	Dcp	o of (	Gary Fiser		•	Conde	nse	It <sup>TM</sup>	In Re: TVA
		<u></u>	UNITED STATES OF NUCLEAR REGULATORY ORE THE ATOMIC SAFETY F Lter of:	COMMISSION		Page 1	1 2 3 4	The deposition of GARY of counsel, for any and all pu Tennessee Rules of Civil Proc SMITH, Shorthand Reporter an	edure, before BONNIE L. d Notary Public in and for the
×_/		(Watts Unit 1	) VALLEY AUTHORITY ) Bar Nuclear Plant, ) ; Sequoyah Nuclear ) Units 1 6 2; Browns )	Docket Nos. 50-390 50-327 50-328 50-259 50-260	-CivP; -CivP; -CivP;		5 6 7 8 9	State of Tennessee at Large, o 2001, at the offices of the Ter Chattanooga, Tennessee. It is agreed that the repor witness; that she may take the	ter may swear the
		Ferry	Nuclear Plant, ) 1, 2, 3 )	50-296	-CivP;		10 11 12 13	reduce her notes to typewritte the witness thereto. All objections except as question are reserved until the	n form and sign the name of to the form of the
		APPEARANC	)	EA 99-234			14 15	Formalities as to caption transmission are expressly wa	
			RENT R. MARQUAND, ESQUI	RE			16	GARY L. FISER	
			DWARD J. VIGLUICCI, ESC LLORNEYS for the Tennes				17 18	having been first duly sw deposed as follows:	vorn, was examined and
			ENNIFER M. EUCHNER, ESC				19	EXAMINATION	
			ENNIS C. DAMBLY, ESQUIF Ltorneys for the Nuclea		ion		20 21	BY MR. MARQUAND: Q State your name for	the record, please.
			DEPOSITION OF GAR December 11,				22 23	A Gary Fiser. Q What is your address	<u>s?</u>
			Copyright Bonnie L.	Smith 2001			24 25	A Any particular city?	
	1		INDE	• • • • • • • • • • •		Page 2			Page 5
	2	WITNESS		^	PAGE		1 2	A Q How long have you l	ived there?
	3	GARY L. F	ISER xamination by Mr. Marqu	and	4		3	A Since about '89.	
	5						4	Q Do you have any cur A Not right now.	tent plans to move?
	6 7	EXHIBIT	DESCRIPT	ION	PAGE		6	Q How are you employ	red?
	8	No. 1	Employee Status a Record and Tempor	nd Information ary Transfer	18		7 8	A I'm not. Q Where was your last	employment?
	9 10	No. 2	Agreement Notice of Transfe Transition Progra		19		9	A D.C. Cook Nuclear S	Station.
	11	No. 3		m (ETP) m Ronald Eytchison	20		10 11	A For approximately for	riod of employment? our weeks ending the
	12 13	No. 4			21		12	week before Thanksgiving.	0
	14	No. 5	9/6/94 Report fro to O.J. Zeringue 11/14/95 Fax from to Jim Vorse		21		13 14	Q When? A This year.	
< 7	15 16	No. 6	to Jim Vorse 7/18/96 Memo from to David VanBocke		26		15 16	Q What was your posit	ion there?
$\bigcirc$	17	No. 7	to David VanBocke 8/30/96 Letter fr to Gary L. Fiser		27		17	A I was an auditor. Q What type of auditor	?
	18 19	No. 8	to Gary L. Fiser 9/5/96 Letter fro to Phillip Reynol		27		18 19	A Chemistry. Q How did you secure	that position?
	20 21	No. 9	9/5/96 Employee P Option Form		27		20	A The people at D.C. C	look needed a little
	22	No. 10	9/13/96 Letter fr to Phillip Reynol		28		21 22	extra additional support in a c looked for somebody that had	a lot of experience and
	23	No. 11	9/27/96 Letter fr to Gary Fiser		28		23	brought me in.	
	24 25		co dary riser				24 25	Q Who? A A fellow by the nam	e of Gupta, G-U-P-T-A,
			· · · · · ·	· · · · · · · · · · · · · · · · · · ·		Page 3			Page 6
	1 2	EXHIBIT	INDEX (Conti DESCRIPT		PAGE		1 2	Vic Gupta. Q And how did he kno	w about you?
	3	No. 12	9/30/96 Letter fr to Phillip Reynol	om Gary Fiser ds	28		3	A I had worked there b	efore.
	4	No. 13	7/24/95 Position	-	29 34		4	Q Where did you know A I did not.	Mr. Gupta from?
	6	No. 14	to Gary Fiser	om John Maciejewski	35		6	Q You never knew him	before?
	7 8	No. 15 No. 16	7/24/95 Position 10/17/94 Position		36		78	A No. Q Do you know who re	commended you to them?
	9	No. 17	8/16/93 Letter fr to James Sasser		43		9	A No.	
	10 11	No. 18		ew of Gary L. Fiser f Audio Tapes	43		10 11	Q Do you have any ide them?	a who recommended you to
	12 13	No. 19		om Charles VanBeke	44		12	A Yes.	
	14	No. 20	12/3/90 Memo from to O.D. Kingsley	W.C. McArthur	46		13 14	Q Who? A A fellow by the nam	e of Benedict, Jeff
	15 16	No. 21	Memorandum of Unc Agreement		46		15	Benedict. I worked with him the one, but I don't know that	last time. I assume he was
	17	No. 22	5/24/93 Letter fr to Charles VanBer		46		16 17	<ul> <li>O You were interviewe</li> </ul>	d by the Nuclear
	18 19	No. 23	6/25/96 Letter fr to Carol Merchant		47		18	Regulatory Commission, Offi	ce of Investigations. Do you
	20	No. 24	to Carol Merchant		138		19 20	remember that? A Yes.	
	21 22	No. 25	9/14/94 Interview Application, Resu and Interview She	Schedule, Employee me for Gary Fiser, ets	164		21	Q Do you remember w	ho interviewed you?
	23						22 23	A Yes. Q Do you remember ho	w that interview began?
$\smile$	24 25	NOTE: Un names are	less provided by counse rendered as the best p	i to the reporter, a honetic approximatio	ת. 11		24 25	A Yes. Q How did it begin?	-

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Truesdel & Rusk Reporting

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Dep	o of	Gary Fiser	Conde	nse]	It $^{\text{TM}}$ In Re: TV
			Page 7		Page 1
1	Α	Ms. Benson needed to talk to me. I think	-	1	sure. I don't recall interviewing for it or anything.
2	she had a	already taken depositions and had a lot of the	e	2	Q You don't recall a vacancy being posted and
3	casework	done. She just wanted to talk to me it seen	ns	3	applying to a vacancy?
4	like mor	e or less informally, because she just said so	rt	4	A I don't recall. But, gosh, that's been a
5	of shoot-	from-the-hip type of thing. And I felt like it	t	5	long time ago.
6	was very	informal and more I was providing more		6	Q How long did you hold that position?
7	suppleme	ental information, I think, to the case that she	e	7	A Until early 1992.
8	was deve	loping.	-	8	Q Now, when you took the position as
9	0	Was a court reporter there?		9	superintendent of chemistry at Sequoyah, were you issued a
5		Yes.		10	position description for that?
1		Did she swear you in?		11	A I'm certain I was.
2		Yes.			
3				12	Q Did you get did they give you paperwork
	Q	Do you remember her showing you a copy o tates Code 18-USC-1001?	и	13	showing that your position had changed?
				14	A Paperwork showing my position had changed?
5		No.		15	I don't well, the PD itself would show that. I'm not
6	Q,	I'm going to show you a portion of your	-	16	sure what you're
7	August 6	th, 1998, interview on the record with Ms. E	Benson.	17	Q So you were issued a PD?
8	Beginnin	g at page four, if you'll look at line fifteen.		18	A Probably. Most likely I was. I don't
9	Ā	Uh-huh. Yeah, I do not recall reading it.		19	recall. I'm sure I was, though.
0	0	Does that refresh your recollection that		20	Q Do you recall what used to be called a form
	she show	ed you a copy of 18-USC-1001?		21	TVA 9880?
2	G110 W	Your question was do I remember it. My		22	A I do recall the title. I do not recall
	answer is			22	
			,		what it is.
4		My question is, does that refresh your		24	Q You held the chemistry superintendent
5 1	reconecti	on that she showed you a copy of United Sta		25	position, you said, until '92. When in '92?
			Page 8		Page
1	Code, Ti	tle 18, Section 1001.		1	A I don't recall. The January/February time
2		Yes, it does.	]	2	frame.
3		All right. And what do you recall that		3	Q What happened then?
	that narti	cular provision said?		4	A I was transferred to the corporate
				5	
5		I told you. I do not recall.			chemistry position downtown.
6		All right.		6	Q What corporate chemistry position?
7		I do not recall reading it. I'm sure that		7	A The one downtown. The only one.
		I just don't recall it.	]	8	Q I thought there was a corporate chemistry
9		All right. If I told you that that		9	organization with a number of positions.
0 J	particula	r code section dealt with making a false		10	A I'm sorry. The Corporate chemist downtown.
1 9	statemen	t in the context of a United States proceeding	g,	11	That's one position.
2.	would th	at refresh your recollection?		12	Q Were you issued a position description for
3		No. I would not doubt it, but I do not		13	that?
	recall.			14	A Not that I recall. I'm sure there was one,
5		When were you first hired by TVA?		15	but I don't recall getting it.
5		September of '87. I think that's it may		16	Q Was that a permanent position or a
		August. I'm not sure.		17	temporary position?
8.		How did you come to be hired by TVA?		18	A Temporary.
	Ŷ	There was a fellow here in the Corporate		19	O What was your permanent position?
<b>)</b>					Q What was your permanent position?
	chemisur	group that needed some help, and he asked		20	A Sequoyah chemistry superintendent.
		interview for the job.		21	Q So you maintained the title of permanent
?		Did that fellow have a name?		22	your permanent title was chemistry superintendent,
3	Α	Uh-huh. He did.		23	Sequoyah, while you were on this temporary assignment as
4		Who was it?		24	corporate chemist?
5		Jim Bates.		25	A I'm not sure if I maintained that. I think
			Page 9	<u> </u>	Page 1
	~	All might Have did you some to be bind her	, rage 9	1.	that is in fact what hannaned but I'm not sum I
	Q	All right. How did you come to be hired by	·		that is, in fact, what happened, but I'm not sure I
		eptember of 1987?		2	understand that question. It was a temporary position for
6	Α	They offered me a job.		3	a year.
	Q	How did they know about you?		4	Q For a year?
5	Α	I'm sure through Jim Bates.		5	A Correct.
5	0	And how did he know you?		6	Q And how did you have that understanding?
,		We worked together before.		7	A It was written on a document by Bynum
	0	Where?		8	stating that this position would be for a year and then we
,	\$	Arkansas Nuclear One.		9	would be transferred back.
	~	And what job did they hire you for?		10	Q Were you given a copy of that?
I				11	
	A	It seemed like it was called a program			A Yes, I was. O Do you have a conv of it?
1	manager,	chemistry. I don't know. That's a matter o	"	12	Q Do you have a copy of it?
	record.	You should be able to look it up.	1	13	A No, I do not.
ł	Q	And what organization did you work in?		14	Q Did you receive a subpoena to appear here
5	Α	Corporate chemistry.		15	today?
5	Q	How long did you hold that position?		16	A Yes, I did.
7	À	Until approximately April/May of '88.		17	Q Did that subpoena direct you to bring
3	0	What happened then?		18	certain documents and things with you to this deposition?
<b>)</b>	×	I took a job at Sequoyah Nuclear Plant.		19	A Yes, it did.
	A	What job did you take?		20	
)	Q	What job did you take?			
	A A	It was a chemistry superintendent.		21	A I could not find everything. I'm certain
	hemistr	y and environmental superintendent I think i		22	it is in my basement. I'm certain I can find it, but I
2 (			1	23	just not have been able to find it.
3 (	called.		1	1	
2 (	called. O	And how did you obtain that job? I think it was a direct transfer. I'm not		23 24 25	Q What did you bring with you today A What did I bring with me? I brought

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	po of Gary Fiser Cond		In Re: T
	Page 1		Page
1	Q pursuant to the subpoena?	1	sure it was to document either I was trying to call him or
2	A I brought the document that you sent me. I	2	he was trying to call me or something. I don't know. I
3	also have a transcript of the predicisional enforcement	3	would have to I would have to do a little research
4	conference. Let's see. I have a copy from the Tennessee	4	there. But I felt it was important to keep them for some
5	Valley Authority, Office of Inspector General, record of	5	reason obviously.
6	interview between I guess this was oh, yeah this	6	Q This document is what used to be called TVA
7	was between Ms. Thomas and me, dated October of '93.	7	9880.
8	Q May I see that, please?	8	A Okay.
9	A (Witness complied with request.)	9	Q All right. This particular document let
0	Q What else did you bring?	10	me see I'd like a copy of it.
1	MR. DAMBLY: Just so the record's clear, I	11	A Okay. If I might ask, which one is that?
2	think the date on there is December 14th.	12	Q I'll show it to you in a second.
3	MR. MARQUAND: That's the date the document	13	A Okay.
1	was typed. I think the interview was actually in	14	Q Would you agree that this document reflects
5	October. No, you're correct. It says it was	15	your transfer from Sequoyah Nuclear Plant to downtown
5	MR. DAMBLY: I think that's the date they	16	Chattanooga, that you had and it was effective March
7	opened it.	17	9th of '92?
3	MR. MARQUAND: You're right. It was	18	A Hold on just a second. I need to see that,
)	December 14th.	19	too. Yes, that's what it
)	BY MR. MARQUAND:	20	Q And the next page is the agreement that's
Ł	Q What else did you bring with you?	21	referred to?
2	A The sequence of events from 1991.	22	A Yes. Yes, that's correct.
3	Q May I see that?	23	Q What's correct? I had two questions
1	A (Witness complied with request.)	24	pending.
5	Q All right. What else did you bring?	25	A Okay. Let's
	Page 14	- C	Pag
l	A A memo from Oliver Kingsley to John Waters	1	Q Let's back up.
2		2	A Okay.
3	Q May I see that?	3	Q The 9880, does that is that the document
i	A dated 12/3/1990.	4	that reflects your transfer from Sequoyah to downtown
5	Q I'd like to keep that to one side and make	5	Chattanooga in March of 1993?
5	a copy of that. What else did you bring?	6	A That's correct.
,	A When you make that copy, I want to be at	7	Q And the second page is the transfer
3	the copy machine. I do not want you to take documents	8	agreement that was reflected in that 9880?
,	from me unless I am with you.	°	
)	Q That's fine.	1	
		10	that says I was to return to my original official station,
	A A memorandum of understanding and agreement	11	classification, schedule and pay rate on or before the
2	dated the only date I can see here is March of '94.	12	appointment date of March 4th, 1993. That's why I said
3	The blank has not been filled in.	13	was temporary.
1	Q Set that to the side and we'll make a copy	14	Q Okay. It reflects the memorandum
5	of that as well.	15	reflects your entitlement to return to the original
5	A I also have information sent to my previous	16	official position?
1	attorney, Mr. Charles VanBeke. And I can't find a date on	17	A Correct.
3	it. But it certainly pertained to the previous case, so	18	Q And then it also refers to the fact that
2	it's some of the information you had requested that I	19	of a decision to place you permanently in operation
)	bring.	20	services, technical programs, downtown?
	MS. EUCHNER: Do you need a copy of this?	21	A That's correct, for a year.
!	MR. MARQUAND: NO.	22	Q No.
5	THE WITNESS: More information to Mr.	23	A No, for a year. Because it says
l I	VanBeke. This was dated May 24th, 1993.	24	Q This part here the second paragraph says
;	BY MR. MARQUAND:	25	and tell me if I'm reading this correctly a decision
	Page 15		Pag
	Q I'd like to make a copy of that.	1	to place him permanently in operation services, technical
!	A I have a copy of the complaint that I sent	2	programs, Chattanooga, shall be agreed upon by the
	to Ms. Carol Merchant.	3	above-mentioned parties.
		4	A Oh. That's correct.
	Q Is that the 1993 complaint?		
	A That's correct.	5	Q So it apparently is referring to any future
ł	A That's correct.	5	decision to place you in that organization will have to be
   	A That's correct. Q I don't need to see that.	1	decision to place you in that organization will have to be
	A That's correct. Q I don't need to see that. A Okay. I have my Franklin Planner storage	6	decision to place you in that organization will have to be agreed to by the parties. A That's correct.
- - 	A That's correct. Q I don't need to see that. A Okay. I have my Franklin Planner storage file for 1995.	6 7	decision to place you in that organization will have to be agreed to by the parties. A That's correct. MR. MARQUAND: All right. We'll make a
	<ul> <li>A That's correct.</li> <li>Q I don't need to see that.</li> <li>A Okay. I have my Franklin Planner storage</li> <li>file for 1995.</li> <li>Q Set that aside. We'll look through that</li> </ul>	6 7 8	decision to place you in that organization will have to be agreed to by the parties. A That's correct. MR. MARQUAND: All right. We'll make a
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4 5 5 7 8 9 1 2 8 4 5 5 7	A That's correct. Q I don't need to see that. A Okay. I have my Franklin Planner storage file for 1995. Q Set that aside. We'll look through that during a break. A I have my Franklin Planner for 1994. Q We'll look at that during a break. A This is a notebook containing information about the 1993 complaint, the 1996 complaint, personnel appraisals. I would think most of this information you already have, but I brought it with me since you Q Can I see it?	6 7 8 9 10 11 12 13 14 15 16 17	decision to place you in that organization will have to be agreed to by the parties. A That's correct. MR. MARQUAND: All right. We'll make a copy of this and we will have this marked as Fiser deposition exhibit one, both pages. We'll mark the copy. (Exhibit No. 1 was filed.) BY MR. MARQUAND: Q There's some handwriting on the front of the 9880 A Uh-huh.
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3455789012345557890122	<ul> <li>A That's correct.</li> <li>Q I don't need to see that.</li> <li>A Okay. I have my Franklin Planner storage</li> <li>file for 1995.</li> <li>Q Set that aside. We'll look through that</li> <li>during a break.</li> <li>A I have my Franklin Planner for 1994.</li> <li>Q We'll look at that during a break.</li> <li>A This is a notebook containing information</li> <li>about the 1993 complaint, the 1996 complaint, personnel</li> <li>appraisals. I would think most of this information you</li> <li>already have, but I brought it with me since you</li> <li>Q Can I see it?</li> <li>A (Witness complied with request.)</li> <li>Q One of the pages in this notebook is a memo</li> <li>to Dr. McArthur dated April 23rd, '96, dealing with</li> <li>particularly pages that were stored in the memory of your</li> </ul>	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<ul> <li>decision to place you in that organization will have to be agreed to by the parties.</li> <li>A That's correct.</li> <li>MR. MARQUAND: All right. We'll make a copy of this and we will have this marked as Fiser deposition exhibit one, both pages. We'll mark the copy.</li> <li>(Exhibit No. 1 was filed.)</li> <li>BY MR. MARQUAND:</li> <li>Q There's some handwriting on the front of the 9880</li> <li>A Uh-huh.</li> <li>Q in blue ink. I assume that was added by you sometime later; is that correct?</li> <li>A That's correct.</li> <li>Q In 1996?</li> <li>A That's correct.</li> </ul>
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## Truesdel & Rusk Reporting

