

August 27, 2013
EN 13-032

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Bradley D. Bastow, D. O.
South Haven, MI
Docket No.: 30-35710

EA-13-025

Subject: ISSUANCE OF CONFIRMATORY ORDER, NOTICE OF VIOLATION AND CIVIL PENALTY TO BRADLEY D. BASTOW, D. O.

This is to inform the Commission that a Confirmatory Order, Notice of Violation, and a civil penalty will be issued on or about September 3, 2013, to a medical licensee, Bradley D. Bastow, D. O., confirming commitments reached as part of an alternative dispute resolution (ADR) mediation settlement agreement between the licensee and the NRC. This action is based on information discovered during an inspection and an investigation conducted by the NRC Office of Investigations (OI), wherein violations were identified related to the failure to calibrate and use survey instrumentation, to conduct radiation surveys, to accurately record radiation safety activities, and the Radiation Safety Officer failing to ensure that radiation safety activities were being performed in accordance with licensee-approved procedures and regulatory requirements.

An ADR mediation session was held on July 1, 2013, and a preliminary settlement agreement was reached. The licensee agreed to take a number of actions as part of the Confirmatory Order including, but not limited to the following: (1) responding to the violations enclosed with the Confirmatory Order; (2) completing a medical RSO refresher training class; (3) meeting with and "shadowing" another RSO who oversees a nuclear medical program; and (4) documenting a written Safety Culture Policy that applies to all persons performing duties under the NRC license.

The licensee has agreed to pay a civil penalty of \$1,000 in accordance with the conditions contained in the Confirmatory Order.

It should be noted that the licensee has reviewed a draft of the CO, and has signified its acceptance of the terms of the Confirmatory Order by signing a Consent and Hearing Waiver form.

The schedule for the issuance for all actions is:

Mailing of Notice and closure letters	September 3, 2013
Telephone notification to the licensee	September 3, 2013

The State of Michigan will be notified.

CONTACTS: Thomas Marenchin, OE, (301) 415-2979 Nick Hilton, OE, (301) 415-2741

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