

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

INTERVIEW OF )  
 )  
WARREN H. KINSEY, )

Nuclear Support Center  
South Texas Project  
Bay City, Texas  
Friday, July 17, 1992

The above-entitled interview convened, pursuant to  
notice, in closed session at 8:40 a.m.

ON BEHALF OF NRC:  
VIRGINIA J. VAN CLEAVE, Investigator  
611 Ryan Plaza Drive  
Arlington, Texas 76011

ON BEHALF OF THE WITNESS:  
WILLIAM E. BAER, JR., ESQ.  
Newman & Holtzinger, P.C.  
1615 L Street N. W.  
Washington, D. C. 20036

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WAK

PROCEEDINGS

MS. VAN CLEAVE: For the record, this is an interview of Warren H. Kinsey, [redacted] [redacted] date of birth [redacted] who is employed by Houston Lighting and Power, South Texas Project.

7C

The date is July 17th 1992, and the time is 8:40 a.m. Present at this interview are myself, Virginia Van Cleave, an investigator for the NRC Office of Investigations, and William Baer, attorney with Newman and Holtzinger.

This interview is being tape recorded by court report Tom Whiteside.

Mr. Kinsey, if you would please stand and raise your right hand.

Whereupon,

WARREN H. KINSEY

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

MS. VAN CLEAVE: I have just a couple of questions before we get into the main body of the interview.

Does your employer require you to have an attorney present when you talk to the NRC?

THE WITNESS: No.

MS. VAN CLEAVE: Is Mr. Baer acting as your personal representative?

44K

1 THE WITNESS: He is.

2 MS. VAN CLEAVE: Did you select him personally or  
3 did your company select him for you?

4 THE WITNESS: The company recommended him to me.

5 MS. VAN CLEAVE: And, Mr. Baer, who is your  
6 employer?

7 MR. BAER: Newman and Holtzinger.

8 MS. VAN CLEAVE: Are you acting as Mr. Kinsey's  
9 personal representative?

10 MR. BAER: Yes, I am.

11 MS. VAN CLEAVE: Does your firm represent any  
12 other parties associated with South Texas Project?

13 MR. BAER: Yes.

14 MS. VAN CLEAVE: Do you personally represent any  
15 other parties at the South Texas Project?

16 MR. BAER: Yes.

17 MS. VAN CLEAVE: And who are those individuals?

18 MR. BAER: All of the other individuals who have  
19 been subpoenaed in connection with this investigation.

20 MS. VAN CLEAVE: Do you also personally represent  
21 Houston Lighting and Power in respect to this interview?

22 MR. BAER: Yes, I do.

23 MS. VAN CLEAVE: Do you believe a potential  
24 conflict of interest could arise during the course of this  
25 interview?

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1 MR. BAER: It is always possible that conflict  
2 will arise. However, at this point I do not foresee that.

3 MS. VAN CLEAVE: If potential conflict of interest  
4 arises, what will you do?

5 MR. BAER: I will stop the interview and inform  
6 Mr. Kinsey of the potential conflict, we will discuss it and  
7 than at that point decide how to proceed.

8 MS. VAN CLEAVE: Mr. Kinsey, do you understand  
9 that Mr. Baer represents other parties associated with the  
10 South Texas Project?

11 THE WITNESS: I do.

12 MS. VAN CLEAVE: And what is your understanding of  
13 who will pay Mr. Baer's fee?

14 THE WITNESS: Houston Lighting and Power Company.

15 MS. VAN CLEAVE: With this understanding, do you  
16 still want Mr. Baer as your representative?

17 THE WITNESS: I do.

18 EXAMINATION

19 BY MS. VAN CLEAVE:

20 Q Mr. Kinsey, what is your current position here at  
21 the South Texas Project?

22 A I am the vice president of nuclear generation.

23 Q And how long have you held that position?

24 A Since August of 1990.

25 Q Were you employed by Houston Lighting and Power

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1 prior to that time?

2 A Yes, I was.

3 Q What was your position then?

4 A I was plant manager.

5 Q And what were the dates of your employment as  
6 plant manager?

7 A The year was October 1984 that I was promoted to  
8 plant manager so it would be October '84 to August of 1990.

9 Q And how long have you worked for Houston Lighting  
10 and Power?

11 A Since April 12th 1982.

12 Q How long have you been on site here at South  
13 Texas?

14 A Since April 12th 1982.

15 Q As you know, I'm here looking into the  
16 circumstances surrounding the revocation of access of an  
17 individual named Thomas Saporito and my initial questions  
18 are rather general.

