

January 11, 2006

SERVICE BY CERTIFIED MAIL

Mr. Luis A. Martinez
Professional NDE
& Welding Services, Inc.
Road 844 Km 2.3
Ba. Cupey Bajo
Rio Piedras, PR 00926

Dear Mr. Martinez,

Pursuant to regulations of the United States Nuclear Regulatory Commission at 10 C.F.R. § 13.7 and provisions of 31 U.S.C. §§ 3801-3812, the Program Fraud Civil Remedies Act, I hereby serve notice upon you and Professional NDE & Welding Services, Inc., of my intention to refer the enclosed complaint, alleging violations of the Program Fraud Civil Remedies Act, to an Administrative Law Judge, not less than 30 days from service of this complaint. On December 21, 2005, I attempted to serve you with the enclosed complaint and regulations by certified mail, return receipt requested, to the address listed as your official address of record by the Puerto Rico Department of State: Carr. 838 Km 5.4, Building 1761, 4th Floor Monacillo, San Juan, PR 00926. However, this address was unknown by the US Postal Service, and the complaint was returned to me. Therefore, I am serving this complaint upon you at the physical address listed in the caption above, as well as at: P.O. Box 1768, Trujillo Alto, PR 00977. Because service could not originally be completed at your official address of record, the time with which you have to respond to this complaint will begin upon receipt at either the physical address listed in the caption above or the P.O. Box, whichever occurs first.

As explained in the complaint and the enclosed regulations, you and/or Professional NDE & Welding Services, Inc., may request a hearing by filing an answer with me within 30 days of service of this complaint. Further information on the contents of the answer is contained in the attached regulations at 10 C.F.R. § 13.9. Failure to file an answer within 30 days of service of this complaint may result in the imposition of the maximum amount of penalties and assessments without right of appeal.

Should you wish to discuss this matter, please contact either of the following attorneys in the Office of the General Counsel: Darani Reddick at 301-415-3841 or Susan Fonner at 301-415-1629.

Sincerely,

/RA/
Stephen G. Burns
NRC Reviewing Official and
Deputy General Counsel

Enclosures: (1) Complaint
(2) NRC Regulations

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