

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

INTERVIEW OF)
)
WILLIAM G. ISEREAU)

Nuclear Support ^{Center} ~~System~~ *wll*
South Texas Project
Bay City, Texas
Tuesday, July 28, 1992

The above-entitled interview convened, pursuant to
notice, in closed session at 4:46 p.m.

ON BEHALF OF NRC:
VIRGINIA VAN CLEAVE, Investigator
Arlington, Texas

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

Information in this record was deleted
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P R O C E E D I N G S

1
2 MS. VAN CLEAVE: For the record, this is an
3 interview of William G. Isereau -- I-s-e-r-e-a-u -- [REDACTED] 7C
4 [REDACTED], date of birth [REDACTED]
5 [REDACTED], who is employed by Houston Lighting and Power
6 South Texas Project.

7 The date is July 28th 1992 and the time is
8 approximately 4:46 p.m.

9 Present at this interview are myself, Virginia Van
10 Cleave, investigator for the NRC Office of Investigation,
11 and William Baer, attorney with Newman and Holtzinger.

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

14 Mr. Isereau, if you will please stand and raise
15 your right hand.

16 Whereupon,

17 WILLIAM G. ISEREAU

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

20 MS. VAN CLEAVE: I have a couple of initial
21 questions to ask regarding Mr. Baer's presence. They are
22 standard questions.

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

25 THE WITNESS: No.

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WAS

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

3 THE WITNESS: Yes.

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

6 THE WITNESS: He was made available to me and I
7 selected him.

8 MS. VAN CLEAVE: Mr. Baer, who is your employer?

9 MR. BAER: Newman and Holtzinger.

10 MS. VAN CLEAVE: Are you acting as Mr. Isereau's
11 personal representative?

12 MR. BAER: Yes, I am.

13 MS. VAN CLEAVE: Does your firm represent any
14 other party associated with the South Texas Project?

15 MR. BAER: Yes, it does.

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

18 MR. BAER: Yes.

19 ^WMS. VAN ^NCLEAVE: And those parties are?

20 MR. BAER: Houston Lighting and Power Company and
21 other individuals being interviewed during the course of
22 this investigation.

23 MS. VAN CLEAVE: Then do you personally represent
24 Houston Lighting and Power with respect to this interview?

25 MR. BAER: Yes, I do.

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WAT

1 MS. VAN CLEAVE: Do you believe a potential
2 conflict of interest could arise during the course of this
3 interview?

4 MR. BAER: It is always possible that a conflict
5 of interest may arise. However, I do not foresee such a
6 conflict at this time.

7 MS. VAN CLEAVE: If a potential conflict of
8 interest arises, what will you do?

9 MR. BAER: I will stop the interview and will
10 consult with Mr. Isereau and we will decide how to proceed
11 at that time.

12 MS. VAN CLEAVE: Mr. Isereau, do you understand
13 that Mr. Baer represents other parties associated with the
14 South Texas Project?

15 THE WITNESS: Yes.

16 MS. VAN CLEAVE: What is your understanding of who
17 is paying Mr. Baer's fee?

18 THE WITNESS: HL&P to my knowledge.

19 MS. VAN CLEAVE: With that understanding, do you
20 still want Mr. Baer as your representative?

21 THE WITNESS: Yes, I do.

22 EXAMINATION

23 BY MS. VAN CLEAVE:

24 Q Mr. Isereau, what is your position here at the
25 South Texas site?

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WRS!

- 1 A I'm the quality assurance audit supervisor.
- 2 Q How long have you had that position?
- 3 A Since January of '92.
- 4 Q So about six months?
- 5 A Yes.
- 6 Q Did you work at the South Texas Project prior to
7 that time?
- 8 A Yes.
- 9 Q What position did you have then?
- 10 A Quality assurance surveillance supervisor.
- 11 Q How long did you have that position?
- 12 A Since approximately 1984.
- 13 Q Were you onsite here the whole time?
- 14 A Yes.
- 15 Q Did you work for Houston Lighting and Power prior
16 to 1984?
- 17 A Yes, since 1981.
- 18 Q You started in 1981?
- 19 A Yes.
- 20 Q Did you start here onsite?
- 21 A Yes.
- 22 Q In 1981?
- 23 A Yes.
- 24 Q I'm here looking into the circumstances
25 surrounding the revocation of Mr. Thomas J. Saporito's

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1 access, unescorted access and I have a report that has your
2 name on it, Concern Number 12266A, investigation by W. ^{G.} ~~S.~~ *with*
3 Isereau, and it relates to the revocation of Mr. Saporito's
4 unescorted access.

5 Did you ^{write} ~~wrote~~ *with* this report?

6 A Yes.

7 Q And did you conduct such an investigation?

8 A I did.

9 Q And I believe since that time another report and a
10 review of this investigation have been completed.

11 MS. VAN CLEAVE: Did you want to make some
12 comments about that, Mr. Baer?

13 MR. BAER: Yes. This was a review performed by
14 Mr. David H. Andrews -- this is my understanding -- of
15 Chicago, Illinois.

16 HL&P has provided this report to Ms. Van Cleave in
17 response to her request for documents relating to this
18 investigation. The report is undated. However, my
19 understanding is that HL&P received it on July 24th 1992.

20 The company has not yet had the opportunity to
21 review the report in detail and cannot vouch for the
22 accuracy of information contained within it.

23 However, with that understanding, the company has
24 no objection to providing the report.

25 MS. VAN CLEAVE: Thank you.

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1 BY MS. VAN CLEAVE:

2 Q Mr. Isereau, when did you first become aware of
3 Mr. Saporito?

4 A About the middle of March, when I started the
5 investigation. I was given some background information.

6 Q Why was this investigation assigned to you?

7 A It was my understanding that I had no previous
8 involvement and ^{my wife} Dr. Jordan -- Tom Jordan -- asked me if I
9 would be available for it. I believe other people had been
10 involved ^{with} in one way or another -- the normal people that
11 would do it, the normal Speak Out people, so I was asked if
12 I could do it.

13 Q Had you ever conducted other investigations for
14 Speak Out?

15 A No, I had not.

16 Q Had anyone to your knowledge assigned to QA audit
17 conducted any investigations for Speak Out?

18 A Had I as --

19 Q Anyone else. You said you were an audit
20 supervisor. Had anyone else in your group ever conducted
21 investigations for Speak Out?

22 A I couldn't say for sure.

23 Q Do you know why you specifically were selected?

24 A No.

25 Q I understand as a disinterested party you were

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WSK

1 someone who had no prior knowledge of Mr. Saporito, but do
2 you know why it was you specifically?

3 A Other than that, I don't know. I wasn't given any
4 specifics other than that.

5 Q Do you have any kind of investigatory background?

6 A No.

7 Q What instructions did Mr. Jordan give you
8 regarding conducting this investigation?

9 A He basically asked me to get with Don Bohner and
10 that was it. He really didn't give me any instructions or
11 any directions other than once it was agreed that I could do
12 it, he asked me to get with Don Bohner.

13 Q And Don Bohner was the supervisor of Speak Out, is
14 that correct?

15 A Supervisor or manager of Speak Out, right.

16 Q And did you get with Mr. Bohner?

17 A Yes.

18 Q Do you recall when that was?

19 A I have to look at when my notes started and go
20 back from there, my interview notes, because I don't
21 remember. It was probably within a week of when I started
22 the first interview.

23 Q I have some copies of Speak Out interview notes
24 and the first date I have is March 18th 1992. Does that
25 sound about right as to when you started the investigation?

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1 MR. BAER: Are those your notes?

2 THE WITNESS: Yes. The 18th does appear to be the
3 first date.

4 BY MS. VAN CLEAVE:

5 Q The only date I see here, just very briefly
6 flipping through your report, is a date -- it looks like it
7 might have been signed by Mr. Bohner on a Speak Out
8 investigation plan and it's dated March 17th 1992 and it has
9 your name at the top.

10 Did you prepare that?

11 A Yes.

12 Q And would that have been -- this date down here,
13 would that --

14 A That was probably three to five days after I
15 initially started. I did some reading and put this together
16 so I would guess it would be the 13th of March, or somewhere
17 between the 13th and 15th is when I first called Don and got
18 started on it.

19 Q What did Mr. Bohner tell you about conducting the
20 investigation? Did he give you any specific instructions?
21 Did he make any suggestions?

22 A No, he didn't give me any specific instructions.
23 He gave me some information, some documents which I don't
24 really recall just which they were, and I believe he gave me
25 -- either I asked or he gave me the procedures, some Speak

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wjd

1 Out procedures that I could read.

2 He was very vague on giving me any direction on
3 what to do or how to do it or where to go or who to see or
4 anything like that.

5 Q And how did you prepare for conducting the
6 investigation?

7 A I read through the documentation that he gave me
8 and then some additional documentation that he indicated
9 Rick Cink had, who was a regular Speak Out investigator. I
10 got that information and read through and then sat down and
11 discussed this plan, this investigation plan as to how to
12 put it together.

13 It's pretty self-explanatory with the questions
14 there and so I went back and put that together and I think
15 he indicated up front that this was the starting point and
16 that it may grow during the investigation with ~~ten~~ ^{the will} questions
17 and things that I would ask.

18 Q "He" being Mr. Bohner?

19 A Yes.

20 Q There is another investigation plan here dated --
21 I think it's February 26th 1992 and it shows the
22 investigator as Mr. Cink.

