



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
475 ALLENDALE ROAD – SUITE 102
KING OF PRUSSIA, PA 19406-1415

March 12, 2025

EA-24-043/EAF-RI-2024-0011

Keith Grant
Vice President Operations
Hartford Hospital
80 Seymour St.
Hartford, CT 06106

**SUBJECT: HARTFORD HOSPITAL - VIOLATION OF NRC REQUIREMENTS AND
PROPOSED IMPOSITION OF CIVIL PENALTY - \$9,000 – NRC OFFICE OF
INVESTIGATIONS REPORT NO. 1-2023-010**

Dear Keith Grant:

This letter refers to the investigation conducted by the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations (OI) between April 11, 2023, and April 9, 2024, at Hartford Hospital. The purpose of the investigation was to determine whether a former employee of Hartford Hospital deliberately caused you to maintain a record, as required, when it was not complete and accurate in all material respects. In a letter dated October 23, 2024 ([ML24296B220](#))¹, we provided you with a factual summary of the investigation and described an apparent violation (AV) that we informed you was being considered for escalated enforcement action.

On November 18, 2024, a pre-decisional enforcement conference (PEC) was conducted at the NRC's Region I office with members of your staff to discuss the AV, its significance, the root cause, and your corrective actions. The conference was closed to public observation because we discussed the findings of an NRC OI report that has not been publicly disclosed. Hartford Hospital staff submitted a follow up email dated November 22, 2024, describing their corrective actions. A summary of the PEC and the corrective actions your staff described at the conference and in the email is included as Enclosure 4 to this letter.

Based on the information developed during the investigation and the information that you provided during and after the PEC, the NRC has determined that a violation of NRC requirements occurred and is proceeding with its enforcement action. As noted above, the violation involves the deliberate failure to submit accurate and complete information to the licensee that is material in some respect to the NRC. This violation is cited in the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice), and the circumstances surrounding it is described in detail in the OI investigation report. Specifically, on or about July 5, 2022, a former Hartford Hospital employee who served as the licensee's Radiation Safety Officer (RSO) completed sections of a Radioactive Spill Report for a spill of radioactive material

¹ Designation in parentheses refers to an Agencywide Documents Access and Management System (ADAMS) accession number. Documents referenced in this letter are publicly available using the accession number in ADAMS.

that occurred on May 13, 2022. The Spill Report documented inaccurate information pertaining to the concentrations or quantities of residual radioactive contamination. The employee documented inaccurate pre- and post-decontamination survey results and failed to document information about the equipment used to measure the contamination levels.

As described above, the violation is related to the failure to maintain complete and accurate records as required by Title 10 of the *Code of Federal Regulations* (10 CFR) 30.9(a) "Completeness and accuracy of information." The NRC considers this failure to maintain records a significant regulatory concern because the violation was committed deliberately by a licensee official (the RSO) and impacted the ability of the NRC to determine if the response to the contamination event was appropriate. The NRC staff also considered that the event involved a short-lived radionuclide and did not result in personnel over-exposures or the release of radioactive material to uncontrolled areas. Therefore, this violation is categorized in accordance with the NRC Enforcement Policy as a Severity Level III (SL III) violation. The NRC Enforcement Policy can be found on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>.

In accordance with the NRC Enforcement Policy, a base civil penalty in the amount of \$9,000 is appropriate for this SL III violation.

Because your facility has not been the subject of escalated enforcement action within the last two years or two inspections, the NRC considered whether credit was warranted for *Corrective Action* in accordance with the civil penalty assessment process in Section 2.3.4 of the Enforcement Policy. The NRC staff determined that credit for corrective action is warranted. Corrective actions include instituting changes in the radiation safety department, addition of a hand and foot monitor for detecting possible contamination, and additional policies and training to prevent recurrence. Enclosure 4 provides a list of corrective actions presented at the PEC.

Therefore, to emphasize the importance of accurate and complete information and of prompt identification and comprehensive correction of violations, I have been authorized, after consultation with the Director, Office of Enforcement to issue the enclosed Notice in the base amount of \$9,000 for the SL III violation. In addition, issuance of this Notice constitutes escalated enforcement action that may subject you to increased inspection effort.

