

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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OFFICE OF INVESTIGATIONS

INTERVIEW

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IN THE MATTER OF: :

INTERVIEW OF : Docket No.

([REDACTED]) : 3-2002-004

(CLOSED) : 3-2002-020

-----X

Thursday, September 12, 2002

Radisson Hotel and Conference
Center

2040 Airport Road

Green Bay, Wisconsin

The above-entitled interview was conducted
at 4:25 p.m.

BEFORE:

Special Agent Mary Kay Fahey

Information in this record was deleted
in accordance with the Freedom of Information
Act, exemptions 7C
2006-112

FOIA

CASE NO.

3-2002-020

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EXHIBIT 14
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P-R-O-C-E-E-D-I-N-G-S

4:25 p.m.

SPECIAL AGENT FAHEY: For the record, this is an interview with (b)(6), spelled (b)(6) who was formerly employed by Day and Zimmerman Nuclear Power Systems at the Kewaunee Nuclear Power Plant in 2001.

Today's date is September 12, 2002, the time is approximately 4:25 p.m. This interview is being conducted in the conference room at the Radisson Hotel and Conference Center in Green Bay, Wisconsin.

My name is Mary Kay Fahey, I'm a special agent with the U.S. Nuclear Regulatory Commission's Office of Investigations in Region III, and this interview is being recorded on a Sony tape recorder.

The subject matter of this interview is a fitness for duty concern involving (b)(6) at the Kewaunee Nuclear Power Plant in 2001.

(b)(6) was called as a witness and, having been first duly sworn, was examined and testified as follows:

EXAMINATION OF (b)(6)

BY SPECIAL AGENT FAHEY:

SPECIAL AGENT FAHEY: Okay, I have some background information. Date of birth?

1

2

[REDACTED] [REDACTED]
SPECIAL AGENT FAHEY: Social security?

3

4

[REDACTED] [REDACTED]
SPECIAL AGENT FAHEY: Home address?

5

6

7

[REDACTED] [REDACTED]
[REDACTED]
SPECIAL AGENT FAHEY: And your home phone
number?

8

9

[REDACTED] Area code [REDACTED]

10

SPECIAL AGENT FAHEY: Work phone number.

11

12

[REDACTED] [REDACTED]
SPECIAL AGENT FAHEY: And current
employer?

13

14

[REDACTED] Siemens Westinghouse

15

SPECIAL AGENT FAHEY: And position?

16

[REDACTED] Supervisor.

17

SPECIAL AGENT FAHEY: And you're at Point
Beach?

18

19

[REDACTED] Yes, ma'am.

20

SPECIAL AGENT FAHEY: And how long have
you been there?

21

22

[REDACTED] I got out there the
nineteenth of August.

23

24

SPECIAL AGENT FAHEY: And how long do you
expect to be employed there?

25

1 () Till the end of outage.
2 They're talking right now that it's going to be -- it
3 was extended three days, so it'll twenty eight days,
4 roughly.

5 SPECIAL AGENT FAHEY: Okay, and the
6 average has not actually started yet?

7 () It does not start until
8 Friday at midnight. They're shutting down at
9 midnight.

10 SPECIAL AGENT FAHEY: Okay. Do you
11 supervise any of the same people you supervised at
12 Kewaunee?

13 () People what? Persons-wise?
14 No. It's a different crew but it is pipe fitters and
15 boilermakers.

16 SPECIAL AGENT FAHEY: How about do any of
17 these same people work for you now?

18 () No, that's all. Nope, I'm
19 wrong. () is on my crew, and he was on
20 nights out at Kewaunee.

21 SPECIAL AGENT FAHEY: Can you spell his
22 name?

23 () His last name is spelled
24 ()

25 SPECIAL AGENT FAHEY: Okay.

1 [REDACTED]: And he is also at our Local
2 400.

3 SPECIAL AGENT FAHEY: Okay. Do you report
4 to anybody now at Point Beach that you worked for at
5 Kewaunee?

6 [REDACTED]: No, ma'am.

7 SPECIAL AGENT FAHEY: Okay. Okay. And
8 you worked at Kewaunee in 2001 for Day and Zimmerman?

9 [REDACTED]: Correct.

10 SPECIAL AGENT FAHEY: And your position at
11 that time was?

12 [REDACTED]: Nighttime superintendent.

13 SPECIAL AGENT FAHEY: Okay.

14 [REDACTED]: First I started -- I was
15 foreman on days, and then I was switched to nighttime
16 superintendent.

17 SPECIAL AGENT FAHEY: How long were you
18 foreman on days?

19 [REDACTED]: Approximately three to four
20 weeks.

21 SPECIAL AGENT FAHEY: And as foreman, who
22 did you report to?

23 [REDACTED]
24 SPECIAL AGENT FAHEY: And as nighttime
25 superintendent, who did you report to?

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1 ([REDACTED]) (sic). You
2 know, I'm going to say this on the record anyway.
3 Between them two there was a power struggle. [REDACTED]
4 always thought he was in charge, and [REDACTED] wanted to
5 have meetings with me [REDACTED] was always bothered
6 about that. But [REDACTED] both said
7 that I report to [REDACTED]

8 SPECIAL AGENT FAHEY: And [REDACTED]

9 [REDACTED]
10 [REDACTED] He was our liaison for NMC.

