



Department of Energy

Washington, DC 20585

July 11, 2014

Mr. Dennis Carr
Program Manager
Fluor-B&W Portsmouth, LLC
P.O. Box 548
3930 U.S. Route 23 South
Piketon, Ohio 45661

Dear Mr. Carr:

This letter serves as notification of the Office of Independent Enterprise Assessments' Office of Enforcement's decision to conduct an investigation into the facts and circumstances associated with potential programmatic deficiencies in Fluor-B&W Portsmouth, LLC's (FBP) implementation of the Department of Energy's (DOE) asbestos requirements at Portsmouth Gaseous Diffusion Plant. The Office of Enforcement is responding to a request for investigation from the workforce with concerns regarding proper recognition, handling, and disposal of asbestos containing materials and worker exposure monitoring.

The Office of Enforcement will conduct this investigation pursuant to the authority set forth in 10 C.F.R. § 851.40(a), *Investigations and inspections*. The investigation may include a site visit (date to be determined) and interviews of contractor personnel. A request for documents to support the investigation will be sent separately via email.

Under the Major Fraud Act (MFA), as amended, 41 U.S.C. § 4310, this investigation may be a proceeding commenced by the United States that relates to a violation of, or the failure to comply with, a Federal regulation. Costs incurred in connection with such a proceeding are subject to the reimbursement restrictions of the MFA implemented at 48 C.F.R. § 31.205-47. As a result, any costs incurred by FBP that are directly attributable to supporting DOE's investigation, subsequent to receipt of this letter, should be tracked and segregated from other potentially allowable costs.

If you have any questions concerning this letter, please contact me at (301) 903-7707, or your staff may contact Mr. Kevin Dressman, Director, Office of Worker Safety and Health Enforcement, at (301) 903-0100.

Sincerely,

A handwritten signature in dark ink, reading "Steven C. Simonson", is positioned above the printed name.

Steven C. Simonson

Director

Office of Enforcement

Office of Independent Enterprise Assessments



Printed with soy ink on recycled paper

cc: William Murphie, Portsmouth/Paducah Project Office
Doug Fogel, Fluor-B&W Portsmouth