23 Did you have this investigation plan? Do you
24 recall?

25 A I don't recall ever seeing this.

1 Q Do you recall what documents you reviewed? Did
2 you review Mr. Saporito's personnel file, his nuclear
3 security file?

4 A When I was planning this?

5 Q When you were planning the investigation.

6 A No.

7 Q I guess I'm trying to understand what documents
8 you reviewed. Your testimony indicates that Mr. Bohner
9 said, well, here's the situation and he didn't really give
10 you any specifics and you hadn't worked -- you said you had
11 not conducted a Speak Out investigation before, so how did
12 you know -- What did you do?

13 A I reviewed this ^{IP-7.02} ~~IP702~~. *WDR*

14 Q That's the procedure.

15 A Yes, two of them here because they were in the
16 process of changing it. The administrative practice, the
17 2.206. I believe there was another document. I don't know
18 if it was this DOL document. I really don't know which one
19 it was.

20 Q What were you specifically charged with? What was
21 the intent of the investigation as it was explained to you?

22 A That paragraph right there is basically what I was
23 provided, an individual's concern --

24 Q A discriminatory action administered against him
25 in violation of -- Is that what you were provided with?

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1 A Yes, it was a different form but it was that -- I
2 think it was a piece of paper that had other ones on there,
3 other items like that, but as I recall some were blacked out
4 and I don't remember -- That was the information that I had
5 to start with was that statement.

6 Q You reviewed the procedures and you said you
7 reviewed the 2.206 petition and perhaps the DOL document but
8 you're not sure about that, is that correct?

9 A Right, and I had some -- I forget if it was Speak
10 Out procedures out of the manual, two or three of those. I
11 don't recall the number.

12 Q How did you know even who to interview?

13 A I'm trying to think how I did get started. Oh, I
14 had some other information, some other documents from Rick
15 Cink that were -- these three memos from Rick Cink, Sanchez
16 notes here, I believe this Hinson memo was in there on the
17 adjudication and I think that was all that was in there at
18 that time which this is information that Rick had in a
19 package and he just gave a package of information that Don
20 had indicated that Rick may have some additional
21 information. This was probably about an inch of information
22 ~~the~~ ^{that was} he gave me.

23 Q Did he provide you with any verbal information
24 about Mr. Saporito?

25 MR. BAER: At that time?

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1 MS. VAN CLEAVE: When he gave him that inch
2 package.

3 THE WITNESS: I don't recall. I believe he just
4 gave me and said this is everything I have. It was just
5 clipped together and he gave it to me.

6 BY MS. VAN CLEAVE:

7 Q Are you familiar with Section 210 of the Energy
8 Reorganization Act -- I mean were you?

9 A No, I was not.

10 Q Did you feel comfortable with this? Did you
11 understand what you were supposed to be investigating?

12 A I felt comfortable that I understood what I was
13 investigating. I ^{wasn't with} ~~didn't~~ too sure that I was
14 administratively following the process because so very
15 little was explained as to the how-to, the mechanics of it.

16 I knew what I was after. I didn't know the
17 mechanics of how to --

18 Q You mean how Speak Out is usually conducted?

19 A Yes, forms to fill out, paperwork format,
20 arranging the interviews, those kinds of logistics because
21 no one really told me how to do it.

22 Q Did you ask Mr. Cink or Mr. Bohner for guidance in
23 that regard?

24 A Yes, I asked Mr. Bohner and I didn't really get
25 much. I later concluded that I think it was intentional, I

1 thought for fear of influencing me or steering me that he
2 just kind of fed it back to me. I would ask him a question
3 and it was just, do what you think, that type of nebulous
4 answer that didn't say yes and didn't say no.

5 Q On the Speak Out investigation plan, it has your
6 name at the top and it's apparently signed by Mr. Bohner
7 dated March 17th 1992, were these your questions? It says
8 questions to be answered. There are seven of them.
9 Individuals to be interviewed and there are three
10 individuals named, and documents to be reviewed and there
11 are three documents.

12 Did you prepare this?

13 A Yes. I prepared the whole thing.

14 Q Did you get input from anyone while you were
15 preparing it?

16 A No, other than just Don told me I need one of
17 these to get started, a plan to get started, and that it
18 could be expanded as it went on so I went back and sat down
19 with what I had and developed that.

20 Q You have Mr. Hinson, Mr. Balcom and Mr. Harrison
21 as individuals to interview and several documents. The
22 procedures, you've already said you did review those.
23 Adjudication memo dated February 21st 1992. ^{AP-04-01} ~~AP-04-01~~, What is
24 that?

25 A It's an administrative practice and I believe --

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WJC

1 the title of it should be in the report -- ^{WJS} employee
2 ^{WJS} separation ^{WJS} interviews.

3 Q Did you review that document and the procedures
4 and the adjudication memo before you began interviewing
5 people? Did you have access to that material?

6 A Yes.

7 Q Who did you interview first?

8 A I believe it was either Mr. Balcom or Mr. Hinson.
9 They're both listed on the 18th. I can't recall which one
10 was first but I believe it was one of those two.

11 Q Your report states you interviewed Mr. Balcom, Mr.
12 Hinson, Mr. Cink, Mr. Woods, Mr. Bohner, Mr. Harrison, Mr.
13 Moore, Mr. Jump, Mr. Sanchez, Mr. ^{OTTINO WJS} ~~Etino~~, Mr. Smith and Ms.
14 Brown.

15 Did you speak to anyone else?

16 A I believe that's everybody.

17 Q What did Mr. Jump tell you regarding his receipt
18 of Florida Lighting and Power's 2.206 response and the DOL
19 decision regarding Mr. Saporito v. Florida Power and Light
20 and ATI?

21 A Would you repeat it?

22 Q Mr. Jump received a Florida Power and Light 2.206
23 response and a DOL decision concerning Mr. Saporito versus
24 Florida Power and Light and a company called ATI and I'm
25 asking you what he -- Well, did you discuss those issues

1 with Mr. Jump?

2 I've read your -- These are your interview notes
3 and I have read those. Do you want to review them?

4 A Yes. I talked to Mr. Jump several times.

5 Q Why don't you review those notes because I would
6 like to know what Mr. Jump told you about his receipt of
7 those two documents.

8 (Witness examining documents.)

9 A To answer your question, Mr. Jump indicated to me
10 that he had gotten a 2.206 to answer and that he had asked
11 for additional examples of responses such that he could
12 format or respond back to this one in a like fashion.

13 Q He had gotten a 2.206 from Mr. Saporito, or he had
14 just gotten a 2.206?

15 A That he had gotten it. I don't recall that ^{he said} he had
16 gotten it from Mr. Saporito.

17 Q Did he indicate to you what the 2.206 response
18 that he received was?

19 A No.

20 Q Did he tell you who it involved?

21 A No. At that time I wasn't asking for that.

22 Q What were you asking for?

23 A I had asked how he had gotten the documents and he
24 indicated that he had requested them from counsel as he had
25 requested examples of other responses, I think utility

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1 responses, that he was preparing the response for this and
2 was looking for other examples.

3 Q What prompted you to ever ask that question in the
4 first place?

5 A I was concerned as to how the documents -- how he
6 -- since he had submitted the documents to the access
7 program director, as to what prompted him to -- where they
8 came from to submit -- what prompted him to have the
9 documents to submit when he had requested that they look
10 into it.

11 Q So you had reviewed those documents already at
12 that time and you knew that they related to Mr. Saporito?

13 A Yes.

14 Q You knew that the 2.206 response and the DOL
15 decision related to Mr. Saporito, correct?

16 A Yes.

17 Q You had already reviewed those documents, correct?

18 A Yes.

19 Q When Mr. Jump told you that he asked for examples
20 from his legal counsel, who was that?

21 A He didn't say. He said either counsel or legal
22 counsel or the lawyers. He didn't give me any specific
23 name.

24 Q Did he tell you whether or not he specifically
25 asked for that 2.206 response or that DOL decision, or if he

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WJR

1 simply asked for examples?

2 A As I recall, he said that he had asked for
3 examples in general.

4 Q And he received these two documents from legal
5 counsel?

6 A I believe so, yes.

7 Q Is that what he said?

8 A Yes, that he had gotten them, yes, from counsel,
9 or the lawyers, whichever terminology. I don't remember
10 what he used.

11 Q And after he got those documents, what did he do
12 with them?

13 A He told me that he either gave them or called Mr.
14 Hinson, the access program people, and asked that they
15 investigate or review these and get back to him. I think
16 those were his words, that he wanted them to review them and
17 get back to him.

18 MR. BAER: Did he say -- I want to be clear. Did
19 he say he gave the 2.206 responses to the investigations
20 people or just the DOL decision?

21 THE WITNESS: I don't recall which one. I get
22 confused with the two documents. I don't recall which one
23 he actually said. I'll look here and see if I have
24 anything.

25 (Witness examining documents.)

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1 I have DOL document and litigation against Florida
2 Power and Light and ATI trade school -- which Mr. Jump
3 indicated he thought was a trade school in Florida, so it's
4 the 2.206 that he had requested that security review.

5 BY MS. VAN CLEAVE:

6 Q Now is it the 2.206 or is it the DOL decision?
7 You just said it was the DOL decision.

8 A ^{what was} I have here included as an example was the DOL
9 litigation and because -- okay, the DOL litigation that he
10 had asked because he was aware of the complainant's name on
11 the 2.206 and then it was also on this DOL litigation that
12 he had received, so the DOL litigation is what he gave to
13 security to review.