11 SPECIAL AGENT FAHEY: So he was a licensee
12 employee?

13 [REDACTED] Right. Well, yes, at NMC
14 whoever --

15 SPECIAL AGENT FAHEY: Okay. That's
16 (inaudible).

17 [REDACTED] Okay.

18 SPECIAL AGENT FAHEY: What dates were you
19 employed in 2001 at Kewaunee? Do you remember,
20 roughly?

21 [REDACTED] I believe it was in the
22 middle of August that they brought me out there as a
23 foreman. And I was let go on December 4th, 2001.

24 SPECIAL AGENT FAHEY: Let go, laid off?

25 [REDACTED] I was laid off. I had clean

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1 lay off.

2 SPECIAL AGENT FAHEY: Okay. And that was
3 because the job was completed.

4 ([REDACTED]) No. There was allegations
5 of -- what they said they let us go for was over
6 abusing the Internet, I guess it was, was the way they
7 put it. And also, basically, like I told everybody
8 else, 'cause I was interviewed by Darlene, which was
9 your supervisor for security out at Point Beach, and -
10 -

11 SPECIAL AGENT FAHEY: Darlene Peters? --
12 ([REDACTED]) Yes. And when I went in
13 for my first interview, it was with Bill Degnan, and
14 I don't remember the other guy's name. I believe it
15 was Tom something they brought down from Day and
16 Zimmerman.

17 And they accused us of porn on the
18 Internet, gambling on the Internet, and the first
19 thing that I asked them is show me. They couldn't
20 show me anything. They could show me that there was
21 hits on the computer that were on gambling sites. I
22 said, "Where were we gambling on the Internet?" And
23 they said, "Well, there is none." I says, "Well what
24 are you accusing us of?" And they said,
25 "Well, there was porn on the Internet."

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1 And not sure if I'm going to get this
2 guy's name right. His name was Joel Chocool (sic)?
3 And I believe he is like the manager of doing the
4 computers both at Kewaunee and Point Beach. And he
5 gave me access on to the computers. He told me there
6 was to be no porn on the Internet. He says, That'll
7 get your money faster than anything," and there was
8 other people that used my computer.

9 On Tuesday nights was my night off. And
10 I asked if there was any hits on that night, and they
11 said, "Sure. It was hit just like any other night."
12 I said, "Tuesday night's my night off. How do you
13 explain that?" "Well, who had access to your
14 computer?" Well, my night GF did because he has to be
15 able to get into -- for the warehouse, and so on and
16 so forth. They said, "Well, why didn't [REDACTED] give
17 him, or you give him access?" I said, "I never had
18 the authority to give him access to any computer. I
19 actually got mine from [REDACTED]" So --

20 SPECIAL AGENT FAHEY: Who was the
21 nighttime general foreman?

22 [REDACTED]

23 SPECIAL AGENT FAHEY: You're referring to
24 -- besides yourself, were there others who were laid
25 off for the same reason in that group? Or --

1 [REDACTED] Well, it was just me and
2 [REDACTED] that they said, all the computers was mine and
3 [REDACTED] There was no [REDACTED] or anybody else's.

4 SPECIAL AGENT FAHEY: Okay. [REDACTED]

5 [REDACTED] Yes, ma'am.

6 SPECIAL AGENT FAHEY: Okay. And I don't
7 really want to pursue this -- that issue on the
8 record. Okay. I appreciate you --

9 [REDACTED] Yeah. Okay.

10 SPECIAL AGENT FAHEY: -- giving me that
11 information. Okay.

12 So you left Kewaunee December 4th, 2001.
13 You know, you previously stated there was some problem
14 about who to report it to.

15 [REDACTED] No. It was not a problem
16 who I thought I had to report to. There was another
17 person who thought that it was a problem, that I
18 reported to him.

19 SPECIAL AGENT FAHEY: Okay. But as far as
20 you were concerned, your direct supervisor?

21 [REDACTED] [REDACTED] was project
22 superintendent.

23 SPECIAL AGENT FAHEY: Okay. And did he
24 work for Day and Zimmerman also?

25 [REDACTED] Yes, he did.

1 SPECIAL AGENT FAHEY: Okay. When did you
2 first become aware of the fitness for duty concern
3 involving [REDACTED]

4 [REDACTED] I never seen there was a
5 fitness for duty problem with [REDACTED]

6 SPECIAL AGENT FAHEY: So when did you
7 first become aware of it?

8 [REDACTED] Now, I can tell you that
9 was sometime in August. I can't give you the exact
10 date. [REDACTED] came into the office, and he's --

11 SPECIAL AGENT FAHEY: You're going to have
12 to use last names.

13 [REDACTED] Oh. [REDACTED] came
14 into the office, and he said, [REDACTED] and [REDACTED] -- or
15 [REDACTED] --

16 SPECIAL AGENT FAHEY: And was he clear
17 that it was [REDACTED]

18 [REDACTED] Yes.

