



Department of Energy

Washington, DC 20585

November 22, 2022

Ms. Kimberly Lebak
President and General Manager
Newport News Nuclear BWXT Los Alamos
1200 Trinity Drive, Suite 150
Los Alamos, New Mexico 87544

Dear Ms. Lebak:

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 during which a worker experienced heat exhaustion while supporting corrugated metal pipe retrieval operations at the Los Alamos National Laboratory on September 8, 2022. Newport News Nuclear BWXT Los Alamos (N3B) reported potential noncompliances associated with this event into the Department of Energy's (DOE) Noncompliance Tracking System under NTS-EM-EMLA-N3B-TA54-2022-0010484, dated September 22, 2022.

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 and/or virtual 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, N3B 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) 903-4033, or your staff may contact Ms. Shannon Holman, Office of Worker Safety and Health Enforcement, at (301) 903-0100.



Sincerely,

A handwritten signature in black ink, appearing to read "Anthony C. Pierpoint". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Anthony C. Pierpoint
Director
Office of Enforcement
Office of Enterprise Assessments

cc: Michael Mikolanis, EM-LA
Gary Harris, Newport News Nuclear BWXT Los Alamos