19 When did you first become aware of Mr. Saporito?

20 A I don't know the exact date but at some point  
21 early -- I believe it was -- See, I don't even remember the  
22 month now because my memory is kind of cloudy, but early  
23 part of this year, probably January, Mr. Tapia came to my  
24 office and presented me with a <sup>2</sup> ~~2~~.206 petition that was  
25 signed by Mr. Saporito.

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1 Q The records indicate that that was February 11th  
2 of 1992. Would that be consistent with you --

3 A Yes, with my vague memory, that's correct. Time  
4 runs for me.

5 Q You have been onsite here for quite a while. Has  
6 Houston Lighting and Power ever received a 2.206 petition,  
7 to your knowledge?

8 A No, not to my knowledge.

9 Q You were the plant manager previously. Would you  
10 probably have been made aware of a 2.206 petition?

11 A Speculation, if it was operationally oriented,  
12 yes. If there was any given during the construction phase,  
13 no.

14 Q Mr. Tapia then brought the 2.206 to you. Were you  
15 familiar with what that document meant, a 2.206 in general?

16 A Quite honestly, no.

17 Q Did Mr. Tapia explain it to you?

18 A No. I read the document and it seemed self-  
19 explanatory at that point.

20 Q What did you do then? Did you contact other  
21 individuals?

22 A Yes, I did. Either at -- Within a very short  
23 period of time that Mr. Tapia gave me the document, I  
24 contacted Mr. Jump or Mr. Jump was in the vicinity and I saw  
25 him and I asked him to step in my office, which I think is

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1 what happened.

2 At any rate, Mr. Jump came into my office and I  
3 presented him with the document that Mr. Tapia gave me.

4 Q Was any one else present in your office?

5 A At that point, no.

6 Q And did you call anyone else into your office or  
7 was anyone else passing by that afternoon that you called in  
8 to discuss the 2.206?

9 A No, not that I recall.

10 Q Why did you present the document to Mr. Jump?  
11 What are his responsibilities as you would view them in  
12 relation to that?

13 A Mr. Jump is a licensing manager for the project.  
14 I presented it to him because it appeared to be a licensing  
15 related issue and it would be within his responsibilities to  
16 give advice on how to proceed with that document.

17 Q Does Mr. Jump report to you?

18 A No, he does not.

19 Q Who does he report to?

20 A Mr. Hall.

21 Q And was Mr. Hall consulted during this time?

22 A I'm a little fuzzy on what happened, exactly how  
23 Mr. Hall got the information, but he was not consulted at  
24 that point. At some later point, we gave Mr. Hall a copy or  
25 gave him the copy that Joe Tapia had given me. I'm trying

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1 to remember if it was that day, and I'm pretty sure it was  
2 that day, but initially Mr. Hall was not consulted.

3 Q Did you attempt to determine who Mr. Saporito was?

4 A I did.

5 Q And what did you do to try to get that  
6 information?

7 A Well, it was late in the afternoon, after 4:15,  
8 and my secretary wasn't there. I'm familiar with the  
9 personnel data base for our computer system and I went over  
10 to my secretary's computer terminal and accessed the  
11 personnel data base to determine who Mr. Saporito worked  
12 for.

13 Q Were you able to determine that from the computer  
14 screen?

15 A Yes, I think what I found out was that he worked  
16 for the maintenance department.

17 Q Did you then ask for additional information  
18 regarding Mr. Saporito from anyone else?

19 A I did.

20 Q And who would that be?

21 A I made a phone call and I can't remember who I  
22 talked to specifically but someone in human resources and I  
23 asked for the personnel file or the data base file on Mr.  
24 Saporito.

25 Q Was that presented to you?

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*Handwritten signature*

1           A     Not in that term. What happened is that later on  
2 that day, as I recall, Mr. Odom had the file in his  
3 possession outside my office and motioned me over and said I  
4 have Mr. Saporito's file. It wasn't given to me. He showed  
5 me the file or I asked to see the file. I reviewed the file  
6 and handed it back to Mr. Odom.