14 Q What is the date on that interview note?

15 A 3/23.

16 Q Is that the second time you interviewed Mr. Jump,
17 or the first time?

18 A I believe it's the first time. I don't remember.
19 I'm just going by the date on that.

20 Q According to this, it says that Jump requested
21 from legal counsel examples of other responses to NRC
22 documentation of other allegations -- I'm not sure what that
23 means -- included as an example was DOL documented
24 litigation against Florida Power and Light and ATI. Because
25 Jump was aware of complainant's name on the 2.206 and also

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WR

1 on the Florida Power and Light ATI documents, he requested
2 security to review the documents and the nuclear file.

3 What does that mean?

4 A He had already sent the first document that was
5 the --

6 Q The 2.206 response?

7 A Yes, and knew Mr. Saporito's name was on it. When
8 he read this one and it was ~~no~~^{or with} there -- Mr. Saporito's name
9 was on that document, also, and seeing that also come up he
10 had given the document to the access program people to
11 review for any inconsistencies or anything like that because
12 the name popped up again.

13 Q Was this purely a coincidence that Mr. Saporito's
14 name appeared on this 2.206 response?

15 A I couldn't answer that, really.

16 Q Well, in your report you said in reviewing this
17 document -- which is the 2.206 petition as I read it -- Mr.
18 Jump became aware that the concernee was identified in the
19 Department of Labor document and also on the 10CFR2.206
20 petition.

21 What does that mean?

22 A He indicated to me that he reviewed the second
23 document. He recognized the name, Mr. Saporito's name on
24 that second document.

25 Q But when you wrote -- Your report says in

1 reviewing this document, the 2.206 petition, Mr. Jump became
2 aware that the concernee was identified in the Department of
3 Labor document and also on the 2.206 petition.

4 Was this purely a coincidence or did Mr. Jump
5 request documentation related to Mr. Saporito or did he not
6 address that point?

7 A I can't answer that. I don't know what he
8 requested. He indicated to me that he requested other
9 examples.

10 Q So you didn't address that point, whether or not
11 he asked specifically for anything --

12 A No, I did not ask that question.

13 Q -- related to Mr. Saporito or just for --

14 The impression I'm getting from you is that Mr.
15 Jump asked for -- that you got the impression that Mr. Jump
16 just asked for examples of 2.206 responses.

17 A Yes, that was my understanding in talking to him.

18 Q That he asked just for examples.

19 A Yes.

20 Q And he got these documents -- Did he tell you if
21 he got any other documents besides this one 2.206?

22 A I don't recall him telling me.

23 Q Did you ask him?

24 A I don't^{recall with} that, either, if I did.

25 Q Did you know that Mr. Saporito was the 2.206

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WJR

1 petitioner here at the plant -- at this plant here at South
2 Texas?

3 A Yes, I did.

4 Q And you didn't ask Mr. Jump whether this was just
5 purely a coincidence that this 2.206 response happened to
6 relate to Mr. Saporito?

7 A I believe I asked him how he got that document and
8 that's when he just indicated that he had gotten -- that he
9 had requested from counsel examples, or other responses I
10 think ~~was~~ ^{were} his words.

11 Q When I read your report, I got the impression that
12 this was a coincidence. I mean you say in an interview with
13 Mr. Jump revealed that he requested legal counsel to provide
14 examples of responses to NRC documentation of other
15 allegations for reference in responding to the 10CFR2.206
16 petition.

17 I read that and I thought is this a coincidence
18 that Mr. Jump got a 2.206 petition that happened to relate
19 to Mr. Saporito and then when he got the DOL document it
20 also related to Mr. Saporito?

21 This sentence right here, what does that mean?
22 Did you write this?

23 A Yes. I took it as this was his statement to me,
24 that he had requested other examples of responses and that
25 this was what he had gotten. I believe his words were

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WJF

1 "other examples." I would have to check my notes. I don't
2 know if I have the exact words.

3 Q Do you have any other notes?

4 A No, all I have is what's in the file, the Speak
5 Out file.

6 Q Did Mr. Jump then get the DOL decision at a later
7 time?

8 A The DOL decision?

9 Q There were two documents. There was the 2.206
10 response by Florida Power and Light and then there was a DOL
11 decision which related to Mr. Saporito versus Florida Power
12 and Light and ATI.

13 Did he get those documents at the same -- Did he
14 tell you that he got those documents at the same time or did
15 he tell you that he got them at different times?

16 A I don't recall him saying either way.

17 Q Your report also states "in reviewing this
18 document, Mr. Jump became aware that the concernee was
19 identified in the Department of Labor document and also on
20 the 10CFR2.206 petition. Mr. Jump indicated he felt it was
21 his obligation upon identifying this information to refer it
22 to the proper organization for evaluation."

23 What does that mean? Upon identifying what
24 information?

25 A The information that this individual had this suit

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WLL

1 or whatever with another company.

2 Q Why would --

3 A Litigation -- that is part of the investigation or
4 part of the employment process is identifying any other
5 litigation.

6 Q What did Mr. Jump tell you to indicate that he
7 believed that this was pertinent or --

8 A I don't recall him saying why he felt it was
9 pertinent. He said that he had become aware of the
10 information and that he felt the responsibility to -- words
11 that -- He indicated --

12 He told me that he indicated^{to WXL} Watt Hinson he was
13 obligated upon finding questionable information to get this
14 information reviewed.

15 Q What was the questionable information?

16 A I can't say. I don't want to speculate myself as
17 to what it was.

18 Q You didn't ask him what the questionable
19 information was?

20 A No. I believe I assumed that it was the
21 information that was contained in there, the litigation, but
22 I didn't ask him what he thought it was.

23 Q Did you ask him what led him to believe there was
24 anything questionable in any of these documents?

25 A I don't recall asking him that question, no.

1 Q Did he say whether or not he had ever reviewed Mr.
2 Saporito's nuclear file?

3 A I don't recall him saying anything like that.

4 Q Did you ask him if he had reviewed his file?

5 A I don't recall asking him, either.

6 Q According to the interview notes here that you've
7 already said that you made, you interviewed Mr. Jump three
8 times, is that correct?

9 A I believe that's it, yes. The 23rd, 31st and
10 10th, that's three times.

11 Q ^{Why} ~~What~~ ^{was} was he interviewed three times?

12 A As I recall, questions came up from subsequent
13 interviews that made me think of another question that I
14 wanted to ask him. The details -- I would have to look
15 through each case but basically what it was I recalled
16 information from his previous interview and in a subsequent
17 interview and that raised a question for me to go back and
18 ask him for another bit of information.

19 Q I read the interview reports and they seem to be
20 asking for clarification regarding his receipt of these two
21 documents, the 2.206 response and the DOL decision.

22 Did you receive information from someone that led
23 you to believe you needed further clarification about when
24 Mr. Jump received those documents?

25 A I believe so from subsequent interviews, but I

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with

1 can't recall what the specifics were that ~~what~~^{with} prompted me
2 to go back and clarify.

3 Q Did anyone direct you to go back and re-interview
4 Mr. Jump?

5 A No.

6 Q Mr. Bohner didn't ask you to go back or make a
7 suggestion that perhaps you should go back and re-interview
8 him?

9 A I don't recall Mr. Bohner asking or suggesting or
10 anything that I go back and interview him.

11 Q Were you consulting with anyone or getting any
12 advice from anyone as you were conducting your
13 investigation?

14 A Very little with Mr. Bohner. That was the only
15 one -- other than Rick Cink was helping me to -- I asked him
16 to give me some thoughts on the formatting of the report,
17 just strictly what goes in what section and ~~where~~^{with} does the
18 detail go here versus here and that type of thing, because I
19 started putting the report together as I was -- my interview
20 notes and drawing conclusions and that type of thing.

21 Q Did he offer any suggestions as to who he thought
22 you might want to interview, or if you might want to
23 interview someone more than once or --

24 A Who?

25 Q Mr. Cink -- or ask for additional information from

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1 anyone?

2 A No. His was just strictly limited to getting my
3 paperwork every day. I started down there where he is and
4 helping me format the report as to what goes in what
5 section, that type of thing. Administratively, I guess you
6 would call it.

7 Q Your report is dated April 14th, that's the final.
8 Did you do -- Well, this is a silly question. I'm sure you
9 did an initial draft.

10 Do you recall when you did an initial draft of
11 your report?

12 A I believe it was somewhere ^{between} the 24th and the 30th,
13 the break in the interviews from 3/24 to 3/30, somewhere in
14 that timeframe.

15 Q You did an initial draft. Did anyone review the
16 initial draft?

17 A Rick did the pieces when I started -- again like I
18 started adding my contacts and the documents, he looked at
19 it to see that I was formatting it right, but he didn't
20 review the content. He was looking more for am I putting
21 the right things in the right places.

22 I believe -- I can't say for sure if Don -- he
23 would have been the only one and I can't say that he
24 reviewed it. I don't recall if he did or didn't.

25 Q You said you did the initial draft sometime during

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WJR

1 this break in the interviews.

2 After you did your original draft, did something
3 lead you to believe you needed to conduct other interviews?

4 A Yes. After I had the draft done, I believe I
5 talked with Don and Don looked at the draft and asked me
6 some questions which I didn't really -- clarifying questions
7 which I didn't really have the answers. I don't recall but
8 it was things that I decided then that I needed to find out
9 some more information to answer that.

