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From: Mary Kay Fahey *10 I*
To: William.p.sellers@usdoj.gov
Date: 11/21/02 3:56PM
Subject: 3-2002-004/Kewaunee (Kewaunee, WI)

Will,

This will confirm our conversation today, during which you rendered a declination. Below is a copy of the synopsis from the Report of Investigation for your records:

This investigation was initiated by the U.S. Nuclear Regulatory Commission, Office of Investigations (OI), Region III, on March 25, 2002, to determine whether contract welders failed to report Fitness-For-Duty (FFD) concerns about their Foreman, and to determine whether the contract Foreman failed to self-report and submit to FFD testing at the Kewaunee Nuclear Power Plant during a fall outage in 2001. Additionally, on August 5, 2002, OI was asked to determine whether the contract Mechanical and Civil Superintendent, provided false information to the licensee's investigator relative to being told about the FFD concern involving the Foreman.

Allegation 1: Based upon the evidence developed, this investigation did not substantiate that contract welders failed to report FFD concerns. However, based upon the evidence developed, the investigation did substantiate that the contract Mechanical and Civil Superintendent failed to report an FFD concern involving a Foreman.

Allegation 2: Based upon the evidence developed, the investigation did not substantiate that the Foreman failed to self-report and submit to FFD testing.

Allegation 3: Based upon the evidence developed, the investigation substantiated that the contract Mechanical and Civil Superintendent deliberately provided false information to OI and the licensee's investigator relative to being informed about the FFD concern involving a Foreman.

11-6