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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
374M/H

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

CAROLINA POWER & LIGHT COMPANY )  
and NORTH CAROLINA EASTERN )  
MUNICIPAL POWER AGENCY )  
)  
(Shearon Harris Nuclear )  
Power Plant) )

Docket No. 50-400 OL

STATEMENT OF DONALD WILLIAMS

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PDR ADOCK 05000400  
G PDR

Q. Would you state your full name?

A. Donald (no middle name) Williams, Jr.

Q. And you presently work for whom?

A. The United States Justice Department Drug Enforcement Administration.

Q. You're working in Pittsburg, Pennsylvania?

A. Yes.

Q. How long have you been employed by them?

A. Since February 2, 1985 of this year.

Q. And is your work assignment undercover drug work to some extent?

A. Ah, possibly one half.

Q. Prior to your employment with the federal government and DEA, you were employed by the SBI?

A. Yes.

Q. When were you hired by them?

A. I was hired by the State Bureau of Investigation, January 1, 1977.

Q. What did you do when you first became employed by them?

A. I was state drug agent.

Q. During your whole period of employment with them, were you employed as a drug agent?

A. Yes I was.

Q. And did part of that job contain undercover work?

A. Yes it did.

Q. Half of it? Two thirds of it? or what?

A. Possibly a half of it at times. It varied.

Q. Did you have to have any specific training for doing drug work and undercover drug work?

A. Yes I did.

Q. What was that?

A. That consisted of the 1977 State Bureau of Investigation Academy, sixteen weeks and, also, it contained a two-week drug school by the United States Justice Department consisting of DEA training.

Q. And that was sponsored by the U.S. DEA?

A. Yes.

Q. Put on under them?

A. Right.

Q. Any other formal training in that line?

A. Ok and also even before I was working the project which we are talking about, I went to a eight-week state and local DEA school. That was eight weeks of training in specialized advanced drugs undercover and everything.

Q. This was in addition to the Academy and the two week drug school?

A. Right, in addition to that.

Q. What is your your educational background prior to employment?

A. I had a BS in physical education and education from Livingstone College.

Q. Did you have any employment after graduation other than the SBI and the DEA?

A. Yes, I worked for the Department of Correction.

Q. North Carolina Department of Correction?

A. It was switched over in 1976 to Department of Human Resources.

Q. When did you graduate from Livingstone?

A. I graduated from Livingstone College in December 1974 and March of 1975 so I would say what, May 1975.

Q. Ok. And so did you go straight with the Department of Correction then?

A. Yes, I did.

Q. And then from there into the SBI?

A. Correct.

Q. When did you first learn that you were going to be involved in undercover work at Shearon Harris?

A. I was contacted sometime within the month of October 1984 by the coordinator Shirley Burch and was told to come over for the undercover operation.

Q. What meetings did you have to discuss this?

A. I can't remember the exact dates, but I was told to come to Raleigh and at that time I went to the Wake County Sheriff's Department there in Raleigh, North Carolina and met with Sheriff Baker, a Sergeant or Lieutenant Self, along with the District Attorney, I can't remember his name

Q. Randolph Riley?

A. Randolph, and at that point things were formulated to go undercover at Shearon Harris and also at the meetings were Glen, I'm trying to think--

Q. Self? Glen Joyner?

A. Glen Joyner, correct and also Michael, I can't remember his last name

Q. Now Detective Hensley wasn't there, was he?

A. No.

Q. What were you told at that meeting?

A. Well briefly we were just told that they did have an informant and that they wanted myself along with a Wake County Sheriff Department's Deputy to go in undercover and attempt to make buys off the employees that were selling drugs there at the location.

Q. Who was doing most of the talking at that meeting?

A. This was handled mostly by Lieutenant Self.

Q. Did you learn at that time who the Deputy Sheriff was going to be that was going to work undercover with you?

A. No, I did not.

Q. When did you learn that?

A. This was told to me approximately three or four days later that the original guy could not go, and that Deputy Hensley would be the one to go with me undercover there.