Page 13 - Page 18

Jej	po of Gary Fiser Cond		lt	In Re: TV
	Page 19			Page
1 2	Q VanBockern, B-O-C-K-E-R-N.	1	Mr. Vorse?	an alant the
2 3	A B-O-C-K. Okay. VanBockern on 7/17/96	23	MR. DAMBLY: Are you talki:	ng about the
4	during an interview, signed by me. Q All right. And when it says this package,	4	cover or the underlying? MR. MARQUAND: The whole	thing
5	does it just mean these two pages or does it mean that	5	BY MR. MARQUAND:	unig.
6	whole section of your notebook?	6	Q I'm not assuming that you s	ent the cover
7	A I am assuming it was those two pages.	7	Did you, in fact, author and send the	cover to Mr. Vorse?
8	Q The next document is entitled notice of	8	A The cover?	
9	transfer to employee transition program dated April 2nd.	9	Q Yes.	
0	1993. Do you see that?	10	A Apparently.	
1	A Correct.	11	Q It was in your notebook; rig	ht?
2	Q Did you receive that on or about April 2nd	12	A That's correct.	
3	of 1993?	13	Q You have no reason to think	that you didn't
4	A Yes, sir.	14	send it to him?	
5	MR. MARQUAND: All right. I'll have that	15	A That's correct. I have no re	ason to think
6	marked as a copy of that marked as Fiser	16	that I did not.	
7	exhibit two.	17	Q And the attached	
.8	(Exhibit No. 2 was filed.)	18	A I have no verification that it	
9	MS. EUCHNER: What's the date on that	19	because he never called and he never	wrote to me
20	document?	20	Q All right.	- <b>T</b>
!1 !2	MR. MARQUAND: 4/2/93.	21	A as I have stated before. S	o I assume
:2 :3	BY MR. MARQUAND:	22	that	d to send it to
.5 :4	Q And it does have your name misspelled; is that right?	23 24	Q You intended you intended him?	A TO SCHOTT TO
5	A I think that's correct.	24	A I assume that I faxed this to	him and I
<u> </u>		_		
1	O F-I-Z? Page 20		assume that he manipud it	Page
2	Q F-1-Z? A Yes. That's correct. It is correct that	1 2	assume that he received it. Q You authored the first page?	)
3	it is misspelled.	3	A That is correct.	
4	MS. EUCHNER: And you're going to mark that	4	Q And the three-paged record of	of interview of
5	as exhibit two?	5	Mr. Pat Lydon was, in fact, what you	
6	MR. MARQUAND: Two.	6	Mr. Vorse?	
7	BY MR. MARQUAND:	7	A It appears that way, yes.	
8	Q The next document is dated May 3rd, '93.	8	Q All right. Did you read it?	
9	It's from Ron Eytchison to D.E. Nunn, and apparently	9	A No.	
0	there's an attachment to it of an April 27th, '97,	10	Q You've never read it?	
1	memorandum of an organizational chart; is that correct?	11	A Oh, I'm certain I have read	it. Let's see.
2	A That's correct.	12	Do you mean recently?	
3	MR. MARQUAND: We'll have that marked as	13	Q No. Before you sent it to hi	
4	exhibit three.	14	A Like, in the last five or six y	ears?
5	(Exhibit No. 3 was filed.)	15	Q Yes.	
6	BY MR. MARQUAND:	16	A I feel certain I did, yes.	
7	Q The next document is dated September 6th,	17	Q Okay. In fact, let's add this	to the
8	'94, from R.R. Baron to O.J. Zeringue. And the subject is		front. This is a fax cover sheet, isn't	IC?
9	corporate and Sequoyah Nuclear Plant chemistry programs	19	A Yes, it is.	at would have
0	review. And there's an apparent attachment to that. What	20	Q Is that the fax cover sheet th	at would have
1	is that document?	21	been	
2	A It looks like it is a review of the	22	A It appears to be, yes.	vdon9
3	corporate and Sequoyah chemistry programs. Q Did that review indicate any long-standing	23 24	Q For the record, who is Pat L A At the time I was transferred	
4 5	problems		A At the time I was transferred the one-year assignment at corporate	
	A		and one your assignment at corporate	
,	Page 21	,	manager operations manager at Pas	Page . Nuclear Plant
1 2	A Yes, sir. O in the chemistry program?	1	manager operations manager at Sec I reported directly to him.	luoyan mucical riant
3	Q in the chemistry program? A Yes, sir. It did.	3	Q You reported to the operatio	ns manager?
3 4	Q How did you come to be in possession of	4	A That's correct.	
5	that document?	5	Q And who did the operations	manager report
6	A I cannot recall.		to?	
7	MR. MARQUAND: I'm going to ask to have a	7	A The plant manager.	
8	copy of that document marked as exhibit four to	8	Q Let me show you the next de	ocument in your
9	Mr. Fiser's deposition.	9	notebook. It's dated July 18th, 1996	. It purports to be
D	(Exhibit No. 4 was filed.)	10	a memorandum from you to David V	anBockern. And it
1	BY MR. MARQUAND:	11	indicates that there was a copy of a p	osition description
2	Q Let me show you what's dated November 14th,	12	and memorandum from Ron Grover	to Ben Easley attache
3	1995, a memorandum from you to Jim Vorse. And there is	13	Can you identify this document?	
4	apparently a three-paged attachment.	14	A This appears to be the PD that	at was
5	A Uh-huh.	15	describing the position for the job we	were applying on
6	MR. MARQUAND: We're going to mark that as	16	back in '96.	
7	Fiser deposition exhibit five.	17	Q What else is in that collection	n of
8	(Exhibit No. 5 was filed.)	18	documents?	
9	BY MR. MARQUAND:	19	A There is a memo, it looks lik	
0	Q Can you tell us what that is?	20	Grover to Ben Easley discussing cher	mistry position
1	A Let's see. Well, it appears to be	21	descriptions for fiscal year '97 RadC	nem organization.
2	documents that would be in support of my previous case	22	Q What's the date of the memo	D?
3	against TVA. Mr. Vorse was supposed to have been	23	A June the 17th, 1996.	
~	investigating the case.	24	Q How did you come to be in	DOSSESSION OF
4 5	Q Was that, in fact, a document you sent to	25	that memo?	

Page 19 - Page 24

1 2 3 4		I do not know.	Page 25	1		Page 28
2 3						0
3		And what's the first page of this document	nt?	1 2	BY MR. MARQUAND:	nt which
	Ă	You say of the document?	11 :	3	Q Do you recognize that as a docume you signed on or about that date?	int which
	0	Yes, what is going to be exhibit six.		4	A Yes, sir. I do.	
5	À	It's a memo from me to David VanBocke	rn	5	Q Okay. I will mark as exhibit ten a	
6	dated Ju	ly 18th		6	document which purports to be from you to	Phil Revnolds
7	Q	What was the purpose		7	dated September 13th, '96.	
8	Α	1996.		8	(Exhibit No. 10 was filed.)	
9	Q	What was the purpose of your memorandu	um?	9	BY MR. MARQUAND:	
10	A A	I'm sure during the deposition it was		10	Q Did you, in fact, send a copy of that	it
11 12	abcolute	ding day. He probably asked for this. I'n	n not	11	letter to Mr. Reynolds?	
	case.	ly sure of that, but I would assume that's t	ine	12	A This appears to be a copy of a letter	r that
14		Well, your memorandum to Mr. VanBock	am	13	I sent to Phil, yes.	
	said Šan	had an opportunity to review and agree w	with the	14 15	Q I will mark as exhibit eleven a men	10ranuum 27th 1004
16	PWR DOS	ition description.	viul uic	16	from Phil Reynolds to you dated September (Exhibit No. 11 was filed.)	27ai, 1990.
17		Uh-huh.		17	BY MR. MARQUAND:	
18	Q	Why what did you understand and why	did	18	Q Did you receive that document on c	or about
19	you und	erstand that to be something he was interest	sted in?	19	that date?	
20	A	I think he was disputing that.		20	A Yes, I did.	
21	Q	Who?		21	Q I will show you a letter that purport	is to
22	Α	Sam was, at the time.		22	be from you to Phil Reynolds which I've ma	rked as exhibit
23	, Q	Also included as the third page of what		23	twelve.	
24	we re go	ing to have marked as exhibit six is a print	tout	24	(Exhibit No. 12 was filed.)	
25	snowing	some properties with respect to a particula	ar	25	BY MR. MARQUAND:	
	. <b>1</b>		Page 26			Page 29
	documer (Exhibit			1	Q Did you send that to Mr. Reynolds	on or
		No. 6 was filed.)		2	about September 30th, 1996?	
4		ARQUAND: Why did you send that to Mr. VanBocken	<b>n</b> 2	3	A As I recall.	
5		I don't know. I would have to really refer		5	Q Does that mean yes? A As I recall.	
		tes to find out.	L	6	Q As you recall what? As you recall,	you did
7		Do you have notes reflecting that?		7	or didn't send it?	you did
8	À	It's possible.		8	A As I recall, I did. That was your	
9		Where would they be?		9	question.	
10	A	Possibly in this 1995 is that five or		10	Q I show you a copy of a document w	/hich I'll
	six?			11	mark as exhibit number I believe it's thirt	æn.
12		This is dated 1996.		12	(Exhibit No. 13 was filed.)	
13	A	It would be in my '96 planner.		13	BY MR. MARQUAND:	
14	Ŷ	Did you bring that with you? Yeah.		14	Q It's a position description with you	
15 16		You did?		15	on it with an effective date of July 24th, 199	5, and 10
17		I may have left it at home. I can get it		16 17	was signed by Ed Boyles. Do you recognize A I think I do.	ulat document?
	for vou	I certainly meant to.		18	Q What do you think it is?	
19	0	We'll ask that during a break that you		19	A I think that I think that is the	
	retrieve t	hat for us.		20	position description that was modified after	l took a
21	Α	As a matter of fact, here it is.		21	settlement job with Ron Grover, and then we	e went back and
22	Q	Oh, good. Let's put that with the '94 and	1	22	added environmental functions to the PD and	then had to
	'95 ones	then.		23	bid on our jobs. I'm pretty sure that's the jo	b
24		(Witness complied with request.)		24	mentioned.	
25	Q	I'm going to have marked as exhibit seven		25	Q Now, you mentioned a settlement y	
			Page 27			Page 30
$\frac{1}{2}$	uocumen	t from your notebook entitled August 30th	1, 1990.	1	A Uh-huh.	commostio-
2	n same (Evhihi+	morandum from Tom McGrath to you. No. 7 was filed.)		2	Q And you mentioned Ron Grover in with that.	connection
		INO. 7 Was Med.) IARQUAND:		3	A Uh-huh.	
5		Do you recognize that?		5	Q You didn't negotiate that settlement	with
6		Yes, I do.		6	Ron Grover, did you?	
7		Did you receive that on or about the date		7	A No.	
		that document?		8	Q Did Ron Grover play any part in th	at
9		I am certain I did.		9	settlement?	
	•	No. 8 was filed.)		10	A Yes.	
		IARQUAND:		11	Q What part did he play?	
12	Q	I show you a document a letter which		12	A He hired me.	
13 I	purports	to be from you to Phil Reynolds dated Ser	De	13	Q He hired you?	
		5, which I've marked as Fiser exhibit eight	, D0	14 15	A Yes, he did. Q What do you mean, he hired you?	
15 y 16		gnize that? That is correct. I do.		15	A I went to work for him. I went to E	TP the
17		Is that, in fact, the letter you sent to		17	employee transition program, into Ron Grove	
	Phil Řev	nolds on or about September 5th, '96?		18	Q All right. You were in the employe	e
19	A	This is a copy of a letter that I would		19	transition program; correct?	-
	have sen			20	A That's correct.	
21		Okay. I'm going to have marked as exhibit	it	21	Q And that's when you had during	that time
	nine a fo	rm entitled FY 1997 employee resignation o	ption	22	you had a pending Department of Labor com	plaint that you
				23	filed in '93?	-
23 f	torm wh	ch purports to be signed by you on Septen				
23 f 24 '	'96, and	we'll have that marked as exhibit nine. No. 9 was filed.)		24 25	A That is correct. Q And as a result of that settlement, th	

