



Department of Energy

Washington, DC 20585

July 12, 2021

Mr. Mark W. Martinez
President
Mission Support & Test Services, LLC
Nevada National Security Site
232 Energy Way
North Las Vegas, Nevada 89030

Dear Mr. Martinez:

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 an event that involved workers entering a potentially explosive, toxic and/or oxygen deficient atmosphere on March 1, 2021, at the Nevada National Security Site. Mission Support & Test Services, LLC (MSTS) reported noncompliances associated with this event into the Department of Energy's (DOE) Noncompliance Tracking System under NTS-NA-NFO-MSTS-NLV-2021-0010194, dated April 12, 2021. The scope of the investigation will include MSTS's implementation of processes, procedures, and actions to protect workers from recognized hazards associated with potential explosive, toxic, and oxygen deficient atmospheres.

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 or virtual 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, MSTS should track any costs incurred that are directly attributable to supporting DOE's investigation, after 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) 903-4033, 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, appearing to read "Kevin L. Dressman", with a long horizontal flourish extending to the right.

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

cc: David Bowman, NA-NV
Charles Thom, Mission Support & Test Services, LLC