7           Q     Why did you review the file?

8           A     Well, because the information in the 2.206  
9 indicated that there were some potential severe problems in  
10 the maintenance organization and the security or the  
11 functions of the maintenance on the station, as well as the  
12 way we handle our access program for security.

13                   I was concerned about the credibility of the  
14 person making the accusations relative to whether the  
15 accusations had any potential for being real or not.

16                   That's why I wanted to see who this individual  
17 was, how long he had been on the station, his experience,  
18 his job.

19           Q     Did you gather that information from your review  
20 of the file?

21           A     What I found out was that the individual was only  
22 employed on the station for a short period of time, that he  
23 was a contractor working for an organization by the name of  
24 Sun, and he was working in the I&C -- instrument and  
25 controls division.

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1           With that, I concluded that he would have had  
2 access to information that he could have therefore made  
3 conclusions that would have appeared in the 2.206.

4           Q     Did you then make any assignments to Mr. Jump as  
5 to how he should proceed in handling the 2.206, since you  
6 did view it as his responsibility since he was a licensing  
7 manager?

8           A     I did not.

9           Q     Do you know what -- Did you contact legal counsel?

10          A     I did not.

11          Q     Did you ask Mr. Jump to contact legal counsel?

12          A     I did not.

13          Q     Did anyone present in your office ask Mr. Jump to  
14 contact legal counsel?

15          A     I did not.

16          Q     Did anyone else that was there at your office at  
17 that time ask Mr. Jump to contact legal counsel, that you  
18 can remember?

19          A     I don't remember. No, I can't remember anyone  
20 doing that. I did not ask him to contact legal counsel. If  
21 someone else did, I don't remember that occurring.

22          Q     Did you -- What did you consider your involvement  
23 to be in this 2.206?

24          A     At this time?

25          Q     Yes.

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1           A     My responsibility was to inform my supervisor that  
2 the 2.206 had been given to us and I also felt responsible  
3 to tell Mr. Jump. That was all at this point in time.

4           Q     Who is your supervisor?

5           A     Don Hall.

6           Q     So then you did notify him but you don't remember  
7 if it was that day or --

8           A     I did notify Mr. Hall. I just don't recall  
9 whether it was that day. I think it was but within a short  
10 period of time we did notify Mr. Hall and gave him the 2.206  
11 copy that I had.

12          Q     Was a decision made as to who would be responsible  
13 for handling Mr. Saporito's 2.206 petition and any other  
14 concerns concerning Mr. Saporito?

15          A     Yes, it was.

16          Q     Who made that decision?

17          A     Mr. Hall.

18          Q     And who was charged with that responsibility?

19          A     Mr. Jump.

20          Q     Do you recall if that occurred that day, February  
21 11th, or if it was the next day or when it might have been?

22          A     I don't recall the time. I just know that we had  
23 a meeting with Mr. Hall at his office. The people who I  
24 remember being there were myself, Mr. Hall, Mr. Jump and Mr.  
25 Jordan, and it was at that meeting that Mr. Hall charged Mr.

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*White*

1 Jump with the responsibility with handling the 2.206.

2 Q Do you keep a calendar?

3 A No.

4 Q Mr. Jump has testified that he notified legal  
5 counsel on February 11th. Did he come back and report to you  
6 that he had done so?

7 A I don't recall.

8 Q Do you recall any discussion at that time with Mr.  
9 Jump regarding any conversations he had had with legal  
10 counsel?

11 A I don't.

12 Q When Mr. Hall charged Mr. Jump with responsibility  
13 for handling the 2.206, had you provided any suggestions or  
14 recommendations or proposed courses of action to Mr. Hall or  
15 to Mr. Jump?

16 A I did not.

17 Q Did you have any assignment in what you should do  
18 regarding the 2.206?

19 A I did.

20 Q And what was that?

21 A Mr. Hall told me to ensure that we did not take  
22 any action in regard to Mr. Saporito relative to  
23 disciplinary action without making sure that that was  
24 appropriately discussed and cleared with Mr. Jump before we  
25 did it, that I was to inform the management chain that Mr.

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1 Saporito reported through about the 2.206 and to ensure that  
2 it was clear to them how to handle any types of problems,  
3 personnel types of problems that may come up with Mr.  
4 Saporito, to ensure that we did not violate his rights, and  
5 I did that.

