



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

(FSME-14-051, May, Other, Misconduct)

May 23, 2014

ALL AGREEMENT STATES

DELIBERATE MISCONDUCT INVOLVING UNIVERSITY NUCLEAR & DIAGNOSTICS,
LLC. (FSME-14-051)

Purpose: To inform Agreement State program staff of deliberate misconduct involving University Nuclear & Diagnostics (UND) and the prohibition on the UND Chief Technical Officer/ President in engaging in the U.S. Nuclear Regulatory Commission's (NRC) licensed activities.

Background: From April 2, 2012 to January 31, 2013, the NRC performed an initial investigation on the operations of an NRC licensee, Bradley D. Bastow, D.O. (Bastow) whose cardiology office contracted with UND to supply nuclear medicine technicians (NMTs) and equipment. Based upon the results of the investigation, the NRC concluded that UND caused Bastow to be in violation of NRC requirements. A predecisional conference was held and, as a result of the information provided in the predecisional conference, the NRC Office of Investigations (OI) conducted a supplemental investigation from July 11, 2013 to February 4, 2014 to determine if there was evidence to support the existence of a second radiation survey meter at Bastow's office between the time period of October 5 and November 28, 2011 when Bastow's primary radiation survey meter was offsite being calibrated by UND.

Discussion: As a result of the investigation, the NRC determined UND employees failed to maintain a calibrated survey instrument in Bastow's office in 2010 and 2011 and falsified calibration records for those years, failed to perform required contamination surveys (i.e. wipe tests) because the well counter was not working, and the survey meter was also not working or not on site between October 5 and November 28, 2011, and falsified annual records on either October or November 24, 2011. UND employees provided incomplete and inaccurate information during regulatory conferences held on June 20, 2013, in submittals following the conference and during OI interviews conducted in November 2013. On May 13, 2014, the NRC issued an Order (IA-13-012) to Armando Clavero, President of UND, prohibiting the company from engaging in NRC related activities. A copy of the cover letter and order are available in the NRC's Agencywide Documents Access and Management Systems (ADAMS) at accession number [ML14126A770](#) and [ML14128A307](#). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

FSME-14-051

2

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