



# NRC NEWS

## U.S. NUCLEAR REGULATORY COMMISSION

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### **NRC REVOKES LICENSE OF MATTINGLY TESTING SERVICES, INC.**

The Nuclear Regulatory Commission has issued an order revoking the license of Mattingly Testing Services, Inc. of Molt, Mont, due to violations of agency requirements set forth in a previous Confirmatory Order and other significant violations. The action is effective immediately.

The new order requires the company to transfer all radioactive materials in its possession to other authorized licensed users. It also prohibits Mark M. Ficek, the company owner, president and former radiation safety officer from engaging in any NRC licensed activities for seven years.

“Safety depends on the good faith implementation of NRC regulations by the licensee. Mattingly Testing Services committed serious violations and we have lost confidence that they can operate safely,” said Region IV Administrator Elmo E. Collins.

On March 9, 2009, the NRC ordered the firm to take steps jointly agreed to in mediation to improve the company’s compliance with NRC regulations for the possession and use of radioactive materials. These terms were set forth in the Confirmatory Order issued to the licensee.

On June 30, 2009, NRC inspectors visited the Montana site in response to a police report of a lost radiography exposure device. Subsequently, two NRC investigations identified numerous violations of the Confirmatory Order and regulatory and radiation safety requirements. Several of these violations involve deliberate misconduct and false statements made by the company president to an NRC inspector and investigator while under oath.

The licensee may request a hearing within 20 days of the order’s publication in the Federal Register. Copies of the order can be accessed at the NRC web site at: <http://www.nrc.gov/what-wedo/regulatory/enforcement/current.html>.

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