6 Q Did you convey that message to Mr. Balcom or  
7 anyone in Nuclear Security?

8 A I may have also talked to Mr. Balcom about that,  
9 as well.

10 Q Did Mr. Balcom answer to you? Were you the  
11 supervisor at this time?

12 A Yes, Mr. Balcom does report to me. I'm  
13 responsible for Nuclear Security.

14 Q And do you recall whether or not you did have such  
15 a conversation with Mr. Balcom?

16 A Since you brought it up, it seems to me that I did  
17 have such a conversation with Mr. Balcom as well, but if I  
18 would have had to recall that memory myself I'm not sure I  
19 would have.

20 Q Do you keep any kind of -- You said you do not  
21 keep a calendar. Do you keep any kind of diary?

22 A No.

23 Q Notes or records of conversations or anything like  
24 that?

25 A No. I talk to a lot of people all day long. I

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1 don't stop to write down everything I talk about.

2 Q When you reviewed Mr. Saporito's file, you said  
3 that Mr. Odom provided it to you, probably on February 11th.  
4 Did you keep it for any length of time or did you just  
5 review it and return it to Mr. Odom?

6 A I reviewed it and returned it to Mr. Odom. I  
7 probably had it in my hands for less than two minutes.

8 Q Do you recall if Mr. Odom retained it or if he  
9 provided it to anyone else?

10 A I left the area in which Mr. Odom provided me the  
11 file and when I left he had the file.

12 Q Are you aware of whether or not Mr. Jump was ever  
13 in possession of that file?

14 A I am not.

15 Q This occurred on February 11th. Mr. Saporito's  
16 access was revoked on February 20th. Between February 11th  
17 and February 20th, before the action was taken to revoke his  
18 access, did you have any further dealings with the Saporito  
19 issues, the 2.206, or any questions that might have arisen  
20 regarding possible discrepancies in his background?

21 A None.

22 Q You had no further meetings with anybody?

23 A No.

24 Q You were sort of out of the loop, is that safe to  
25 say?

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1 A That's exactly right, out of the loop.

2 Q On February 20th, Mr. Saporito's access was in  
3 fact revoked. How familiar are you with the adjudication  
4 process, because this action did result following an  
5 adjudication?

6 A I'm familiar with the process. If you want me to  
7 grade it when you say how familiar, I can say I'm familiar  
8 with the process.

9 Q You're aware of the procedures.

10 A Yes.

11 Q Do you have any specific information regarding  
12 specific cases -- Let me rephrase that.

13 Now I know that Mr. Balcom has been in that  
14 position, or had been in that position a short time when  
15 this occurred.

16 A Yes.

17 Q Prior to that time, a Mr. Randlett held that  
18 position. Did Mr. Randlett also report to you?

19 A He did.

20 Q Did Mr. Randlett also report to you?

21 A He did.

22 Q Did Mr. Randlett and do Mr. Balcom consult you in  
23 any way when they have an action that may result from an  
24 adjudication?

25 A Mr. Randlett did. I don't recall any cases other

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1 than Mr. Saporito's case relative to adjudication while Mr.  
2 Balcom was on the job.

3 That's not to say we didn't have any, but he was  
4 on the job such a short period of time I just don't recall  
5 any. Mr Randlett did.

6 Q And he consulted you in regards to those actions?

7 A Yes, he did.

8 Q Do you recall any similar cases where access was  
9 revoked due to omission of facts from the screening  
10 affidavit or the data forms?

11 A Yes.

12 Q Do you have any idea how frequently something like  
13 that occurred?

14 A Infrequently.

15 Q Can you give me a guess, an estimate? A couple  
16 times a year or --

17 A Well, I might say that I would consult with Mr.  
18 Randlett, depending on the time of year, maybe several times  
19 a year.

20 If you're going into an outage where you have a  
21 number of people coming -- you know, you may have the  
22 opportunity to review more than you would when you're not  
23 having an outage situation. Several would be kind of a feel  
24 that I would have that we might look at over a year's period  
25 of time.

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1 Q And had you issued instructions or directions to  
2 Mr Randlett to consult with you before he took any such  
3 action?

4 A I did give <sup>him</sup> ~~you~~ <sup>work</sup> instructions that if he, in his  
5 position as security manager and his responsibilities  
6 relative to the access control, were to deny someone access  
7 that prior to doing that he would consult with me for  
8 denials.

