



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

Region III
2443 Warrenville Road, Suite 210
Lisle IL 60532-4352

August 9, 2013

IA-13-012

Mr. Armando Clavero
c/o Mr. Roman Groysman, Esq.
Law Offices of Roman Groysman, P.A.
101 Northeast Third Avenue
Suite 1100
Ft. Lauderdale, Florida 33301

SUBJECT: PREDECISIONAL ENFORCEMENT CONFERENCE ON JUNE 20, 2013

Dear Mr. Clavero:

On June 20, 2013, a pre-decisional enforcement conference was held between you and the U.S. Nuclear Regular Commission (NRC) Region III to discuss the results of an Office of Investigations report. This meeting was closed to the public as it discussed the conclusions of an investigation that has not been publicly disclosed and pertains to whether you deliberately violated NRC requirements. This meeting was transcribed. A list of attendees is provided in the enclosure.

During the meeting, you denied that there was any wrongdoing on your part. You acknowledged that some records might be inaccurate. You committed to providing additional information following the conference; that information was provided by electronic transmission and then via mail dated July 15, 2013.

The NRC continues to evaluate the information discussed at the conference, including the use of an alternate radiation meter at Dr. Bastow's office in the period between October 5 and November 28, 2011 when the radiation meter normally assigned to his office was offsite for calibration. You will be advised by separate correspondence of the results of our deliberations on this matter.

A copy of this letter and its enclosure will not be made publicly available at this time. However, if the NRC subsequently issues an enforcement action to you, a copy of this letter, with your home address removed, would be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

A. Clavero

-2-

Although no response is required, if you choose to respond, to the extent possible, any response should not include any personal privacy or proprietary information so that it can eventually be made available to the Public without redaction.

Sincerely,

/RA/

Patrick L. Loudon, Acting Director
Division of Nuclear Materials Safety

Enclosure:
List of Attendees

PREDECISIONAL ENFORCEMENT CONFERENCE
LIST OF ATTENDEES

Individual

Armando Clavero, co-owner, Technical Manager
Thomas Poindexter, Morgan Lewis & Backius
Laura Swett, Morgan Lewis & Backius

Nuclear Regulatory Commission

Cynthia Pederson, Deputy Regional Administrator, Region III (RIII)
Anne Boland, Director, Division of Nuclear Materials Safety (DNMS), RIII
Aaron McCraw, Chief, Materials Inspection Branch (MIB), DNMS, RIII
Steven Orth, Enforcement Officer, RIII
Mark Rubic, Acting Regional Counsel
Scott Kryk, Senior Investigator, Office of Investigations
Thomas Marenchin, Enforcement Specialist, Office of Enforcement (via phone)
Michele Burgess, Senior Regional Coordinator, Federal and State Materials and Environmental
Management Programs (FSME) (via phone)
Robert Sun, Regional Coordinator, FSME (via phone)
Christopher Hair, Attorney, Office of General Counsel (via phone)

State of Florida

Paul Vause, Compliance Manager (via phone)

Interpreter

Cecila Davila

Although no response is required, if you choose to respond, to the extent possible, any response should not include any personal privacy or proprietary information so that it can eventually be made available to the Public without redaction.

Sincerely,

/RA/

Patrick L. Loudon, Acting Director
Division of Nuclear Materials Safety

Enclosure:
List of Attendees

DISTRIBUTION

N. Hilton, OE
T. Marenchin, OE
C. Scott, OGC
C. Hair, OGC
M. Burgess, FSME
R. Sun, FSME
C. Pederson, RIII
S. Orth, RIII

P. Loudon, RIII
A.M. Stone, RIII
A. McCraw, RIII
P. Pelke, RIII
P. Loughheed, RIII
R. Goetz, RIII:OI
N. Hane, RIII:OI
RidsOemailCenter

FILE NAME: G:\ORAI\EICS\ENFORCEMENT\Cases\Enforcement Cases 2013\IA-13-012 UND Individual\IA-13-012 Individual Post Conference Letter.docx

OFFICE	RIII	RIII	RIII	RIII
NAME	Loughheed	Orth	McCraw	Louden
DATE	08/08/13	08/08/13	08/08/13	08/09/13

OFFICIAL RECORD COPY