Q. Do you remember about when that meeting was? How many days would it have been prior to actually going undercover?

- A. I think it--it wasn't any more than five days, three or four days.
- Q. Now at that meeting was any conversation held about how long the investigation might run?
- A. It wasn't an exact date or anything like that. I think it was said to run to the end of the year which would be the end of 1984 and January would be what they call an update month, where we would update and see if we need to go on with it or...
- Q. It was intended to last about two months and you'd take a look at it, right?
- A. Right.
- Q. Was any other conversation held at that time? Did they say any thing more about the informant other than they would have you an informant out there?
- A. No. They just said that the person they had was ready to go or ready to start the operation--that was about all.
- Q. All right. Now after that meeting what transpired?
- A. Well, after the meeting there, I went back to my Greensboro Office at which time I was contacted by Shirley Burch, I forget what date she told me to come on over and meet with Glen Joyner and the people out at Shearon Harris--just go out there and take a look around and get oriented to the area.
- Q. And you subsequently did that?
- A. Yes I did.
- Q. Did you meet in Shirley's Office or did you meet on the site or, at the CP&L place, or...?
- A. On the site of CP&L. I drove out there.
- Q. Was your cover already made at that point as to who you were going to be and so forth?
- A. Yes. It was in the final process.
- Q. Is that the first time you met Hensley?
- A. Yes.
- Q. Had you known that Hensley was going to be working with you before then?

A. No. I think it was sort a like one day they had a person that would work with me from the Sheriff's Department and that was it--nothing else was discussed.

Q. I seem to recall that you mentioned something about you were concerned about Hensley's selection because he was a computer man, hadn't been undercover before, and so forth. When did you voice that concern?

A. This was when I met with Shirley Burch. It was a phone conversation at first and also I met with her in the office at the SBI Headquarters there in Raleigh or Garner, North Carolina and she told me what type of person they had.

Q. This is prior to going on the site, right?

A. No, I was already on the site. I was there by myself.

Q. When did you learn who your informant was? That day you went on the site?

A. Yes.

Q. Did you meet with him at that time too?

A. I don't think it was that day, it was the following day.

Q. Do you remember his name?

A. I can't remember his name. I'm trying to remember his name; I can't remember it.

Q. Was he a white guy or black guy.

A. A white male. I had it wrote down here some where but I don't have it now.

Q. Prior to your being given this assignment, was your supervisor in Greensboro?

A. Yes.

Q. And his name was?

A. Tom Childrey.

Q. Now when you undertook this assignment at Shearon Harris, who was your supervisor?

A. My immediate supervisor was to be Shirley Burch.

Q. And you were to report to her?

A. Yes.

Q. And did you report to her?

A. Yes, I did.

Q. How often?

A. Every day or she advised me to contact her every other day each time I was there on the site.

Q. Did you do that?

A. Yes, I did.

Q. How did you make those reports to her? Were they in writing or were they oral reports?

A. I was to hand her reports--we have a format--what we call an initiations report--and I would give a copy of that to her and also a copy of my investigative reports which consisted of a format of all the particulars of the buys, the identifications, and all the other persons that I bought from, so she got two reports.

Q. How many reports would you estimate you gave her?

A. A guess a total of about five.

Q. You said that you reported to her every day, or every other day?

A. By phone.

Q. So there would be some oral reports as well as the written reports?

A. Yes, right, definitely.

Q. And those reports would be out at the SBI, in Shirley's possession I assume?

A. Yes, they would.

Q. Did you have any initial concerns about the undercover operation at Shearon Harris? At any point?

A. Yes, I did.

Q. When is the first time you had any concern?

A. My first immediate concern was about the safety and what we were doing. The damage of the operation was at the point when the continuing process that the Shearon Harris security was performing, the searches at the gate and also the detectors that they were using, metal detectors.

Q. Would it be a fair statement to say in answering that question about the concerns you had, your first concern would have been, maybe, Hensley?

A. Yes.

Q. What were your concerns about him?

A. Just the mere fact that would he be able to offer protection or assistance in the event of some type of emergency or some point where I would be subjected to danger?

Q. Were you also concerned at one time because his background was not in drugs? And undercover work?

A. Yes, definitely.

Q. Were they doing gate searches when you started?

A. Yes. Joyner, Glen Joyner, my contact there at the office came by periodically and told me which persons they caught at the gate.

Q. Did you voice any concerns about the gate searches?

A. I was told by my supervisor/coordinator, first, to report only to her.

Q. Now, the metal detectors. Were they in place when you arrived?

A. No they was not. They came on afterwards.

Q. How long had you been there when they put those there?

A. I guess it was about a week or seven days--it was within ten days.

Q. Did you voice any concerns about that?

A. I talked with Hensley about it, and also I talked to Shirley about it.

Q. You told them you had some concerns about it?

A. It was my impression that we were going to handle the total operation ourselves and no involvement from the security people reference the drug operation. But my first concern was why is the process--why are they still doing the process when we're trying to work undercover. That was my concern there.

Q. What did you understand the reasons were for the metal detectors being on the premise or at the gate?

A. It was not anything said directly what they was being used for. It wasn't like--it wasn't like Tuesday night they came and said we're using the metal detectors at the gate and that should net us some people and that was it. There wasn't anything about any specific item or material they were looking for.

