



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION IV
1600 E. LAMAR BLVD.
ARLINGTON, TX 76011-4511

May 4, 2016

Dan Math
Construction Testing & Engineering, Inc.
1441 Montiel Road, Suite 115
Escondido, CA 92026

SUBJECT: CLOSURE OF INVESTIGATION (OI 4-2014-016)

Dear Mr. Math:

This refers to an investigation conducted by the U.S. Nuclear Regulatory Commission's (NRC's) Office of Investigations regarding activities at Construction Testing & Engineering, Inc. The Office of Investigations initiated the investigation to determine whether employees with Construction Testing & Engineering, Inc. willfully transferred two moisture density gauges to another licensee that was not authorized to possess the specific gauge model without first obtaining a license amendment from the NRC.

Based on the evidence developed during the investigation, the allegation that employees with Construction Testing & Engineering, Inc. willfully transferred two moisture density gauges to another licensee that was not authorized to possess the specific gauge model without first obtaining a license amendment from the NRC was not substantiated. The NRC plans no further action related to the alleged willful aspect of this issue and considers this investigation closed.

You should note that final NRC documents may be made available to the public under the Freedom of Information Act subject to redaction of information pursuant to the Freedom of Information Act. Requests under the Freedom of Information Act should be made in accordance with 10 CFR 9.23, Requests for Records. Information is accessible from the NRC's website at <http://www.nrc.gov/reading-rm/foia/foia-request.html#how>.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will 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 website at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

A handwritten signature in blue ink that reads "John G. Kramer".

John G. Kramer, Acting Team Leader
Allegations Coordination and Enforcement Staff

Docket: 030-34317
License: 04-29106-01