



Department of Energy

Washington, DC 20585

July 3, 2018

Mr. Saul Botone, Owner
Applied Construction Technologies II
6602 Tierra Sandia NW
Albuquerque, New Mexico 87120

Dear Mr. Botone:

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 electrical arc event that occurred when Applied Construction Technologies II (ACT2) personnel entered the minimum approach boundary of a 46-kilovolt energized electrical line with a digger-derrick truck at the Sandia National Laboratories' Coyote Test Field, on April 11, 2018.

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 and subcontractor personnel. A request for documents to support the 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, ACT2 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,

A handwritten signature in black ink, appearing to read "Kevin L. Dressman", followed by the word "for" in a smaller font.

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



cc: Jeffrey Harrell, NA-SN
Gabriel King, NTESS