You may choose to pay the proposed civil penalty, by submitting your payment, with the invoice enclosed to this letter, to the following address:

Office of the Chief Financial Officer
U.S. Nuclear Regulatory Commission
P.O. Box 979051
St. Louis, MO 63197

In addition, you may pay the proposed civil penalty in accordance with NUREG/BR-0254." When using NUREG/BR-0254 to pay the civil penalty, the invoice number should be used as the "enforcement action identifier" when submitting your payment through one of the approved methods listed in the brochure. The NRC may consider a request for additional time to pay the proposed civil penalty, including the option to enter into an installment agreement, if payment of

the civil penalty as a lump sum in the required timeframe would pose a financial hardship. To request additional time to pay, you must submit a written request, with appropriate justification explaining your financial hardship, to NRCCollections.Resource@nrc.gov. All requests should be submitted in sufficient time to allow the NRC the ability to review your request for additional time to pay before the 30-day payment period expires.

If you disagree with this enforcement sanction, you may deny the violation, as described in the Notice, or you may request alternative dispute resolution (ADR) with the NRC to attempt to resolve this issue. ADR is a general term encompassing various techniques for resolving conflicts using a neutral third party. The technique that the NRC has decided to employ is mediation. Mediation is a voluntary, informal process in which a trained neutral (the "mediator") works with parties to help them reach resolution. If the parties agree to use ADR, they select a mutually agreeable neutral mediator who has no stake in the outcome and no power to make decisions. Mediation gives parties an opportunity to discuss issues, clear up misunderstandings, be creative, find areas of agreement, and reach a final resolution of the issues. Additional information concerning the NRC's ADR program can be found at <http://www.nrc.gov/about-nrc/regulatory/enforcement/adr.html>.

The Institute on Conflict Resolution (ICR) at Cornell University has agreed to facilitate the NRC's program as a neutral third party. If you are interested in pursuing this issue through the ADR program, please contact: (1) the ICR at (877) 733-9415; and (2) Monica Ford, Acting Chief, Medical and Licensing Assistance Branch at 610-337-5214 within 10 days of the date of this letter. You may also contact both ICR and Ms. Ford for additional information. Your submitted signed agreement to mediate using the NRC ADR program will stay the 30-day time period for payment of the civil penalties and the required written response, as identified in the enclosed notice, until the ADR process is completed.

The NRC has concluded that information regarding: (1) the reason for the violation, (2) the corrective actions that have been taken and the results achieved; (3) the corrective actions that will be taken; and (4) the date when full compliance will be achieved is already adequately addressed on the docket in OI Investigation Report No. 1-2023-010 and the information your staff provided during the PEC on November 18, 2024, and Mr. Smitherman's email dated November 22, 2024. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, its enclosure(s), and your response, if you choose or are required to provide one, will be made available electronically for public inspection in the NRC Public Document Room and 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>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

K. Grant

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The NRC also includes significant enforcement actions on its Web site at http://www.nrc.gov/reading_rm/doc_collections/enforcement/actions/.

If you have any questions concerning this matter, please contact Monica Ford of my staff at 610-337-5214 or Monica.Ford@nrc.gov.

Sincerely,

DANIEL COLLINS

Digitally signed by DANIEL
COLLINS
Date: 2025.03.12 13:14:29 -04'00'

Raymond K. Lorson
Regional Administrator

Docket No. 03001239
License No. 06-00253-04

Enclosure:

1. Notice of Violation and Proposed Imposition of Civil Penalty
2. Civil Penalty Invoice
3. NUREG/BR-0254, "Payment Methods"
4. Summary of PEC

K. Grant

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SUBJECT: HARTFORD HOSPITAL - VIOLATION OF NRC REQUIREMENTS AND PROPOSED IMPOSITION OF CIVIL PENALTY - \$9,000 – NRC OFFICE OF INVESTIGATIONS REPORT NO. 1-2023-010

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M Burgess, NMSS	
A Miller, NMSS	
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E Spangler, DRSS, RI	
D Screnci, PAO-RI	
S Seeley, SAO-RI / F Gaskins, SAO-RI	
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L Casey, ORA, RI	

ADAMS DOCUMENT ACCESSION NO.: ML25066A104

DOCUMENT NAME: <https://usnrc.sharepoint.com/:w:/r/teams/Region-I-Enforcement-Files/Shared%20Documents/Proposed-Actions/Final%20Actions/EA-24-043%20HH%20NOV.docx>

