.S. Nuclear Regulatory Commission (NRC). The settlement agreement concerns violations of NRC requirements, as discussed in our letter dated March 17, 2022 (Agencywide Documents Access and Management System (ADAMS) ML22074A256).

Our March 17, 2022, letter provided Cammenga with the results of an investigation initiated by the U.S. Nuclear Regulatory Commission's (NRC's) Office of Investigations on March 15, 2021, to determine whether Cammenga was in compliance with regulatory requirements related to Cammenga's distribution of products containing radioactive material. The violations involved initially transferring, for sale or distribution, products containing tritium (H-3), that were not authorized for distribution on an NRC license at the time of distribution. Our letter provided the option to: (1) respond in writing to the apparent violations described in the enclosures, (2) request a Pre-decisional Enforcement Conference (PEC) or (3) request Alternative Dispute Resolution (ADR) mediation. You requested ADR.

An ADR mediation session was held on June 28, 2022, and a preliminary settlement agreement was reached. The elements of that agreement, formulated and agreed to at the mediation session, are incorporated in the enclosed Confirmatory Order (Enclosure 1). The Confirmatory Order confirms the commitments made as part of the preliminary settlement agreement.

Subject to the satisfactory completion of the actions Cammenga committed to take, as described in the Confirmatory Order (Enclosure 1), the NRC is satisfied that its concerns will be addressed by making Cammenga's commitments legally binding through a Confirmatory Order. As evidenced by the signed "Consent and Hearing Waiver Form" (Enclosure 2), dated September 21, 2022, Cammenga agreed to the issuance of this Confirmatory Order.

Pursuant to Section 223 of the Atomic Energy Act of 1954, as amended, any person who willfully violates, attempts to violate, or conspires to violate, any provision of this Confirmatory Order shall be subject to criminal prosecution, as set forth in that section. Violation of this Confirmatory Order may also subject the person to civil monetary penalties.

Should you have questions concerning the enclosed Confirmatory Order, please contact Ms. Booma Venkataraman, Branch Chief, Materials Safety and Tribal Liaison Branch, Division of Materials Safety, Security, State, and Tribal Programs, Office of Nuclear Material Safety and Safeguards at (301) 415-2934.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter and its enclosures will be made available electronically for public inspection in ADAMS, accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. The NRC also includes significant enforcement actions on its Web site at <http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/>.

Sincerely,

Mark D. Lombard, Director
Office of Enforcement

Dockets: 03033009, 03038679
Licenses: 21-26460-03E
SSD Registration: NR-0210-D-101-E

Enclosures:

1. Confirmatory Order
2. Consent and Hearing Waiver Form
3. Civil Penalty Invoice No. EA-21-041
4. NUREG/BR-0254, "Payment Methods"

SUBJECT: CAMMENGA AND ASSOCIATES, LLC. – CONFIRMATORY ORDER,
INVESTIGATION REPORT NO. 3-2021-008 Dated: 10/6/2022

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ADAMS Package: ML22278A170
Confirmatory Order: ML22278A182
Cover Letter: ML22278A176

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