



Nuclear Management Company, LLC
Point Beach Nuclear Plant
6610 Nuclear Road
Two Rivers, WI 54241
February 8, 2002

Mark E. Reddemann
Site Vice President
Kewaunee & Point Beach Nuclear Plants

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

Ladies/Gentlemen:

REQUEST FOR INFORMATION 01-A-0176
KEWAUNEE NUCLEAR POWER PLANT

OUTSIDE OF SCOPE

On November 19, 2001, Mr. Brent Clayton, Enforcement/Investigations Officer, Region III, forwarded a request for information regarding [redacted] and fitness-for-duty (FFD) program issues that had been received by the Nuclear Regulatory Commission (NRC). After receiving this letter, NMC made arrangements for these issues to be addressed by an independent investigator. Mr. Aldo Capristo, NMC Employee Concerns Program Manager, contacted Mr. Jim Heller of your staff and received an extension that permitted NMC to fully investigate these issues and respond to the NRC no later than January 18, 2002. During the course of the investigation, we became aware of additional FFD issues [redacted] that required further evaluation. As a result, NMC requested a second extension to February 9, 2002. Mr. Heller granted NMC's request to allow adequate time to evaluate these concerns.

OUTSIDE OF SCOPE

Our response to the November 19, 2001 request for information is contained in an attachment to this letter. We believe the attached reply is responsive to your November 19, 2001 letter.

If you have any questions or require additional information regarding this response, please contact Mr. Aldo Capristo, NMC Employee Concerns Program Manager at 920/755-7633. Our records supporting this submittal are available to review upon request.

Sincerely,

Mark E. Reddemann
Site Vice President

Attachment

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Background:

OUTSIDE SCOPE

In a letter dated November 19, 2001, the Nuclear Regulatory Commission (NRC) notified Nuclear Management Company, LLC (NMC) of concerns that the Commission had received regarding [REDACTED] and Fitness-for-Duty (FFD) Program issues and requested NMC provide information relative to those concerns.

NRC's November 19, 2001 letter specifically requested NMC respond to the following issues:

[REDACTED]

2) *The CI is concerned about DZNPS supervisors who turn their heads when certain individuals come in "half-blitzed".*

outside scope

[REDACTED]

The NMC Employee Concerns Manager arranged to have an independent investigation conducted to investigate these concerns. NMC contracted with Walker Investigative Consultants, Inc., to perform this review. Under a specific charter, Walker Investigative Consultants, Inc., completed a review and submitted a comprehensive report to NMC on January 7, 2002. Due to the additional issues identified in the course of this investigation, NMC requested Walker Investigative Consultants, Inc., to supplement its investigation, and that supplemental report was received on January 30, 2002.

outside scope

This response summarizes the findings from those reports. The investigator is a retired NRC Office of Investigations Investigator with over 25 years of field-based experience in the conduct of criminal and civil violations and is a licensed private investigator. The investigator has had no prior involvement in either welding or FFD programs at KNPP.

This initial investigation scope included 26 individual interviews with various plant and contract personnel and reviews of applicable documents and procedures.