10 Q Did he ask you anything about clarifying Mr.
11 Jump's receipt of these two documents?

12 A I think that was later, toward the very end. That
13 was between 3/31 and 4/10.

14 Q Do you think you did a second draft of your
15 opinion then?

16 A Yeah, I did several. I can't recall how many
17 drafts but -- By "drafts," I mean I would change a paragraph
18 or expand a little bit detail or that type of thing. There
19 were several of them.

20 Q And Mr. Bohner ^{reviewed} ~~review~~ all of them? *WJR*

21 A Yes, I was submitting them to him and discussing
22 them with him, yeah.

23 Q And did he provide you some guidance or insight
24 regarding anything further he thought you might need to do?

25 A No, other than asking questions, reading the

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1 information and asking a question about it and as a result I
2 didn't have all the information I thought I needed to answer
3 it so I went back and did some more interviewing, but I
4 don't recall what the specific questions were.

5 Q But by asking questions, was he in effect
6 providing you guidance? Did you get the impression that
7 those were things that perhaps you should try to clarify?

8 MR. BAER: Objection. What's the question on the
9 record?

10 MS. VAN CLEAVE: As Mr. Bohner was asking
11 questions --

12 BY MS. VAN CLEAVE:

13 Q You said he was asking you questions about the
14 report.

15 A About the report and the content.

16 Q And you didn't always have the answers to those
17 questions, is that correct?

18 A That's correct.

19 Q Did the questions that Mr. Bohner was asking lead
20 you to believe that perhaps you needed to clarify some
21 issues or you needed to conduct additional investigations,
22 so even though he might not be directing you specifically to
23 go out and re-interview someone or look at this document,
24 did his questions kind of lead you in that direction?

25 A I would say yes. It made me ask myself questions

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1 -- do I need to find out more information. It would raise
2 questions with myself.

3 Q And you did in fact conduct -- You said you've got
4 two gaps in the --

5 A Yes.

6 Q -- sets of interviews that you conducted so you
7 did in fact conduct additional interviews -- either re-
8 interviews or initial interviews of additional individuals,
9 I'm not sure.

10 A Both.

11 Q And these additional interviews did follow
12 discussions with Mr. Bohner, is that --

13 A Yes, his review of the draft report.

14 Q And you did state, did you not, that Mr. Bohner
15 did ask you some questions about Mr. Jump's receipt of these
16 two documents -- this 2.206 response and the DOL decision?
17 You said that came later is the way I believe you phrased
18 it.

19 A Yes. I believe he did ask -- I don't remember the
20 question but it was related to the receipt of those
21 documents. I believe it was the timeliness as to when.

22 Q You interviewed -- According to your records, your
23 last interview was Mr. Jump on April the 10th 1992 and it
24 says discussed previous interview with Jump, Jump clarified
25 he received examples of 2.206 responses and was made aware

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WRS

1 of the DOL 210 existence.

2 Again this says examples of 2.206 responses. Was
3 any clarification obtained at that time regarding what kind
4 of 2.206 responses -- if he received any other documents
5 other than one related to Mr. Saporito?

6 A I don't recall anything like that, no.

7 Q And you at that time also did not ask him if he
8 had specifically asked for the 2.206 response related to Mr.
9 Saporito?

10 A I don't remember asking him that question, no.

11 Q As you were conducting your investigation, did you
12 discuss it with Mr. Baer or any other legal counsel?

13 A No. I only talked to Mr. Baer I believe once
14 during then when I requested a file from his -- that I was
15 told he had.

16 Q What file was that?

17 A Mr. Saporito's, and I believe that was the only
18 one. There may have been others but I believe that was the
19 only one I got from him. I went to several different places
20 to get it and each one said that someone else had it and I
21 finally got it. Mr. Baer had it.

22 Q That was Mr. Saporito's nuclear security file --
23 is that what they're called?

24 A Nuclear file, yes.

25 Q How many adjudication files did you review during

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wxq

1 the course of your investigation?

2 A Two separate groups. I reviewed 13 here, Mr.
3 Saporito's and 12, and then there's another I believe six
4 more. Yes, 19 total.

5 Q Does that include Mr. Saporito's file?

6 A Yes, 18 and Mr. Saporito's file.

7 Q How did you select the other 18?

8 A The first 12 that I did, I talked to Mr. Andrew
9 Woods over at the ^{WMS} Central Processing Facility and I believe
10 I asked him for documentation that he would have of
11 adjudications submitted.

12 I believe he gave me a log -- I asked for the more
13 recent ones, looking for '92 and working back, and I believe
14 it was ^{a WMS} a log that he gave me but I don't recall what form it
15 was. It had the various adjudications and then I picked
16 those that were the three items similar to Mr. Saporito's
17 and tried to get those that were at least one of the three
18 and then tried to get some files of those that were at least
19 two of the three or three of the three.

20 Q What were the three?

21 A Credit history, previous employment and criminal
22 history.

23 Q The records that Mr. Woods gave you, did it
24 indicate the reason for the adjudication? You said he gave
25 you some kind of log.

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WMS

1 A Yes, I believe that's where I picked and chose
2 from based on what the reasons were so that I could be sure
3 to get similar reasons and multiple reasons.

4 Q The initial 12, is that what I understood you to
5 say?

6 A Yes, initially I picked 12.

7 Q And Mr. Saporito was 13, so you had six more. How
8 did you select those remaining six?

9 A The remaining six, I went back to human resources
10 and -- I forget just what I asked for.

11 I believe I went to Betty Brown first and asked if
12 she was aware of any instances where there was deliberate
13 omission of information on the screening forms and she I
14 believe indicated that she herself did not know of but she
15 suggested that I talk to Bob Smith and Jessie DeLeon, which
16 I did.

17 Q So how did you get the six additional?

18 A I asked the same question -- I believe I talked to
19 Jessie on the phone first and he had indicated that -- he
20 basically sent me to Bob, that Bob had everything.

21 I went up and interviewed Bob and asked him the
22 question -- as I sit here today -- do you know of any
23 previous instances ^{WBJ} ~~of deliberate instances of~~ deliberate
24 omission of information and he went out and came back with a
25 stack of file folders and provided me with these examples.

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WBJ

1 Q What did they relate to? Were they HL&P
2 employees?

3 A Yes, they ^{were} HL&P employees back around the '89 era.

4 Q I think you say here '88 and '89.

5 A Yeah, back in the early days. As I understand,
6 they were doing the initial investigations and backgrounds
7 from the early days that they were starting to do with the
8 existing employees and new hires coming in and these were
9 examples of cases where information was withheld and this
10 type of thing, or that they had run into problems during the
11 verification process.

12 Q Did Mr. Smith have those right handy?

13 A No.

14 Q How did he get those files so quickly?

15 A Well, he went out of the office -- I was in his
16 office and he went out of the office and in a short time, I
17 would say -- oh, I don't know -- minutes, three to five
18 minutes or something like that -- he came back with these
19 folders. I don't know where he got them. It was out of his
20 office. They weren't in his office. He left his office and
21 came back in with them in his hands.

22 Q What did he say they represented?

23 A He just laid these out and we started going
24 through them. He didn't really tell me that these are
25 anything. He just opened up the first one and started

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WJL

1 showing me the notes and went over them one by one and I
2 reviewed them and decided which ones -- I picked out these
3 six to go and look at the nuclear files.

4 Q Did you know that you were going to ask that
5 question? I mean I can't understand how he had these six
6 files just very handy that in just a very few minutes he
7 could go out and come back with here's six examples of
8 exactly what --

9 A I don't recall if there were six files or if there
10 were more than six files. I believe there were more than
11 six. I picked six. I don't remember all of what they were.
12 He just handed them to me one at a time and I reviewed them
13 and decided that, yeah, these are ones that I want and I
14 just picked these six people to go to security and get their
15 nuclear files.

16 I don't recall how many there were. He just
17 brought in a stack of manila folders.

18 Q Your report says R. Smith provided interview
19 notes for six individuals, the investigator determined from
20 subsequent nuclear file review that the individuals had
21 withheld information from their applications and data forms.

22 In fact, you're saying that Mr. Smith provided you
23 records for more than six individuals. Is that accurate?

24 A I don't know how many he had there. He had a pile
25 on his desk that I went through one-by-one and picked these

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WJR

1 six. I don't recall if they were the first six or --

2 Q What did the pile that he brought you represent?
3 Did it represent he just picked out a handful of personnel
4 folders from a file cabinet, or did it represent individuals
5 who had had access revoked or denied, or what did it
6 represent?

7 A These were cases or individuals that had been
8 referred to them. There's a variety of different things in
9 here. I think some were access denied. One I found out was
10 released. I believe these were either employees that were
11 initially here or new hires that were in the incoming
12 process that they had run into these various problems and
13 identified this information.

14 Q So the folders represented individuals who had all
15 omitted information from the data forms? May I look at
16 this?

17 A Sure. I believe it was a variety of information
18 that -- there may have been some information that was
19 contained there but it was questionable.

20 Q This says asked ^{B wdk}BS do you know of any previous
21 instances of deliberate omission of information on a
22 screening affidavit or data form which did not result in
23 revocation of unescorted access; his response was possibly
24 with employment applications.

25 I take that to mean HL&P employment applications.

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WXR

1 A Yes.

2 Q He provided me with examples and meeting minutes
3 for the following personnel who were released and those who
4 were not, and you've listed six people and you stated on
5 here I guess whatever the reason was. All these seem to be
6 some sort of potential problem or -- this one says criminal
7 record not on application and data file and this one says
8 family abuse.