Page 25 - Page 30

### **CondenseIt**<sup>TM</sup> Depo of -- Gary Fiser In Re: TVA Page 31 Page 34 settlement provided for you to have a job in Ron Grover's to you dated September 15th, 1994. I'll have it marked as exhibit fourteen to your deposition. (Exhibit No. 14 was filed.) 2 organization; correct? 2 3 That is correct. Α 3 4 MR. MARQUAND: Let's go off the record. 4 BY MR. MARQUAND: (A break was taken.) 5 5 Can you tell us what that document is? 0 6 BY MR. MARQUAND: It is written notification that my position 6 А Q Okay. We were looking at a position description. Is that what --7 that I was -- where I was working in September of '94 was 7 8 8 at risk. A I think you had just asked me the question did I recognize it. And I think --Q You said you did. 9 And why did you receive that notification? I am fairly certain that it is because we 9 Q 10 10 Α 11 were redoing the position descriptions at that time. 11 12 -- it was the one that was revised to 12 And? Q include the environmental position task. Q Oh. We were talking about your '93 13 That's a pretty good guess. I mean --13 А 14 Do you have any more knowledge about it 14 15 settlement and Grover's involvement. 15 than that? Oh, yes. Okay. I'm sorry. 16 Α 16 Α I think this is the time when we were Q Do you know when Grover was first employed by TVA? Sometime in '94? Does that refresh your 17 adding the environmental functions to the job description. 17 18 18 Okay. The job descriptions had been recollection? 19 19 chemistry program manager and they changed to become I guess. That's about right. All right. When you were sent to the 20 chemistry and environmental program -- chemistry and 20 environmental protection program managers? A I think that is correct. 21 21 employee transition program, he was not employed by TVA? 22 22 23 A No, sir. And those jobs were advertised? That is correct. 23 0 24 And he didn't come into TVA until some 24 А 25 point in time after you were sent to the employee And you went through a selection process 25 0 Page 35 Page 32 transition\_program? 1 and you were selected? 1 That's correct. That is correct. 2 Α 2 Α 3 After all of the events that gave rise to 3 And during the time period that they were considering adding the environmental protection function, those jobs were advertised and the old chemistry program your 1993 DOL complaint? 4 4 5 Yes, sir. Are we back on the record? 5 Α Yes manager jobs were eliminated? A That's correct. 6 0 6 7 Okay. We didn't say that. 7 MR. DAMBLY: She's typing. 8 8 And so as a consequence, you received an MR. MARQUAND: She took a cue from us. at-risk notice? 9 9 10 THE WITNESS: Hand signals from attorneys. 10 That's correct. Α Q All right. What would have -- to your knowledge, what would have happened had you not been 11 BY MR. MARQUAND: 11 And as far as you know, Mr. Grover wasn't 12 12 involved in any of the negotiations leading up to the selected for one of the new chemistry and environmental 13 13 settlement of your '93 Department of Labor complaint? protection program manager positions? A I think I would have been placed in the 14 14 15 No, sir. 15 16 And as far as you know, as far as he knew services organization as I recall. 16 you came into his organization as a result of the 17 Okay 17 Q I think that's what the letter said. settlement being negotiated at higher levels than himself? 18 18 Α 19 That's correct. But I do not mean to imply All right. Let me show you a document 19 which purports to be a position description with an effective date of July 24th, '95, issued to you. And I'll

And what makes you think that? 21 Q 22 Of course, this was seven years ago. I seem to recall that my date to report to his organization 23 was protracted some due to negotiations between my attorney and you guys. And if I recall, he made some 24 25 statement, like, you know, is he or isn't he, you know; 1 2 it's time to do your business or -- or get off the pot. You mean he was talking about you -3 0 4 Yes. Α 5 Q -- in terms of are you or are you not coming in to work for him? 6 7

that he had no choice in the matter. I think he did.

A Right, Because he wanted to get going. He was ready to get started. He had a lot of work to do. 8 And I got the impression that he wanted me in his 9 organization. I don't know why, but -- therefore, I would 10 assume that he could have said, no, I don't want him in my 11 organization. 12 13 These aren't comments he made to you, are Q they? 14 15 A I think I got those through either my attorney or something. I don't know. No, they were not 16 to me. I never met him, I don't think, until the day I 17 went to work for him. I'm not absolutely sure of that, 18 19 but that's as I recall. MR. MARQUAND: Where are the documents we 20 said we wanted copied? 21 22 MS. EUCHNER: Here. BY MR. MARQUAND: 23

A Okay. (Exhibit No. 15 was filed.) 24 25 Page 33 BY MR. MARQUAND: 1 Is that the -- what does it say the 2 0 effective date is? A 7/24/95. 3 4 5 0 Is that a completed version of Fiser exhibit thirteen? 6 7 Is this? Α 8 Q 10 thirteen? 11

20

21

22

23

front.

Yes. Is Fiser exhibit fifteen a completed and filled in and signed version of Fiser exhibit A Oh. Yes. That appears to be the case. 12 Yes, sir. Q Okay. And that was a position description that was issued to you and you signed in 1995? 13 14

That is the case, yes. 15 Α Q Okay. I show you another position description which we'll have marked as exhibit sixteen 16 17 with an effective date of October 17th, '94, and it's 18 signed by you, Mr. Grover, and Mr. Easley. And we will

mark it as exhibit fifteen, less the post-it that's on the

- 19 make a copy of that less the post-it on the front. 20
  - (Exhibit No. 16 was filed.) 21
- 22 BY MR. MARQUAND: Q Is that the position description that was issued to you after the selection process in 1994 after 23

24 Q I'll show you a document which is a 24 25 memorandum from John Maciejewski, M-A-C-I-E-J-E-W-S-K-I you were selected for the new chemistry and environmental 25

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	oo of Gary Fiser Cone		
1	Page 3		Page
2	A I have to ask a question. What was my	1 2	that's what Bill was talking about.
3	start date for working for Ron Grover, do you recall,	3	Q When was he talking about it? A This would have been back in the '94/'95
í	approximately? It was a lot earlier than that, was it	4	time frame.
5	not?	5	Q Bill wasn't employed by TV after '93. So
<b>i</b>	Q Approximately sometime in March/April of	6	he was raising these issues where was he raising these
1	'94	7	issues in '94 and '95?
3	A I can't	8	MR. DAMBLY: Could you identify Bill for
•	Q That's the position	9	the record?
)	A The thing that concerns me about that is I	10	THE WITNESS: I'm sorry. Bill Jocher. You
l	went to work in March	11	know him.
2	Q Let me shorten my question.	12	BY MR. MARQUAND:
3	A and this is in October.	13	Q I know who you're talking about. Who was
4	Q Right.	14	he raising these issues to in 1994 and '95?
5	A And your question is was this the one that	15	A Me.
5	I agreed to. And that	16	Q Did you raise them any further?
7	Q All right. Let's back up. Do you	17	A No.
3	recognize this document? Do you recognize your signature	18	Q Did you carry them any further?
	on the document?	19	A No.
)	A Yes, sir. I do.	20	Q As far as you know, Bill expressed those
l	Q All right. Is that a position description	21	concerns to you and no one else?
2	that was issued to you in September of '94?	22	A Oh, I'm certain he expressed it to the
3	A Yes.	23	world.
ŀ	Q Okay. And it's for chemistry and	24	Q You're certain he did or you know he did?
i	environmental protection program manager?	25	A I would knowing Bill Jocher, I would be
	Page 3	8	Page
L	A Yes.	1	fairly certain that he expressed these views to anyone.
2	Q All right. And it was issued to you after	2	Q You're saying knowing Bill Jocher, you
	you had received written notification of potential at-risk	3	assume he expressed them to other people?
1	status as reflected in Fiser exhibit fourteen?	4	A Uh-huh.
5	A Let's see. Well, this is dated the 15th of	5	Q But you don't know that for a certainty?
5	'94	6	A No, sir.
7	Q Right.	7	Q Okay. What other documents did you bring
3	A and this is September 15th of '94.	8	with you pursuant to subpoena?
)	Q We don't know when this one was actually	9	A Let's see. Where are we? I have a copy of
	issued, but the effective date is September 17th.	10	the transcript.
l	A That's what it says.	11	Q Of what?
2	Q All right. I'm going to show you a	12	A From the interview I had with Ms. Benson.
	memorandum dated February 19th, '92, from Wilson McArthur	13	Q Okay. What else did you bring with you?
	to R.J. Beecken, B-E-E-C-K-E-N, regarding the Sequoyah	14	A I have a letter to the Honorable James
	Nuclear Plant chemistry shutdown requirements. Why is	15	Sasser dated August 16th, '93, with certain aspects of my
	that in this notebook?	16	case, Jocher's case and Dr. Matthews'.
7	A I don't know. Just a convenient place to	17	Q What's the date of the letter? August 16th, '93?
3	store Sequoyah information I guess.	18	Ioui, 75 (
	Q Does it have any pertinence to your '93	19	A August 16th.
}	complaint or your '96 complaint?	20	Q May I see it? A You probably have a conv of it
	A No, sir. Nor does the one you're holding I think.	21	A You probably have a copy of it.
2		22	Q Where did you get that document? A This document?
} I	Q You're referring to the June 6th, '91, memo	23	
	from CP&L to Sam Harvey?	24 25	
;	A That's correct.	_	A As I recall, I typed it.
	Page 3		Page
	Q What do you know regarding an allegation		Q All right. Did you
	that Sam Harvey represented that a report was his work	2	A So I would have had a copy of it.
	product when he had not written the report or that Sam	3	Q Okay. Is that the copy that you kept for your record purposes?
	Harvey was alleged to have plagiarized work of others	4	
	regarding controlled shutdown of steam generators?	5	A I feel certain it is.
	A Very little.	7	Q Let me MS FUCHNER: We gave you that conv
	Q Tell me what you know.	8	MS. EUCHNER: We gave you that copy.
	A I know that there were some people that	8	THE WITNESS: Oh. Did you give it?
	were concerned. Bill Jocher chiefly was concerned about the fact that he falt Sam had plagiarized some work		MR. MARQUAND: Let the record reflect that
	the fact that he felt Sam had plagiarized some work.	10	counsel for NRC is showing the witness certain
	Q Did you receive such a paper? A I think that's what you just had in your	11	THE WITNESS: Oh. Okay. MR. MARQUAND: writings on the document.
	A I HAMA MAL S WHAL YOU JUST HAU III YOU	12	THE WITNESS: I stand corrected. This
	hand	13	letter was provided to me by counsel for NRC.
	hand. O Ob Okay		
2 1 1	Q Oh. Okay.		NY WIK MAKULIANUP
	Q Oh. Okay. A I think.	15	BY MR. MARQUAND: O And when was that?
	<ul> <li>Q Oh. Okay.</li> <li>A I think.</li> <li>Q You're not talking about the February memo</li> </ul>	15 16	Q And when was that?
	Q Oh. Okay. A I think. Q You're not talking about the February memo from McArthur to Beecken, are you? You're talking about	15 16 17	Q And when was that? A Saturday a week ago.
	Q Oh. Okay. A I think. Q You're not talking about the February memo from McArthur to Beecken, are you? You're talking about instead the June 6th, '91, letter from CP&L to Sam Harvey?	15 16 17 18	Q And when was that? A Saturday a week ago. MS. EUCHNER: December 1st.
2	Q Oh. Okay. A I think. Q You're not talking about the February memo from McArthur to Beecken, are you? You're talking about instead the June 6th, '91, letter from CP&L to Sam Harvey? A I really can't answer that because I had no	15 16 17 18 19	<ul> <li>Q And when was that?</li> <li>A Saturday a week ago.</li> <li>MS. EUCHNER: December 1st.</li> <li>MR. MARQUAND: Okay. December 1st.</li> </ul>
	Q Oh. Okay. A I think. Q You're not talking about the February memo from McArthur to Beecken, are you? You're talking about instead the June 6th, '91, letter from CP&L to Sam Harvey? A I really can't answer that because I had no involvement in it.	15 16 17 18 19 20	Q And when was that? A Saturday a week ago. MS. EUCHNER: December 1st. MR. MARQUAND: Okay. December 1st. BY MR. MARQUAND:
	Q Oh. Okay. A I think. Q You're not talking about the February memo from McArthur to Beecken, are you? You're talking about instead the June 6th, '91, letter from CP&L to Sam Harvey? A I really can't answer that because I had no involvement in it. Q Well, take your time to review that.	15 16 17 18 19 20 21	Q And when was that? A Saturday a week ago. MS. EUCHNER: December 1st. MR. MARQUAND: Okay. December 1st. BY MR. MARQUAND: Q Did you keep a record copy of that letter?
	Q Oh. Okay. A I think. Q You're not talking about the February memo from McArthur to Beecken, are you? You're talking about instead the June 6th, '91, letter from CP&L to Sam Harvey? A I really can't answer that because I had no involvement in it. Q Well, take your time to review that. A Okay. Let me see the other one too.	15 16 17 18 19 20 21 22	<ul> <li>Q And when was that?</li> <li>A Saturday a week ago.</li> <li>MS. EUCHNER: December 1st.</li> <li>MR. MARQUAND: Okay. December 1st.</li> <li>BY MR. MARQUAND:</li> <li>Q Did you keep a record copy of that letter?</li> <li>A I feel certain I did. You should see my</li> </ul>
	Q Oh. Okay. A I think. Q You're not talking about the February memo from McArthur to Beecken, are you? You're talking about instead the June 6th, '91, letter from CP&L to Sam Harvey? A I really can't answer that because I had no involvement in it. Q Well, take your time to review that.	15 16 17 18 19 20 21	Q And when was that? A Saturday a week ago. MS. EUCHNER: December 1st. MR. MARQUAND: Okay. December 1st. BY MR. MARQUAND: Q Did you keep a record copy of that letter?

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	oo of Gary Fiser Conde		
1	Page 43 that letter marked as exhibit seventeen.		Page already provided this to you it appears to be a
2	(Exhibit No. 17 was filed.)	1 2	copy of the complaint that I filed in '93 to Ms.
3	BY MR. MARQUAND:	3	Merchant again. It appears I had several copies
ļ	Q What else did you bring with you to the	4	in the file, so I brought the whole file.
	deposition?	5	I have a copy of a letter from Mr. Kingsley
	A I have a report of interview of Gary L.	6	to Director Waters dated January the 16th, 1991.
	Fiser with a place for Mr. Vorse to sign.	7	This appears to be reporting the status of the
	Q Let me see that.	8	chemistry programs at Sequoyah and Browns Ferry in
)	A It appears to be incomplete. But I had it,	9	the areas of training and quality control,
)	so I brought it.	10	condition of online chemistry monitoring, et
	Q In the middle of the second paragraph on	11	cetera,
2	this document, it says Fiser provided an eighty-five-paged	12	BY MR. MARQUAND:
	document entitled sequence of events.	13	Q Where were those earlier documents we
1	A Uh-huh.	14	pulled out? That's essentially the same as this earlier
5	Q Is that the same document that you showed	15	fax that you showed us, isn't it? The fax also has a
;	us earlier that you brought with you?	16	December 3rd, 1990, memorandum on the top of it from Mr.
1	A I feel certain it is.	17	McArthur to Mr. Kingsley.
\$	Q In this we'll make a copy of this report	18	A Yes, sir.
)	of interview and the sequence of events and have it marked	19	Q Okay. Let's make the fax document exhibit
)	as exhibit eighteen to your deposition.	20	number twenty. And for clarification of the record, we'll
	(Exhibit No. 18 was filed.)	21	make the memorandum of understanding and agreement that
	MR. DAMBLY: Do you intend to have this	22	you showed to us earlier as exhibit twenty one, and the
5	bound into the record?	23	May 24th, 1993, memorandum from you to Mr. VanBeke with
ł	MR. MARQUAND: I don't know. We'll cross	24	attachments as exhibit twenty two.
	that bridge later.	25	(Exhibits No. 20, 21 and 22 were filed.)
	Page 44	1	Page
	BY MR. MARQUAND:	1	BY MR. MARQUAND:
2	Q What else did you bring with you to the	2	Q What else did you bring with you?
	how did you obtain exhibit eighteen?	3	A This is a copy of my 1996 Department of
	A I don't have a clue.	4	Labor complaint, the letter I wrote to Ms. Merchant and
	Q Okay. Do you know how long you've had	5	with attachment of the sequence of events. And I think
	them?	6	you already have this. Don't we already have this in the
	A No, sir.	7	record? This may be just a copy.
	Q What else did you bring pursuant to	8	Q I think we made the '93 complaint
1	subpoena?	9	A Okay.
1	A I have a copy of the Department of Labor	10	Q You've already provided it to us, but for
	case provided by Mr. Jocher to Mr to Ms. Carol	111	completeness of the record, we'll make that exhibit twent
2	Merchant. The only reason I kept this in the file was	12	three.
	because	13	(Exhibit No. 23 was filed.)
l.	Q Let me see	14	THE WITNESS: I'm a little concerned that
5	A was because of the litany of problems	15	that was not stapled or bound together. I assume
	discussed. I'm not sure it relates at all.	16	it's in order, but
	Q What litany of problems are you referring	17	MR. MARQUAND: we'll double-check. Okay?
3	to? What types of problems?	18	THE WITNESS: Again, this just came flying
)	A Problems in the chemistry program at the	19	out of my basement the other day.
	sites, sites being Watts Bar, Sequoyah and Browns Ferry,	20	BY MR. MARQUAND
	and at corporate.	21	Q Did you bring any other documents with you?
	MR. MARQUAND: I'll have a copy of that	22	A I brought
	marked as exhibit nineteen.	23	Q I've got that.
	(Exhibit No. 19 was filed.)	24	A the document you gave me. These you
	BY MR. MARQUAND:	25	already have.
	Page 45		Page
	Q What else did you bring with you pursuant	1	Q Right.
	to subpoena?	2	A This is the 1993 letter, again, that I sent
	A I have a copy of the interview that took	3	to Ms. Merchant. You've already got that.
	place between Mr. VanBockern and me on there's a date	4	Q Right. And you brought your '94, '95 and
	here somewhere, let me see July 17th. Have I already	5	'96 Franklin Planner notes; right?
	provided you with this?	6	A That is correct. And 2001 or thereabouts,
	Q I've seen that.	7	some of it.
	A I thought so.	8	Q So you didn't bring any 1992 or 1993
	Q I believe that's from our files if you'll	9	Franklin Planner notes, any journal notes, ledger notes?
	see the number at the bottom of the page.	10	A No, I did not. I have those. They're in
	A Okay.	11	my basement. I should have brought them.
	Q Was that provided to you by the NRC	12	Q How far do you live from here?
	attorney on December 1st?	13	A Signal Mountain.
	A Yes, sir. A What also did you bring with you pursuant	14	Q I don't have any idea how far that is. How
	Q What else did you bring with you pursuant	15	long would it take you to go there and retrieve them and return?
	to the subpoena?	16	return?
	A I have several letters to me from NRC where	17	A Probably forty minutes.
	they were, I think, extending the date on the	18	Q Okay.
	Q May I see them?	19	A Unless there was a wreck.
	A interview.	20	MR. MARQUAND: I think this would be a good
	Q What else did you bring?	21	time to break, make copies of these documents, and
	MS. EUCHNER: Do you want copies of these,	22 23	reconvene after we've got these documents copied
		1.74	to ask questions about them. And you indicated
	counsel?		you wanted to be meant when they want and
	counsel? MR. MARQUAND: No. THE WITNESS: I have a I think I've	24 25	you wanted to be present when they were copied. MS. EUCHNER: One of us will be present.