9 Q And what <sup>about work</sup> Mr. Balcom? Did you issue any such  
10 direction to him?

11 A I don't recall talking to Mr. Balcom specifically  
12 about that. My assumption, I guess, was that when he took  
13 the job from Mr. Randlett there was a turnover period and  
14 that they would have discussed that, but I don't recall  
15 specifically giving Mr. Balcom the same directions as Mr.  
16 Randlett.

17 Q Why not?

18 A Why would I not recall?

19 Q No, why would you not give him -- You said that  
20 you assumed that they would talk but if you --

21 A I would have. I would have but I just can't  
22 remember if I did or not. There's no reason why I would  
23 have changed that rule.

24 Q That's my question, whether or not there was a  
25 reason.

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*HRK*

1 A No.

2 Q Did Mr. Balcom, in your recollection, ever consult  
3 with you prior to taking any action as a result of an  
4 adjudication?

5 A I have no recollection of any before the Saporito  
6 case. Again, it was a short period of time. We may have.  
7 Things run together. We may have talked about it but I just  
8 don't recall.

9 Q Did Mr. Balcom consult you regarding Mr.  
10 Saporito's case?

11 A He did not.

12 Q What about Mr. Henson? He is the senior  
13 investigator, or was the senior investigator. Did he  
14 consult you or did he have a policy of consulting you? I  
15 understand Mr. Balcom is his supervisor but --

16 A On occasion I have discussed investigations, not  
17 necessarily denial investigations, with Mr. Henson. In  
18 fact, I can't think of any time I discussed a denial of  
19 access investigation with Mr. Henson. That doesn't mean it  
20 didn't happen.

21 He did not discuss anything regarding Mr. Saporito  
22 with me.

23 Q When did you first learn that Mr. Saporito's  
24 access had been revoked?

25 A We were at an enforcement conference in Arlington,

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1 the date of which I believe was February 14th, and at the  
2 end of that enforcement conference -- I can't remember the  
3 exact circumstances of the conversation -- Mr. Jump  
4 indicated to me that Mr. Saporito's access had been denied.

5 Q I believe that would have been February 21st.

6 A Okay.

7 Q And how did you respond to Mr. Jump?

8 A I told him I didn't want to know anything else.

9 Q Well, that takes care of my next question, whether  
10 or not you asked for any details.

11 Would you ordinarily receive additional  
12 information on a denial?

13 A Well, ordinarily I would have consulted with Mr.  
14 Balcom on denials before denials were given.

15 Q And why did that not occur in this case?

16 A Specifically because in the meeting with Mr. Hall  
17 he indicated that Mr. Jump was to be in charge and that I  
18 was not to get involved in the case, other than the  
19 directions he gave me which I gave you earlier, to make sure  
20 that everyone handled any personnel issues in an appropriate  
21 fashion.

22 Q This seems to be a personnel issue and you  
23 mentioned earlier that Mr. Hall had told you to be sure that  
24 no discriminatory action was taken against Mr. Saporito and  
25 this could be viewed as possibly being discriminatory.

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1           Why would you not have been consulted? If you  
2 were given those directions by Mr. Hall, it seems like this  
3 action would fall into that category.

4           A     The actions that Mr. Hall told me to take were  
5 relative to Mr. Saporito's job as an I&C person, a contract  
6 person. That's the way I understood the directions from Mr.  
7 Hall.

8           In other words, if Mr. Saporito had a problem with  
9 his work or his work supervisors, I understood clearly from  
10 Mr. Hall that anything dealing with access for Mr. Saporito  
11 was to be handled by Mr. Jump.

12           MR. BAER: Wait a minute. Let me clarify. Did Mr.  
13 Hall ever talk about access?

14           THE WITNESS: No. He didn't use the word  
15 "access." That's probably a misstatement on my part. He  
16 just said involvement of Mr. Saporito's 2.206 was to be  
17 handled by Mr. Jump.

18           BY MS. VAN CLEAVE:

19           Q     Would not a revocation of access be considered a  
20 personnel action?

21           A     One could view it that way, I guess.

22           Q     So you didn't feel that you should have been  
23 notified by Mr. Balcom or someone regarding this action?

24           A     I didn't feel one way or the other. My supervisor  
25 told me this is what I want you to do and I didn't question

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*W.R.*

1 whether that was -- I didn't question that. I did what I  
2 was told to do.