9 So these are all individuals who have problems of
10 one sort or another, I guess.

11 A One sort or another.

12 Q What about the other files? Am I understanding
13 you correctly that he did provide you with more than just
14 six files?

15 A I believe there were more and that we were going
16 through the pile, he just ~~handing~~ ^{handed} ~~me~~ ^{with} a folder to review at a
17 time. I don't know how many there were in the stack there.
18 Some of these files were very thick and other ones weren't.

19 Q What about the ones he didn't hand you? What were
20 they?

21 A I don't know.

22 Q Did you ask him?

23 A I don't recall asking him, no. I assume they were
24 the same thing, more of the same.

25 Q But in fact they may not have been, is that

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WSE

1 correct? We don't know?

2 A I couldn't say that.

3 Q In one of these notes here, you state that the
4 results of your review of the adjudication process are
5 documented separately.

6 I know I asked you this earlier on the telephone
7 but I'm going to ask you again for the record.

8 A Okay.

9 Q Where is that documentation? What does that mean
10 when it says that my review of the adjudication process --
11 the results of my review of the adjudication process are
12 documented separately, what does that mean?

13 Do you want me to find it?

14 A Yes, I don't recall the context.

15 Q This is relating to A. W. Woods and it says you
16 selected 12 files which identified criminal history,
17 education history or credit history or employment
18 inconsistencies referred to adjudication. The purpose of my
19 review was to determine if a consistency existed in both
20 referral for adjudication and the decisions resulting from
21 adjudication. The results of my review are documented
22 separately.

23 A I believe that was -- call it a field note that I
24 had where I listed each individual -- I didn't list the
25 individual. I think I used Social Security numbers and the

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W.R.

1 details as to what the situation was for each one of those.

2 Q Where is that?

3 A I would assume if it exists it would be in that
4 folder that Don has, the folder. I don't have anything left
5 on it.

6 Q Didn't you say something about transferring
7 information from one form to another and that you had --

8 A Yeah, these interview notes here, I was taking my
9 notes on just regular tablet paper and then after I did the
10 interview I went back and transferred these notes from my
11 tablet paper onto these notes, onto this form, and then I
12 just shredded up the field notes once I got it transcribed
13 onto here and I was satisfied that I had what information I
14 needed on here.

15 Q And what about the review of these 12 files? I
16 didn't see anything like that and I got the impression from
17 you when I talked to you on the telephone that you thought
18 it was possible that that was also destroyed.

19 A If it's not in the file, I would have shredded it
20 up because I gave Done everything that I had.

21 Q You don't have anything in your personal files?

22 A No, I have nothing.

23 Q Do you ^{recall} ~~recall~~ what you found out in your review of
24 those 12 files?

25 A I recall some. I don't recall each one but I

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WSD

1 recall some about some of these.

2 Q What were the circumstances involved in the
3 adjudication of those individuals? Do you recall that?

4 A I recall one in particular was for not disclosing
5 information about a previous criminal arrest and the
6 interview that was held with the individual, in reading his
7 notes and the interviewer's notes, it was obvious, to me
8 anyway, that it was a misunderstanding on the individual's
9 part and the details that he was told --

10 I think he originally as a teenager had stolen a
11 stop sign or something like that and he was brought in front
12 of a justice of the peace and I believe he indicated that
13 the justice of the peace indicated to him that if he did not
14 get into additional trouble this would not appear on his
15 record and he indicated that he had not been in any
16 additional trouble so he assumed that that was not on his
17 record and therefore didn't say -- he didn't report it.

18 When they questioned him on it, the interview
19 indicated that he admitted that, yes, he did it and this was
20 the reason he didn't report it, was because he was told that
21 if he didn't get into any additional trouble it wouldn't
22 appear on his record so he assumed it didn't appear on his
23 record. I recall that one in particular.

24 The other ones, I just recall they were basically
25 for credit and I think one had worked at Wal-Mart and was

1 either asked to leave or asked to resign or something like
2 that. Just bits and pieces like that that I recall.

3 Q In your report you state that a review of the
4 adjudication files indicated consistency in those items
5 identified for adjudication and also in the decisions of
6 granting or denying access following adjudication.

7 You also note in here that of those 12
8 adjudications, there was only one case where access was
9 denied or revoked and I think you said that that was the
10 result of an individual with -- you say here a repetitive
11 criminal record and in parentheses you have six arrests.

12 I take that to mean that in the other eleven cases
13 that access was granted or continued. Is that correct?

14 A I believe so.

15 Q You say right here that --

16 MR. BAER: If you want to look at that report, go
17 ahead.

18 BY MS. VAN CLEAVE:

19 Q It's by that question mark I have there.

20 A I think they were but I'm not sure that in one of
21 those that there was a person that subsequently quit on
22 their own so I don't know if they were eventually all given
23 access or not.

24 Q You mean quit during the adjudication process?

25 A I believe during it or shortly after it or while

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WSE

1 they were in the process but I couldn't say for sure if that
2 was in that sample.

3 Q What did you base your conclusion on where you
4 state that consistency appears to exist in the adjudication
5 of these files?

6 A In looking at the files, excluding the one that I
7 explained there, the basis or the information, the details
8 of the various items that they adjudicated were very similar
9 in that they were typically previous credit had been
10 questionable, late on payments and that type of thing. I
11 put them all at -- the severity as I judged it was basically
12 the same thing.

13 ~~I~~ Isolated arrests for whatever reason and a clean
14 record after that and the cases, the individuals, paralleled
15 very much and their adjudication is that they accepted them
16 consistently and looked at these things for whatever reason
17 as not being grounds to deny access.

18 There was no intention or no deceit other than
19 this one case. It was just things that showed up on the
20 records as a result of them filling out the forms and, ^{well} yes, ^{indicating}
21 they had been arrested and they had been -- whether it be
22 fired or be asked to resign from previous jobs, and of
23 course the credit check comes through and that has the
24 details on it where you can review it and it tells if they
25 were late on obligations.

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WRS

1 Q So are you saying that only one of these files
2 related to omission of information from the data form?

3 A Just one of those 12.

4 Q You have your one file of adjudicated for an
5 inconsistency on the data form. Is that the only one of
6 those 12 that had anything to do with omission of
7 information from the data form or inconsistency?

8 A Yes, that was --

9 MR. BAER: Aside from cases where there was a
10 misunderstanding or something.

11 THE WITNESS: Yes, that was the misunderstanding,
12 the one with the stop sign situation.

13 BY MS. VAN CLEAVE:

14 Q I guess what I'm trying to clarify in my mind is
15 that the other eleven did not relate to omission of
16 information from the data form or you're calling it
17 inconsistency on the ^{data} ~~data~~ ^{WJS} form. Is that accurate?

18 A That's accurate. Most of it came from the police
19 rap sheets which are subsequent. They normally get in the
20 criminal history after the papers are filled out and
21 everything.

22 Q But was the information that they got on the rap
23 sheet also on the individual's employment application?

24 A I believe to the degree the question says have you
25 ever been arrested, it's just a yes or no answer, and I

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WJS

1 believe there's a detail block over there which didn't
2 really tell a whole lot -- just if yes, the circumstances
3 and that type of thing.

4 Q But was the information that subsequently turned
5 up on the FBI rap sheet on the individual's employment
6 forms, except for this one instance with the stop sign?

7 A I don't recall the -- there was one individual had
8 a number of arrests and I don't recall how that was
9 answered, how clear that was.

10 Q That was the one here that you said that was
11 denied access for repetitive criminal -- six arrests is what
12 it says here.

13 A I don't recall if he pointed out six arrests or
14 pointed out have you been arrested, yes. I don't recall how
15 that was on the forms that he filled out.

16 Q Now we've got two files here. Now the remaining
17 ten, you have specifically mentioned the FBI rap sheet and I
18 want to be clear in my mind here.

19 Was the information that came back on the FBI rap
20 sheets -- did the screening affidavit and the data forms
21 reflect that information or was that information omitted
22 from those individual's forms?

23 A I believe to a limited degree that it was, yes,
24 there were arrests, it was on the forms.

25 Q It was on the forms. It may not have had

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WXL

1 specifics but it was on the forms.

2 A The answer to the yes or no question was yes for
3 those. It didn't give the details to the extent that the
4 rap sheet did but I believe the question was were you ever
5 arrested, yes or no, and that they were answered yes, as I
6 recall.

7 Q You interviewed a number of people when you were
8 conducting this investigation. Did you attend any meetings
9 or debriefings, so to speak, regarding Mr. Saporito, where
10 his situation was discussed?

11 A No. The only meetings were one-on-one interviews.

12 Q And I've already asked you if you have any
13 additional notes and you said no.

14 A I have nothing.

15 Q You stated you wrote several revisions of your
16 report. Did anyone provide input into your report?

17 A Not other than the format and then the last
18 paragraph on the last time around on the draft, Don
19 commented that I didn't have any -- I think he used the
20 words concluding or summarizing paragraph on the report,
21 that we needed that, and he had already --

22 He had gotten it to review and I think the next
23 day when I talked with him he told me that and he had a
24 paragraph drafted up that summarized it.

25 Q What paragraph is that?

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1 A It starts with "based on the interview." I had
2 ended the report with "the investigator determined" and gave
3 it to him and I believe overnight he reviewed it or the next
4 day and indicated that I needed to summarize or conclude the
5 overall investigation and he offered that.