19 SPECIAL AGENT FAHEY: Okay. And [REDACTED]
20 would be?

21 [REDACTED]
22 SPECIAL AGENT FAHEY: Okay. Did he say

23 [REDACTED] or [REDACTED]
24 [REDACTED] No. He said [REDACTED] and

25 [REDACTED]

1 SPECIAL AGENT FAHEY: Okay.

2 ([REDACTED]) Okay.

3 SPECIAL AGENT FAHEY: But that was [REDACTED]

4 [REDACTED]?

5 ([REDACTED]) Right.

6 SPECIAL AGENT FAHEY: Okay.

7 ([REDACTED]) Actually, it was [REDACTED]

8 but [REDACTED] -

9 SPECIAL AGENT FAHEY: I'm sorry. I've
10 interrupted you.

11 ([REDACTED]) Okay. No. That's all
12 right. And he said that -- he said that the -- am I
13 supposed to say the exact same words as they said?

14 SPECIAL AGENT FAHEY: Yes, if you can.

15 ([REDACTED]) He said, "They ain't going
16 to work for a fucking drunk like [REDACTED]"

17 SPECIAL AGENT FAHEY: Okay.

18 ([REDACTED]) And I remember as plain as
19 day 'cause I'm not saying that [REDACTED] is a little angel,
20 but they brought it to the right person because if
21 they felt the foreman was under the influence, they're
22 supposed to come to the next one in charge, and that
23 was -- at that time was [REDACTED] and he was the GF.

24 SPECIAL AGENT FAHEY: Now let me just stop
25 you real quick.

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1 () Okay.

2 SPECIAL AGENT FAHEY: Did you hear this
3 conversation?

4 () Yes, I did. I was in the
5 office.

6 SPECIAL AGENT FAHEY: So you -- did you
7 hear () and ()

8 () No. I heard () come
9 into the office and this is what he said.

10 SPECIAL AGENT FAHEY: Okay. Was he
11 talking to you?

12 () He was talking, I think, in
13 general, 'cause I was at my desk and () was at his
14 desk.

15 SPECIAL AGENT FAHEY: Okay. So ()
16 was in the room.

17 () Yes.

18 SPECIAL AGENT FAHEY: You were in the
19 room.

20 () Yes.

21 SPECIAL AGENT FAHEY: And () came in
22 and just made the general statement.

23 () Right.

24 SPECIAL AGENT FAHEY: Okay. Do you know
25 if () was on the phone?

1 ([REDACTED]) That's too long ago. I
2 have no idea on that. I could not really say if he
3 was or not.

4 SPECIAL AGENT FAHEY: Okay, and date
5 again, you think?

6 ([REDACTED]) It was in August. I can't
7 -- I can't tell you exactly when.

8 SPECIAL AGENT FAHEY: Okay. Did [REDACTED]
9 give you any indication whether he had just had this
10 conversation with [REDACTED] and [REDACTED] or did he give you
11 an indication, they told me last week or --

12 ([REDACTED]) No. He just came into the
13 office and he said this is what [REDACTED] and [REDACTED] said
14 about working for a fucking drunk.

15 SPECIAL AGENT FAHEY: Okay. And why would
16 they be working for [REDACTED]

17 ([REDACTED]) [REDACTED] was a foreman.

18 SPECIAL AGENT FAHEY: Okay. And was he the
19 foreman for a short period of time?

20 ([REDACTED]) Yeah. Actually [REDACTED] was
21 brought out for ISI, and they figured that [REDACTED] was
22 out there for that time, that he should take care of
23 the fitters until his duties came up for ISI.

24 SPECIAL AGENT FAHEY: Okay. So would it
25 be safe to say this conversation probably happened on

1 the first day that [REDACTED] was assigned as their
2 foreman?

3 [REDACTED] I could not say that.

4 SPECIAL AGENT FAHEY: Okay. All right.
5 Did either of those people [REDACTED] or [REDACTED] raise
6 that concern directly to you?

7 [REDACTED] No.

8 SPECIAL AGENT FAHEY: At any time?

9 [REDACTED] No.

10 SPECIAL AGENT FAHEY: Okay. What was

11 [REDACTED] -- what was your response or [REDACTED]
12 response when [REDACTED] came in the room and told you
13 this?

14 [REDACTED] Basically it was out of my
15 hands 'cause I was really a nobody at that time. I
16 was going through the prints and I kind of said,
17 "Well, what are you going to do about it?" And I
18 remember [REDACTED] saying, "You'd better go take care of
19 this." But I can't be for sure on that.

20 I'm almost sure that he said it 'cause I
21 mean that, basically that was [REDACTED] response to
22 everything as us as his superintendents. He actually
23 took care of the customer and we took care of going
24 and getting the problem solved for our foreman, our
25 general foreman on the jobsite.

1 And I know [REDACTED] said it but I -- I can't
2 confirm, because -- like I mean, anything else that I
3 ever had on nights, "You'd better go take care of it."
4 And that's basically [REDACTED] response to everything. I
5 mean that --

6 SPECIAL AGENT FAHEY: So you're not sure
7 if you recall it specifically in this instance, or if
8 that's just a general --

9 [REDACTED] Right. That was his
10 general thing that he usually said to us as his
11 superintendents, is "You'd better go take care of it."