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Der	oo of Gary Fiser	Conde	nse]	It <sup>™</sup> In Re: TVA
		Page 49		Page 52
1	THE WITNESS: Yeah. I just want to make		1	exhibit indicates, does it not, that Mr. Kingsley,
2	sure a lot of these are the only copies I have,		2	speaking on behalf of TVA nuclear, was of the opinion that
3	and I want to make sure I get them back.		3	the chemistry programs had the necessary attention to improve performance; correct?
5	MR. MARQUAND: I understand. I have no problem with that.		4	A Yes, that is correct.
6	(A break was taken.)		6	Q And he was further of the opinion that
7	BY MR. MARQUAND:		7	there were some hardware problems with some of the
8	Q I'm going to ask you to look first at		8	equipment at Sequoyah?
9	exhibit Fiser exhibit number twenty. Those are in		9	A That is correct.
10	sequence there, so it's towards the bottom.		10	Q All right. The purpose of this, is it not
11	A Okay.		11	also reflected, that it was to provide a status with
12	Q What relevance does this have to your 1993		12	respect to training, quality control, and condition of
13 14	A I think it's just supportive information		13	online chemistry monitoring at the various plants,
15	from Mr. Kingsley actually, from Wilson McArthu	ir to Mr	14 15	A That is correct.
16	Kingsley about the status of some of the training issu	les	16	Q Now, on the next page, which is the SQN/BFN
17	at Browns Ferry and Sequoyah and chemistry issues.	~~~	17	chemistry status let me ask you. It refers to
18	Q Were you involved in the preparation of any	/	18	radiochemical laboratory analysts. Who would those types
19	of the pages or any of the information that is in exhibit		19	of people work for? What organization would they be
20	number twenty?		20	assigned to?
21	A Oh, I would I would think so. I'm sure		21	A The chemistry organization.
22	that I would be surprised if Wilson or Jim Bates	• 1	22	Q So with respect to chemistry at that
23 24	can't remember if he was gone by that time or Bill	L	23	particular time, any radiochemical laboratory analyst or
24	Jocher, if he was on board at that time would have asked for my input. I'd be surprised if that did not		24 25	RLAS would have worked for you? A That is correct.
<u></u>	asked for my input. I'd be surprised if that did not	Dage 60		
1	occur. But it's just been my gosh, it's over ten yea	Page 50	1.	Page 53 Q All right. Are these bullets with respect
2	ago.	ura Cru	1 2	to training of RLAs correct or were they correct at that
3	Q So you can't tell us with any certainty you		3	time?
4	had any input into this document?		4	A Were they correct? I have no idea. I
5	A I can't tell you with any certainty that I		5	mean, I would have to go back and research all of the
6	did not.		6	documents back over ten years ago. I can't say.
7	Q If you'll look at the first page, does it		7	Q In providing information for Mr. McArthur
8	not indicate that Jim Barker and Wilson McArthur w	/ere	8	to provide to Mr. Kingsley who, in turn, was to provide it
9 10	A I see Wilson. I do not see Barker.		9 10	to the TVA board of directors, would you have provided incorrect information?
11	Q Do you see the initials JHB in the lower,		11	A Oh, no. I would have provided correct
12	left-hand corner?		12	information.
13	A Yes, I do.		13	Q And when you were afforded an opportunity
14	Q Is that Jim Barker?		14	to review this and coordinate with Mr. McArthur, if it was
15	A I don't know his initials. It very well		15	incorrect would you have corrected it?
16	could be.		16	A If I was afforded an opportunity to review
17 18	Q Well, if you look at the last sentence, does it say Jim Barker and I?		17 18	it, that is correct. I would have. It doesn't mean that my corrections would have been included.
19	A Oh. Yes.		19	Q But you don't know as you sit here whether
20	Q Would that not indicate to you that Jim		20	this information was correct at that time?
21	Barker was involved in the preparation of this docun	nent?	21	A I would have to look at it and go back and
22	A Yes. It certainty would.		22	evaluate that against my notes.
23	Q Did you work for either Jim Barker or		23	Q Do you know if in 1991, January of 1991
24 25	A No, I did not.		24 25	when Mr. Kingsley provided this to Mr. Waters, were there problems with state of knowledge of the RLAs at Sequoyah?
25	······································	Page 51		Page 54
1	Q They were on corporate staff?	rage J1	1	A I would have to go back and look at my
2	A That's correct.		2	notes.
3	Q And the first page indicates that this is a		3	Q You don't know?
4	draft that they've prepared a draft response for Mr	•	4	A I would have to go back and look look at my
5	Kingsley to send to John Waters; right?		5	notes to find out for sure if at that time there were. As
6	A Yes. Did you over talk to Mr. Kingsley shout		6	I recall see, I cannot remember the exact date that we
7	Q Did you ever talk to Mr. Kingsley about		7 8	got rid of all the degreed chemistry trainers. So I can't answer that question until I go back and look at my notes.
8	what he wanted to have included in this particular response?		9	Q Were you aware at some point in time that
10	A No, sir.		10	there were problems with lack of knowledge of the RLAs at
11	Q Did you ever talk to Wilson McArthur abou	ıt	11	Sequoyah?
12	it?		12	A Yes, I am.
13	A Very likely.		13	Q And when did those problems surface?
14	Q Do you recall talking to him about it?		14 15	A They were very early on. When I took the
15	A I have vague recollections. Q And what do you recall that you talked to		16	job, as a matter of fact, there were problems. And then I know that during the INPO evaluation when I was on loan to
16 17	him about?		17	corporate chemistry downtown, the RLAs did not do well in
18	A Just the fact he was helping develop this		18	the Institute of Nuclear Power assessment of the chemistry
19	response. And I'm sure that we probably discussed s	some of	19	training program and knowledge level for RLAs.
20	the bullet items, if not all of them. But I cannot I		20	Q All right.
21	mean, that's over ten years ago, so it was customar		21	A I know that for a fact.
22	those days for corporate chemistry and chemistry gro		22 23	Q So you were aware when you came in to Sequoyah as the Sequoyah chemistry superintendent there
23	the site to work closely together, and I would be very surprised if we did not discuss this.	1	23	were problems, and there were problems later on when you
24 25	Q Now, the second page of that of this		25	were downtown?
	andal & Dusk Deporting		·	Page 49 - Page 54

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)e	po of Gary Fiser Cond		
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1	A That's correct.	1	for pumping up your RLAs for the INPO visit as opposed t
2	Q Did those problems continue unabated from	2	providing them complete training?
	the time that you took the position until you left	3	A I think so.
	Sequoyah?	4	Q And who criticized you?
	A No.	5	A I think that was Rob Beecken.
	Q And why not?	6	Q And who is he? What was his position?
	A I know that we had two INPO assessments	7	A He was the plant manager.
1	while I was in charge of chemistry where they did INPO	8	Q The plant manager where?
)	did evalutions of RLA training, knowledge and knowledge	9	A Sequoyah Nuclear Plant.
)	level, and they had no findings or concerns at that time.	10	Q If you will look at exhibit twenty, I
1	Q Aside from whether or not there were INPO	11	believe it's the third page, under item number three. The
2	findings, my question goes to the RLA knowledge level.	12	fourth bullet, online sampling system does not meet
5	The question is, did the knowledge-level problems continue	13	current industry standards, do you see that?
4 5	unabated from the time you came in until you left Sequoyah?	14	A Item number three?
5	A No.	15	Q Item number three, which is SQN, sequoyah
,		16	
	Q Okay. Why not?	17	A Okay.
3	A Obviously we took some steps to bolster the	18	Q fourth bullet. Do you see where it says
)	training program. We formulated a peer-review team for	19	online sampling system does not meet current industry
)	the chemistry RLAS. I can't remember the name of the	20	standards?
ļ	team. They had a lot of input into the training program.	21	A That's correct.
2	I know I did some training for the RLAS. And for a while	22	Q What does that refer to?
5	it improved.	23	A The online sampling system that we were
ŀ	Q Why is it that, if it had improved while	24	using at Sequoyah was out of date. The instruments wer
i	you were at Sequoyah, all of the sudden when INPO came	25	old. They were not capable of seeing down in the ranges
	Page 56		Pag
	back in when you were downtown INPO found problems with		that the industry had grown accustomed to. A lot of
2	the knowledge level of the RLAS?	2	equipment was actually broken down and we could not g
3	A I would have to have the INPO report to	3	spare parts because the instruments were so old.
ŧ	answer that question. I don't. I don't even know that	4	Q What's the purpose of online sampling?
5	I've ever seen it. I would have to know the types of	5	A To evaluate system conditions immediately
5	questions they asked, what they knew, what they did not	6	or online, get an accurate, up-to-date assessment, rather
7	know. I don't have enough information to answer that	7	than relying on grab samples once a day, three times a
3	question. I know that there was knowledge decay.	8	day, whatever.
)	Q If you know, how is it that INPO did not	9	Q What do you use those samples for?
)	when you were the chemistry superintendent, how is it that	10	A To see if you have problems in the system,
l	INPO did not detect any knowledge-level decay or	11	to see if you have a demineralizer that needs to be
2	knowledge-level problems with the RLAS?	12	regenerated, to see if you have a breakdown somewhere i
3	A They did.	13	system component.
1	Q While you were chemistry superintendent?	14	Q And are those samples important?
5	A No. After I was gone.	15	A Yes, they are.
5	Q Okay. How is it, if you know, that they	16	Q Were you ever criticized for not providing
7	didn't?	17	samples to the operators of the plant?
3	A They had no findings.	18	A No.
)	Q Why?	19	Q Were you ever criticized for not providing
)	A Evidently the RLAs did okay on the	20	adequate sampling parameters to anyone?
	questions asked.	21	A (No verbal response.)
2	Q Do you know why?	22	Q Let me rephrase that. Did anyone ever
3	A Obviously, at that time, they were better	23	suggest to you that you should be providing more
ŧ	prepared. I know there was knowledge decay. But if	24	information from the chemistry department?
;	you're asking when it started, I can't tell you. But I	25	A Let's see. We were taking a lot of grab
	Page 57		Pag
	know there was.	1	samples, if that's what you mean. I can't remember
	Q Were they well prepared for the INPO visit	2	anybody criticizing the amount of grab samples, no.
	or were they simply well trained?	3	Q Did anyone ever suggest you should be
	A I think perhaps both.	4	providing more information or more parameters?
	Q Okay. Let's address the first. How is it	5	A Not that I recall.
i	that they were well prepared for the INPO visit?	6	Q So then if the online sampling system
	A As I have already stated oh, you said	7	didn't meet current industry standards, that wasn't a
	well prepared for the INPO visit.	8	problem; is that right?
	Q Yes.	9	A That was a problem.
I	A There is something that I did that Bill	10	Q Why was it a problem?
	Jocher did not do, and that would be to put them in front	11	A Because we didn't have the equipment in
2	of a mock INPO evaluation where you ask them questions,	12	place to meet current industry standards.
	typical questions. You don't know what INPO is going to	13	• And the industry standards provide for
	ask, but just to get them comfortable with the process and	14	what?
	on what types of questions they ask. And I felt like they	15	A For the various analytical instruments
	just felt more comfortable going in and were less likely	16	needed in various places at the plant and the level of
	to just, I guess, cave in to the stress of the moment.	17	sensitivity they would be able to read down to. And we
;	Q Have you ever heard the term pump up with	18	did not have that in place.
) )	respect to getting people ready just for the INPO	19	Q So people wanted that information and you
, }	evaluation as opposed to having them receive complete	20	couldn't provide it?
	training?	21	A I could not provide the online, no. We did
		22	the grab samples, though.
2		23	Q Did that provide the amount of information
	Q Have you ever used it yoursell?	24	that the current industry standard dictated?
		147	and and American research American represents
ļ	A It is possible. Q Were you ever criticized for doing that,	25	A No.