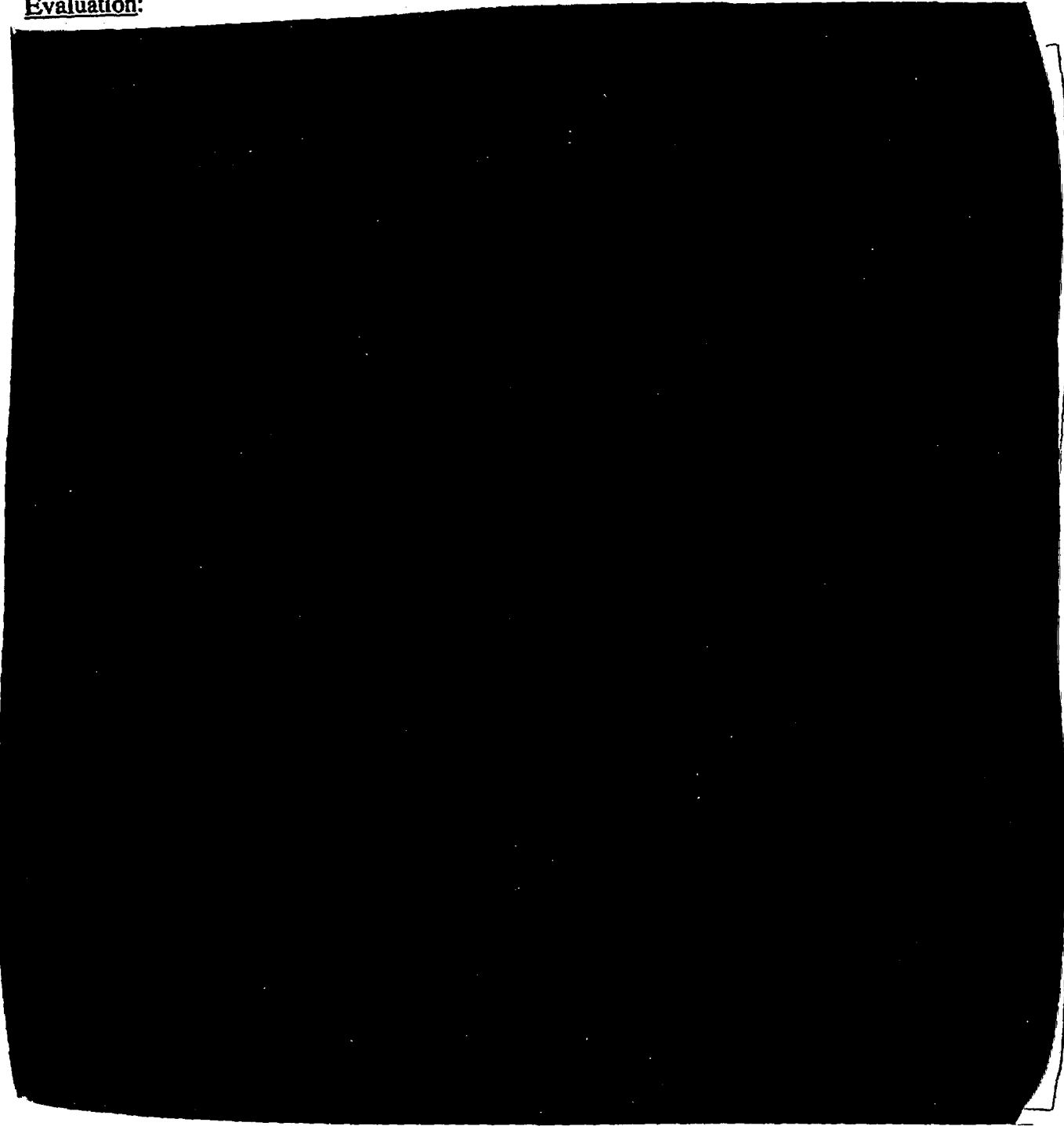
The results of this evaluation as it relates to NRC's request for information, are as follows:

Concern:

outside scope

[REDACTED]

Evaluation:



Outsid
Scope

Concern:

- 2) *The CI is concerned about DZNPS supervisors who turn their heads when certain individuals come in "half-blitzed".*

Evaluation:

Mr. Capristo became aware of this concern in a telephone conversation with Mr. Heller on November 8, 2001. NMC took immediate action to assess the current FFD status of employees on

site and the status of those employees arriving that evening. This investigation developed the name of an individual who was on-site as a temporary contract worker and who may have been unfit for duty. However, as of the time of the investigation, this individual, a temporary outage worker, had already left KNPP permanently as his work assignment was complete. As a result, no one was found to be unfit for duty. While NMC was unable to identify a specific individual who was unfit for duty, the Outage Control Center and plant management were apprised of the concern.