12 SPECIAL AGENT FAHEY: And he might have
13 said it --

14 [REDACTED] Right.

15 SPECIAL AGENT FAHEY: -- but you're not
16 sure. Okay. What was [REDACTED] response?

17 [REDACTED] Nothing.

18 SPECIAL AGENT FAHEY: He never said, "I'm
19 going to have to do something about this," or --

20 [REDACTED] No. No.

21 SPECIAL AGENT FAHEY: Okay. Do you
22 remember [REDACTED] raising a concern?

23 [REDACTED] No.

24 SPECIAL AGENT FAHEY: About the same
25 thing?

1 [REDACTED] The only two ever mentioned
2 was [REDACTED] and [REDACTED]

3 SPECIAL AGENT FAHEY: Do you remember if
4 this matter was elevated up the chain of command to
5 anybody more senior in (inaudible) Day and Zimmerman,
6 or within NMC?

7 [REDACTED] I don't know what happened
8 after [REDACTED] got there. That I couldn't tell
9 you 'cause they have employees concern, deals that
10 were brought up and I -- I have my different things
11 with [REDACTED] that had nothing to do with this fitness for
12 duty stuff. It was stuff that had to do with our
13 liaison and so on and so forth, but I had never heard
14 anything that was brought up to [REDACTED] about
15 it.

16 SPECIAL AGENT FAHEY: Who is [REDACTED]
17 again?

18 [REDACTED] He came up -- he would
19 actually be something that [REDACTED] would answer to, kind
20 of like what [REDACTED] is right now, for Day and
21 Zimmerman out there.

22 SPECIAL AGENT FAHEY: Okay. Kind of like
23 the project manager?

24 [REDACTED] I'm not sure if that was
25 exactly -- I think it was called dual site manager I

1 think is what they called him.

2 SPECIAL AGENT FAHEY: Okay. When did he
3 come out? How long after this incident?

4 (REDACTED) Oh. This is --

5 SPECIAL AGENT FAHEY: A month later?

6 (REDACTED) Yeah. This is awhile
7 after. his is after a much bigger incident that
8 happened out there.

9 SPECIAL AGENT FAHEY: (Inaudible)
10 something to do with the welding (inaudible)?

11 (REDACTED) No.

12 SPECIAL AGENT FAHEY: Okay. All right.
13 Anybody order (REDACTED) to be fitness for duty tested
14 as far as you know?

15 (REDACTED) No.

16 SPECIAL AGENT FAHEY: Okay. And as far as
17 you know, (REDACTED) showed up to work every day?
18 (REDACTED) Every day. Never missed a
19 day, was never late. Matter of fact, he's usually a
20 half hour early every day.

21 SPECIAL AGENT FAHEY: Okay. And did you
22 have any concern about his fitness for duty?

23 (REDACTED) Never.

24 SPECIAL AGENT FAHEY: And did you interact
25 with him every day?

([REDACTED]) Not after the outage started. I mean, the only time I'd see him is maybe a little bit in the morning, when he came in for his little brief in the morning. And actually, [REDACTED] was more directed from the plant, from NMC, more-wise (sic) than through Day and Zimmerman. I mean, are (inaudible) is kind of its own little separate world. I mean, he answered to [REDACTED] and they kind of had their own little system of what they did.

SPECIAL AGENT FAHEY: Okay. ISI in-service inspections?

([REDACTED]) Yeah, buffing the pipe and checking for thicknesses and so on and so forth, flourides and chlorides and all that kind of -- stuff that's way above my head.

SPECIAL AGENT FAHEY: Okay. Now, let's talk about this chronologically. Okay. Nothing else was ever said about it as far as you know?

([REDACTED]) No.

SPECIAL AGENT FAHEY: The issue was never raised again?

([REDACTED]) Not that I know of, no.

SPECIAL AGENT FAHEY: [REDACTED] never raised it, said what are you guys going to do about this?

([REDACTED]) No.

1 SPECIAL AGENT FAHEY: Okay. And then you
2 get laid off?

3 (REDACTED) Yup.

4 SPECIAL AGENT FAHEY: And when does it
5 surface next, as far as your concern, your
6 involvement?

7 (REDACTED) I got a call from the NRC -
8 - and I may have this last name wrong. I know his
9 first name is -- or his last name is Walker, but I
10 think its Wayne Walker?

11 SPECIAL AGENT FAHEY: It wasn't from the
12 NRC? NMC?

13 (REDACTED) No, no. No, no.

14 SPECIAL AGENT FAHEY: Did he identify
15 himself as NRC?

16 (REDACTED) Yes, yes, ma'am, he did.

17 SPECIAL AGENT FAHEY: Okay.

18 (REDACTED) And his name was -- his
19 last name was Walker for sure.