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)e		-	nse	elt <sup>™</sup> In Re: TV
1	Q Look at the next bullet on SQN.	e 61	1	A Yes.
2	A Uh-huh.		2	0 When were the criticisms by Beecken made of
3	Q Do you see where it says due to the age and		3	you?
1	lack of replacement parts, maintenance on the chemistry		4	A In December of '92.
5	monitors is a problem and many instruments remain out of	of	5	Q And those criticisms, again, were what?
5	service for long periods of time?		6	A Well, I don't recall. I would have to
7	A That's correct.		7	refer to my notes.
8	Q What were you doing to address the problems		8	Q We talked about
2	with the maintenance on the chemistry monitors and the		9	A That conversation was
0	fact that instruments were out of service?		10	Q the RLA knowledge; right?
1	A We had to fill out trouble tickets. I		11	A Uh-huh.
2	think that's what you call them. You know, at various		12	Q And is that when he related those
3	plants the name is different. But if you have a piece of		13	criticisms to you?
4	analytical equipment that's out of service, you have to		14	A Yes.
5 5	then submit a trouble ticket which identifies the		15	Q Do you know what time period those
	instrument and the problem, and it goes into the work		16	criticisms of his related to?
7	control process.		17	A Yes, the period of time I was downtown.
3	Q How long had that been a problem?		18	Q All right. And when did Jack Wilson have
)	A For years.		19	his criticisms of you?
)	Q And it was still a problem when you were at		20	A In December.
	Sequoyah?		21	Q Of '92?
2	A That's correct.		22	A That's correct.
	Q And remained a problem the entire time you		23	Q That's when he related them to you?
	were there?		24	A Yes.
	A That's correct.		25	Q And so you're saying before you went
	Page	62		Page
2	Q Were you ever criticized about the fact		1	downtown there wasn't a problem with instruments remaining
	that there's a problem with the maintenance of chemistry	1	2	out of service for long periods of time?
; ;	monitors?		3	A I did not say that.
i i	A NO. Were you over ariticized about the fact		4	Q My question is, for what period of time was
	Q Were you ever criticized about the fact		5	Wilson Jack Wilson critical, not when did he tell you
	that instruments remained out of service for long periods		6	of his criticism. When did his criticism relate to?
r	of time?		7	A He didn't specifically say.
\$	A Yes. And who criticized you for that?		8	Q All right. What period of time did Mr.
)	Q And who criticized you for that?		9	Beecken's criticism relate to?
)	A As I recall, it was Jack Wilson.		10	A For the most part, when I was rotated
	Q And Jack Wilson was who?		11	downtown to corporate chemistry. The last INPO evaluation
2	A The site vice president.		12	was what he was most concerned about.
1	Q Rob Beecken worked for him?		13	Q You understand the problems with knowledge
ŀ	A That's correct.		14	decay don't occur overnight; is that correct?
5	Q So we have the site vice president		15	A That's correct.
,	criticizing you about the state of the chemistry program and		16 17	Q When do you think this knowledge decay of
3			18	the RLAs began? A Without having the specific information,
,	A No. No, you stated that incorrectly. Q He didn't criticize you about the state of		19	
)			20	the specific questions, knowing exactly what INPO asked
,	the chemistry program? A No.		20	these RLAS, I cannot tell you. I mean, what did they not know? Can you tell me what they did not know? Your
				answer is, no, you can't. How can I answer that question
:			22 23	if I don't have the information?
, 	A About the fact that there were a lot of instruments that were out of service and had been out of		23 24	
	service for a long time. That was your question, was it		24	Q Well, you know it didn't occur overnight. A I didn't say it did.
_			2.5	
	Page	03	1	Page Q When did the INPO evaluation occur?
	Q Right. And who was responsible for those		1 2	A I don't recall. It's a matter of record.
	instruments?	ļ	3	Look it up.
		ļ	4	
	A I am responsible for those instruments. Q So he was critical of you?		5	Q Let me ask you to look at Fiser exhibit five.
			6	
	A No, because I'm not the one that fixes the instruments.		7	
			8	Q Yes. A (Witness complied with request.)
			° 9	Q Let me ask you. Beginning at the third
	A I am not the one that fixes the instruments. I turn in a trouble ticket, and it goes to		10	page, do you see the record of interview of Patrick Lydon
	the work control process and then to the instrumentation		11	dated August 24th, 1993?
	and controls people who have the people that go and fix		12	A The third page?
	the equipment. I cannot fix it.		13	Q The third page of the exhibit is the first
	Q So was somebody deliberately holding up	1	14	page of Patrick M. Lydon's record of interview. Do you
	fixing your equipment to get you in trouble?		15	see that?
	A Was that a question?		16	A Yes. I don't see that date.
	Q Yes.		17	Q It's on the bottom of the page.
	A Not that I'm aware of.		18	A Okay. I see it.
	Q Okay.		19	Q You worked for Mr. Lydon?
	v onuj.		20	A That's correct.
	A The operative word there being deliberate		ل بغ	
	A The operative word there being deliberate.		21	() This refers the first nade refers to
1	A The operative word there being deliberate. Q Oh. So you're saying that it was being		21 22	Q This refers the first page refers to your transfer on a temporary basis to the corporate
•	A The operative word there being deliberate. Q Oh. So you're saying that it was being held up?		22	your transfer on a temporary basis to the corporate
	A The operative word there being deliberate. Q Oh. So you're saying that it was being			

epo of -	- Gary Fiser	Condens	elt '	In Re: TV
	I lb-byb	Page 67	may career and as a resur	Page
1 A 2 Q	Uh-huh. Whose idea was that to have the two of you	1		rd for what they considered to be
	Whose idea was that to have the two of you between those two positions?	ע 2 3	a job well done.	wou got wind of this. The
		4	day you get usind of who	you got wind of this. The
	I'm not sure.	4	day you got wind of what	
	It wasn't your idea?			I think it was the day.
	No, it was not. Were you in agreement with it?	6		y after. It was within two or
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	Not initially.	8	three days of that.	tell you that he did not
		9		tell you that he did not
	It was just so different, and it was for a	10	shape, that he thought it	rogram at Sequoyah to be in good
year.	was not I was not enthusiastic about leavi		A No, not that I re	
Sequo	was not if was not endustastic about leave	ing 11		
0	Up until that time, had you had any very	12	Q He never told ye A Not that I recall	. I would have to check
vocal		14		did not happen. That's what I'm
	Oh, yes.	15	saying.	and not happen. That 5 what I h
	Who?	16		to the third page of Mr.
	Bill Jocher.	17	I vdon's third paragrar	bh of Mr. Lydon's record of
Q		18		
chemis	trv	18	third naragraph I vdon d	here it says, in the middle of the escribed the Sequoyah chemistry
A	Yes, he was.	20		
Q		20		ad. Lydon advised that there anding problems with Security's
A	There was a litany of things that he was	21		anding problems with Sequoya's
critical		22	A Yeah, I do.	fou so mat:
	With respect to Sequoyah chemistry?	23		tell you that the Sequoyah
A	Sequoyah, Browns Ferry, Watts Bar, you n			inbelievably bad and that there v
A	Soquojun, Diomis Iong, Mats Dat, you n		choning y program was t	
:•		Page 68	lana atau dina anahlana9	Page
it. O	All right. Did anybody explain to you why	1	long-standing problems?	uld have been talking shout
	d Jocher were at the time, did anybody explain to you why		the long-standing mobile	uld have been talking about
	y you and Jocher were rotated?	lain to 3	equipment that we have	ns with the old and outdated
	Yes.	4		Iready spoken of. That was in s The compensatory measures the
		6		The compensatory measures th
	Who explained it to you? Pat Lydon.	7		part of the chemistry program
				INPO standards for compensator
Ŷ	And what did he tell you? I think it's a matter of record as well, so	8	Q So you're sayin	upment that was out of service.
		9	long-standing problems +	bat you knew about were with
	I like to refer and read it. But as I recall	r 10	respect to the equipment	hat you knew about were with that was out of service?
	t answer the question his feeling was Joche king lots of noise and writing lots of reports			only ones that I think he
	ining, and they wanted to get him to the site		was referring to.	only ones that I think he
	uld perform. And they wanted to get him to the site	for a 14	Q Did he tell you	that?
iob we	I done and send me downtown for a year.	101 a 14		refer to my notes. You
	A job well done where?	16	know, it's been ten years	
	At Sequoyah.	17	Q What notes?	•
	In what position?	18	A Any notes in m	/
•	Chemistry superintendent.	19		y notes from 1993?
, Q	A 11 A 1 A T T	20	A It's possible.	,
Ă	And also outage management.	21	0 When you get a	chance when you go home to
	Did Lydon ever tell you what upper	22	look for that. I'd request	that you bring whatever notes
	ment's feelings were with respect to your	23	you've got from 1992 an	d '93.
	nance in chemistry?	24	A I understand.	
A	I would have to refer to my notes. I don't	25	Q But you don't s	pecifically recall talking
		Page 69		Page
recall i	t, but I can't say it did not happen.	rage 09	to him in which he told you	
	Let me refer you to the fifth paragraph of	2	program was unbelievably l	
	ge we're looking at of Mr. Lydon's record of	3		ects to this. There's the
intervi	w. Do you see where it says Bynum and Be		aspect of the equipment and	
	Lydon to fire Fiser because he was not comp			there was the program we were
A	Yes, I do.	6	running with compensatory	
	Did Mr. Lydon ever tell you that?	7		t things. The program I was
A	No.	8	running was adequate.	proprint r mus
	Did he ever suggest to you that anyone in	9	Q Okay. You're say	ving
	nanagement was unhappy with your performa	_ 1		the chemistry equipment
upper 1	At the time that I was rotated downtown, to			that it took forever and a day
	whedge he had not. I was completely surpris		to get anything repaired.	
0	You say at the time you were rotated	13		there was the equipment
	wwn you were not. Did he ever tell you that?	14	was in a sad state and deplo	
	I would have to refer to my notes. Not	15	not, the program was good;	
that I r		16		adequate for a program that
	You don't have any recollection?	17		measures to make up for equipment
-	Not that I recall. But I cannot say that	18	that was out of date	up tot equipment
A	t happen because obviously at some point that		Q The program	
	apparent. I can tell you the day that I got w	ord 20	A and deplorable.	
hacom	apparent. I can tell you the day that I got w	ell at 21		s that your testimony?
becom			Q was adequate; i	s and your wormiony?
of this	I met Beecken and Jack Wilson in the stairwe	100	Δ Venh	
of this Sequoy	ah, and they both expressed to me profound	and 22	A Yeah. O Referring back to	the third naragraph of
of this Sequoy apprec	ah, and they both expressed to me profound ation for the job I had done in the chemistry	and 23	Q Referring back to	the third paragraph of view do you have any
become of this Sequoy apprec in outa	ah, and they both expressed to me profound	and 23 c at this 24		view, do you have any

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1	General's office that the, quote, Sequoyah chemistry	1	Q Okay. Mainly. But is there anybody else?
2	program, was, quote, unbelievably bad?	2	A That had a lot of BWR experience?
3	A Very likely be was talking about the	3	Q Is there anybody else besides Chandra in
4	deplorable state of the equipment that we had for online	4	the corporate chemistry department who was working under
5	monitors.	5	you who had BWR experience?
6	Q It doesn't say equipment. It says program,	6	A Sam.
7	doesn't it?	7	Q Sam?
8	A It does say program.	8	A Harvey.
9	Q And in the next paragraph, it says that	9	Q Okay. They both had BWR experience?
0	there were long-standing problems with Sequoya's chemistry	10	A You know, I think that's true. I think Sam
1	program, doesn't it?		
2	A It sure does.	11	at one time worked at the Hatch plant as an RLA. I think
3		12	that's true.
	Q It doesn't say equipment?	13	Q What is what sort of plant is the South
4	A It does not.	14	Texas project?
5	Q In the next the fourth paragraph, do you	15	A I'm not sure.
6	see where it says Lydon told Bynum and Beecken he had only	16	Q Let me ask you to look at the second page
7	been on board for a short time, and he could not fire	17	of Mr. Lydon's record of interview.
8	Fiser because he did not have any documented justification	18	A Uh-huh.
9	to take such actions?	19	Q If you will, look at the sixth paragraph on
0	A Yes.	20	page two, the second sentence of that paragraph. Do you
1	Q You see that? It doesn't say Lydon told	21	see where it save DIRO had conducted on audit of Security'
22	Bynum and Beecken that you were doing a good job and you		see where it says INPO had conducted an audit of Sequoya'
23	should be rewarded. It just says he didn't have	22	chemistry program and documented several long-standing
.5 :4	should be rewarded. It just says he didn't have	23	problems in their report?
	documentation because he hasn't been there very long,	24	A Uh-huh.
5	doesn't it?	25	Q That refers to a September/November INPO
	Page 74		Page
1	A It says he didn't know.	1	evaluation. Do you know what long-standing problems were
2	Q It says he doesn't have documentation.	2	documented by INPO in that report?
3	A It says he doesn't know.	3	A I don't think I ever saw the report.
4	Q Do you see where it says he did not have	4	
5	any documented justification?		Q You don't know what problems were addressed
	any uccumental justification?	5	by INPO?
6	A Which he means he didn't know. How would	6	A No, I do not. I would have to have that
7	he know if he didn't have documentation?	7	report.
8	Q He hadn't written you up; is that right?	8	Q And if you would look at the top of page
9	A He was just there for a short period of	9	three of Mr. Lydon's record of interview, the first
0	time. He hadn't what?	10	paragraph, you'll see in the second sentence it says
1	Q He hadn't written you up; is that right?	11	specifically Lydon recalled a concern regarding the lack
2	A Written me up?		of training at Sequoyah. Lydon believed this concern was
3	Q You had never received any written	13	well documented at Sequoyah. Do you see that?
4	criticisms from him or any written counseling?	14	A Uh-huh.
5	A No. No, huh-uh.	15	
			Q Were you aware of a documented concern
6	Q In the fourth paragraph, do you see where	16	regarding the lack of training for RLAS at Sequoyah?
7	it says Lydon opined Fiser was not competent to hold this	17	A Yes.
8	position because he did not have any boiling water reactor	18	Q And when was that documented?
9	experience? Do you see that, the last sentence in the	19	A When Bill Jocher it was at about the
0	fourth paragraph?	20	time when we made the swap. He went out to Sequoyah and I
1	A That's Jocher's position downtown we're	21	went downtown. And as I recall, it had to do with
2	talking about?	22	post-accident sampling, some testing that we did where the
3	Q Yes.	23	RLAS were not able to perform the function within the
4	A Yes, I see that.	24	three-hour time requirement, and some of them were not
5	Q Do you disagree with that?	25	able to do it at all.
-			
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1	A He never mentioned it to me.	1	Q Did you raise that concern?
2	Q Do you disagree with that?	2	A I can't remember if I raised it or if Bill
3	A Yes.	3	Jocher and I raised it together and then decided to do the
ŧ	Q You think you were competent to hold that	4	test. It seems like that's the way it was.
5	position because you had boiling water reactor experience?	5	Q Isn't it, in fact, the case that Bill
5	A No. But I had people on board that did.	6	Jocher raised the concern and that you could not agree
,	Q So you agree you didn't have any boiling	7	with Bill Jocher as to the proper way to conduct the test?
;	water reactor experience?	8	A The way to conduct the test?
, ,		9	Q As the way to measure the time to begin the
	- *7 1 0	10	conduct of the test.
)			A I can remember a debate between Bill Jocher
l	A 1 do.	11	
2	Q All right. But, nevertheless, you felt you	12	and Jack Wilson regarding that. In other words, it seemed
3	were competent to hold that position of chemistry	13	like it was when does the clock start. But, again, I
1	corporate chemistry manager despite your lack of BWR		would have to refer to my notes. It's been too many
5	experience?	15	years.
5	A Sure, on an interim basis. I sure do. And	16	Q Did anybody else ever did anyone else
7	the fact that I had very seasoned people working for me	17	ever become concerned about the length of time that it
B	who did.	18	took you to get this issue resolved?
-	Q All right. Who were those seasoned people	19	A Not that I'm aware of.
	who had BWR experience?	20	Q Did you ever meet with the NSRB at TVA
9			
9 0		21	Sequoyah?
9 0 1	A Chandra.		A Von
9 D 1 2	Q Anybody else?	22	A Yes.
9 0 1 2 3	Q Anybody else? A Mainly Chandra.	22 23	Q Did they ever concern themselves with how
)   2	Q Anybody else?	22	

