



U.S. Department of Justice

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Northern District of New York*

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**News Release
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Richard S. Hartunian, United States Attorney for the Northern District of New York, announced today the guilty plea by Michael McCarrick, Oswego, New York, to a one count Information charging him a felony violation of the Atomic Energy Act, 42 United States Code § 2273(a). The violation carries a maximum possible penalty of two years in prison and a \$250,000 fine.

McCarrick, a former Radiation Protection Technician at the James A. Fitzpatrick Nuclear Power Plant, falsified "Qualitative Fit Test" records relating to 32 nuclear power plant workers. McCarrick purported to document their successful completion of respirator fit tests designed to establish a proper respirator seal whereas he had not performed the tests, and the records he generated and submitted to power plant officials were materially false and fraudulent. Respirators are personal protective devices given to employees for use during emergencies such as a chemical release resulting in fumes that could otherwise endanger worker health. However, no known injuries occurred as a result of the falsified fit tests.

McCarrick entered his plea of guilty in Syracuse, NY before the Honorable Norman A. Mordue. Sentencing has been set for January 10, 2010 at 10:30 a.m.

This matter was investigated by Special Agents with the United States Nuclear

Regulatory Commission. Prosecution is being handled by Assistant U.S. Attorney Craig A. Benedict, who can be reached at 315-448-0672.