Q. Did the metal detectors stay up the whole time you were working undercover there?

A. My understanding, they did.

Q. Now, who did you hear this from?

A. This was told to me by Detective Hensley.

Q. A snitch was mentioned a couple of times in the affidavit; what can you tell us about that?

A. The informant told me when he was getting ready to go out one day in late or middle December, some where in that time and he said that everything was hot now and that he was approached by a white female who had worked previously, or was on some type of leave there at the plant and advised him that she knew what he was doing and he had better stop it and everybody knew that he was a narc, to that effect.

Q. Everyone knew he was a narc. Now you got this information from your informant?

A. From the informant.

Q. Now, lets talk a minute about the parking lot and the grocery store. Was drug usage prevalent in those two areas?

A. Yes it was.

Q. Both using and buying?

A. I was informed that one of the hot spots was the parking lot to buy the drugs and also the grocery store off the premises.

Q. Were you ever told any thing about the grocery store?

A. Yes, by the informant that we had, and by the way, I remember his first name as being \_\_\_\_\_.

Q. You don't remember his last name?

A. No. And also by Detective Hensley, he had went by there a couple of times.

Q. There was usage and purchases there.

A. Right, and also by Glen Joyner, you know, he was telling me about a lot of action going on.

Q. Would you characterize \_\_\_\_\_, your informant, as cooperative?

A. I couldn't absolutely--I couldn't swear to it. But you never know an informant, I don't trust them at all, but I would characterize him--he gave us half the information and I think he could have done half--he did half what he should have done.

Q. He could have done a whole lot more?

A. Right, he could have done a lot more.

Q. Couldn't CP&L have given you another informant?

A. Yes, this is what I voiced to my coordinator, Shirley, that they could get me another informant because, you know, they had people that they were searching periodically and, also, there was one person on second shift that they had searched that I think could have possibly have been used as an informant and I voiced this to Joyner and to Shirley that possibility, that they could get an informant.

Q. Your investigation gets limited by the people your informant knows and it doesn't go outside that does it?

A. Right. Actually--the way we were there I was there working as an employee and I'm there all day and I just work with three or four people, you know--go in one area and then go in another area.

Q. Did you have the opportunity to talk to Detective Hensley about the undercover operation?

A. Oh yes. We talked all the time. We voiced opinions about the suspects that we were working on; we voiced opinions about things CP&L was doing also we voiced opinions about the drug problem itself and the type of people that were involved.

Q. Did Hensley ever complain to you about the way CP&L was handling or doing things?

A. I think it was one time about the metal detectors and information about searches that were going on.

Q. Did you ever voice any concerns to him other than those two?

A. That's it. I told him that I thought the informant was shucking and jiving and what I meant by that was that he was not doing an adequate job of introduction and setting up more deals.

Q. Did you ever talk to Hensley about why CP&L doesn't give you another informant.

A. Yes, I think I talked to him about that one or two times. That way he could work one area and I could work one area.

Q. What response did he make to that?

A. I guess it was a general notion that he agreed with it; I can't remember his exact words but I think it was agreement.

Q. Lets talk a minute about the sniff dogs, that is the drug dogs. When did you first learn they were going to be brought on the premises?

A. I learned this from my coordinator, Mrs. Burch.

Q. From Shirley?

A. Yes, Shirley told me about it.

Q. Do you know when that was?

A. Late December I'm going to say. After the middle part, some where in there.

Q. Did you voice any concern?

A. I told them they were doing too much now with the metal detectors and everthing at the point they were at and also the other searches that they was performing

Q. So you voiced your concern to Shirley; to anybody else?

A. No, I think Hensley and I may have one--had one conversation, I think he learned from Lieutenant Self who was his coordinator

Q. Did Hensley also share your feeling that they wouldn't help in the undercover operation?

A. Yes. Definitely.

Q. Did he tell you that?

A. Yea, I think his words were "hinder \_\_\_\_\_ undercover," I mean the informant from getting to other areas because everybody would be uptight.

Q. Was Hensley's informant the same informant you had?

A. Yes.

Q. So there was just one informant total?

A. That's all we had, one informant.

Q. Were there--well do you know whether or not anyone, yourself, Hensley, Shirley or anyone objected to--told CP&L they objected to the use of the dogs.

A. My understanding from Shirley that she was going to voice an objection.

Q. You don't know whether she did or not?

A. No, I do not.

Q. Were the dogs ever brought out while you were there?

A. No, I did not see any dogs at all.

Q. What in your opinion--well I know you have said this several times, but why in your opinion would the bringing in of the sniff dogs have hampered or hindered the investigation.?