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1	A It seems like that is the case.	1	A Yes.
2	Q And you and Mr. Jocher, at least at one	2	Q Yes, I see that.
3	meeting of the Nuclear Safety Review Board, were in	3	A Was that your question?
4	disagreement, and some months later they came back and the two of you were still in disagreement as to how to	4	Q My question was, are all of these entries
6	proceed?	6	A Again, when we say all of these, are you
7	A I'd have to refer to my notes. That does	7	saying April 29th, '91?
8	seem plausible.	8	Q Do you see any entries in here that are
9	Q If it's reflected in the NSRB minutes, you	9	based strictly on your memory?
10	wouldn't disagree with them?	10	A Quite possibly.
11	A Well, I can't say that. I cannot say that.	11	Q Well, show me tell me show me one.
12	But certainly I would I would view that as a valuable	12	A For example, April 29th, 1991, my direct
13	piece of information.	13	supervisor, Mr. Bill Lagergren, in a private meeting with
14	Q Let me refer you to Fiser exhibit eighteen.	14	me asked if I would like to be temporarily reassigned to
15	A Eighteen? Okay.	15	the outage management group for the unit cycle five
16	Q This refers to an interview that James	16	outage. That may have been from memory. I would think,
17	Vorse of the Office of Investigations conducted with you	17	though, that I would have put a note down, but I can't
18	on February 1st of 1995; is that correct? James Vorse and	18	answer that question for sure.
19 20	Larry Robinson? A That's correct.	19	Q When did you prepare this sequence of events?
21	Q All right. Now, it indicates that you gave	20 21	<b>D</b> = = (1, 1,,,,,,,
22	them a document, which we've attached to this, entitled,	22	happening, as it was occurring. If I made a note of it in
23	quote, sequence of events. Do you see that?	23	my Franklin Planner, it was an ongoing thing. If I took a
24	A Uh-huh.	24	tape-recorder, then it was not until later that I
25	Q And you told them it was a compilation of	25	transcribed the tape.
	Page 80		Page 83
1	notes, memory, and surreptitious tape-recordings that you	1	Q So you're telling me that you made some
2	took?	2	notes and then at some point in time you began preparing
3	A Uh-huh.	3	this documents entitled sequence of events in 1991?
4	Q All right. Now, there's eighty five pages	4	A No. I'm telling you that in '91 I may have
5	that follow. Where are all of the notes that you prepared	5	written a note that I then captured into this document.
6	this document from?	6	Q All right. When did you initiate this
7	A These would have been prepared primarily	7	document?
8	from the recordings that I took.	8	A This document would have been initiated
9	Q From the recordings? It refers to three	9	when I was in the employee transition program.
10	things. It says tapes, notes and memory.	10	Q <u>In</u> '93?
11	A Uh-huh.	11	A That's correct.
12	Q My first question is, where are the notes	12	Q And you were assigned the employee
13	that went into the production of this document?	13	transition program in was it March of '93? April of '93?
14 15	A They would be a part of my day planner, my	14 15	A You would think I would remember that, but
16	Q Franklin Planner?	16	I don't.
17	A Franklin Planner.	17	Q April 2nd of '93? Does that sound right?
18	Q All right. Do you see the first page of	18	A That sounds about right.
19	the sequence of events begins in it says April 15th to	19	Q Pardon?
20	26th, 1991. Do you see that?	20	A That does sound about right.
21	A Yes.	21	Q In fact, if you look at exhibit two, that's
22	Q Does your planner go back that far?	22	the date of your notice of transfer to ETP.
23	A I would have to look. If it does not,	23	A Okay. Yes.
24	there are other notebooks that I kept as well.	24	Q Okay.
25	Q All right. We request that you produce,	25	A April 2nd.
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1	pursuant to the subpoena that was served upon you, all the	1	Q All right. So sometime after April 2nd of
2	notes that went into the production of this document	2	1993, you initiated this sequence of events?
3	entitled sequence of events.	3	A Uh-huh. All right. So that would have been about
4	A From? O It begins April 15th '91	4	Q All right. So that would have been about two years after, for example, the April 29th, 1991, entry
5	Q It begins April 15th, '91. A I'm not absolutely sure I have them. I	6	
67	A I'm not absolutely sure I have them. I think I do.	7	A That's correct.
8	Q Now, it says some of it was also the result	8	Q about the meeting with Bill Lagergren;
9	of your memory.	9	right?
10	A Uh-huh.	10	A That's correct.
11	Q For example, beginning on the first page of	11	Q When did you begin conducting what Mr.
12	the sequence of events, April 15th to 26th, '91, how much	12	Vorse calls surreptitious tape-recordings?
13	of that is a result of your memory as opposed to notes or	13	A It appears to be November of '92.
14	tapes?	14	Q Why did you begin initiating
15	A Well, I don't know. I'm sure I have notes	15	tape-recordings?
16	of it. So I really can't answer the question without	16	A I was trying to get a clear understanding
17	reviewing the notes.	17	of why things were kind of going awry as far as my
18	Q So you think you've got notes of these	18	relationship with even the managers who had placed me into
19	various entries which are not based on tape-recordings?	19	this temporary transition in the first place.
20	A The only thing in the April 15th to 26th	20	I sensed that all was not well. And that was
21	that I see listed here is just a statement that apparently	21	based on conversations I had had with various people. I
22	they performed an INPO evaluation in which they had no	22	was trying to understand that. And in discussions with Wilson McArthur, I would go back and try to write some
23	findings or concerns in the chemistry assessment in the	23	Wilson McArthur, I would go back and try to write some
24	chemistry area. Do you see that?	24 25	notes down. And there were points that I could not remember. So I said, hey, I'm at least going to record it
25	Q In the first one?	145	
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Dep	o of	Gary Fiser	Conde	nse	[t <sup>™</sup>	In Re: TVA
	and them	Lwill some book write down the immentant	Page 85			Page 88
1 2		I will come back, write down the important	a points	1	A Yeah. I'm looking for a reference here	-
		don't miss any of the information.		2	think we can find that. I'm looking at page sever	
3		Well, what events had happened to give yo		3	sequence of events. This is a tape-recording, by	the way,
		ese misgivings in November of '92 about w	/nat was	4	where Wilson makes the statement	
5	going on			5	Q What page?	
6	A	Feedback from Wilson that the sites were		6	A Page seven of the sequence of events.	
7	upset wi	th me the site was upset with me, Beecke	n was	7	Q Okay. Page seven in the sequence of	
8	upset wi	th me, which I could not figure out based o	n the	8	events.	
9		tions we had had before.		9	A Where we have McArthur where he tall	ks about
0	Q	So when did Wilson tell that you Beecken	1	10	in the same vein, I was out to talking to Rob Bee	cken, and
		t with you?		11	I said to Rob we've got this transition coming ba	ck here
2	Α	Well, I would have to refer to my notes.		12	very shortly, maybe three months, maybe six months	nths from
13	Q	Would those be reflected in your daily		13	now, we don't know, but at some point in time.	
4	planners	?		14	just made it very clear that you are not going bac	
15	Α	Ouite possibly. It would have been in the		15	Sequoyah.	
6	'92 time	frame.		16	Q All right. Now, when he's talking about	nt
7	0	After you rotated downtown?		17	the transition, he's talking about the fact that you	
8		Uh-huh.		18	one-year rotation downtown was coming up soon	
9		Now, when you went downtown, you went	,			
	downtow	n as the corporate chemistry manager; corr	ect?	19	would be going in accordance with that rotation	
.v 11		I as an corporate enclusivy manager, com		20	were supposed to go back to Sequoyah. And you	
21		Uh-huh. You called it components chemisters corlier		21	that Beecken was saying you weren't going to con	me back to
22		You called it corporate chemistry earlier.		22	Sequoyah?	
	IL Was CO	rporate chemistry manager; correct?		23	A Yes, sir.	
.4		I'm not sure of the titles. They change.	. 1	24	Q All right.	
5	Q	All right. How long did you remain in that		25	MR. DAMBLY: He understood that McAr	
			Page 86			Page 89
	position?		-	1	was saying that.	-
2	Α	Until approximately November.		2	BY MR. MARQUAND:	
3		And what happened then?		3	Q McArthur's telling you that's what	Beecken
4		At that time, Sam Harvey was placed in that		4	said?	
5		and I was placed in a position subordinate to	1	5	A That's right. That's what this state	ment
6	Sam.			6	says. And also a little further down, McArtl	
7	_	Why? What were you told was the reason		7		
	Q whw?	why: what were you wid was the reason			can't tell you why. He did not elaborate. H	
8 9	why?	That Rymum was not honory with me that	1	8	into a discussion. I really believe I'll give	
		That Bynum was not happy with me, that	ļ	9	frank opinion based on nothing. And I said,	Jean, go
	DULKCI	was not happy with me as I recall.	E	10	ahead.	ma in the
1		Who told you that?	1	11	Okay. Just a gut feeling that the proble	
12		Wilson.		12	chemistry department are being blamed on G	
13	Q	Did Wilson ever express any displeasure		13	That's my gut feeling. Boy, if you ask me to	o prove II, I
		r performance?		14	have no basis for it.	1.1
.5		No.		15	Then he goes on down on the next page	
16	Q	He told you he was removing you from that		16	I talked to Joe about it that's Joe Bynum -	- and I tell
		ecause Bynum and Beecken were unhappy with	you?	17	you, the feeling is just pretty well bound as f	
8	Α	Uh-huh.		18	Keuter and Joe is concerned. And I said, we	ll, you know,
9		MS. EUCHNER: For the record, we're	1	19	we made a commitment to return this guy to	the site. And
0	disc	ussing Wilson McArthur, not Jack Wilson.		20	I was first of all told, Wilson, you can't even	
1		MR. MARQUAND: Correct. Thank you.		21	this to him. And I said, hey, I'm not going t	o play this
2		THE WITNESS: Good point.		22	kind of game. So, finally, Joe gave in and s	aid well
	BY MR. MA			23	and he says I asked his permission this morn	
4				23	this guy has to understand where he stands.	
		Did he ever express to you that Jack Wilson		24 25		t
5	was unna	ppy with you?		25	I can go on and read, but you can read i	
_		T 111 - C 1	Page 87			Page 90
1		I would have to refer to the notes.		1	Q All right. I can read that. So you	
2		It doesn't ring a bell?	1	2	understood as of November of '92 that Bynum at	a .
3		It sort of rings a bell, because I	1	3	least were unhappy with you and they blamed yo	
4		rly singled Jack out to go talk to him at one	;	4	problems that Sequoyah chemistry was having, at	least
		it would not surprise me. But, again, we'r		5	according to Dr. McArthur?	
		m years worth of data. I would have to go		6	A That's just a gut feeling from McArthur	r. I
		w that for sure.	1	7	get the feeling that he did not have specifics. The	
8		Do you ever recall having related to you an	. 1	8	didn't give him specifics.	•
		in which Jack Wilson said that he had not h		9	Q So did you tape-record this conversatio	n
ر م	able to	he had to go out and work all weekend on	a	10	with Dr. McArthur?	
0	nrohlem	with the chemistry program at the plant?		11	A I sure did.	
		with the chemistry program at the plant?				
2		No, I don't recall that.		12	Q All right. Now, what misgivings did yo	
3	Q	It doesn't ring a bell?		13	have prior to this conversation to make you think	you
4	A	Not right now. But, again, that was years	- 1	14	needed to tape-record this conversation?	
		you have a specific reference to that maybe		15	A There again, I would have to look at my	/
6	. Q	No, I don't. What did did Dr. McArthu	:	16	notes.	
7	tell you	why Bynum and Beecken were unhappy wi	th you?	17	Q So you had some misgivings prior to th	at
8	Â	Yes. I think what Wilson explained to me		18	about	
		the problems at Sequoyah chemistry were h		19	A Very definitely.	
0	blamed o	in me, something that he was quite a bit tak		20	Q All right. Now, did you ever confront l	Mr.
ĩ	ahack hu	. He could not understand it, at least at tha	at l	21	Beecken about why he might not want you to retu	
		. The could not anderstand it, at least at the		22	Sequoyah?	
					COMMONT MALLS	
2	time.	So your understanding from Dr. Madethur				
2 3	Q	So your understanding from Dr. McArthur	was	23	A I sure did.	
2 3 4	Q that Byn	So your understanding from Dr. McArthur um and Beecken held you responsible for th with Sequoyah chemistry?	was ne			