6 Q He wrote this paragraph, or at least he gave this
7 paragraph to you?

8 A He had a handwritten draft.

9 Q Do you know if he wrote it?

10 A It was -- the writing on the paper was his
11 writing. I don't know where he got the words. The writing
12 was in handwriting on my report, my typewritten report. He
13 added a handwritten paragraph and it was in his handwriting.

14 I don't know where he got the information because
15 I think it was the next day when he discussed the report
16 with me and he explained to me that I needed a paragraph and
17 I have this and take a look at it and that type of thing.

18 I don't know where he got the information. All I
19 know is it was his handwriting.

20 Q So he has said here that the concernee's
21 unescorted access authorization was not unjustly revoked as
22 a result of concernee's involvement in protected activities.
23 The investigator further concludes that revocation of
24 unescorted access provides a valid basis for releasing the
25 concernee back to his sponsoring company.

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1 Now the next line underneath that says this
2 concern was not substantiated. Was that in your report or
3 did he also add that?

4 A I believe he added that. I think that's a
5 standard thing with all the Speak Up concerns that either,
6 yes or no, that the concern was substantiated or was not
7 substantiated, and I think I may have had it up in the front
8 of the report and standard practice was to put it there and
9 I wasn't familiar with the format they were using.

10 Q Did you feel comfortable with this wording?

11 A Yes. I definitely wouldn't have signed it if I
12 hadn't.

13 Q Did you agree with it?

14 A Yes. I think we talked about it. We may have
15 reworded a couple of words that I didn't understand or feel
16 comfortable with. I don't even remember. I remember we
17 played around with it a little bit. I definitely wouldn't
18 have signed had I not been comfortable with it.

19 Q What about the paragraph on the first page which
20 is to me somewhat conclusionary?

21 It says this concern was not substantiated because
22 no evidence was obtained to indicate that the revocation of
23 unescorted access was a result of engaging in activities
24 protected by Section 210(a).

25 Did you write that?

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1 A Yes. That's why I didn't have the paragraph at
2 the end. I thought that was conclusive enough when I wrote
3 the report.

4 Q What did you base that conclusion on?

5 A The interviews that I had had and the questions I
6 had asked, that in all of this I found nothing that
7 indicated that this was a result of his 206. I found
8 nothing to say anything to the contrary.

9 Q What did you conclude that it was a result of --
10 the action?

11 A That it was a result of the last adjudication
12 interview that it appeared to me that he had been offered an
13 opportunity to provide supplementing information, as other
14 people had, and for whatever reason chose not to.

15 Based on that, the access program director made a
16 judgment of questioning his trustworthiness based on that
17 failure to provide that information.

18 Q Did you conclude that that action in revoking Mr.
19 Saporito's access was consistent with action taken in
20 similar cases in the past?

21 A There was no other -- I didn't have any other, as
22 I say, deliberate or whatever reasons for withholding
23 information to compare that with.

24 In all the other cases, the individuals were
25 afforded the opportunity to give information and they gave

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1 it and it was evaluated as such.

2 Q When you say they gave it -- I tried to clarify
3 that earlier -- they gave it on their data form or their
4 screening --

5 A During the adjudication interviews, the example
6 being the individual with the stop sign. He was asked why
7 did you not do this or is there any other information and he
8 willingly told them, he gave it to them. He told them, yes,
9 this is why I didn't give it. There was no attempt, at
10 least I saw nothing, that he was withholding or decided not
11 to give it.

12 Q Were there any other examples of omission of
13 information from the data form or the screening affidavit?

14 A Yes. There was one other individual who -- in the
15 group that I got from Bob Smith -- that had, as I recall, an
16 arrest and this individual --

17 I believe it was an arrest for breaking into a
18 store or something and stealing something minor, I think it
19 was a carton of cigarettes or a pack of beer or something
20 like that. He had done it many years ago, as I recall, and
21 in the interview he indicated in his notes, which I pointed
22 out in there, that he had something to the effect that he
23 didn't identify it because had he identified it he may not
24 be considered for employment. This was many years ago in
25 Oklahoma or Nebraska or something like that.

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wll

1 Q I don't see anything in here. Do you perhaps mean
2 your interview notes of Mr. Smith?

3 Unescorted access was restored for one individual
4 who admitted withholding information because he felt it
5 would affect his employment opportunity. Is that the one
6 you're talking about?

7 A Yes, that's the one.

8 Q And do you recall what type of information he
9 withheld?

10 A That was the arrest for breaking into a store. I
11 believe it was -- It may have not been an arrest. It may
12 have been a probation or something, but it was a result of
13 breaking into a store and taking something and it was either
14 arrest or probation, something relating to a criminal
15 record.

16 Q These relate back to '88 and '89, is that correct?

17 A Yes. These are the ones that I got from Bob
18 Smith.

19 Q The way I read your interview notes here, it seems
20 to me that these six all relate -- they all appear to relate
21 to omissions of information or questionable information on
22 the employment application, all six of those, is that
23 correct?

24 A I believe so.

25 Q That's what led me to question originally how we

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2/8/8

1 got those six that Mr. Smith just left and two minutes later
2 came back with six files.

3 A I believe these referred to them from the original
4 investigations, that there ^{were with} ~~was~~ inconsistencies or omitted
5 information.

6 Q So what you received in terms of adjudication
7 files, you picked up 12 files from the record over at
8 central processing that Mr. Woods had.

9 A Yes, initially.

10 Q Based on the reason for adjudication written out
11 to the side or somewhere that you've got bad credit or
12 employment or criminal history, is that right?

13 A Right.

14 Q Then you got six more files from Mr. Smith. I'm
15 still unclear as to what you asked for, how you got these
16 six, how Mr. Smith left and in two minutes came back with
17 six files that all related to omissions of information. I
18 still don't understand that. Maybe Mr. Smith would recall
19 that.

20 They all seem to relate to omissions of
21 information back in the '88 and '89 time period. They were
22 apparently HL&P employees and all but two either were
23 released or their access was denied or they, in this one
24 instance, offer of employment was withdrawn.

25 A You said they were all HL&P employees. I'm not

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1 sure if some were not contract employees that may have been
2 in there.

3 Q The reason I said that was because your note here
4 says that you asked about any previous instances of a
5 deliberate omission of information which did not result in
6 revocation of unescorted access and his response was
7 possibly on employment applications and that was the way I
8 understood they phrased HL&P.

9 A Yeah, I think ^{they were} ~~there~~ were temporary employees.
10 That's what I'm thinking. There may have been some
11 temporary -- I think that in talking with records management
12 there may have been some temporary employees. They were
13 HL&P employees but temporary' employees may have been in
14 there.

15 Q And based on a review of those files and then your
16 interviews with these individuals, that led you to your
17 conclusion that there was not any -- there was no
18 inconsistency in the adjudication process or the decisions
19 following the adjudication, and your conclusion that Mr.
20 Saporito's access was not revoked as a result of his
21 participation in so-called protected activity.

22 Is that accurate?

23 A Yes.

24 Q You are comfortable with your conclusions?

25 A Yes, I am.

1 Q You wrote that conclusion^{on 2/22} page one.

2 A Yes, I did.

3 Q And you said that you did not write this final
4 paragraph on page eleven but you agreed with it.

5 A Yes, I did.

6 Q Did anyone else make any changes in your report?

7 A Not to my knowledge. I was interfacing with Don
8 all this time. I gave it to him and got it back from him.

9 Q Did you read it -- Did you know what-- Is it your
10 report?

11 A Yes.

12 MR. BAER: Wait, just to be clear.

13 When you say that Mr. Bohner made changes, did he
14 do those on the computer or did he give you a handwritten -

15 - THE WITNESS: They were handwritten. He would
16 just mark a word up here or there or that type of thing.
17 They were handwritten, yes.

18 BY MS. VAN CLEAVE:

19 Q Did any of his changes change the -- I don't know
20 how to phrase this -- the intent of the report or the
21 accuracy of the report?

22 Do you know what I mean? I mean you could make
23 changes to a report where you just cross out "stated" and
24 put in "said" or something like that.

25 A That's basically what they were, yes.

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1 Q That doesn't change the meaning of the report.

2 A Other than adding that last paragraph, it was the
3 type that you were talking -- instead of "stated" use
4 "said." Those kinds of word changes and typos, misspellings
5 and that type of stuff. There was nothing of any material
6 meaning, intent change or anything like that.

7 Q Did anyone suggest to you omitting any information
8 from your report?

9 A Not that I recall. I don't recall anything like
10 that, no.

11 Q How about adding information to your report, other
12 than this one paragraph we've already discussed?

13 A There may have been some spots in there where Don
14 just put a question mark out there -- what did I mean by
15 that -- and after I explained it to him, he may have said,
16 well, ^{why} ~~what~~ ^{with} don't you write it like that or why don't you add
17 that in or that type of thing, clarity, additional
18 clarification type things.

19 There may have been some of that or word choices
20 that I would say this word and, you know, go ahead and do it
21 that way, that type of thing.

22 There was nothing that I recall like add a
23 paragraph here or delete a paragraph there.

24 Q Do have any copies of your earlier drafts?

25 A No. The only thing that would exist would in that

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1 file that Don has. I don't know if there are copies in
2 there or not.

