

NRC-03-090

August 29, 2003

Mr. Brent Clayton
Region III Enforcement/Investigation Officer
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, IL 60532-4351

KEWAUNEE NUCLEAR POWER PLANT
DOCKET 50-305
LICENSE No. DPR-43
SUPPLEMENTAL INTERVIEW RESULTS (EA 03-105)

On July 16, 2003, a pre-decisional enforcement conference was conducted between representatives of Nuclear Management Company, LLC (NMC) and members of your staff to discuss apparent violations related to the Fitness For Duty Program (EA 03-105) at the Kewaunee Nuclear Power Plant. During that meeting NMC committed to performing additional investigative interviews to determine if our conclusions as presented at the pre-decisional enforcement conference were based on complete information. Attachment 2 to this letter contains documentation of these interviews as requested by your staff during the meeting. Attachment 1 provides a statement requesting that the investigation information be withheld from public disclosure pursuant to 10 CFR 2.790.

The information obtained during these subsequent interviews was found to be consistent with the information obtained by NMC prior to the pre-decisional enforcement conference. Therefore, NMC's conclusions as presented at the pre-decisional enforcement have not changed.

If you have any questions, please contact Gordon P. Arent at 920/388-8537.



Thomas Coutu
Site Vice-President, Kewaunee Nuclear Power Plant
Nuclear Management Company, LLC

GPA

cc: US NRC, Senior Resident Inspector, w/o attach.
US NRC, Region III, w/o attach.
US NRC, KNPP Project Manager, w/o attach.
Electric Division, PSCW, w/o attach.
KNPP QA Vault, w/o attach.

Attachments

C-23

ATTACHMENT 1

**NUCLEAR MANAGEMENT COMPANY, LLC
KEWAUNEE NUCLEAR POWER PLANT
DOCKET 50-305 LICENSE NO. DPR-43**

August 29, 2003

AFFIDAVIT OF THOMAS COUTU
NUCLEAR MANAGEMENT COMPANY, LLC

I am Thomas Coutu, Site Vice President, Kewaunee Nuclear Power Plant, Nuclear Management Company, LLC (NMC). I have been specifically delegated the function of reviewing the proprietary information sought to be withheld from public disclosure in connection with nuclear power plant investigation activities, and am authorized to apply for its withholding on behalf of NMC.

I am making this Affidavit in conformance with the provisions of 10 CFR 2.790 of the Commission's regulations and in conjunction with the NMC application for withholding accompanying this Affidavit.

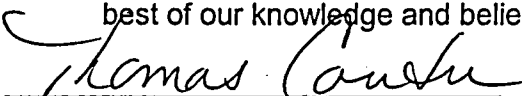
I am authorized to execute this Affidavit on behalf of NMC and that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information and belief.

Pursuant to the provisions of Paragraph (b)(4) of Section 2.790 of the Commission's regulations, the following is furnished for consideration by the Commission in determining whether the information "sought to be withheld from public disclosure" should be withheld:

- (i) The information is owned and has been held in confidence by NMC.
- (ii) The information is explicitly held in confidence by NMC and not to be disclosed to the public. NMC, through the use of an independent investigator, has conducted additional interviews in support of a Fitness For Duty concern raised at the Kewaunee Nuclear Power Plant. These interviews contain information of a personnel nature and were conducted in confidence. NMC requests that this information be withheld from public disclosure because it represents "Personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy," in accordance with 10 CFR 2.790(a)6.

The proprietary information "sought to be withheld" in this submittal is provided in Attachment 2 and contains the heading, Report of Interview.

- (iii) The information is being transmitted to the Commission in confidence, and under the provisions of 10 CFR 2.790, it is to be received in confidence by the Commission.
- (iv) The information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method to the best of our knowledge and belief.

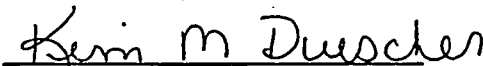


Thomas Coutu
Site Vice-President, Kewaunee Nuclear Power Plant
Nuclear Management Company, LLC

State of WISCONSIN

County of MANITOWOC

Signed or attested before me on this 29 day of Aug 2003.


(Signature of Notary Public)

My Commission expires on: March 12, 2007