20 SPECIAL AGENT FAHEY: Okay. And what did
21 he tell you?

22 (REDACTED) He -- well, he started out,
23 he wanted to find out about the welding issue. And
24 then he asked me the fitness for duty thing, and he
25 asked me if I thought that (REDACTED) was under the

1 influence when he came to work, and I said absolutely
2 not. And he asked me what I had to judge that on.
3 Was basically, I seen [REDACTED] in the morning when he
4 came in for his brief in the trailer, and then off he
5 went to (inaudible) site to [REDACTED] you know. And
6 I guess part of the questions that I have for
7 everybody else is he's first hand with [REDACTED]
8 How come [REDACTED] never turned him in if he thought he was
9 underneath the influence for fitness for duty?

10 SPECIAL AGENT FAHEY: Okay. It was just
11 one telephone conversation with this guy?

12 [REDACTED] That one call, and that was
13 all I ever heard about it again until you happened to
14 call.

15 SPECIAL AGENT FAHEY: Okay. Now how about
16 any discussion at the plant in the meantime? I mean,
17 once this Mr. Walker started calling? I assume he may
18 have called more than you.

19 [REDACTED] I had been out of the
20 plant. I just got back on August 19th, I'd been
21 working for Tweet-Garot Mechanical ever since. I'd
22 been off site.

23 SPECIAL AGENT FAHEY: So you've been out
24 of the plant since --?

25 [REDACTED] December 4th, 2001.

1 SPECIAL AGENT FAHEY: Okay. Who did --
2 I'm sorry -- did you work for?

3 [REDACTED] but -- or --

4 SPECIAL AGENT FAHEY: [REDACTED] --

5 [REDACTED] Tweet-Garot Mechanical.

6 SPECIAL AGENT FAHEY: Tweet?

7 [REDACTED] Yeah.

8 SPECIAL AGENT FAHEY: T-W-E-E-T?

9 [REDACTED] Yup.

10 SPECIAL AGENT FAHEY: Garot?

11 [REDACTED] Garot.

12 SPECIAL AGENT FAHEY: Two Rs, two Ts?

13 [REDACTED] I'm better at writing it
14 down than spelling it to you.

15 SPECIAL AGENT FAHEY: G-A-R-R-E-T-T? G-A-
16 R-O-T?

17 [REDACTED] Yup.

18 SPECIAL AGENT FAHEY: Oh, okay. Okay.
19 How about phone calls back and forth between December
20 and now?

21 [REDACTED] I only had one conversation
22 with [REDACTED] and asked me if I got to talk to anybody
23 yet, and I said no. I said the only time I talked to
24 anybody was Mr. Walker, and he said, yeah, he had
25 talked to me about it, but he said, "I couldn't really

1 give him any," -- or "answer any of his questions
2 'cause I didn't take care of any of the welding." He
3 said, "That was you." And I says, "Yeah. I know.
4 That's what I talked to him about." So -- and --

5 SPECIAL AGENT FAHEY: When was that
6 conversation? Recently?

7 [REDACTED] No, no, that's -- oh, with
8 [REDACTED]

9 SPECIAL AGENT FAHEY: Yes.

10 [REDACTED] Oh, that's been six months
11 ago. And the last time I see him was out at the
12 plant. He said hi and -- I don't know if he had his
13 instructions to stay away from me, or not talk to me
14 from [REDACTED] or whatever. I'm not going to get
15 involved with MPS, so --

16 SPECIAL AGENT FAHEY: So you're all
17 working at Point Beach again?

18 [REDACTED] Oh, yeah. Yeah. It's
19 really -- it's really a treat.

20 SPECIAL AGENT FAHEY: But you don't report
21 to each other?

22 [REDACTED] Nope.

23 SPECIAL AGENT FAHEY: Okay.

24 [REDACTED] I work for a totally
25 different company.

1 SPECIAL AGENT FAHEY: All right. Who
2 does [REDACTED] work for?

3 [REDACTED] Day and Zimmerman.

4 SPECIAL AGENT FAHEY: And who does [REDACTED]
5 work for?

6 [REDACTED] Day and Zimmerman.

7 SPECIAL AGENT FAHEY: And do they -- one
8 supervise the other? Does one supervise the other?

9 [REDACTED] Yep. [REDACTED] is the
10 supervisor over [REDACTED] right now.

11 SPECIAL AGENT FAHEY: Oh, so the tables
12 are turned now. Okay. So no one's called you about
13 why you haven't had any conversations with [REDACTED]
14 about this?

15 [REDACTED] Nope.

16 SPECIAL AGENT FAHEY: With [REDACTED]

17 [REDACTED] Nope.

18 SPECIAL AGENT FAHEY: [REDACTED]

19 [REDACTED] Nope.

20 SPECIAL AGENT FAHEY: An attorney named

21 [REDACTED]

22 [REDACTED] Nope.

23 SPECIAL AGENT FAHEY: Okay. No one's made
24 any attempt to contact you about this?

25 [REDACTED] No, ma'am.

FC

1 SPECIAL AGENT FAHEY: Okay. And then,
2 after you spoke with Mr. Walker, you had this
3 conversation with [REDACTED] and then, out of the
4 blue, you hear from me.

5 [REDACTED] Right.

6 SPECIAL AGENT FAHEY: Okay. What about
7 your access?

8 [REDACTED] My access has never been
9 denied.

