

February 28, 2006

UT-Battelle Information Center
Attn: General Counsel's Office
1201 Oak Ridge Turnpike
Suite 100
Oak Ridge, TN 37830

Dear General Counsel of UT-Battelle:

The Project On Government Oversight (POGO) is overhauling and renewing its Federal Contractor Misconduct Database (www.pogo.org/db/index.cfm), a compilation of information from public resources regarding government contractors, including UT-Battelle. I have enclosed the findings relevant to UT-Battelle and am requesting verification or refutation of the data from you by March 10, 2006.

Any response would be greatly appreciated, as the accuracy of this information is in the best interest of all parties. Out of fairness to UT-Battelle, please be assured that any response received by POGO will be posted on the website along with the data.

Changes to the database include: the addition of more current instances, removal of Superfund cleanup costs, and removal of information that could not be verified with official documents. Additionally, pending cases will still be included, but this information will be kept separate from the resolved cases and will not be included in any totals.

If you have any questions, I can be reached at (202) 347-1122. Thank you for your time and consideration.

Sincerely,

Kevin L. Phelps
Project Director

Enclosure

Instances

1.

Case Name: N/A

Date: 12/16/2005 – date of PNOV

Misconduct Type: Labor

Contract Type: N/A

Court Type: Administrative

Amount: \$110,000

Disposition: Fine

Synopsis: “The Department of Energy (DOE) today notified UT-Battelle, LLC and Fluor Hanford Inc. that it will fine the companies \$110,000 and \$206,250, respectively, for violations of the department’s nuclear safety requirements...

DOE recognized the positive steps being taken by UT-Battelle senior management to improve nuclear safety performance and reduced a higher fine to the current amount, \$110,000.”

Documents: DOE Press Release <http://www.energy.gov/news/2812.htm>

DOE PNOV <http://www.eh.doe.gov/enforce/eas/EA-2005-06.pdf>

2.

Case Name: N/A

Date: 11/18/2004

Misconduct Type: Environment

Contract Type: N/A

Court Type: Administrative

Amount: \$55,000

Disposition: Fine

Synopsis: On November 18, 2004, UT-Battelle was fined \$55,000 for violations and failures to “(1) demonstrate proper As Low As is Reasonably Achievable (ALARA) considerations when dealing with an unknown spill; (2) follow established procedural requirements for various conditions that occurred in this event; and (3) properly respond to the Continuous Alpha Air Monitor (CAAM) alarm that occurred during their attempted cleanup activities.”

<http://www.eh.doe.gov/enforce/eas/EA-2004-09ws.pdf>

3.

Case Name: N/A

Date: 11/18/2003 – date of PNOV

Misconduct Type: Other

Contract Type: N/A

Court Type: Administrative
Amount: \$151,250
Disposition: Fine

Synopsis: On 11/18/2003, UT-Battelle was fined \$151,250 for violations of “(1) work processes involving HFIR maintenance planning, implementation and post maintenance testing; (2) work processes involving REDC operations; (3) quality improvement and management assessment as mentioned in the preceding paragraph; and (4) management programs involving inadequate organizational structure and interfaces.”

Documents: DOE PNOV [http://www.eh.doe.gov/enforce/eas/EA-2003-10\[1\]WS.pdf](http://www.eh.doe.gov/enforce/eas/EA-2003-10[1]WS.pdf)