3 Q Again, Mr. Hall had mentioned -- I understood you  
4 to say that Mr. Hall had mentioned personnel actions and  
5 possible discriminatory actions and had charged you with  
6 ensuring that Mr. Saporito was not discriminated against in  
7 any personnel actions.

8 To me a revocation -- Perhaps I misunderstand, but  
9 to me a revocation could be considered a personnel action.

10 MR. BAER: I believe you're mischaracterizing his  
11 testimony. I believe that what he testified was that Mr.  
12 Hall instructed him to inform his people that if any action  
13 was going to be taken against Mr. Saporito that Mr. Jump be  
14 informed.

15 MS. VAN CLEAVE: Is that correct?

16 THE WITNESS: Would you restate what you just  
17 said?

18 MR. BAER: I believe what you testified just a  
19 little while ago was that you were to instruct your people  
20 that the 2.206 had been issued and to make sure that no  
21 disciplinary or other employment action be taken against Mr.  
22 Saporito without informing Mr. Jump.

23 THE WITNESS: That is correct.

24 MS. VAN CLEAVE: So you're saying that I  
25 misunderstood your testimony, that you were not told by Mr.

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*WJK*

1 Hall to talk to your people and ensure that Mr. Saporito  
2 would not be treated in a discriminatory manner.

3 I don't recall, and you could be certainly  
4 correct, I don't recall you emphasizing that your only  
5 instruction was to see to it that Mr. Jump was notified. I  
6 understood you to say --

7 MR. BAER: He testified that he was to -- Can we  
8 play back the testimony? That would be helpful.

9 ~~(Requested portion of tape~~ <sup>was not</sup> ~~played~~ <sup>back</sup> ~~back.)~~

10 THE WITNESS: Let me try to clarify what I'm  
11 trying to convey to you.

12 Mr. Hall wanted to make sure that relative to Mr.  
13 Saporito's job, his daily work, that if anything came up  
14 during that job -- a confrontation or a concern -- that it  
15 was handled through Mr. Jump so that we did not, you know,  
16 improperly handle Mr. Saporito as far as his rights under  
17 the 2.206.

18 Also, Mr. Hall instructed that I not be involved  
19 in any discussions or decision making -- that was the  
20 inference. I don't know the exact words he used, I don't  
21 remember that -- relative to the 2.206.

22 Therefore, I did not consider that it was my job  
23 in this particular case, although I may have been involved  
24 and was involved in previous denial reviews, to be involved  
25 in this particular case.

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WAK

1           Whether that is opposite, as you are asking me if  
2 that goes against Mr. Hall's direction for making sure his  
3 rights were not violated for 2.206, I don't see that to be  
4 the case here because Mr. Hall wanted Mr. Jump to be over  
5 the case and to focus on the case. That's what he was given  
6 charge of, so that that didn't happen, and that's what Mr.  
7 Jump was doing with the process of review for access.

8           I wouldn't have expected Mr. Jump to have  
9 consulted with me because I would have been consulting with  
10 him on personnel issues so he was in effect the higher  
11 authority for this case.

12           MS. VAN CLEAVE: Okay, I understand and I  
13 appreciate that clarification.

14           BY MS. VAN CLEAVE:

15           Q     So when Mr. Jump told you about this on February  
16 21st -- I'm assuming it was because that was the date of the  
17 meeting in Arlington -- you felt comfortable with the fact  
18 that you were not consulted, is that correct?

19           A     As I stated earlier, I didn't feel anything one  
20 way or the other. I accepted my job as to do what Mr. Hall  
21 said and I didn't have any feelings about it.

22           Q     And you have said you did not ask for details.  
23 Did Mr. Jump tell you why his access was revoked?

24           A     I recall some words about information that had  
25 been learned after an interview with Mr. Saporito. Now

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WAK

1 whether I recall that relative to that particular day with  
2 Mr. Jump or if I heard that in some other conversations  
3 after that date, I really couldn't tell you. I do not know  
4 any details.

5 Q And you still don't?

6 A And I still don't.

7 Q I've reviewed a lot of adjudication files and from  
8 my review it seems to me the adjudication process regarding  
9 omission of information is somewhat subjective.

10 Do you have any idea or any feel for the frequency  
11 of or the percentage of revocations or denials of access  
12 when information is omitted from these forms?