10 SPECIAL AGENT FAHEY: Okay.

11 [REDACTED] I had to go in for an
12 interview with Darlene Peters and I had my access back
13 right away.

14 SPECIAL AGENT FAHEY: Now, to back up a
15 little bit, you've said -- and if I misquote you, be
16 sure and correct me -- that [REDACTED] and [REDACTED]
17 did exactly what they should have done. They went to
18 their immediate supervisor.

19 [REDACTED] They went over their
20 foreman 'cause they thought their foreman was under
21 the influence, and that's who the next step would've
22 been, is going after -- that was the GF at the time.
23 [REDACTED] was the superintendent at that time.

24 SPECIAL AGENT FAHEY: And GF, you mean
25 general foreman?

1 [REDACTED] General Foreman, right.

2 SPECIAL AGENT FAHEY: Let's talk a little
3 bit in general about fitness for duty training.

4 [REDACTED] Okay.

5 SPECIAL AGENT FAHEY: When you arrived at
6 the site -- and for that matter, any site -- did you
7 go through this general employee training?

8 [REDACTED] Fitness. Sure.

9 SPECIAL AGENT FAHEY: Okay. Were there
10 fitness for duty questions on an exam that you took?

11 [REDACTED] Yep.

12 SPECIAL AGENT FAHEY: And was there some
13 training on fitness for duty?

14 [REDACTED] Yes, there was.

15 SPECIAL AGENT FAHEY: Okay. If you can
16 recall, based on the Kewaunee Plant policy, what are
17 you required to do if you suspect that another
18 employee is unfit for duty?

19 [REDACTED] Supposed to turn it in to
20 your immediate supervisor or turn it over to a
21 security.

22 SPECIAL AGENT FAHEY: So these guys,
23 whether they were right or wrong about [REDACTED] being
24 unfit for duty, they --

25 [REDACTED]: That's (inaudible) correct.

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1 SPECIAL AGENT FAHEY: -- followed
2 procedure? Okay. Is there any unspoken rule about
3 not reporting somebody? Is that frowned upon?
4 [REDACTED] Well, I'm sure it's frowned
5 upon, but -- I mean, no. I mean, if it would've came
6 up to me -- I mean, I consider [REDACTED] a friend. I
7 mean, I'd of walked up to him and said, "Hey bud,
8 you're going to have to go get checked." I mean,
9 you've been turned in and -- 'cause otherwise it's my
10 ass, you know? I mean that's the bottom line. I
11 mean, if somebody comes up to me -- and --

12 I mean, you can talk to any of my guys out
13 at work right now. We just had our stand down right
14 now. I told them, I says, "If you have any problems
15 with anybody, you feel anybody is underneath the
16 influence, you let me know and I take them up to get
17 checked." Everybody on my crew knows it.

18 SPECIAL AGENT FAHEY: And actually,
19 getting [REDACTED] checked would've put a lot of --
20 [REDACTED] It would have -- could have
21 been dead. It would've been a dead issue.

22 SPECIAL AGENT FAHEY: Okay. So the proper
23 -- and I'm kind of putting you on the spot here --
24 but, the proper procedure would've been for [REDACTED]
25 [REDACTED] to have had [REDACTED] tested.

1 [REDACTED] Correct.

2 SPECIAL AGENT FAHEY: Okay. And did you
3 say you know that did not happen or you don't know
4 whether that happened?

5 [REDACTED] I don't think it ever
6 happened, but -- I mean, I'm sure [REDACTED] would have
7 said something about it, but I've never heard nothing
8 about him ever getting checked.

9 SPECIAL AGENT FAHEY: All right, did you
10 have any indication that anyone in upper management
11 knew about this [REDACTED] issue?

12 [REDACTED] Not that I know of, no. I
13 mean, there was never come downs from like [REDACTED]
14 [REDACTED] or any of them asking me about
15 it. No.

16 SPECIAL AGENT FAHEY: All right. And you
17 never forwarded the concern up the chain of command.

18 [REDACTED] No, I did not.

19 SPECIAL AGENT FAHEY: An additional
20 concern that has come to the NRC recently, [REDACTED]
21 [REDACTED] has had his access denied, and has had his
22 access denied since he left Kewaunee.

23 [REDACTED] Uh-huh.

24 SPECIAL AGENT FAHEY: He's claiming that
25 it is in retaliation for reporting the fitness for

1 duty concern. So one of my questions here today is --
2 [REDACTED] I want to go off the record
3 right now.

4 SPECIAL AGENT FAHEY: Okay. It's
5 approximately 4:50.

6 SPECIAL AGENT FAHEY: Okay. We're back on
7 the record. It's 4:42. And there was some discussion
8 off the record about other personnel problems that
9 [REDACTED] had. We're not going to put them on the
10 record.

11 But now my question is, on this
12 retaliation concern that [REDACTED]'s access was
13 denied because of the -- raising the fitness for duty
14 concern, were you aware that [REDACTED] raised that
15 concern to anybody at NMC management or Day and
16 Zimmerman management?

17 [REDACTED] No. I do not know that he
18 ever raised the issue with anybody else besides
19 himself.