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OFFICE	OE	OGC				
NAME	JPeralta	RAugustus				
DATE	2/21/2025	3/3/2025				

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ENCLOSURE 1

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Hartford Hospital
Hartford, Connecticut

Docket No.: 03001239
License No.: 06-00253-04
EA-24-043/EAF-RI-2024-0011

During an NRC investigation conducted between April 11, 2023, and April 9, 2024, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the NRC proposes to impose a civil penalty pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205. The violation and associated civil penalty are set forth below:

1. 10 CFR 30.9(a) requires that information required by the Commission's regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects. 10 CFR 20.2103, in part, requires licensees to maintain records showing the results of surveys required by 10 CFR 20.1501 for three years post record creation. 10 CFR 20.1501(a)(2)(ii) requires licensees to make surveys that are reasonable under the circumstances to evaluate concentrations or quantities of residual radioactivity.

Contrary to the above, as of July 5, 2022, Hartford Hospital maintained information in a record that was not complete and accurate in all material respects, as required by 10 CFR regulations. Specifically, a former licensee employee completed sections of a Radioactive Spill Report for a spill of radioactive material that occurred on May 13, 2022, with inaccurate information pertaining to the concentrations or quantities of residual radioactive contamination. The recorded information documented inaccurate pre- and post-decontamination survey results and failed to document information about the equipment used to measure the contamination levels. This information is material to the NRC: 1) (as to accurate contamination survey results) to verify that contamination has not been spread to uncontrolled areas; 2) (as to accurate personnel contamination results) to demonstrate that personnel were able to decontaminate to acceptable levels, and 3) (as to survey information, including the instrument used to obtain that information) to allow the NRC to evaluate the sufficiency of the licensee's spill response and to demonstrate that the licensee is managing their program adequately by following its written procedures.

This is a Severity Level III violation (NRC Enforcement Policy Sections 2.3.4 and 6.9).
Civil Penalty - \$9,000

The NRC has concluded that information regarding the reasons for the violations, the corrective actions taken and planned to correct the violations and prevent recurrence, and the date when full compliance was achieved is already adequately addressed on the docket in Investigation Report No. 1-2023-010 and the information your staff provided during the PEC on November 18, 2024, and the follow-up email dated November 22, 2024. However, if the description therein does not accurately reflect your position or your corrective actions, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 within 30 days of the date of the letter transmitting this Notice of Violation. In that case, or if you choose to respond, clearly mark

your response as a Reply to a Notice of Violation, and send it to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville, MD 20852-2738, with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region I, 475 Allendale Rd. Suite 102, King of Prussia, PA 19406, and the Document Control Desk, Washington, DC 20555-0001.

The Licensee may pay the civil penalty proposed above through one of the following two methods:

1. Submit the payment with the enclosed invoice for Civil Penalty EA-24-043, issued to Hartford Hospital, to the following address:

Office of the Chief Financial Officer
U.S. Nuclear Regulatory Commission
P.O. Box 979051
St. Louis, MO 63197

OR

2. Submit the payment in accordance with NUREG/BR-0254.

The Licensee may protest the imposition of the civil penalty in whole or in part, by a written answer addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, within 30 days of the date of this Notice. Should the Licensee fail to answer within 30 days of the date of this Notice, the NRC will issue an order imposing the civil penalty. Should the Licensee elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, in whole or in part, such answer should be clearly marked as an "Answer to a Notice of Violation" and may: (1) deny the violation listed in this Notice, in whole or in part; (2) demonstrate extenuating circumstances; (3) show error in this Notice; or (4) show other reasons why the penalty should not be imposed. In addition to protesting the civil penalty in whole or in part, such answer may request remission or mitigation of the penalty.

In requesting mitigation of the proposed penalty, the response should address the factors addressed in Section 2.3.4 of the Enforcement Policy. Any written answer addressing these factors pursuant to 10 CFR 2.205 should be set forth separately from the statement or explanation provided pursuant to 10 CFR 2.201 but may incorporate parts of the 10 CFR 2.201 reply by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. The attention of the Licensee is directed to the other provisions of 10 CFR 2.205, regarding the procedure for imposing a civil penalty.

Upon failure to pay any civil penalty which subsequently has been determined in accordance with the applicable provisions of 10 CFR 2.205 to be due, this matter may be referred to the Attorney General, and the penalty, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234(c) of the Act, 42 U.S.C. 2282(c).

