



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

May 22, 2024

IA-23-004

Miguel Marcial Amaro  
**HOME ADDRESS DELETED  
UNDER 10 CFR 2.390**

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 1-2022-003

Dear Mr. Marcial Amaro:

This letter documents the results of an investigation initiated on October 22, 2021, by the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations (OI), Region I, King of Prussia, Pennsylvania at a Mistras Group, LLC (Mistras) facility located in Trainer, Pennsylvania. The investigation, which was completed on October 19, 2022, and supplemented on May 9, 2023, evaluated whether Mistras employees engaged in deliberate misconduct by falsifying certificates of calibration for non-destructive test equipment that was used at nuclear power plants.

Based on the results of the OI investigation the NRC determined your actions were deliberate and that you violated the NRC's deliberate misconduct rule, 10 CFR 50.5(a)(2), which prohibits employees from deliberately submitting information to a licensee that the person submitting the information knew to be incomplete or inaccurate in some respect material to the NRC. Specifically, the NRC has concluded that you, as the former Mistras Director of Advanced Services, engaged in deliberate misconduct by falsifying certificates of calibration for non-destructive test equipment that was used at nuclear power plants. Additionally, your actions caused Mistras to be in violation of NRC requirements. A copy of the enforcement action to Mistras is included as an enclosure to this letter.

The OI investigation report was provided to the U.S. Department of Justice for potential criminal prosecution. On September 14, 2023, you signed a felony plea agreement that resulted in your conviction. Your sentence on January 25, 2024, included a 5-year ban from participating or being employed in NRC licensed activities.

In determining the appropriate sanction to be issued in this case, the NRC considered issuing an Order prohibiting your involvement in NRC-licensed activities as a result of your actions. However, after considering the criminal conviction which includes a 5-year ban from participating or being employed in NRC licensed activities, the NRC has concluded no further action is warranted.

You are not required to respond to this letter. However, should you choose to respond, your response should be sent to the U.S. Nuclear Regulatory Commission, ATTN: 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 Document Control Desk, Washington, DC 20555-0001 marked "Open by Addressee Only," within 30 days of the date of this letter.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure(s), and your response, if you choose to provide one, 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 Web site at <http://www.nrc.gov/reading-rm/adams.html>. The NRC also includes significant enforcement actions on its Web site at (<http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/>).

In addition, this letter will be maintained by the Office of Enforcement in an NRC Privacy Act system of records, NRC-3, Enforcement Actions Against Individuals. This system, which is not publicly-accessible, includes all records pertaining to individuals who are being or have been considered for enforcement action, whether such action was taken or not. Detailed information about this system of records, including the NRC-3 system notice, can be accessed from the NRC Web site at <http://www.nrc.gov/reading-rm/foia/privacy-systems.html>.

Please feel free to contact David Jones of my staff if you have any questions. Mr. Jones can be contacted at 301-287-9525, or via e-mail at [David.Jones@nrc.gov](mailto:David.Jones@nrc.gov).

Sincerely,



Signed by Pelton, David  
on 05/22/24

David L. Pelton, Director  
Office of Enforcement

Enclosure:  
As stated

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 1-2022-003  
 DATED: MAY 22nd, 2024

**Cc w/Enclosures** Donald Smith  
 Mistras Group, LLC  
 1480 James Parkway  
 Heath, OH 43056

Michele Keefe  
 Mistras Group, LLC  
 1480 James Parkway  
 Heath, OH 43056

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<b>NAME</b>	JMaltese	DPelton			
<b>DATE</b>	05/07/24	05/22/24			

**OFFICIAL RECORD COPY**

INSERT MISTRAS ENFORCEMENT ACTION (Cover letter w/ Confirmatory Order)

Enclosure