20 SPECIAL AGENT FAHEY: Okay. So you would
21 have no way of knowing whether anybody retaliated
22 against [REDACTED] for raising this concern?

23 [REDACTED] No, I would not.

24 SPECIAL AGENT FAHEY: Okay. What about --
25 are you a union member?

1 [REDACTED] Yes, I am.

2 SPECIAL AGENT FAHEY: Member of Local 400?

3 [REDACTED] Yup.

4 SPECIAL AGENT FAHEY: Okay. Did the union
5 ever frown upon this reporting each other for fitness
6 for duty?

7 [REDACTED] No.

8 SPECIAL AGENT FAHEY: Okay. So even
9 though it probably was not a popular thing to do, you
10 -- do you feel comfortable that all the employees
11 understood the necessity of the fitness for duty rule
12 at a nuclear power plant?

13 [REDACTED]: I can only speak for
14 myself. I can't speak for everybody else out there.

15 SPECIAL AGENT FAHEY: Okay. But it's
16 taken seriously --

17 [REDACTED] Oh, yeah.

18 SPECIAL AGENT FAHEY: -- as far as you
19 know? And Security takes it seriously?

20 [REDACTED] Oh, yeah.

21 SPECIAL AGENT FAHEY: Okay. Has [REDACTED]
22 [REDACTED] ever asked you not to talk about this issue or
23 not to report it to anybody?

24 [REDACTED] Nope.

25 SPECIAL AGENT FAHEY: The issue with

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[REDACTED]

[REDACTED]

(No inaudible response.)

SPECIAL AGENT FAHEY: And let's talk a little bit -- and I don't know how far you want to go on with this history of problems with the workers. And basically, I'm looking for were there problems between [REDACTED] and [REDACTED]

[REDACTED]: I think [REDACTED] was pissed at everybody because he wasn't a foreman out there.

SPECIAL AGENT FAHEY: Okay. And why would he think he would be the foreman?

[REDACTED]: On the other outage when NPS was on nights over at Point Beach, [REDACTED] was a foreman, and he got [REDACTED] foreman's wages to help do layout on -- we were building a platform around the RHR pit, around the generators. And he had felt that [REDACTED] owed him to be a foreman.

And then [REDACTED] was brought out, they made him a foreman over the fitters. Then I was brought out, and I was a fitter over -- or a foreman over the fitters. And [REDACTED] was brought out to be foreman over the fitters. I think [REDACTED] basically had a hard-on for everybody. I mean, he was going to be -- I mean, basically, they nicknamed "the [REDACTED]" I mean -- 'cause everything -- he would do everything

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1 the opposite way you tried to tell him to.

2 SPECIAL AGENT FAHEY: Was he a regular
3 employee of --

4 ([REDACTED]) No.

5 SPECIAL AGENT FAHEY: At NMC for different
6 contractors?

7 ([REDACTED]) Yeah. Yes, off and on.

8 But most of the time, when he was at Point Beach, he
9 worked more with the maintenance people than he did
10 with our core group, more or less.

11 SPECIAL AGENT FAHEY: Okay. And you said
12 NPS earlier. That's kind of a shorthand for Day and
13 Zimmerman?

14 ([REDACTED]) Right.

15 SPECIAL AGENT FAHEY: Okay.

16 ([REDACTED]) Actually, PG -- we started
17 out working for Phillips Getschow. Okay? We were all
18 going through the Phillips Getschow, we were there for
19 the Williams Power, and then Day and Zimmerman...

20 SPECIAL AGENT FAHEY: Okay. What about
21 ([REDACTED]) Did he have any problem with ([REDACTED]) As far
22 as you know?

23 ([REDACTED]) Not that I know of.

24 SPECIAL AGENT FAHEY: Okay. So as far as
25 your opinion, you think that either of those two

1 having their access code was retaliation for reporting
2 this fitness for duty concern?

3 ([REDACTED]) To be honest with you, I
4 don't know why [REDACTED] was pulled -- or [REDACTED]s. I
5 have no idea. I mean, [REDACTED] did his job. I mean, he
6 was on nights with me, so I don't know how all these
7 guys were getting all this -- I mean, [REDACTED] did me a
8 great job. I mean, he did what I told him to do, he
9 didn't cause any problem, he was fun to play cards
10 with at lunch, I mean, he was just a good guy. I
11 mean, I golfed with the guy already, too. I mean, you
12 know, he's a good guy.

13 So I don't know what happened with his
14 access. That I -- it did -- it never made sense to me
15 when I heard that [REDACTED] got his pulled out -- I think
16 it was out in Pennsylvania or someplace that they went
17 or -- I heard that he got his access pulled, and I
18 said, "I don't know why."

19 SPECIAL AGENT FAHEY: Okay. And certainly
20 that's not your concern, right? You just concern
21 yourself about your own.

22 ([REDACTED]) Yeah. Well, I'm not --
23 I'll tell you anything you want about myself or -- it
24 doesn't matter to me 'cause I have nothing to hide.

25 SPECIAL AGENT FAHEY: Okay. Did anyone

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1 know that you were here today?

2 [REDACTED] My immediate supervisor.

3 [REDACTED] the only one that knows.