3 I don't know if they have these on the word
4 processor. That would be the only other possibility.

5 Q What did you put your ^{report with} on?

6 A I handwrote it and then gave it to Chris and she
7 typed it up.

8 Q Is Chris your secretary?

9 A She does all the typing and word processing.

10 Q Other than Mr. Bohner, did you discuss this report
11 with anyone else?

12 A No.

13 Q With Mr. Cink?

14 A No, other than just, as I said, in the beginning
15 when I drafted out and handwritten, are the sections the
16 right way and do I have --

17 There was a question about -- I had kind of
18 flipflopped. I had put more details in one section and the
19 brief part in another section and he just said normally they
20 do it the exact opposite so I just swapped them around and
21 went about my business.

22 I think there was one other -- I used the format
23 in the procedure, I think it was, and they were different a
24 little bit on their format. That's all he did, just we've
25 been doing them this way and I said, fine, I'll do it that

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with

1 way but there was nothing in the content of the report that
2 was discussed with Rick.

3 Q Have you received any instructions from anyone,
4 either HL&P employees or legal counsel, on how to respond to
5 any questions regarding your report?

6 A Yes, in regards to this interview I received from
7 legal counsel -- he basically told me to above all be honest
8 and truthful about it and if I didn't understand or if I
9 didn't know then to say that I don't recall or don't know
10 and not to assume anything or recall from a gray memory.

11 That was from Mr. Baer. He's the only one that's
12 talked to me about this.

13 MS. VAN CLEAVE: Mr. Isereau, have I threatened
14 you in any manner or offered you any rewards in return for
15 your statement?

16 THE WITNESS: No, you have not.

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

19 THE WITNESS: No, nothing I can recall.

20 MS. VAN CLEAVE: Thank you very much.

21 This interview is concluded. The time is
22 approximately 6:25 p.m.

23 (Whereupon the matter concluded at 6:25 p.m.)

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

ANN RILEY & ASSOCIATES, Ltd. *William H. Isereau*
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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: William Isereau

DOCKET NUMBER:

PLACE OF PROCEEDING: Bay City, TX

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
Ann Riley & Associates, Ltd.

WJD

REPORT OF INTERVIEW
WITH
BETTY J. BROWN

BROWN was interviewed on July 28, 1992, by Nuclear Regulatory Commission Investigator Virginia Van Cleave at the Houston Lighting and Power (HL&P), South Texas Project (STP). Also present during this interview was William E. BAER, Attorney with Newman and Holtzinger, representing HL&P and BROWN. BROWN stated that she is HL&P's Manager of Personnel Relations, Human Resources Department, at STP. She stated she has held this position since 1988 and has been employed by HL&P since January 1985. Her immediate supervisor is John ODOM. She stated that as part of her duties, she coordinates Department of Labor (DOL) Section 210 complaints which are sent to her. Upon receipt of a Section 210 complaint, she notifies the appropriate departments such as Speakout, Legal, Licensing, and Quality Assurance.


BROWN stated that on March 2, 1992, Richard DeLONG, at that time a supervisor in the Maintenance Department, telephoned her and stated that he had been contacted by Troy CONNER, an investigator for the Nuclear Support Services, Hershey, Pennsylvania. CONNER asked for information regarding a former Instrumentation and Control Technician, Thomas J. SAPORITO. According to BROWN, DeLONG told her that he [DeLONG] had already given CONNER some information regarding SAPORITO's employment as a contractor at STP. BROWN stated she told DeLONG that he needed to obtain a release from SAPORITO in order to be covered regarding the information he had provided to CONNER. BROWN said DeLONG stated that SAPORITO was a Section 210 complainant, but she told him he was mistaken because she did not have a Section 210 from SAPORITO. BROWN stated that later that same day, William JUMP, Licensing Manager, telephoned her and told her that SAPORITO was going to file a Section 210 complaint and that he [JUMP] had initiated action with Speakout and had also contacted legal counsel. BROWN stated that JUMP did not give her any specific instructions in handling the SAPORITO matter. She did not believe he mentioned that SAPORITO had filed a 2.206 petition because she stated that at that time she would not have known what that meant.

BROWN stated that she subsequently received a release from NSS signed by SAPORITO. She stated that was the only facsimile she received from NSS. She reviewed two additional facsimiles in the reporting investigator's possession, one directed to Andrew WOODS and one to Georgia, and stated she had not seen either of those before. She stated that Georgia might be the secretary in the Fitness for Duty Program, and the facsimile might have been sent to them. She stated she did not know anything about either facsimile or if any responses were made to them.

BROWN stated that CONNER telephoned her on at least two occasions and asked for information regarding SAPORITO's termination from STP. BROWN stated that the standard response regarding contractor employees, such as SAPORITO, was to tell requesters to contact the contracting company, in this case, Sun Technical Services. BROWN stated that she told CONNER she would not release any information on SAPORITO, even though he had signed a release. She stated she did not recall telling CONNER to contact Sun Technical for additional information.

BROWN stated that on March 3, 1992, she telephoned Andrew WOODS, Senior Coordinator, Access Screening, and told him not to release any information on SAPORITO without first talking to her or to his management. She stated that she had no subsequent conversations with WOODS regarding SAPORITO, and he did not provide her with a copy of the facsimile he received from CONNER, nor did he tell her that he had received it. She stated she had no conversation with Richard BALCOM, Director of the Nuclear Security Department (NSD), or anyone else from the NSD regarding the request for information on SAPORITO. BROWN stated that she had not been contacted by any other employers or potential employers of SAPORITO regarding information concerning him. In addition, she stated she had not contacted any other nuclear sites regarding any other DOL Section 210 complaints filed by SAPORITO. However, subsequent to her conversations with JUMP and WOODS, she became aware that he [SAPORITO] had filed additional DOL complaints at other nuclear sites. She stated she is currently the coordinator for dealing with the DOL and responding to the Section 210 complaint filed by SAPORITO against HL&P.

This report prepared on August 3, 1992, from investigator's notes.


Virginia Van Cleave, Investigator
Office of Investigations Field Office, RIV

REPORT OF INTERVIEW
WITH
JOSEPH D. SHARPE

SHARPE was interviewed on July 29, 1992, by Nuclear Regulatory Commission (NRC) Investigator Virginia Van Cleave at Houston Lighting and Power (HL&P), South Texas Project (STP). Also present during this interview was William E. BAER, Attorney with Newman and Holtzinger, representing HL&P and SHARPE. SHARPE stated that he began working for HL&P at STP on his retirement from the U.S. Navy in June 1990. He has been the maintenance manager since January 1991.

SHARPE stated that Donald HALL, STP's Group Vice President-Nuclear, called him into a meeting in HALL's office sometime in the afternoon, in the middle of February 1992. He stated he could not recall the exact date. According to SHARPE, HALL stated that Instrumentation and Control Technician, Thomas J. SAPORITO, had filed a 2.206 petition against HL&P. SHARPE stated that he got the impression HALL had just received the 2.206. SHARPE said when he heard SAPORITO's name, he remembered he had signed SAPORITO's unescorted access authorization form 1 or 2 days earlier. In addition to SHARPE and HALL, William JUMP, STP Licensing Manager, and John ODOM, STP Human Resources Manager, were also present in HALL's office. SHARPE said other individuals were in and out of HALL's office during these discussions. According to SHARPE, HALL stated he wanted him, as the maintenance manager, to ensure that SAPORITO was "protected from disciplinary actions." SHARPE stated he took this to mean that there would be no disciplinary action taken against SAPORITO without previous approval by Warren KINSEY, STP Vice President-Nuclear Generation, unless such action was necessary to ensure the public safety.

SHARPE recalled that HALL stated that SAPORITO had "done this kind of thing before" at other nuclear sites. SHARPE said he could not recall if HALL mentioned specific actions taken by SAPORITO. He stated he believed HALL mentioned more than one nuclear plant but could not recall names or locations. SHARPE said HALL assigned JUMP the task of investigating all of SAPORITO's 2.206 issues. SHARPE stated he did not recall HALL mentioning where he had received the information on SAPORITO's past nor did he recall HALL mentioning contact with legal counsel. SHARPE did not recall anyone else in HALL's office talking specifically about SAPORITO.

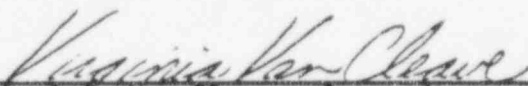
Immediately following this meeting in HALL's office, SHARPE stated he was called into a meeting with KINSEY. KINSEY explained what a 2.206 was in general terms to SHARPE and one or two others whom SHARPE stated he could not recall. According to SHARPE, KINSEY told him he wanted to ensure that SHARPE understood what was required of the maintenance department and that SAPORITO would be "protected." SHARPE stated that he had never seen SAPORITO's nuclear file and did not recall seeing such a file in either HALL or KINSEY's office. SHARPE stated he asked KINSEY if Daniel SANCHEZ and Richard LeLONG, Maintenance Department Supervisors, could be notified about the SAPORITO matter, and KINSEY told him yes.

SHARPE stated that later that day, he called SANCHEZ and DeLONG into his office and told them that SAPORITO had filed a 2.206 petition. He explained to them that this document included allegations that would be investigated by

HL&P and perhaps the NRC. SHARPE said he told them that SAPORITO would continue working at STP and was not to be disciplined in any way without notifying him. He said that if he was not present on the site, SANCHEZ was to notify KINSEY prior to taking any action against SAPORITO. SHARPE stated that DeLONG seemed to be somewhat familiar with SAPORITO, but did not say anything specifically about him. SHARPE said he told DeLONG and SANCHEZ that SAPORITO had been involved in similar activities at other plants. He stated he did not recall if he specified those plants, but he probably did so, since he would have seen no reason not to provide that information to them. Additionally, he told them to treat SAPORITO's name in a confidential manner and to ensure that he [SAPORITO] was protected from disciplinary action.