A. Well, no specific things you can point to. Just by the fact that it would discourage people from really selling to you and also bringing anything on site means we have to go off site to make all our deals and everything and, you know, that would just scare them and also the other thing if you were to take the dogs in a certain areas that we were working in we wouldn't--you know, we don't know how people would react because they, because everybody was uptight.

Q. Did you ever have any information that higher leveled employees were involved in the use and sale of drugs at the plant.

A. Yes, other than what we were working, people from the electricians that type crowd, but I had information that supervisors, safety officers and also some engineers were also users and selling drugs.

Q. Where did that information come?

A. This came from my confidential informant.

Q. From \_\_\_\_\_?

A. Yes.

Q. Could, in your opinion, more have been accomplished at the Shearon Harris plant?

A. Yes.

Q. How could more have been accomplished?

- A. I think if we had gone back as we planned in January and reassessed where we were and what we had at that point and got a new informant that was capable of getting into the areas and also keep the same informant \_\_\_\_\_ but also let him, you know put the--re-evaluate him and tell him whatelse we needed and also we could have still worked with him and also if Shearon Harris would have cut down on their procedures they were performing, the gate searches and the metal detectors, I think a lot more could have been accomplished. Just let it be a mild atmosphere where people could feel like they were getting away with something and we could have made more buys readily.
- Q. So CP&L security should cut back on their stuff, the detectors, etc?
- A. Yes, tell them you're doing undercover and let the undercover operation be the main operation at the plant.
- Q. Was there a leak?
- A. From information from the informant there was a leak from what he gathered because he was getting the cold shoulder, people wouldn't talk to him, questioning why he was back at work in a short period of time and why no charges, why wasn't he in jail, things like that. Also the fact that he was approached by his ex-supervisor and was asked why was he back there and the supervisor was going to do something about it and things like this. Also, a woman came up to my informant and told him she knew who he was.
- Q. Do you think the undercover operation was terminated prematurely?
- A. Yes, it was.
- Q. Well, even if everything kept up, I mean if the gate searches kept up, the metal detectors were used and say even the sniff dogs were brought in, would it have been any use to continue the operation under those circumstances?
- A. Yes, it was from my intelligence and from talking with an informant, there were a lot more drugs there and a lot more could be caught with drugs.
- Q. You think you could have been effective even with the sniff dogs and the metal detectors and the gate searches?
- A. It's hard to say but I think it could have gone on. But it wouldn't have been as effective.
- Q. But those things did in fact--would hinder the investigation?
- A. Right, definitely. The only thing that they would do, we probably would have to make our buys out in the parking lot somewhere or either off the site. That would be a change or something like that.

Q. Did anything occur during the investigation that you felt endangered your life?

A. Not really, nothing I can think of just the mere the fact, you know, your general undercover fear, that was all.

Q. In covering some other things, how many times were you out on the job site? Would ten to fifteen be in the neighborhood?

A. Yes. Right. Maybe more.

Q. What prevented you or why didn't you--if the investigation went two months lets just say that's 40 working days --did you operate--do they just operate during the week or do they operate on weekends too?

A. Well, we were just told to be there during the week.

Q. OK. Why didn't you go all 40 days?

A. Well, at the time that--we were still trying to get setup with, you know with my schedule, I was doing other things and that too. I was doing other investigations back in Greensboro that required my time back there and I was just doing this on the times when I didn't have--they said like two or three days a week you come down there and do this so that's what I was doing under I could get squared away here and come down there permanently.

Q. How many warrants did your work generate?

A. I think it was persons--three people.

Q. That was Hap, a guy named Dennis and a guy named Bulldog?

A. Right, correct. I was only going after the cocaine. Shirley told me to go after the cocaine, that's all; I was not interested in the marijuana or the PCP or other little drugs like that, I was trying to go directly after cocaine which was the main problem.

Q. I believe you said your cover there was as a production analyst.

A. Yes.

Q. And I think someone asked that once you were introduced to someone by the informant did you establish a relationship with that person and you said something about well it just didn't get to that point.