The responses noted above, i.e., Reply to Notice of Violation, Statement as to payment of civil penalty, or Answer to a Notice of Violation, should be addressed to: Director, Office of

Enforcement, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region I, 475 Allendale Rd. Suite 102, King of Prussia, PA 19406, and the Document Control Center, Washington, DC 20555-0001.

If you choose to respond, your response will be made available electronically for public inspection in the NRC Public Document Room or in 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>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request such material to be withheld from public disclosure, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated this 12th day of March, 2025.

**ENCLOSURE 2
CIVIL PENALTY INVOICE**

ENCLOSURE 3
NUREG/BR-0254

ENCLOSURE 4

SUMMARY OF NOVEMBER 18 PRE-DECISIONAL ENFORCEMENT CONFERENCE AND DESCRIPTION OF CORRECTIVE ACTIONS

On October 23, 2024, the NRC issued Hartford Hospital a choice letter with an investigation report summary that described one apparent violation (AV) of Title 10 of the *Code of Federal Regulations* (10 CFR) 30.9, "Completeness and accuracy of information." The AV was related to a former Hartford Hospital employee, on or about July 5, 2022, completed sections of a Radioactive Spill Report for a spill of radioactive material that occurred on May 13, 2022, and documented in the Spill Report inaccurate information pertaining to the concentrations or quantities of residual radioactive contamination. The former Hartford Hospital employee documented inaccurate pre- and post-decontamination survey results and failed to document information about the equipment used to measure the contamination levels.

In the October 23, 2024, letter, the NRC staff informed Hartford Hospital that the AV was being considered for escalated enforcement action and provided the licensee the opportunity to address the AV by attending a pre-decisional enforcement conference (PEC), engaging in NRC in Alternative Dispute Resolution (ADR) mediation, or providing a written response. Hartford Hospital elected to participate in a PEC and the conference was conducted on November 18, 2024, at the NRC's Region I office.

The licensee's representatives did not contest the AV. The licensee's representatives highlighted several corrective actions.

- Instituted structural changes in the radiation safety department.
- Placed a hand and foot monitor outside the Hot Lab for ease of monitoring contamination to staff.
- Conducted radiation spill training for all nuclear medicine technologists.
- Implemented a policy attestation for staff responsible for responding to spill events required at onboarding and annually.
- Implemented annual radiation safety training and mock spill training.
- Amended the spill policy to require secondary verification of decontamination.
- Added an attestation to the spill report and decontamination form where the signer acknowledges that the information is complete and accurate.
- Added a formal review that will be documented on the report including one reviewer from Nuclear Medicine and one from Radiation Safety. Neither reviewer should be involved in the creation of the report.
- All spill reports will be reviewed at the quarterly radiation safety meeting.
- Added an alternate Radiation Safety Officer to the license.
- Created the Hartford Health Center system wide Radiation Safety Officer Committee.

The PEC attendance list and the NRC's PEC presentation are attached to this summary.

Attachments:

1. Attendee list
2. NRC presentation

Attachment 1 - Attendee list

NRC

Region I:

Jacob Zimmerman, Deputy Director, Division of Radiological Safety & Security (DRSS)
Russell Chazell, Regional Counsel, Office of the Regional Administrator (ORA)
Anne DeFrancisco, Chief, Medical and Licensing Assistance Branch (MLAB), DRSS
Hiba Ahmed, Health Physicist, MLAB, DRSS
Joe Nick, Team Lead, Enforcement, Allegations, and Government Liaison Team (EAGL), ORA
Lauren Casey, Senior Enforcement Specialist, ORA
Timothy Hennessey, Enforcement Specialist, ORA

Office of General Counsel:

Reggie Augustus, Senior Attorney

Office of Enforcement

Susanne Woods, Senior Enforcement Specialist

Office of Nuclear Materials Safety and Safeguards

Michelle Burgess, Senior Enforcement Coordinator

Hartford Hospital

David Fichandler, Vice President of Administration
Christopher Smitherman, Radiation Safety Officer and Chief Medical Physicist
Sandra Phillips, Director of Diagnostic Imaging and Radiation Safety
Jacqueline Hoell, Senior Associate General Counsel

Attachment 2 NRC presentation slides