4 SPECIAL AGENT FAHEY: And how do you spell
5 that? [REDACTED] Okay.

6 [REDACTED] We had one of our guys get
7 contaminated -- or actually he didn't get
8 contaminated. He was carrying his tungsten out
9 through the monitors and it went off. With tungsten,
10 after they're lit up one time they're radioactive. So
11 I had to tell him, because otherwise, I'm supposed to
12 stay there with my men.

13 SPECIAL AGENT FAHEY: So they cut you
14 loose early?

15 [REDACTED] Right.

16 SPECIAL AGENT FAHEY: I'm sorry.

17 [REDACTED] No, no. It didn't matter,
18 but I had to make sure I told somebody why I was
19 leaving 'cause usually [REDACTED] would've left, 'cause he
20 was over the millwrights, and I'm over the fitters and
21 the boilermakers.

22 SPECIAL AGENT FAHEY: I don't think
23 there's any other questions. Anything else that you
24 can think of? Was this fitness for duty concern with
25 [REDACTED] ever the discussion of any management

1 meetings with Day and Zimmerman or anything like that?

2 ([REDACTED]) Maybe after I was gone. I
3 don't know.

4 SPECIAL AGENT FAHEY: But as far as you
5 recall, the issue died that day, in that room.

6 ([REDACTED]) That was it.

7 SPECIAL AGENT FAHEY: And ([REDACTED]) as far as
8 you know, didn't do anything about it.

9 ([REDACTED]) Nope..

10 SPECIAL AGENT FAHEY: Okay. And it never
11 came up again? Nobody ever said whatever happened
12 with that or --

13 ([REDACTED]) Not that I've ever heard,
14 no.

15 SPECIAL AGENT FAHEY: Okay. And how much
16 interaction did you have with ([REDACTED]) and ([REDACTED])
17 ([REDACTED]) after you went on the night shift?

18 ([REDACTED]) Every morning.

19 SPECIAL AGENT FAHEY: Turnover?

20 ([REDACTED]) Yeah. Every morning one
21 would call me in his office, and the next one would
22 call me in his office. You know? I mean, it was
23 different. That's something that I haven't been put
24 through before, as being in upper management before.
25 So, I mean, it was --

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1 I think some of the stuff they didn't see
2 eye-to-eye on. I think there was a big power
3 struggle. There was one comment made and I want to go
4 off the record to make that.

5 SPECIAL AGENT FAHEY: Okay.

6 [REDACTED]: But I know what [REDACTED] job
7 was, and I was indentured.

8 SPECIAL AGENT FAHEY: Hold on.

9 [REDACTED]: Okay.

10 SPECIAL AGENT FAHEY: Okay.

11 [REDACTED]: I was indentured in '81,
12 and my way that I was brought into the trade is that
13 you go through your chain of command. And as far as
14 I was concerned, I was a equal with [REDACTED] and [REDACTED] was
15 my immediate supervisor. And that's who I should have
16 to answer to. It shouldn't have been [REDACTED]. And I
17 mean [REDACTED] would make the comment to me every now and
18 again, "You work for me." I said, "No, I don't. I
19 work for [REDACTED] and I work for Day and Zimmerman. I
20 don't work for you."

21 "I brought you out here," he says. "It
22 doesn't matter, [REDACTED] We're equals. You run days,
23 I run nights." And I know that he had a big power
24 struggle, and when I give you my comment off -- that's

25 --

1 SPECIAL AGENT FAHEY: Okay. And before we
2 went on the record, you did ask me if you could have
3 a copy of this transcript?

4 ([REDACTED]) Yes. I would like a copy of
5 it.

6 SPECIAL AGENT FAHEY: And when we go off
7 the record, I'll provide you with paper and you can
8 just scribble a quick request for that.

9 ([REDACTED]) Okay.

10 SPECIAL AGENT FAHEY: I don't have any
11 other questions. Have I threatened you in any manner,
12 or offered you any reward in return for your
13 statement?

14 ([REDACTED]) No, ma'am.

15 ([REDACTED]) Nope.

16 SPECIAL AGENT FAHEY: Have you given your
17 statement freely and voluntarily?

18 ([REDACTED]) Yes, I have.

19 SPECIAL AGENT FAHEY: Anything further you
20 want to add to the record?

21 ([REDACTED]) Not at this time.

22 SPECIAL AGENT FAHEY: Okay, okay.
23 Concluded roughly at five p.m.

24 (Whereupon, the interview in the above-
25 entitled matter was concluded at 5:00 p.m.)

CERTIFICATE

This is to certify that the attached proceedings
before the United States Nuclear Regulatory Commission
in the matter of:

Name of Proceeding: Interview of

([REDACTED])

Docket Number: 3-2002-004 and 3-2002-020

Location: Green Bay, Wisconsin

were held as herein appears, and that this is the
original transcript thereof for the file of the United
States Nuclear Regulatory Commission taken by me and,
thereafter reduced to typewriting by me or under the
direction of the court reporting company, and that the
transcript is a true and accurate record of the
foregoing proceedings as recorded on tape(s) provided
by the NRC.

15 Steven Nickish

Sydney Edington
Official Transcriber
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