

For the record, this is an interview of Randall D. Cleveland, spelled CLEVELAND, who is the Access Manager for Nuclear Management Company, LLC, hereafter referred to as NMC. Today's date is September 17, 2002. The time is approximately —.

This interview is being conducted at the NMC offices, located at 700 First Street, Hudson, WI. My name is Mary Kay Fahey. I am a Special Agent with the US Nuclear Regulatory Commission's Office of Investigations, Region III. Also present is ROBOFF, who is legal counsel for Mr. Cleveland. This interview is being transcribed by Court Reporter _____.

The subject matter of this interview is a fitness-for-duty concern at the Kewaunee Nuclear Power Plant during a refuel outage in 2001. This incident was brought to the NRC's attention by the licensee, NMC.

Mr. Cleveland, please raise your right hand. Do you swear that the information you are about to give is the truth, the whole truth and nothing but the truth, so help you god?

Mr. Cleveland, is it at your request that M arlene Smith be present here today?

Did you select him/her personally to represent you or was he/she made available to you by the corporation?

M Matthew, could you please introduce yourself for the record, and state the purpose of your presence here today.

_____ besides representing Mr. Cleveland personally, do you also represent the corporation, NMC?

Do you anticipate any conflict of interest in representing Mr. Cleveland in this matter?

If you do, please let me know.

Background:

Full name:

DOB: _____

SSN: _____

Home Address: _____

Home Telephone Number: _____

Employment hx: 2/2000 FFD Personnel Sec Supervisor EXCEL 93-2000 89 nuclear

When did you first become aware of FFD concerns at Kewaunee? 12-19-01

Was there any hint of a problem or allegation during the pre-outage or outage in 2001?

Who was the employee?

What position did he hold?

Who raised the concern?

notified by program mgr for ECP - Aldo Capristo
Some FFD concerns

Mark Findley - NRC Security

7(c)

A-8

What was done to investigate the concern?

What involvement did you have, if any, in the investigation?

How far up the NMC chain of command did the concern reach?

Who did you report the concern to?

When did you report the concern?

Did you personally participate in any interviews of the parties involved?

What action did you determine be taken by NMC?

What was the reason for access being denied for: *never placed in abeyance*

reinstated
Action based upon report? By licensee investigator? *12/19/01 - still susp. never placed in abeyance or suspended*

If not, did you ever have any conversation with the parties involved about this incident?

During those conversations, did any of the parties involved provide you with conflicting information than what the licensee's investigator had provided?

What was that information?

Did that new information cause you to reinstate access for any of the parties.

TRAINING

When you arrived on site at Kewaunee, did you receive general employee training.

Was that training provided by NMC or Day and Zimmerman?

Were you required to take a test on the material provided during the training?

Were you required to pass the test in order to obtain access to the site?

Did you pass the test?

Do you recall whether there was specific training on FFD?

Do you recall what the appropriate procedure is if you or any employee suspects that someone is not fit for duty?

What is your expectation/understanding of what you were required to do?

Do you feel that procedure was followed?

If no, why not?
If yes, why?

Does an employee have any authority to ask another employee to go get fitness tested?

7(c)

Do you know whether [redacted] was ever tested based any complaint? No randomly 3/14/94, 4/3/00 -

What is your understanding of the rule about coming to work fit for duty? (5hr rule)

CK

Did anyone document the FFD concern in a condition report? Or to the Employee Concerns Program?

@PB
↓
11-16-99
random

When was access pulled?

Did you attempt to gain employment with any other plants?

Were you precluded because of access?

Do you have any documentation that you were denied access?

Did you have any conversations with NMC management about why your access was denied?

Who did you speak to about their access being denied?

What were you told?

Have you reviewed the decisions?

Mr. Cleveland, have I threatened you in any manner or offered you any reward in return for your statement? Have you given your statement freely and voluntarily? Is there anything further you care to add for the record.

*What was the nature of the
access denial*

What was found in photo.

Has access been renewed

notice only - investigation ongoing
4 individuals - who had emailed

[redacted] [redacted] [redacted] [redacted]
also concern of handling of
[redacted]

{contract thru}

Hai Walter - no, contractor.

provided responses to inquiries about FFD training
at Kenawake
adequate, reviewed training records
successfully passed training
trustworthy and reliability.

later participate in interviews w/

[redacted]

hold on personnel access data system.

pledged w/ yes response in field
alert any utility about issues
ultimately dispos. 4 individuals
denied access for failure to report

[redacted]

did not have enough
access reinstated.

[redacted]

1/14/02 - based on info developed
co-workers FFD -

inconsistent info to NMC investigation
copies of all of the denials letter.

darlene
peters

dates for suspension
[redacted]

11/14/02 - 11/25/02
badge on hold

{ failure to report smell of alcohol
based on info - + not reporting.

[SGR]

7(c) [redacted] was randomly tested [redacted] for a number of years -

7(c)

[redacted] provided conflicting info

[redacted] tested @
K?

W report [redacted]

old Walker-technician he was a little ripe

tried to corroborate, id'd technicians who did testing
of [redacted] - couldn't recall conv w/ [redacted]
info 1/11/02 [redacted] loaded every morning

[redacted] ^{intv'd} 6/12/02.

3/27/02 [redacted] interviewed by DP@PB + denied being
escorted to site by a worker into P.A.
asked worker why they weren't testing [redacted]
said he didn't know anything about [redacted] being drunk.

7(c)

6/12/02 [redacted] denied being escorted to collection site
3 different versions -

rights of
afforded appeal - + did not

other 4 requested review - but denied.

suspension period - 1 yr -

{ appeal denial letter

9-1-02.

1 inquiry - [redacted] under review.

7(c)

{ original 4 denials went up to site VP -

[redacted] - was interviewed.

[YES]

AC

a few interviews subsequent.

DA -

[redacted]

AC

concurrent w/

inquiries re: access status - 7/

NMC ->

NMC-training-org.

access staff - all of content for training - long established.

{ to a supervisor on security

* policy same to report to a super or security.

[redacted] review prior issues in last 3 yrs.

7(c)

CR written - early 1/2002
12/2001 -

P 2 of [redacted]

7(c)

CR 1-7-02
ACE
0004025

BEEN IN TOUCH
ZX'S IN PAST
FEW WEEKS

ON SUNDAY NIGHT
RE: STATUS OF

WAS access denied
in retaliation for
raising a FPD
concern.
did you know at time
access was denied
that [redacted] had raised a
FPD concern?

* Completed
FPD eval.
of L
concluded
FPD.

MCO approved
medical review
in accord w/ PB

awaiting
notification
under review

Still review
for consideration

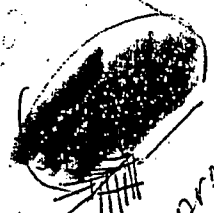
basis
only for
denial
inconsistent.

correspondence
from atty

2 inquiries
from atty's

CROSS LAW FIRM
MILWAUKEE

Research



provided
copy
John
on

FINDLEY
MARK
Aldo
Capristo.

7(c)

11/13/07
147

(Cleveland) X
questioned
[redacted]

TC
conus with
about
appreciate

asked if [redacted] made
statement to
him - [redacted]

denied having
heard [redacted] make
statement.