13 A I do not.

14 Q Have you ever reviewed the adjudication -- any of  
15 the adjudication files in order to determine the consistency  
16 of action?

17 A No.

18 Q In other words, not each specific file in which  
19 you might have been consulted but an overview of files to  
20 see if actions are being applied across the board in a  
21 standard manner.

22 A No.

23 MR. BAER: You have reviewed the report that just  
24 came out, the document I just provided this morning?

25 THE WITNESS: That's correct.

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*AK*

1 BY MS. VAN CLEAVE:

2 Q But you haven't performed an independent audit  
3 yourself to look at the files and try to determine if  
4 actions were being taken that were consistent.

5 A No.

6 Q Have you attended any meetings or been involved in  
7 any conversations since that time at which the reason for  
8 revoking Mr. Saporito's access was discussed?

9 A No.

10 Q And have you attended any meetings or had any  
11 conversations regarding Mr. Saporito that we have not  
12 already discussed, other than I guess you may have consulted  
13 with Mr. Baer either in preparation for this interview.

14 Other than legal counsel, do you recall attending  
15 any meetings or having any conversations with anyone  
16 regarding Mr. Saporito's 2.206 or his access revocation?

17 A Other than the one you mentioned, which is  
18 discussion with Mr. Baer in preparation for this meeting,  
19 no.

20 Q Then would you characterize your involvement with  
21 Mr. Saporito's access revocation as minimal at best?

22 A Yes.

23 Q You've already said you don't have any  
24 conversation records, you don't have a calendar. Do you  
25 have any meeting minutes of the one or two meetings that you

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*LR*

1 did attend at which Mr. Saporito's situation was discussed?

2 A No.

3 Q Do you know if any minutes were prepared of those  
4 meetings?

5 A No. There may be meeting minutes from the  
6 enforcement conference but I truly doubt that there would be  
7 any mention of that.

8 Q But the <sup>minutes</sup> ~~minutes~~ that Mr. Hall had -- Mr. Hall had  
9 a meeting I guess on February 12th and I was wondering if  
10 there were any meeting minutes for that.

11 A I don't know of any meeting minutes. I've not  
12 seen any meeting minutes.

13 Q So it's not standard policy to have someone  
14 prepare meeting minutes?

15 A For what I would consider to be an impromptu  
16 meeting to talk about a subject for a short period of time,  
17 no official agenda, no, that is not standard policy.

18 Q What about Mr. Hall's -- how has it been phrased  
19 to me -- Tuesday morning meetings or something like that. I  
20 don't know how it was phrased exactly but weekly meetings, I  
21 guess, are there meeting minutes for those?

22 A No, to the best of my knowledge.

23 Q And do you ever take notes of those meetings?

24 A I do.

25 Q Do you retain them?

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HK

1           A     Not for a long period of time. I usually take  
2 notes, cryptic notes, and pass the information on from that  
3 meeting, which is a staff meeting, to my department heads,  
4 or take the notes and convert them into action statement or  
5 written memos, but I don't keep notes from the meetings  
6 routinely.

7           Q     Do you recall Mr. Saporito's case being discussed  
8 at any of these staff meetings?

9           A     I really don't.

10          MS. VAN CLEAVE: Mr. Kinsey, have I threatened you  
11 in any manner or offered you any reward in return for this  
12 statement?

13          THE WITNESS: You have not.

14          MS. VAN CLEAVE: Is there anything further you  
15 would like to add for the record?

16          THE WITNESS: No.

17          MS. VAN CLEAVE: This interview is concluded at  
18 approximately 9:20<sup>AM</sup>a.m.

19                 (Whereupon the matter concluded at 9:20 a.m.)

20  
21                 I have read the foregoing transcript, made and  
22                 initialed any necessary corrections and have signed  
23                 my initials at the bottom of each page. This transcript  
24                 is the truth to the best of my knowledge and  
25                 belief.

Warren H. Kinsey  
9-17-92

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WRH

REPORTER'S CERTIFICATE

This is to certify that the attached proceedings before the United States Nuclear Regulatory Commission

in the matter of:

NAME OF PROCEEDING: Warren Kinsey

DOCKET NUMBER:

PLACE OF PROCEEDING: Bay City, Texas

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.

Tom Whiteside

Official Reporter  
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