Following its immediate response of assessing the FFD status of employees on site and employees assigned to work the evening shift, NMC next reviewed KNPP FFD policy and training to ensure both conformed to NMC expectations. The investigator confirmed that the NMC/KNPP FFD policy is clearly addressed in the KNPP General Employee Training Manual. Entering and returning employees are tested regarding their knowledge of this policy. Additionally, DZNPS contract personnel are required to meet the FFD requirements of 10 CFR 26, by written agreement with NMC/KNPP.

This investigation also determined that General Employee Training classroom instruction and standard testing include expectations related to actions to be taken when an individual detects the odor of alcohol on the breath of a plant worker.

While these expectations are clearly stated as previously noted, this investigation did identify five individuals who stated that on occasion they perceived the odor of alcohol on the breath of a DZNPS General Foreman while inside the KNPP protected area. In direct contrast to management expectations, none of the individuals notified their immediate supervisor or other member of management regarding these suspicions. The individual responses varied as to why they did not report this to their supervisors or to Security. These reasons included alleged fear of union reprisal; a belief that because the General Foreman was a DZNPS supervisor and that they (other supervisors) were aware of his condition and that there was no need to report; one individual suggested it was not his job to "sniff" the General Foreman; and another reasoned that the smell of alcohol was insufficient to report, and that the odor has to be paired with some other indication of intoxication, such as staggering or slurred speech.

One person speculated that the General Foreman might have a smell of what was the odor of alcohol due to a medical condition associated with [REDACTED]. Thus, this individual indicated uncertainty regarding whether the General Foreman had consumed alcohol within five hours of his entry into the plant and, therefore, justified inaction based on this level of uncertainty. A follow-up interview was conducted with this individual. The individual stated that during a conversation with co-workers a couple of years ago, he had heard the General Foreman suffered from this condition. Upon further questioning, he said that he did not smell an odor strong enough, nor could he be certain it was alcohol (it may have been mouthwash), to take action. He also acknowledged that no one ever reported to him that the General Foreman ever smelled of alcohol. 7C

One of the five individuals later adjusted earlier comments to the investigator and clarified that while he may have sensed alcohol on the breath of the General Foreman, he did not sense any level of impairment with this individual and, therefore, inaction was justified.

All of those identified as indicating that they had suspected the odor of alcohol on the breath of the General Foreman successfully passed the General Employee Training exam.

NMC considers the inaction of these individuals unsatisfactory.

The NMC Kewaunee-Point Beach (KPB) AA/FFD Supervisor responsible for the administrative support of the KNPP FFD program indicated that the General Foreman had not been subjected to a "for cause" FFD determination or tested for impairment under the FELL program during this period of employment at KNPP. Through the course of the General Foreman's work experience at the KNPP and PBNP sites, covering a period of approximately 22 years, he had been randomly tested. All random tests were negative for the presence of alcohol.

During the interview the General Foreman indicated that he regularly used mouthwash and breath mints, but did not identify any known medical condition or medication that would create a situation where an odor of alcohol might likely be suspected. The General Foreman did state, however, that while at KNPP, another worker had approached him and mentioned that someone had complained about the smell of alcohol on him, and the General Foreman stated he offered to be tested, but was not subsequently tested.

The NMC Supervisor to whom the General Foreman reported during the period of August 2001 to November 2001 was interviewed. The NMC Supervisor indicated that the General Foreman was an exceptional worker, and that he had worked with the individual for approximately 16 years prior to the most recent work assignment. In this most recent work assignment, the NMC Supervisor stated he interfaced with the General Foreman approximately three to four times a day, six days per week. He further stated that he was in close proximity to the General Foreman during these interfaces, and that while the General Foreman appeared to have a "body odor," he never noticed the smell of alcohol on the General Foreman nor did he ever observe this person to have impaired speech, eye or body movement. The NMC Supervisor also indicated that no worker had ever reported that the General Foreman had an alcohol smell about him.

