



## Department of Energy

Washington, DC 20585

January 29, 2019

Mr. Bruce Covert  
President and Project Manager  
Nuclear Waste Partnership LLC  
4021 National Parks Highway  
Carlsbad, New Mexico 88220

Dear Mr. Covert:

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 Nuclear Waste Partnership LLC's (NWP) implementation of the Department of Energy's (DOE) 10 C.F.R. Part 851 industrial hygiene program requirements and recent industrial hygiene-related events at the Waste Isolation Pilot Plant. The events, occurring from July through October 2018, include multiple overexposures to hazardous chemicals, including carbon tetrachloride, nitrogen dioxide, and sulfur dioxide, as well as a series of heat-stress incidents.

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, NWP 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 that reads "Kevin L. Dressman" with a long, sweeping horizontal line extending to the right.

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

cc: Todd Shrader, CBFO  
Michael Hendrickson, NWP