SHARPE stated that he was away from STP in February 1992, when SAPORITO's unescorted access was revoked. He stated he could not recall when this was or whether he was away from STP for personal or business reasons. However, when he returned, he recalled that SANCHEZ told him that SAPORITO's access had been revoked. He stated he could not recall if he asked for and/or received the reason for the revocation. SHARPE stated he does not maintain a calendar nor does he ever take notes of any meetings. SHARPE stated that he heard nothing further regarding SAPORITO except he was asked to review HL&P's draft response to sections of the 2.206 that applied to the maintenance department and the final HL&P response to the NRC.

This report prepared on August 3, 1992, from investigator's notes.



Virginia Van Cleave, Investigator
Office of Investigations Field Office, RIV

REPORT OF INTERVIEW
WITH
TERRY J. MILLSAP

MILLSAP was interviewed on July 29, 1992, by Nuclear Regulatory Commission (NRC) Investigator Virginia Van Cleave at Houston Lighting and Power (HL&P), South Texas Project (STP). Also present during the interview was William E. BAER, Attorney with Newman and Holtzinger, representing HL&P and MILLSAP. MILLSAP stated that she has been employed by HL&P as a senior quality assurance specialist since December 1988. Prior to that time, she worked as a contract investigator for the Speakout program beginning in March 1986.

MILLSAP stated that her supervisor, Thomas J. JORDAN, told her he wanted someone from outside the Nuclear Security Department (NSD) to perform an assessment of the access authorization program. JORDAN selected MILLSAP and Robert CARTER, Access Program Supervisor with Gulf States Utilities Company, to perform this assessment. According to MILLSAP, on June 1, 1992, JORDAN presented her with the management objectives for this project and requested that she develop an assessment plan, which she subsequently provided to him on June 15, 1992. The assessment of the program was performed from June 15 - 19, 1992. MILLSAP stated that JORDAN told her he wanted this assessment due to HL&P's receipt of a 2.206 petition. She stated he did not mention the 2.206 petitioner by name. MILLSAP said the first she had heard of Thomas J. SAPORITO was during the performance of the assessment when Watt HINSON mentioned the name [SAPORITO] to CARTER. MILLSAP stated she did not recall what HINSON told CARTER about SAPORITO. She said she also could not recall if JORDAN mentioned an NRC investigation involving the access authorization program.


MILLSAP stated that she reviewed the Investigation's Tracking System open items log and decided to categorize the NSD adjudications by the following categories: fitness-for-duty; subsequent arrests requiring 72 hours notification; credit history; repetitive criminal issues; failure to disclose; random; and revoked/denied. MILLSAP stated that neither JORDAN nor anyone else specifically told her to look at the failure to disclose issues. The review encompassed the beginning of 1989 until mid-June 1992. She stated that she and CARTER reviewed approximately 200 files that were adjudicated under the old criteria and approximately 25 that were investigated using the new criteria instituted in May 1992. MILLSAP stated that she reviewed subsequent arrests, fitness-for-duty, and repetitive criminal issues and assigned CARTER to review the failure to disclose issue. She stated that her review indicated that no one had ever been denied or revoked access to STP solely as a result of credit history issues. She stated that she also determined that access was denied only in two cases solely as a result of failure to report a subsequent arrest within 72 hours, and each of these two cases involved a second offense. MILLSAP also determined that access was granted even though there was a record of substance abuse if the fitness-for-duty failure was initially disclosed; more than 3 years had elapsed since the failure; and the employee provided objective evidence of substance abuse rehabilitation.

MILLSAP stated that CARTER reviewed all the failure to disclose issues, and MILLSAP requested that he matrix his results into categories and subcategories. However, he never provided her with this information.

Consequently, she reviewed his "failure to disclose" notes and categorized the results. This review resulted in two categories: one for criminal issues, and one for other reasons such as education, employment, etc. MILLSAP explained that she did not count cases in her total of revocations or denials if she could not determine the reason for the decision. She stated that of the 200 files reviewed, 57 were adjudicated for failure to disclose information. According to MILLSAP, STP usually granted or continued access to individuals who failed to disclose criminal history, but revoked or denied access to individuals who failed to disclose information other than criminal issues. She stated that she determined that nine individuals failed to disclose information other than criminal history and eight of these were denied access to STP. MILLSAP said it appeared that a judgement call was made to determine if the failure to disclose information was a willful omission, and frequently, the basis for granting or denying access was not documented in the files. MILLSAP stated that there appeared to be some inconsistencies in granting or revoking/denying access as a result of failure to disclose issues prior to the revision of the access denial criteria in May 1992. She stated that the review of 25 files, processed after this revision, indicated the criteria were consistently applied and decisions were free from bias and discrimination.

INVESTIGATOR'S NOTE: The investigator and MILLSAP reviewed all of MILLSAP's handwritten notes and analyses of the data. She provided the investigator with a copy of her notes and explained each subheading.

This report prepared on August 3, 1992, from investigator's notes.


Virginia Van Cleave, Investigator
Office of Investigations Field Office, RIV

REPORT OF INTERVIEW
WITH
ANDREW W. WOODS

WOODS was interviewed on July 29, 1992, by Nuclear Regulatory Commission (NRC) Investigator Virginia Van Cleave by telephone from Houston Lighting & Power (HL&P), Houston, Texas. Also present during this interview was William E. BAER, Attorney with Newman and Holtzinger, representing HL&P and WOODS. WOODS stated that he has been employed at the South Texas Project (STP) since February 13, 1976. On March 7, 1983, he began working for HL&P in their Nuclear Security Department (NSD). Since the end of 1988, he has been a senior coordinator in access screening in the NSD.

WOODS explained that two employment application type forms were completed by contractor employees. These were the data form, which was completed prior to arrival on site and given by the contractors to their supervisor upon arrival at STP; and the screening affidavit, which was provided to the contractors when they reported to the central processing facility at STP. WOODS stated that contractors did not receive the screening affidavit prior to reporting for duty at STP. According to WOODS, the contractor completed the screening affidavit and either WOODS or the administrative clerk, Ophelia LARA, reviewed the screening affidavit form with the individual. WOODS stated that he explained to the employees that they must identify any potentially derogatory information and any omissions or false information could lead to denial or revocation of site access. WOODS stated that he reviewed anything questionable on the form with the employee and provided them an opportunity to ask questions regarding their background investigation. WOODS said the screening affidavit was then forwarded to the backgrounds section, which is located at STP, and if any potentially derogatory information was revealed during the review of the screening affidavit form, he forwarded the form to the NSD for their review and possible adjudication of the employee.

WOODS recalled that he did not review the screening affidavit form with Thomas J. SAPORITO, adding that duty was handled by LARA; but he signed the form verifying everything on it. WOODS stated that following LARA's review with SAPORITO, he [WOODS] reviewed SAPORITO's nuclear file and requested that NSD adjudicate it for credit, employment, and criminal history. He stated that they did so, and access was granted to SAPORITO. WOODS stated that he had nothing to do with SAPORITO's second adjudication and had no knowledge about SAPORITO's access revocation. He stated that when an access was revoked for cause, he usually received the badge transaction request form and asked for an adjudication to see if the individual should be placed on STP's access denial list. WOODS said he did not believe such an adjudication was performed in SAPORITO's case because he did not recall receiving SAPORITO's badge transaction form.


WOODS stated that he was contacted in March 1992, by Troy CONNER, an investigator for the Nuclear Support Services, Hershey, Pennsylvania, who requested information about SAPORITO. WOODS stated that any releases for criminal history requests from other utilities were sent to him for his completion. WOODS recalled that Betty BROWN, STP Manager of Personnel Relations, telephoned him and told him not to release any information on SAPORITO because there was an ongoing access investigation on him. According

to WOODS, she told him to notify his management if he got any requests for information about SAPORITO. WOODS stated that when BROWN telephoned him, he had already spoken with CONNER, but had not received SAPORITO's release from him. WOODS stated that he told BROWN about his conversation with CONNER, and she reiterated that he should not release any information without his management's approval. WOODS stated at that time, Richard BALCOM and Rex MOORE were his supervisors. WOODS stated that he notified both of these individuals of CONNER's request. WOODS said he believed he provided MOORE with a copy of the facsimile he had received from CONNER. WOODS stated he did not respond to this facsimile and did not know if BALCOM or MOORE had responded. According to WOODS, MOORE and BALCOM instructed him to notify them immediately if he received any other requests from anyone for information on SAPORITO. WOODS stated that he never received any further requests from anyone regarding SAPORITO. He stated that he had no subsequent discussions with BALCOM or MOORE regarding SAPORITO.

WOODS explained that HL&P's usual procedure was to complete a security letter on a former employee providing personnel information, criminal history, and dates of employment. He said HL&P provided this information solely to other utilities and usually did not release any information regarding former employees to any company other than a utility. However, WOODS explained that this was the access program coordinator's decision.

WOODS stated that in late April or early May 1992, he attended a briefing by BAER, who told him that there was an ongoing investigation regarding SAPORITO and to cooperate with the NRC if he was asked questions regarding this matter. WOODS stated that he had attended no other meetings or briefings during which SAPORITO was discussed.

This report prepared on August 3, 1992, from investigator's notes.


Virginia Van Cleave, Investigator
Office of Investigations Field Office, RIV