Conclusions and Corrective Actions:

This investigation concludes that based on the previously discussed information, this element of the concern **IS PARTIALLY SUBSTANTIATED** in that although it could not be concluded the General Foreman was "half-blitzed," or unfit for duty, **IT IS SUBSTANTIATED** that the odor of alcohol was detected without appropriate actions taken.

Clearly some interviewees indicated that they did detect the odor of alcohol on one General Foreman, but, for various reasons, took no action. This presented the opportunity to have had an employee unfit for duty on site without management action. NMC recognizes the unsatisfactory nature of this situation and is taking the following actions to prevent recurrence:

1. The NMC FFD Manager wrote Corrective Action Request (CAR) 01-037 on December 21, 2001. This CAR addresses the fact that: *"During a recent NMC site outage, three (3) workers smelled alcohol on the same co-worker and failed to notify supervision as required by the site behavioral observation and FFD programs."* CAR 01-037 identifies numerous actions that have been taken to update the implicated individuals' access authorization records within the Personnel Access Data System (PADS) and the NMC fleet access review list. Further, actions taken include fleet-wide communication reiterating the actions to be

taken when the odor of alcohol is detected or suspected. These actions are specifically directed at personal accountability and the performance of the four individuals who indicated their belief that the individual had an odor of alcohol on his breath but failed to take appropriate action in accordance with NMC expectations.

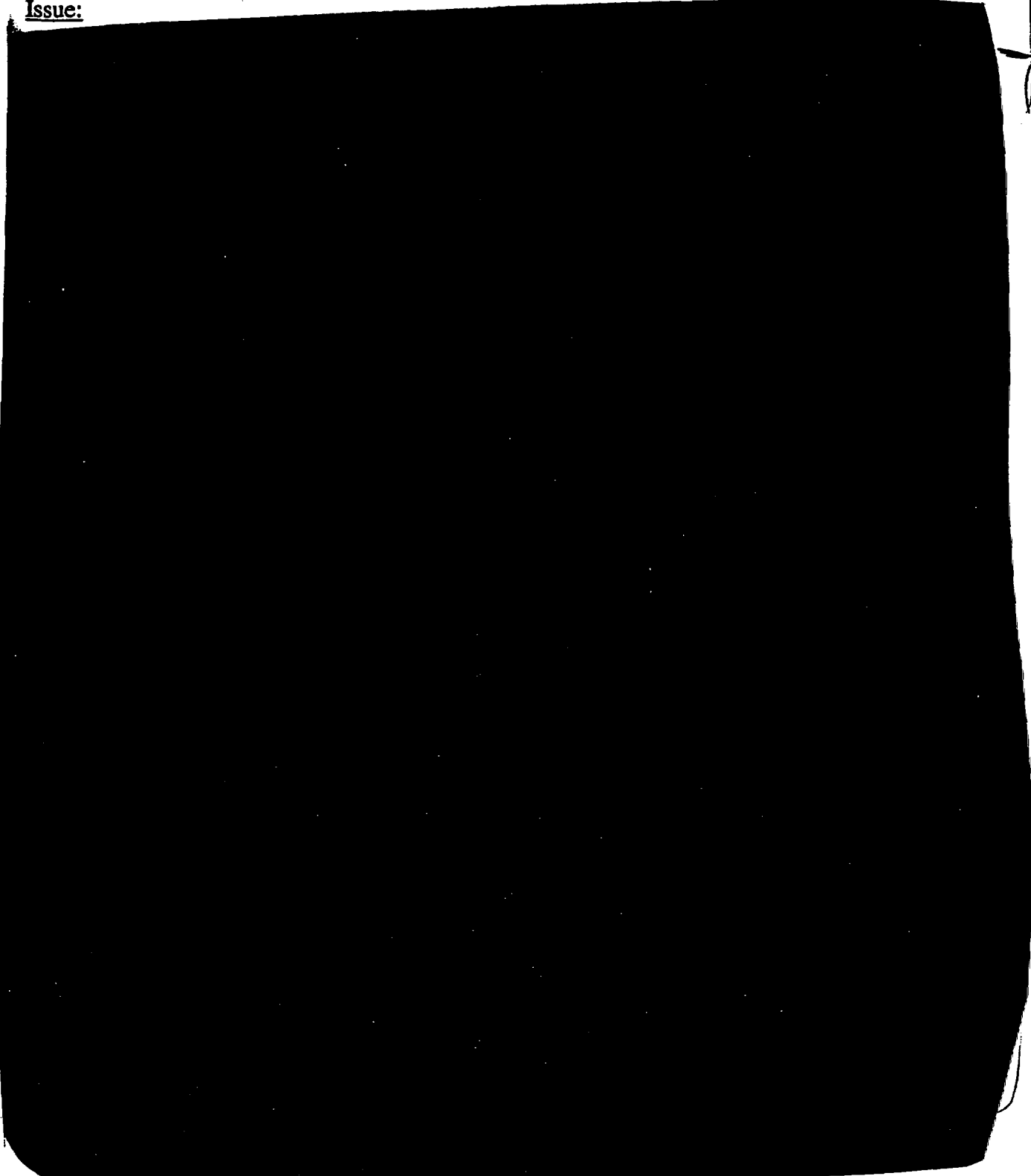
- Between December 19, 2001 and January 14, 2002, NMC fleet access authorization records were updated to reflect that individuals potentially involved in this event were under additional access authorization reviews. Access to the fleets' plants would, therefore, not be reinstated until satisfactory completion of these reviews.
- NMC access authorization forms 4G1, "Initial Personal History Statement," 4G2, "NMC Reinstatement Personal History Statement," and 4G5, "Current Non NMC Site/Last Access <30 Days/Approved Contractor Personal History Statement," were revised to query whether a prospective applicant for unescorted access has ever had a history or medical diagnosis of alcohol or other substance abuse. The responsibilities of individual workers were also expanded to include immediately reporting the smell of alcohol to supervision. These changes were initiated on January 11, 2002.

