

FOLLOW UP ALLEGATION ACTION PLAN

AMS No. RIII-01-A-0176

Licensee: Kewanee  
Docket/License No: 05000305  
Assigned Division/Branch: MEB/Security, DRS

Allegation Review Board Membership: Chairman Grant Pederson/ Grobe

*Fahy*  
Paul/ ~~Berson~~/Heller/Kock/Clayton

Dapas/ Caniano/ Reynolds

JJacobson, DRS

~~Jcreed, DRS~~

*Mikunowski, DRS*

GENERIC CONCERNS: If Yes Explain:

DISCUSSION OF SAFETY SIGNIFICANCE:

OI ACCEPTANCE: YES NO (Priority: HIGH NORMAL LOW )

OI Accept Concern(s) No(s). 2\* Signature of Accepting OI Official: *Mary Kay Fahy*  
Basis for OI Priority:

*\* will also include concern in 0042 - to be closed to 176*

ARB MINUTES PROVIDED Dyer/Paul

STATUS LETTER: PRINT IN FINAL \_\_\_\_\_ REVISE \_\_\_\_\_ N/A \_\_\_\_\_

REFERRAL LETTER: A. Licensee YES \_\_\_\_\_ NO \_\_\_\_\_  
B. State of YES \_\_\_\_\_ NO \_\_\_\_\_  
C. DOE YES \_\_\_\_\_ NO \_\_\_\_\_

date received	November 02, 2001	due date of 1 <sup>st</sup> ARB	December 2, 2001
due date of ACK Ltr	December 2, 2001	date -90 days old	January 31, 2002
date -120 days old	March 2, 2002	date -150 day old	April 1, 2002
date -180 days old	May 1, 2002	date -365 days old	November 2, 2002
projected date for the 5 yr statue of limitation			November 1, 2006

COMMENTS:

*SEC*  
Allegation Review Board Chairman

*3/25/02*  
Date

*16*  
*1-10*

SENSITIVE ALLEGATION MATERIAL

AMS No. RIII-01-A-0176

Each stated concern or NRC identified issue should be documented on a separate sheet. Each concern must be documented and written with enough detail to allow thorough follow up.

Concern No. 2 The CI is concerned about contractor supervisors who turn their heads when certain individuals come in half blitzed.

Regulatory Basis: Part 26, 50.5

I. Action Evaluation: The following method of resolution is recommended (circle):

- A. Send to Licensee Requesting Response in \_\_\_\_\_ Days. (Describe the general areas we expect the licensee to address.)
- B. Priority RIII Follow up and Closure Memo to OAC.
- C. Follow up During Routine Inspection Within \_\_\_\_\_ Days and Closure Memo to OAC.
- XX D. Refer to OI. Recommended Priority: HIGH NORMAL LOW  
Recommended Basis: An individual performing a deliberate violation that without consideration of intent, the underlying violation would be categorized as a Severity Level IV.
- E. Outside NRC's Jurisdiction. Describe Basis Below.
- F. Too General for Follow-up. Describe Basis Below.
- G. Other (specify) -

Four craft personnel indicated that they smelled alcohol on a foreman yet did not report it. One individual indicated that he feared reprisal for reporting such an incident. The other individuals indicated that they thought the issue had already been reported or that other indications of alcohol use had to exist for the issue to be reportable. However, the licensee's training and testing program showed that they adequately described the actions to be taken when an individual detects the odor of alcohol.

EICS NOTE: ON 03/20/02, the OAC and TMededa discussed whether there was sufficient indication of willfulness to warrant an OI investigation. While the first individual implied that s/he knew the requirements yet did not report the issue for fear of reprisal, the other individuals provided explanations that indicated that they may have misunderstood the requirements rather than deliberately violated the requirements. Terry agreed, yet indicated that OI agreed to accept investigation in all four cases since the training and testing program clearly outlined the requirements and it would already be investigating the circumstances in the one case where the individual indicated s/he knew the requirements.

Responsible for Action -     OI    

II. Special Considerations/Instructions:

EICS - request that security contact licensee to request names of individuals involved.  
POW 3/25/02. MK Farley obtaining new information.

3:2002-004  
KEWAUNEE  
FAHEY

SENSITIVE ALLEGATION MATERIAL

**FOLLOW UP ARB: RIII-01-A-0176**

March 20, 2002

MEMORANDUM TO: James Creed, Chief, Security Branch, DRS

FROM: A. Kock, RIII - OAC

SUBJECT: FOLLOW UP ARB: RIII-01-A-0176 (KEWAUNEE)

On November 8, 2001, RIII received concerns regarding a contractor covering up issues such as welding without paperwork, reporting of injuries, tool theft, the lack of reporting of fitness for duty issues, and the qualifications of welders. These concerns were discussed at an 11/8/01 Allegation Review Board and were referred to the licensee. During its review of the licensee's investigation, the security branch identified a potential willful violation of the fitness for duty procedures, in that individuals did not report a fitness for duty issue.

**A Follow up ARB has been scheduled for March 25, 2002 to discuss this issue. Please review the attached information to prepare for the ARB.**

cc w/attachments:

ARB Copy

✓  
RC

DRP Br Chief For Rx Cases-Lanksbury

DRS Division Director For Rx Cases-Grobe

JJacobson, DRS

SENSITIVE ALLEGATION MATERIAL

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- C. Follow up During Routine Inspection Within \_\_\_\_\_ Days and Closure Memo to OAC.
- XX D. Refer to OI. Recommended Priority: HIGH NORMAL LOW  
Recommended Basis: An individual performing a deliberate violation that without consideration of intent, the underlying violation would be categorized as a Severity Level IV.
- E. Outside NRC's Jurisdiction. Describe Basis Below.
- F. Too General for Follow-up. Describe Basis Below.
- G. Other (specify) -

Four craft personnel indicated that they smelled alcohol on a foreman yet did not report it. One individual indicated that he feared reprisal for reporting such an incident. The other individuals indicated that they thought the issue had already been reported or that other indications of alcohol use had to exist for the issue to be reportable. However, the licensee's training and testing program showed that they adequately described the actions to be taken when an individual detects the odor of alcohol.

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