



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555-0001

MAR 18 1993

Docket No. 9999-0001
License No. 2467-3128
EA 92-203

Capital Materials Testing, Inc.
ATTN: Mr. Stanley Liebert, President
2712 Route 9
Ballston Spa, New York 12020

Dear Mr. Liebert:

SUBJECT: REQUEST FOR ENFORCEMENT HEARING

This letter confirms your telephone conversation with Ms. Patricia A. Santiago, of my staff, on March 16, 1993, regarding your request to submit additional information by March 26, 1993, to the U. S. Nuclear Regulatory Commission (NRC) for consideration prior to processing your February 24, 1993, hearing request related to the Order Imposing Civil Monetary Penalty (Order) issued to Capital Materials Testing, Inc. on February 3, 1993. As discussed with you on March 16, 1993, the meeting tentatively scheduled for March 18, 1993, is postponed and upon receipt of the additional information, the NRC staff will contact you to discuss arrangements for any future meeting. As explained in our letter dated February 26, 1993, your request for hearing will be placed in abeyance until the staff is able to evaluate the additional information you would like the NRC staff to consider.

The information needed to evaluate your financial status was discussed with you by Mr. Eugene Holler, Office of the General Counsel, on March 12, 1993, and includes documentation for the past three years, such as profit and loss statements showing income and expenses including gross sales, salaries; and tax returns for the years ending 1990, 1991, and 1992.

Please submit the above information to U.S. Nuclear Regulatory Commission, ATTN: Office of Enforcement, Mail Stop 7H5, Washington, D. C. 20555. Also, clearly identify any information submitted which you propose be withheld from public disclosure, pursuant to the provisions of 10 C.F.R § 2.790, on the ground that the information is privileged or confidential commercial or financial information. If you have any questions or if your

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Capitals Materials Testing, Inc.

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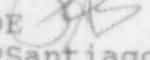
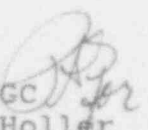

understanding differs from the above, please contact Ms. Patricia A. Santiago at 301-504-2741.

Sincerely,

Original Signed By
James Lieberman
James Lieberman, Director
Office of Enforcement

cc: E. Holler, OGC
T. Martin, RI

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