2. Kewaunee Assessment Program (KAP) 02-000070 was initiated on January 3, 2002 to address the programmatic elements of this concern. The following specific actions have been taken at the KPB site to address these concerns:

- An FFD program reminder was prepared and issued to all site employees on January 11, 2002. The program reminder restates the appropriate actions for an individual to take if they suspect that another worker may not be fit to work.
- On January 11, 2002 a KNPP general employee training test question was revised to ask the specific question of when an employee should immediately contact his/her supervisor and report a situation where a worker is believed to have the odor of alcohol on his/her breath.
- KNPP procedure GNP 1.4.4, "Behavioral Observed Just Cause Testing," was revised to contain additional details on possible indicators of alcohol misuse and reporting an individual who smells of alcohol to supervision. This revision was issued on January 24, 2002.
- A similar temporary change (TCN 2002-017) to PBNP procedure NP1.7.5, "Fitness for Duty Policy and Procedure," was initiated on January 11, 2002. PBNP procedure NP 1.7.20, "NMC Access Authorization Program 4G," was also temporarily changed on January 11, 2002 in accordance with TCN 2002-015.
- On December 19, 2001 the DZNPS Day Foreman was interviewed. During the interview, the DZNPS Day Foreman was coached and counseled regarding his FFD program responsibilities.

3. NMC management is considering further actions to be taken with the DZNPS organization and with the leadership of the Plumbers and Steamfitters Union Local 400, Green Bay, WI, to assure that craft personnel clearly understand and meet their responsibilities in the area of fitness-for-duty at licensed nuclear facilities. These actions will provide additional depth and substance to our corrective actions to prevent recurrence.

Issue:



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