

8/12/2003

NOTE TO: FILE

FROM: Michael Vasquez

SUBJECT: TELECON WITH RICHARD BOOTH ON 8/11/2003

In accordance with the ARB's instructions, I contacted Mr. Booth, President of All Tech Corporation (ATC) on 8/11/2003. I told him I was calling about his concern that [REDACTED] might be engaged in licensed activities for [REDACTED], based on his thinking that [REDACTED] was working there. He went through the events that caused his suspicions. He said that while looking at resumes for hiring a person, a note was accidentally attached to a resume telling the person to contact [REDACTED] at [REDACTED] [REDACTED] owner of [REDACTED] and [REDACTED] go way back. Given that a [REDACTED] may be working for [REDACTED] and that [REDACTED] and [REDACTED] go way back, he suspected that [REDACTED] would be over there. He said he wouldn't put it past [REDACTED] to use gauges if needed. He hadn't seen [REDACTED] use gauges, and nobody told him [REDACTED] was using gauges over there. He said he had no proof. He suggested we call [REDACTED] and ask to speak with [REDACTED] or [REDACTED].

After more discussion, he reiterated he had no proof or more detailed information that [REDACTED] might be using gauges over at [REDACTED]. I told him that absent other more specific information or anything more concrete, that the ARB's decision was not to send anyone up to look at this, and we would just write him a letter and close the allegation.

He stated that Officer Moonie of the State Police would like to know where [REDACTED] is. He said that Officer Moonie tried to get information from Brian Gonsoulin (OI investigator) but that OI couldn't give him anything at the time. I told him that depending on when Officer Moonie was asking, if it was early on, that an OI report may not have been written at the time. He acknowledged it was months ago that Officer Moonie told him. Booth told me that Moonie told Booth that if Booth got a copy of the OI report under FOIA, that Moonie would be interested in seeing it. Moonie still has an open investigation into [REDACTED] (about throwing the gauges into the river). I told him that if Moonie wanted a copy of the OI report, Officer Moonie should contact OI. And, if Booth wanted a copy of the OI report, he could probably obtain one through FOIA. Prior to the enforcement action, we probably would not have released a copy of the OI report, but now the enforcement action has been issued.

Booth is upset that [REDACTED] are not going to be incarcerated for what they did to his company. He also said that based on his reading of the Order (he read the Order on ADAMS), he thinks [REDACTED] wasn't buying the gauges for All Tech. He can't believe we're not going after [REDACTED].

Booth suspects that [REDACTED] stole the gauges from ATC after their gauges were confiscated (I looked up the Order, and the gauges were confiscated the second and last time on 9/26). He said that a [REDACTED] had hired [REDACTED] to do some work, and [REDACTED] told Booth that [REDACTED] company was using gauges in late September. Booth suspects that [REDACTED] stole ATC's gauges and used them to finish that job for [REDACTED]. But, since [REDACTED] had left ATC, they had no way to put the gauges back into ATC's storage. So, Booth thinks they threw'em in the river. He suspects that [REDACTED] has a density report showing gauge use after 9/26. [REDACTED] told Booth that they were using a

different gauge in late September. He said if we called [REDACTED], we could find out if that was true.

ATC goes to court in a civil suit against [REDACTED] on August 26. He'll look more at [REDACTED] statement and density records.

Booth expressed displeasure and anger that the NRC is going after his company and Billy Berry. After all, we don't even have a copy of the record that Billy is supposed to have shown the inspectors. As for the verbal statements, it's just a miscommunication - Berry told the inspectors that you can't use those boxes to transport gauges anymore. I told him we couldn't have the conference over the phone between him and me. We really needed to discuss the case in September during the conference. He thinks someone here at the NRC was about to get in trouble because this has been going on so long or because they didn't open up all the boxes, and instead is trying to blame All Tech. He said that he's going to embarrass someone at the PEC.

Booth also can't believe how this issue has progressed. OI could have sat down and discussed this with him months ago and it could have been cleared up. I told him that it would have been inappropriate for the investigator to sit down and discuss the status of an investigation and what may or may not have been his concern. I told him that once OI completed its investigation and we reviewed all the information, we're telling him as soon as we could that we have a concern. He remained unconvinced that we couldn't sit down with him months ago and could have cleared this thing up.

He said that Billy Berry had two minor heart attacks during the [REDACTED] stuff. And, Billy kept coming to work and didn't ask for special treatment because of his health. He said that he won't forget Billy Berry's loyalty during that time. And, he won't roll over and let us destroy his company or Billy Berry.

I reiterated the purpose of the call. Since he didn't have anything more specific on whether [REDACTED] was working with gauges, we'd be writing him a letter closing out his allegation.

Michael Vasquez
8/12/2003