



Department of Energy

Washington, DC 20585

October 13, 2016

Mr. Morgan Smith
President and Chief Executive Officer
Consolidated Nuclear Security, LLC
301 Bear Creek Road
Oak Ridge, Tennessee 37830

Dear Mr. Smith:

This letter serves as notification of the Office of Enterprise Assessments' Office of Enforcement's decision to conduct an investigation into the facts and circumstances associated with a worker injury resulting from a fall from a utility pit ladder at the Y-12 National Security Complex on June 30, 2016, as well as the Consolidated Nuclear Security, LLC (CNS) confined space entry program. CNS reported potential noncompliances associated with this event into the Department of Energy's Noncompliance Tracking System under NTS-NPO-CNS-Y12 Site-2016-0002, *Employee Fall in Utility Pit*, dated September 21, 2016.

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 will include an onsite visit and interviews with contractor personnel. A request for documents to support this investigation will be provided separately via e-mail. Your cooperation to ensure timely submission of all documents to our office by the requested date is appreciated.

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, CNS should track any costs incurred that are directly attributable to supporting the DOE's investigation, subsequent to receipt of this letter, and segregate them 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 Dr. Anthony Pierpoint, Director, Office of Worker Safety and Health Enforcement, at (301) 903-0100.

Sincerely,

Steven C. Simonson

Director

Office of Enforcement

Office of Enterprise Assessments

cc: Geoffrey Beausoleil, NPO-01
Kathy Brack, CNS