Page 91         Page 91           i         A Use, it is.         Fage 9           i         A December 7, each it loss like it stars on page 5 (Hy)         A do it his a conversation you had with Rob Becker?         A December 7, each it loss like it stars on page 5 (Hy)         A do it his a conversation you had with Rob Becker?         A December 7, each it loss like it stars on page 5 (Hy)         A do it his a conversation you had with Rob Becker?         A December 7, each it loss like it stars on page 5 (Hy)         A do it his a conversation you had with Rob Beckers a book be do it how the RLA taking the sample 5 (Ho)         A December 7, his results a sample 5 (Hy)	Dej	po of Gary Fiser Conde	ense	It <sup>™</sup> In Re: TVA
1         A         Yes, if is           2         A         Decrember , Yesh, it looks like it starts on page           3         G         And is this a conversation you had with Rob           4         A         Decrember , Yesh, it looks like it starts on page           6         O         Decrember , Yesh, it looks like it starts on page           7         O         Decrember Yesh, it sourcet.           8         O         Decrember Yesh, it sourcet.           9         O         Decrember Yesh, it sourcet.           10         A         Tail & correct.           11         A         Decrember Yesh, it sourcet.           12         A         Decrember Yesh, it sourcet.           13         O         Did be know you were tape-recording it?           14         A         No.           15         Decrember West you to read this to           16         Tail & sourcet.         Q           17         A         No.           18         Like I don't want you to came back.         Page 9           19         Would have ya cancent wat it monitor set         Page 9           10         Would have ya cancent wat it monitor set           11         No.         Tait sourcet. </th <th></th> <th></th> <th></th> <th>Page 94</th>				Page 94
a         A         December - December - December - the first week or word December Yeak, it looks like it starts on page fifty         chall of you for anything else? What about fifter challescore is the one I was just talking to you           6         Becker?         That's the one I was just talking to you           8         Ub-bab, Yes, and Ub-bab, Yes, and Ub you apper condition         Condition           9         December Yeak, if the one I was just talking to you           9         December Yeak, if the one I was just talking to you           9         December Yeak, if the one I was just talking to you           9         December Yeak, if the one I was just talking to you           9         December Yeak, if the one I was just talking to you           9         December Yeak, if the one I was just talking to you           9         December Yeak, if the one I was just talking to you           9         December Yeak, if the one I was just talking to you           9         December Yeak, if the one I was just talking to you           9         December Yeak, if the one I was just talking to you           9         December Yeak, if the one I main the one if you           9         December Yeak, if the one I main the one you           9         December Yeak, if the one I main the one if you have you to read the load one you           10         December Yeak, if the one Yeak, if		A Yes, it is.		A I think he was, yes.
i two of December Yeah, it books like it starts on page         change-out5"           iffy	,			Q Was he holding you responsible or being
fifty or the operation you had with Rob Bockern 94, the one I was just taking to you about 64, how in the Lat taking the sample about 64, how in the Lat taking the sample about 64, how in the Lat taking the sample about 64, how in the late or something like has a happened with list was gone			-	
i       Q       And is this a conversation you had with Rob       is about         i       Becckern       Q       About the RLA taking the sample         i       Conversite Wit, 1992?       Proversite Wit, 1992?       Proversite Wit, 1992?         i       Did you tape-record if?       Proversite Wit, 1992?         i       Did he know you were tape-recording if?       Proversite Wit, 1992?         i       Did he know you were tape-recording if?       Proversite Wit, 1992?         i       Did he know you were tape-recording if?       A full was being donor the sample         is upe-recording if?       A full was being donor tradit. I mean, 1       Proversite With 1992 (See Roow)         i       Wast you to come back.       O       A full was a chemistry procedure, wast you to read ot loud. 1 just         i       Wast you to come back.       O       O       Proversite Proversite Proversite Proversite Proversite Provesite Prove				
1         9         Q         About the FLA taking the sample           1         A         Decking correct.         A           1         Q         Decking correct.         Q           1         A         Not.         Decking correct.           1         Wart you to correct to correct to correct to correct to correct.         Q           2         A         Well, you say don't readi.         I man.           2         A         Well wart you to read out loud.         I was a chemistry procedure.         A           2         D you to correct.         A         Decking to correct.         A           3         monitor.         A         This particular you toread out loud. </td <td></td> <td></td> <td></td> <td></td>				
a       A       Uh-buh, Yes.       92         9       Q. December 981, 19927       92         11       A       Idd.       92         12       A       Idd.         13       Q. Did he know you were tape-recording it?       10         14       A       No.       110         15       Q. Did he know you were tape-recording it?       110         16       Q. Did mybody clase know you were tape-recording it?       111         17       A       Idd.       90         18       Q. Tell us -1 don't want you to read this to       111         19       want you to tell maki timpressions you had form       111         20       O I don't want you to read out loud. I just       2       0         21       Want you to tell maki timpressions you had form       2       0         22       Want you to came back.       A       111       2         34       Born't want you to do with a radiation       111       2       0       111       2         34       Do you see where Beecken as watim monitor set form       111       2       111       2       111       2         11       tape was a chemistry procedure, and you resopsonkile for       111				
10       A       That's correct.       10       properly or not opening fife proper value or something like that. That als happened while 'was gene.         13       A       Did d, you taper-record it?       it is a happened while 'was gene.         14       A       No.       Properly or not opening fife proper value or something like calculations no being set properly to account for the calculations not being set properly to account for the calculation and being set properly to account for the calculation and being set properly to account for the calculation and being set properly to account for the calculation and being set properly to account for the calculation and being set properly to account for the calculation and being set properly to account for the calculation and being set properly to account for the calculation and the set properly to account for the calculation and the properly on account for the calculation and the read of the read of the calculation and the read of the read of the read of the read of the calculation and the read of the r			8	
11       Q       Did you take percend if?         13       A       Idid.         14       A       Idid.         15       A       Idid.         16       Q       Did he know you were take-recording if?       In         17       A       No.       Call along and the percending if?         18       Q       Tell us - I don't want you to read this to       In that's correct.         18       Q       Tell us - I don't want you to read out loud. I just       In that's correct.         20       A       Mell you say don't read it. I mean, I       Q       I don't want you to tell await impressions you had from 't         21       Q       I don't want you to read out loud. I just       Q       I don't want you to read out loud. I just       Q       I don't want you to read out loud. I just       Q       I don't want you to read out loud. I just       Q       I don't want you to read out loud. I just       Q       I don't want you to read out loud. I just       Q       I don't want you to read out loud. I just       Q       I don't want you to read out loud. I just       Q       I don't want you to read out loud. I just       Q       I don't want you to read out loud. I just       Q       I don't want you to read out loud. I just       Q       I don't want you to read out loud. I just       Q       I don't want you to leud				
112       A       I.did.       Yes, I.did.         113       Q       Not. alking about these risk the rad monitors, what         114       A       Not.       Sectors and why he didn't want you to read this to         115       Q       I.did.       Not.       That's correct.         116       Q       I.did.       Not.       That's correct.         117       A       Not.       That's correct.         118       Q       I.don't want you to cread this to       I.mean. I         119       Sectors and workh edid it 'want you to corem back.       I.mean. I         110       Yes, I.did't 'have to do with rad monitor set       Yes, I.did't 'have to do with rad monitor set         110       Page 9       Yes, I.did't 'have to do with rad monitor set         110       Page 9       Yes, I.did't have box of which was a vacuum pump, a sample         111       The was a supplement in the sacual in 1922 Issain the sec which is you could be to a court in the sample?         111       Yes, I.did't 'have to do with rad monitor set       Yes, I.did't have box of which was a vacuum pump, a sample         111       Yes, I.did't 'have to do with rad monitor set       Yes, I.did't 'have to do with rad monitor set         111       Yes, I.did't 'have to do with rad monitor set       Yes, I.did't have to do with rad monitor	ł			properly or not opening the proper value or something like
13       Q. Did he know you were tape-recording if?         14       A. No.         15       Q. Did anybody clesk know you were         16       Tape-recording if?         17       A. No.         18       Q. Tell us - I don't want you to cread this to         18       Q. Tell us - I don't want you to cread this to         18       Q. Tell us - I don't want you to cread this to         19       Want you to tell what imprestions you had from         20       Sequoyal?         21       A. Well, you say don't read it. I mean, I         22       A. Well, you to read ou look I just         23       want you to to came back.         24       Want you to come back.         25       you to come back.         26       Yes to points?         37       No.         38       A. This particular one I'm taking about had         39       O. Idin't have to do with rad monitor set         30       O. Idin't have to do with rad monitor set         31       O. Idin't have to do with rad monitor set         31       O. Idin't have to do with rad monitor set         31       O. Idin't have to do with rad monitor set         33       O. Idin't have to do with rad monitor set <t< td=""><td>1</td><td></td><td>1</td><td></td></t<>	1		1	
14       A. No.       Calculations in to being set property to account for the time transmitty procedure?         16       19       0. That's corrections for vacuum?         17       10       10       10         18       0. That's corrections for vacuum?       10         19       10       10       10         19       10       11       10         19       10       11       10         19       10       11       11         19       10       11       10         19       10       11       10       11         10       10       11       11       11         10       11       11       11       11       11         11       11       11       11       11       11       11         12       12       12       12       12       12       12         13       14       14       14       14       14       14       14         14       14       14       14       14       14       14       14       14         14       14       14       14       14       14       14 <t< td=""><td></td><td></td><td></td><td></td></t<>				
15       Q. Did anybody else know you were impercentry ing iff       15       Fact that it was being dom sample for vacuum?         17       A. No.       16       16       16         19       Percent is use a being dom sample for vacuum?       17       A. That's correct.         20       Becoken as to why be didn't want you to come back to Sequoya?       A. Main if ?       18       A. Main if ?         21       A. Well, you say don't read it. I mean, I       22       Q. Let me ask you to look at page fifty three         23       Want you to come back to want you to come back.       Page 9         24       Want you to come back.       Page 9         25       Q. Set points?       Yeas a chemistry procedure, waist'i if?         35       A. No.       Yeas a chemistry procedure, waist'i if?         36       Q. Set points?       Yeas a chemistry procedure, waist'i if?         37       Min at a maint in the arabiano monitor and you're measuring a sample       Yeas an engineering function to make the scorrections?         36       A. No.       Yeas and second you responsible for it in the was wature in the yoe intry of the size that bis problem was the size that the size of the size that was a score intry of the sampling apperatus sessmoled it?         36       A. No. <td< td=""><td>1</td><td></td><td></td><td></td></td<>	1			
16         theorematic contract corrections for vacuum?           17         A         No.           18         C         Tell us - toll us what impressions you had from           19         Deckers as o why he dink't want you to come back to           21         Sequoyal?         A           22         A         Well, you say dn't read it. I mean, I           23         and the mean of the mean o				
17       A No.       A That's correct.         18       Q Tell usI don't want you to read this to       18         19       us. I want you to tell us what impressions you had from       18         20       Sequence as to why be diaft 'want you to come back.       10         21       Q I don't want you to tread out loud. I just.       20         24       Q I don't want you to to med out.       19         24       Want you to come back.       20         2       A There was a problem with a radiation monitor set.       20         25       Q Set points?       20         3       A This particular one I'm talking about had form monitor set.       20         4       Q Did you - did he hold of the sample?       4         4       Q Did you - did he hold?       20         4       D on you see where Beecken says, yeah, but i       Page 9         4       Q Set points?       A The recount on the sample?         4       Q Set points?       A The recount on the sample?         5       A This particular on I'm talking about had an in Bulletin in 1982 issued by the NAC which dealt with a conversition group and the recount on ady our measuring a sample?         9       A Wes.       Q Did you crypt wordcure, and you responsible for it?         10       Do what wa		tape-recording it?		
18       Q       And that was a chemistry procedure?         19       us. I want you to call this to       18       Q         20       Becekern as to why he didn't want you to come back to       20       Q       It wasn't?         21       want you to to law to read out load I just       20       Q       Q       It wasn't?         22       want you to to come back       Page 9       21       was a chemistry procedure, wasn't it?         24       want you to come back       Page 9       21       was a chemistry procedure, wasn't it?         3       monitor.       Page 9       21       was a chemistry procedure, wasn't it?       A         3       Monitor       21       was a chemistry procedure, wasn't it?       A       The was a problem with a radiation         3       monitor.       4       Reg. 9       2       Was a chemistry procedure, wasn't it?       A       The was an enginecring function to make the       A <td>1</td> <td></td> <td></td> <td></td>	1			
19       us. I want you to tell us what impressions you had from Beceken as to why be dinit ' want you to come back to 20       Q       It wass 't?         20       A Weil, you say don't read it. I mean, I       20       Q       Let me ask you to look at page fifty three 20         21       Sequoyah?       A Weil, you say don't read it. I mean, I       22       Q       Let me ask you to look at page fifty three 20         23       want you to tell me, if you know, why he said he didn't 23       Page 92         24       A There was a problem with a radiation monitor.       Page 92         25       A No.       It was a chemistry procedure, wan't it?         4       Q. St points?       A No.       It was a negineering function to make the corrections for the vacuum, That was not chemistry. So points?         5       A No.       It was a negineering function to make the corrections for the vacuum, That was not chemistry. So points?         6       Q. Did you - did he hold you responsible for points?       A No.         10       delt with a concern if you have a vacuum pump, a sampte nonconservative in your estimates of raciactive matrial problem setting, particular yoi training, wasn't it?         11       A He was very upset that this problem was problem setting, particular yoi training, wasn't it?         12       Q. So what was the issue that Beeleken may with a data training wasn't it?         13       A He was exery u	18	Q Tell us I don't want you to read this to	18	
21       Sequoyah?       21       A       No.         22       A       Well, you say don't readi t. I mean, I       22       Q       Let me ask you to look at page fifty three         23       want you to come back.       Page 92         1       was a chemistry procedure, and you responded, yes, I know         2       Do you see where Becken says, yeah, but it         3       Mo.       Page 92         1       was a chemistry procedure, and you responded, yes, I know         2       Do you see where massary other problem with a radiation       Page 92         1       Was a chemistry procedure, and you responsible for         1       ot do with a fib builton in 1982 issued by the NRC which       A         1       deal with a concern if you have a vacuum pump, a sample       A         1       go and then than if built and concern and an in       Wou when we an assessment; they don't do the hold you responsible for         1       G       The was reach and with       The was a chemistry and you howe problem scham back <td< td=""><td></td><td>us. I want you to tell us what impressions you had from</td><td>19</td><td></td></td<>		us. I want you to tell us what impressions you had from	19	
22       A       Well, you say don't read it. I mean, I       22       Q       Let me ask you to look at page fifty three         24       Q       I don't want you to read out loud. J just       24       O you see where Beecken says, yeah, but it         24       Want you to come back.       Page 92       Vasa a chemistry procedure, and you responded, yes, I know         2       A       There was a problem with a radiation       Page 92         4       Q       Set points?       A       The procedure to obtain the sample?         4       Q       Set points?       A       The was a chemistry procedure, wasn't if?         6       O       It dich 't have to do with rad monitor set       A       The was your question again?         6       O       It was a chemistry procedure, and you responded, yes, I know       Page 92         10       pump that draws a vacuum pump, as a vacuum, you could be       Page 93       O       Did you ~- did he hold you responsible for         11       periode that, Also flow instrumentation, the sample       Page 93       A       Yes, I did.         12       Q       And when did it surfaced again       A       Yes, I did.       A         13       It have not be was a vacuum pump, as		Beecken as to why he didn't want you to come back to		
<ul> <li>23 would have to.</li> <li>24 Q I don't want you to read out loud. I just</li> <li>25 Q Jo you see where Beecken says, yeah, but it</li> <li>26 Q D you see where Beecken says, yeah, but it</li> <li>27 Q D you see where Beecken says, yeah, but it</li> <li>28 Want you to come back.</li> <li>29 Page 92</li> <li>1 was a chemistry procedure, and you responded, yes, I know</li> <li>21 Wess a chemistry procedure, and you responsible?</li> <li>22 A There was a problem with a radiation</li> <li>23 M They was a chemistry procedure, and you responsible for</li> <li>29 D you see where Beecken says, yeah, but it</li> <li>20 Page 92</li> <li>21 Was a chemistry procedure, and you responsible for</li> <li>22 A They was not chemistry. So</li> <li>23 M They was not chemistry. So</li> <li>24 Was a density procedure, was not chemistry. So</li> <li>25 A They was not proceeding function to make the</li> <li>26 Corrections for the vacuum. That was not chemistry. So</li> <li>27 W D do you responsible for</li> <li>28 A The was very upset that this problem was</li> <li>29 C And when was the issue that Beecken had with</li> <li>20 C May. That the NRC documented it?</li> <li>21 A They was the issue that Beecken had with</li> <li>22 A They Sc In 32.</li> <li>23 A That's correct.</li> <li>24 And when did it surface?</li> <li>34 They sc In 32.</li> <li>35 A Yes.</li> <li>36 A Yes.</li> <li>37 A Yes.</li> <li>37 A Yes.</li> <li>38 Q Did he hold you responsible for it?</li> <li>34 A They scored.</li> <li>35 A Yes.</li> <li>36 Q Did he hold you responsible for that they could have been the level dat.</li> <li>35 A Yes.</li> <li>36 A Yes.</li> <li>37 A Yes.</li> <li>37 A Yes.</li> <li>38 A Yes.</li> <li>39 O Did he hold you responsible for th?</li> <li>30 A Mad when did it surface?</li> <li>41 A Yes.</li> <li>42 And when was the issue that Beecken had you had doen on yook and yoo responsible for they was a they was a chemistry?</li> <li>36 A Yes.</li> <li>37 A Yes.</li> <li>37 A Yes.</li> <li>38 A Yes.</li> <li>39 O Did he hold you resp</li></ul>				
24       Q       I don't want you to read out loud. Just       24       A Uh-hh.         want you to tell me, if you know, why he said he time       Page 92       1       Q       Do you see where Beecken says, yeah, but it       Page 92         a       A There was a problem with a radiation       monitor.       A       The yeas a chemistry procedure, and you responded, ese, I know         a       Q       Set points?       A       The yeas a chemistry procedure, wasn't if?         a       Q       Set points?       A       The was a chemistry procedure, wasn't if?         a       No.       A       It was a negineering function to make the         corrections for the vacuum, That was not chemistry. So       A       It was a negineering function to make the         corrections for the vacuum, That was not chemistry. So       A       It was a negineering function to make the         corrections for the vacuum, That was not chemistry. So       O       O       Were there any other problems that he held         in that chamber that now has a vacuum, you could be       It makes the issue that the sample?       Y       Y         in that sorrect.       Q       So what was the issue that Beecken had with       It methat methice dearlier, particularion.       It was a negineering function to make the         in that sorrect.       Q       No.       A<	22			
25       want you to tell me, if you know, why he said he didn't       Page 9         1       want you to come back.       Page 9         1       was a chemistry procedure, wasn't if?         2       A No.       The procedure to obtain the sample?         3       A No.       A The procedure to obtain the sample?         4       A This particular one 1'm talking about had       C Didy our - did he hold you responsible for         9       It was a chemistry procedure, wasn't if?       A The procedure to obtain the sample?         10       dod with an if- bulletin in 1982 (saced by the Nac Which       P Didy our - did he hold you responsible for         11       in that chomeern if you have a scale wasne       A The was och chemistry. So         11       followin strumentation, the sample       A The would have been the poor NPO showing         12       GO Adv were any other proteoms that he held       You accountable for?         14       A He was very upset that this problem was       You was the scale wasne       You accountable for?         14       A Yes. In 82. <t< td=""><td></td><td></td><td></td><td></td></t<>				
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1       want you to come back.         2       A       There was a problem with a radiation         3       monitor.       was a chemistry procedure, and you responded, yes, I know         3       A       No.         4       Q       Set points?         5       A       No.         6       Q       It iddn't have to do with rad monitor set         7       points?       A         6       A       This particular one I'm talking about had         6       Q       It iddn't have to do with an IE bulletin in 1982 issued by the NRC whith a concern if you secure angain?         9       D       Did you did he hold you responsible for         11       in that chamber that now has a vacuum, you could be       A         12       nonconservative in your estimates of radioactive matricular       A         13       theaving the site. Also flow instrumentation, the same       Hink         14       that was the issue that Beecken had with       Hat I mentioned earlier, particulary in training. So         17       Q       So what was the issue that Beecken had with       Hat issue done better. But, again,         18       that?       A       He was very upset that this problem was         19       No.       No.       No.				
2       A       There was a problem with a radiation monitors.       2       It was a chemistry procedure, wasn't it?         4       Q       Set points?       A       The procedure to obtain the sample?         4       Q       It didn't have to do with rad monitor set points?       A       The was an engineering function to make the corrections?         6       Q       It didn't have to do with rad monitor set points?       A       The was an engineering function to make the corrections?         7       A       This particular one I'm talking about had to do worth an It builts in 1982 issued by the NRC which an It builts in 1982 issued by the NRC which and tarwas a vacuum on the reverg as chamber and an It is don't thare a vacuum or the merce and myour contained and the port of the two other and the problem still and the same and the problem was the issue that Beecken had with that the?       Q       Did you - with think they were properly problems that he held with the spoot in the sample?         11       A       He was very upset that this problem was for the NRC had documented.       It would have to get the list of questions, compare and see without having that report. I can't defend it.         21       Q       Okay. That the NRC had documented argenticity in training. Songene and the question. I don't have a clue without the sample?         12       A       No.       I would have to get the list of questions, compare and see if there ware setaly knowledge decay. If they don't dat ware the report. I can't defend it.       Q				
3       monitor.       3       A       The procedure to obtain the sample?         4       No.       Q       Right.         5       A       No.       A       This particular one I'm talking about had to do with a concern if you have a vacuum puny a sample dealtwin a concern if you have a vacuum puny a sample dealtwing the site.       A       This particular one I'm talking about had to do with a concern if you have a vacuum puny a sample dealtwing the site. Also flow instrumentation, the same the thing wes true.       Q       Q Were there any other problems that he held you responsible for thing, wasn't it?         10       puny that draws a vacuum, you could be thing was true.       Q       Were there any other problems that he held you responsible for? Training, wasn't it?         11       puny that draws a vacuum puny ou could be thing was true.       Q       Were there any other problems that held we well. Wore interview for you could have been the poor NPO showing that the were properly or the knew dome sties, sommer did we well. Wore and sommer and any out add bournented it.         10       Q So what was the issue that Beecken had with that?       The were were any other porblems that he held we well. Wore assessment; they don't di we well. Wore assessment; they don't di wore dome sties, right?         2       Q And then that problem still surfaced again at sequevaluation.       Q       Out you cry they didn't understain the sampling apperatus assembled or were you here that it. You will you accountable or you problems chemistry was having?         4	•			
4       Q       Set points?         A       No.       Q       Right.         6       Q       It didn't have to do with rad monitor set points?       A         7       A       This particular one I'm talking about had to do with an it bullet in 1952 susced by the NKC which dealt with a concern if you have a vacuum pump, a sample in that chamber that nerve gas chamber and an I2 effluent radiation monitor and you're measuring a sample in in that chamber that now has a vacuum, you could be nonconservative in your estimates of radioactive material leaving the site. Also flow instrumentation, the same that?       Q       Did you erapticular is I don't think they were properly or the sampling super that this problem was that?       A       Yes.       Q       A wes, I did.       A       Yes.         1       Q       And then that problem still surface?       That's correct.       Page 93       Page 93       A       Yes. I did.       Page 93         2       Q       And then that problem still surface?       A       Yes.       Page 93       A       Yes. I did.       Page 93         2       Q       And when did i surface?       A       Yes.       Page 93       A       Yes. I did.       Page 93       A       Yes. I did.       A       Yes, I did.       Page 93       A       Yes. I did.       A       Yes, I did.       A       Yes, I did.       A       Yes,				
5       A No.       S       A It was a neighneering function to make the corrections for the vacuum. That was not chemistry. So         7       yoints?       A This particular one I'm talking about had       corrections for the vacuum. That was not chemistry. So         8       A This particular one I'm talking about had       corrections for the vacuum. That was not chemistry. So         9       to do with an if bulletin in 1982 issued by the NRC which       not making thes corrections?         9       to do with a concern if you have a vacuum pung a sample       not making thes corrections?         10       effluent readiation monitor and your embers of radioactive material       not making thes corrections?         11       pung that draws a vacuum pung as apmple       not making thes corrections?         11       pung the site. Also flow instrumentation, the same       not making thes corrections?         12       Q So what was the issue that Beecken had with       that the the rection and documented.         12       Q Okay. That the NRC documented it?       not have the section. I don't have a clue without have the section. I don't have a clue without have the section. I don't have a clue without have was vauy up to take a sampling issue where one of the?         12       Q And then that problem still surface?       Page 9         14       Q And when did it surface?       A Yes. I did. And it's in thad cournent.         2       Q			-	
6       Q. It didn't have to do with rad monitor set points?       6       corrections for the vacuum. That was not chemistry. So         7       A. This particular one I'm talking about had to do thim an IE builts in that charms et hat nerve gas chamber and an life effluent radiation monitor and you're measuring a sample in that chamber that now has a vacuum, you could be inconconservative in your estimates of radioactive material leaving the site. Also flow instrumentation, the same thing was true.       9       Q. Were there any other problems that he held you accountable for? Training, wasn't it?         10       Q. So what was the issue that Beecken had with thi?       That was to think they were properly or the twas the the wase cound documented.       7       A. That would have done better. But, again, 10 or 't have a clue without have to get the list of questions, compare and see 10 if there was really knowledge decay, if they don't du with ye could have to get the list of questions, compare and see 10 if there was really knowledge decay, if they didn't under was really knowledge decay, if they didn't was you had when did it surface?         2       A And when that problem still surface dagain       2       Q. And when that problem still surface dagain         2       Page 9       1       A. Yes, I did.       2         2       A and when did it surface?       4       4       Yes.       9         3       A the was very upset that this problem still surface dagain       2       9       1       4       2         4       Pase. 1 <t< td=""><td>5</td><td></td><td>5</td><td></td></t<>	5		5	
a       A       This particular one I'm talking about had to do with an IE builts in 1982 issued by the NSC which delat with a concern if you have a vacuum pump, a sample pump that draws a vacuum pump, a sample in that chamber that nerve gas chamber and an 12 effluent radiation monitor and you're measuring a sample in that chamber that now has a vacuum, you could be nonconservative in your estimates of radioactive material leaving the site. Also flow instrumentation, the same thing was true.       9       0       Were there any other problems that he held you accountable for? Training, wasn't it?         4       0       So what was the issue that Beecken had with that?       1       A       The was true, you accountable for? Training, wasn't it?         10       G       So what was the issue that Beecken had with that?       1       The two was true that this problem was found and documented.       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1 <t< td=""><td></td><td>Q It didn't have to do with rad monitor set</td><td>6</td><td>corrections for the vacuum. That was not chemistry. So</td></t<>		Q It didn't have to do with rad monitor set	6	corrections for the vacuum. That was not chemistry. So
9       to do with an iE bulletin in 1982 issued by the NRC which dealt with a concern if you have a vacuum pun, a sample in that chamber that now has a vacuum, you could be efficient radiation monitor and you're measuring a sample in that chamber that now has a vacuum, you could be enter any other problems that he held       9         11       pump that draws a vacuum on the nerve gas chamber and an it defined radiation monitor and you're measuring a sample in that chamber that now has a vacuum, you could be enter any other problems that he held       9         13       in that chamber that now has a vacuum, you could be thing was true.       9       A That would have been the poor NPO showing that thing was true.       9         14       Page 93       A That would have been the poor NPO showing that that?       11       9         15       again, while 1'm gone we have an assessment; they don't do that?       11       11       11         16       fund and documented.       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11				
10       dealt with a concern if you have a vacuum pump, a sample       10       A       Yes.         11       generation monitor and you're measuring a sample       11       Q       Were there any other problems that he held         12       effluent radiation monitor and you're measuring a sample       11       Q       Were there any other problems that he held         12       effluent radiation monitor and you're measuring a sample       11       Q       Were there any other problems that he held         12       effluent radiation monitor and you're measuring a sample       11       A       That would have to get the poor INPO showing         14       nonconservative in your estimates of radioactive material       11       A       That would have to get the ist of questions, compare and see         15       you dhave to get the list of questions, compare and see       11       It mich they could have done better. But, again,         16       11       ware the site all social they didn't       11       11       It merstand the questions, compare and see         16       Q       Chay they Reided it.       11       11       11       11         17       A       Yes. In '82.       20       11       11       11       11         18       wold have to get the list of questions, compare and see       11				Q Did you did he hold you responsible for
11       pump that draws a vacuum on the nerve gas chamber and an efficient radiation monitor and you're measuring a sample distinct and the problems that he held       10       Q       Were there any other problems that he held         13       in that chamber that now has a vacuum, you could be efficient and in that chamber that now has a vacuum, you could be held be availed for the involution and seconstrative in your estimates of radioactive material in that?       10       Q       Were there any other problems that he held         14       nonconservative in your estimates of radioactive material ling was true.       11       A       That would have been the poor INPO showing that the problems that he poor INPO showing that the poor INPO showing the poor INPO showing that the poor INPO				not making those corrections?
12       effluent radiation monitor and you're measuring a sample in that chamber that now has a vacuum, you could be in that chamber that now has a vacuum, you could be in that chamber that mow has a vacuum, you could be thing was true.       you accountable for? Training, wasn't it? A That would have been the poor INPO showing that I mentioned earlier, particularly in training. So, again, while I'm gone we have an assessment; they don't do well. My judgment is I don't think they were properly proper dor the INPO evaluation.         13       that's correct.       I think they could have been the poor INPO showing that I mentioned earlier, particularly in training. So, again, while I'm gone we have an assessment; they don't do well. My judgment is I don't think they were properly proper dor the INPO evaluation.         14       That's correct.       I thurk were or othe botter.         15       A Thest was very upset that this problem was found and documented.       I would have to get the list of questions, compare and see if there was really knowledge decay, if they dich't understand the question. I don't have a clice without         16       Q Okay. That the NRC documented it?       I would have to get the list of questions, compare and see if there was really knowledge decay, if they dich't understand the question. I don't have a clice without         16       Q And then that problem still surface?       Q       A M did he hold you exer talk with Jack Wilson about         16       Q And when did i surface?       G       A Yes, I did.       Page 9         17       A Yes.       Q And when did i surface?       G       <				
13       in that chamber that now has a 'vacuum, you could be'         13       in that chamber that now has a 'vacuum, you could be'         14       in conconservative in your estimates of radioactive material         15       leaving the site. Also flow instrumentation, the same         16       thing was true.         17       Q       So what was the issue that Beecken had with         18       that?         19       A Me was very upset that this problem was         20       found and documented.         21       Q       Okay. That the NRC documented it?         22       A No.       The NRC had documented a possibility of a         23       Problem earlier; right?       23         24       Post       Page 93         1       Q       And then that problem still surfaced again         24       A Mat yrea       found is urface?         35       A It surfaced in '93.         4       Yes.         5       A It surfaced in '93.         6       Q Did he hold you responsible for any other         7       A Yes.         7       A Yes.         8       Q Did he hold you responsible for any other         9       Poblems?         10			1	
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15       leaving the site. Also flow instrumentation, the same thing was true.       15       again, while I'm gone we have an assessment; they don't don't well. My judgment is 1 don't think they were properly propendent is 1 don't think they were properly problem earlier; right?         2       A No.       1       I would have to get the list of questions, compare and see if there was really knowledge decay, if they didn't understand the question. I don't have a clue without having that report. I can't defend it.         2       A No.       22         4       Yes. In '82.       23         7       A Yes. In '82.       24         8       Q And then that problem still surfaced again at Sequoyah later on; right?       2         4       A That's correct.       2         6       Q Did you cersponsible for it?       3         7       A Yes.       1         8       Q Did he hold you responsible for any other       3         9       problems?       3         10       A Yes.       4         11       A Thet's correct.       4         12       A Thet's correct.       4         13       A Thet's correct.       5     <				
16       thing was true.       16       wiell. My judgment is 1 don't think they were properly prepared for the NPO evaluation.         18       that?       A       He was very upset that this problem was for think they could have toge the list of questions, compare and see if there was really knowledge decay, if they didn't understand the question. I don't think they were properly prepared for the NPO evaluation.         19       A       He was very upset that this problem was for think they could have toge the list of questions, compare and see if there was really knowledge decay, if they didn't understand the question. I don't thave a clue without thave toge the list of questions, compare and see if there was really knowledge decay, if they didn't understand the question. I don't thave a clue without thave toge decay, if they didn't understand the question. I don't thave a clue without the ave toge decay, if they didn't understand the question. I don't thave a clue without the ave toge decay, if they didn't understand the question. I don't thave a clue without the ave toge decay, if they didn't understand the question. I don't thave a clue without the ave toge decay, if they didn't understand the question. I don't thave a clue without the ave toge decay.         20       The NRC had documented a possibility of a at Sequoyah later on; right?       Q         21       Q       And then that problem still surfaced again at Sequoyah later on; right?       Q         23       A       Its surfaced in '93.       Q         34       A true surface?       A       Yes, I did.         4       Yes.       G       Yes. <td></td> <td></td> <td></td> <td>again, while I'm gone we have an assessment; they don't do</td>				again, while I'm gone we have an assessment; they don't do
18       that?       18       that?         19       A       He was very upset that this problem was       19       I think they could have done better. But, again,         20       found and documented.       10       I would have to get the list of questions, compare and see         20       Okay. That the NRC documented it?       21       I would have to get the list of questions, compare and see         21       Q       Okay. That the NRC documented it?       21       I would have to get the list of questions, compare and see         22       A       No.       22       I on the maximum the question. I don't have a clue without         23       Q       The NRC had documented a possibility of a       23       Q       Did you ever talk with Jack Wilson about         24       problem earlier, right?       24       A du then that problem still surface?       24       A fust's correct.       29       Page 93         2       A fust's correct.       34       Yes, I did.       29       A did he hold you accountable or         3       A It surfaced in '93.       4       Yes.       4       Yes.       4       Yes.       6       Winson?         4       Yes.       A       Yes.       Gu du the hold you responsible for any problems?       Q       A fust's correct.	16	thing was true.	16	well. My judgment is I don't think they were properly
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25 Q And was he critical of you for that? 25 performance in general; right?	23	got sample questions and pumped your RLAS up?		
	24			
	25	Q And was he critical of you for that?	25	Page 91 - Page 96

