

# INVESTIGATION STATUS RECORD

Facility: POINT BEACH 1 Case Agent: FAHEY, MARY K (MKF)  
Case Number: 3-2002-020 Date Opened: 08/06/2002  
Docket Number(s): 05000266 ECD:  
Priority: High  
Case Type: Reactor Power Status: Case is Closed  
Primary Alleg Source: Alleger  
Allegation Number(s): RIII-2002-A-0114  
Subject/Allegation: DISCRIMINATION AGAINST CONTRACT WELDER FOR RAISING FFD CONCERN

## Monthly Status Report:

08/06/2002: On March 25, 2002, OI initiated an investigation (3-2002-004) into allegations of deliberate failure by contract welders to follow Fitness For Duty (FFD) regulations. The allegations stemmed from information provided by Nuclear Management Company (NMC), that contract welders, working for Day and Zimmerman Nuclear Power Systems (DZNPS) at Kewaunee during the fall 2001 outage, had concerns about the smell of alcohol or [REDACTED] In Service Inspection General Foreman, DZNPS, but the welders failed to report [REDACTED]

On July 2, 2002, [REDACTED] one of the aforementioned welders identified by the licensee, contacted Region III, and alleged that not only did he report the FFD concern to his supervisor, [REDACTED] but as a result of reporting [REDACTED] has had his access denied at Point Beach Nuclear Power Plant, and all NMC nuclear power plants. [REDACTED] stated that he felt this was retaliation for raising the FFD concern regarding [REDACTED]

At an ARB conducted on August 5, 2002, RIII requested OI determine whether [REDACTED] was discriminated against by the licensee for raising an FFD concern about a supervisor, in violation of 10 CFR 50.7, Employee Protection, and 10 CFR 50.5, Deliberate Misconduct. STATUS: FWP ECD (90 DAY): 11/2002. Statute of Limitations: 07/2007.

08/31/2002: [REDACTED] was interviewed on August 5, 2002, and provided documentation that his access has been denied as a result of a determination by NMC of [REDACTED] being "untrustworthy." STATUS: FWP ECD (90 DAY): 11/2002.

09/30/2002: NMC Access Manager, Randy CLEVELAND, was interviewed on September 17, 2002, for this case and 3-2002-004. STATUS: FWP ECD (90 DAY): 11/2002.

10/31/2002: ROI is being drafted. STATUS: RID ECD (90 DAY): 11/2002.

11/30/2002: ROI is being drafted. ECD is being set to accommodate other HQ (budget) priorities. STATUS: RID ECD: 02/2003.

12/31/2002: ROI is being drafted. STATUS: RID ECD: 02/2003.

01/31/2003: Report being drafted. STATUS: RID ECD: 02/2003.

02/28/2003: Case closed 02/28/2003 (unsubstantiated). ROI will be issued out of OI:HQ.

03/06/2003: Case issued out of OI:HQ 03/06/2003 (Unsubstantiated).

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Completion Date:	02/28/2003	Total Staff Hours:	34.5
Issue Date:	03/06/2003	Months Open:	6.9
DOJ Action(s):		DOJ Referral Date:	
OI Violation(s):	Harassment and Intimidation - Unsubstantiated	Statute of Limitations Date:	06/28/2007

Information in this record was deleted in accordance with the Freedom of Information Act, exemptions 7C  
FOIA- 2006-113

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