



**Department of Energy**  
Washington, DC 20585

December 2, 2020

Dr. Craig Leasure  
Vice President for National Laboratories  
The Regents of the University of California, Office of the President  
1111 Franklin Street  
Oakland, California 94607

Dear Dr. Leasure:

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 potential deficiencies in The Regents of the University of California's (UC) implementation of the Department of Energy's (DOE) 10 C.F.R. Part 851 program requirements and multiple events that occurred during calendar year 2020 at the Lawrence Berkeley National Laboratory. On January 2, 2020, a 180 pound steel pin fell nine feet to the ground during scheduled roofing maintenance. On February 7, 2020, an improperly calculated load (100 pound table) caused a JLG telehandler to tip over and strike a pedestrian guardrail. On February 12, 2020, a subcontractor was severely injured while performing abrasive blasting inside a water tank; UC reported noncompliances associated with this event into DOE's Noncompliance Tracking System under NTS-SC-BSO-UCOPERATIONS-2020-0009992, dated April 16, 2020. On May 19, 2020, a JLG telehandler, used for transporting and relocating equipment, tipped over causing significant damage to a pickup truck and minor injuries to a worker. On June 28, 2020, an employee suffered a complex fracture to the left tip of the thumb, when the employee's leather glove became impinged in rotating equipment while performing maintenance on a roof.

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 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, UC should track any costs incurred that are directly attributable to supporting 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 Mr. Robert Hailstone, Director, Office of Worker Safety and Health Enforcement, at (301) 903-0100.

Sincerely,

A handwritten signature in black ink, reading "Kevin L. Dressman" with a stylized flourish at the end.

Kevin L. Dressman  
Director  
Office of Enforcement  
Office of Enterprise Assessments

cc: Paul Golan, SC-BASO  
Michelle Flynn, The Regents of the University of California