A. No it didn't.

Q. What did you mean by that?

- A. Well, it was first time--I've got--it was the first time meeting the person and the informant made an introduction, you know but I did not go back I was trying to get as many people as I could on the first round because what happened. I didn't want to get stuck on one person making buys off of just one person that way you every time see him you have to make a buy, you know give him your money if you--you know, I was just hopping around. I wanted to meet everybody I could on the first try.
- Q. Now, I think they asked the question was the scope of the investigation limited by the small group of people that you knew through your informant. Do you remember how you answered that?
- A. I think he said the small scope of people the informant knew. The informant knew a lot of people but only in but he could only work certain areas because of the fact that--he was allowed to go all over the plant but he said he knew other people but it took time for him to talk to them about bringing somebody to purchase drugs from them because he had only made purchases himself from them but he needed time to tell them to bring someone in to make a buy.
- Q. But the scope of the investigation would be limited by--just by the number of people he knew though, would it not or would it?
- A. Yes, in a certain sense.
- Q. And I believe you said you really only concerned yourself with coke because it was number five on the list and so forth.
- A. Right. And also the dealers and not your users.
- Q. Did the informant do all he could or could he have done more?
- A. Yea, definitely. He could have done more.
- Q. Well, was eight weeks enough for the investigation?
- A. No way. Not with that many people that we had on the list. I had worked undercover in cities and schools and everywhere else with the--we had what we called a projected list of twenty people and it takes at least two or three months, at least three months to get them.
- Q. Do you feel like the undercover operation was unsuccessful out there and if so, why?
- A. Yes, I feel like it was very unsuccessful
- Q. Why?
- A. Number one it all goes back to the informant, I hate to keep drawing on that point, also the fact that if we had had at least two more undercover people there and could go in certain areas if they wanted the, you know, a

good job done and also a little bit more intelligence could have been gathered reference the people who were dealing and identify those people a little bit more but, you know, we come up with a name and they would tell us what area he was in and that was it. It was up to the informant to make an introduction and I think if we could have had two or three more informants working or either two, you know, not too many but two more informants could adequately introduced us to a lot more people.

Q. Anything else that made it unsuccessful in your opinion?

A. It would be also the involvement--I don't want to say non-law enforcement but the CP&L people that were not law enforcement oriented or trained were conducting drug investigations

Q. Are you talking about the CP&L security people?

A. Yes, you know, it was like policy type investigation rather than law enforcement. Its a big difference because the way we get our evidence, you know, they gather just going in searching with no probable cause and I think that would, you know, it scared a lot of people. Somebody walks up to them and take something and searches them and takes it off of them, that would hinder them from dealing with you because they would think everybody was snitching on them.

Q. Well, do you think that the reason it was unsuccessful was primarily because of CP&L or just a combination?

A. It was just a combination of things, I wouldn't put it directly on them.

Q. Approximately how many undercover operations have you been involved in? Drug operations that is?

A. Ok, total I would say in the estimate of 300 to 325.

Q. Are these all undercover?

A. Yes.

Q. When did you make your first drug buy at the Shearon Harris plant? Approximately what date was it or how long after you got there if you can't recall an exact date?

A. Lets see. I think I have the date here. Let me look through my notes. I got here, its somewhere in the neighborhood of the middle of November of 1984.

Q. That was approximately how long after you first came on the premises?

A. It was approximately three days to a week.

Q. Was that a buy that you made yourself?

- A. That was a buy--I can remember the day it was on a Friday I made the buy and this was when I clamped down on the informant because everyday he would come to me and say there's nothing out there, people were uptight about the CP&L searches and all and I went out with him, it was about two o'clock that afternoon and he went over to what they called the reactor building and met up with Hap Jordan and I told him that I needed to buy today and I don't give a darn where--who he got or who it was but we needed to make a buy and that was the buy that was made.
- Q. What do you consider to be the minimum amount of time to conduct a successful undercover operation at the Shearon Harris plant?
- A. Well, I can go only by the list we were given. We were given approximately 50 to 75 names and in order to get that many people it would--I would say a minimum time of four months.
- Q. Did you ever communicate your feelings about that particular issue to CP&L?
- A. No. I was told anything to do with the way the operation was run or any voice or any opinion to voice those directly to Shirley, that was told to me by my supervisor or directly to Charlie Overton.
- Q. Why did you conclude that the use of metal detectors interfered in your work?
- A. Because from the informant--informant was coming back daily--everytime CP&L would perform a procedure to detect drugs or something at the gate or through the gate, the suspects would change their operation. They would change, you know, put the drugs in something else or, you know, they would have other ways to get the drugs in everytime they would come up with something they would change the CP&L operations. So their latest thing was to put the drugs in thermos. Thermos bottles and that way they could get them into the gate without anybody seeing them because they wouldn't open the thermos bottles.
- Q. How many shifts did they have going out at the job site?
- A. From my understanding they had two.
- Q. And your work was confined to what?
- A. The first shift.
- Q. Was anybody working any of the other shifts to your knowledge?
- A. No there wasn't. Informant--the people he knew were all on the first shift.
- A. No, that's about it, nothing that I can remember.