De	oo of Gary Fiser Cond	ense	It <sup>™</sup> In Re: TVA
	Page 9'		Page 100
1 2	A No. He was critical of the fact that he did not feel like I had raised enough hell basically,	1	A Uh-huh. Q Did anybody else in top operations
3	stirred up enough trouble to get this chemistry	3	management tell you why they didn't want you coming back
4	improvement project funded. And then he says at the same	4	to Sequoyah?
5	time and I'm paraphrasing here he says but what the	5	A No. Now, after the fact, you know, I see a
67	heck, you know; I couldn't do it either, so	6	deposition here from Pat Lydon, you know. I must
8	Here he says on page thirty six, Jack Wilson about the fifth paragraph down it says clearly it was	7	emphasize that was Q He was in operations?
9	recognized a long time ago that the chemistry systems were	°	A Yeah, which I reported to him.
10	not right. Right might not be the right word, but were	10	Q Okay. And you see that where apparently
11	not optimum. Not good is probably better. And it kept	11	Mr. Lydon didn't think you were the right person for the
12 13	getting held at arm's length. I kept pounding the table	12	job?
14	telling them, damn it, you people don't pick me for this for that. Finally, last year I made sure that the	13 14	A I saw that way after the fact. Q You saw that today?
15	chemistry upgrade program stayed on and things happened.	15	Q You saw that today? A I saw that way after the fact of me going
16	Because there was a lot of people saying don't you really	16	downtown.
17	have to do this.	17	Q Right. But it is dated in that time frame?
18 19	Q Do you really have to do this. A Yeah, do you really have to do this. I'm	18 19	A Yes, it is.
20	sorry.	20	Q All right. A He certainly never communicated that to me.
21	Q So he's saying that he finally pushed and	21	His communication to me was we want to get Jocher out here
22	got the funding for it. Is that what he's saying?	22	and see if he can do anything besides talk. And that
23	A Well, I don't think that's what he said.	23	conversation was subsequently corroborated by the fact
24 25	He said finally last year I made sure that the chemistry upgrade program stayed on and things happened. I don't	24 25	that Jack Wilson and Rob Beecken essentially said, hey,
	Page 98		it's wonderful; it's great; go downtown; you deserve it; Page 101
1	know how many things. I don't know. I was gone at the	1	you've done a good job; broaden your horizons.
2	time.	2	Q Broaden your horizons? Find something else
3	Q He's saying he got it done?	3	to do?
4	A He's saying he no, he did not say he got	4	A Broaden your horizons.
6	it done, because he did not get it done. Q He said he made sure it stayed on and	5	Q By finding something else to do? A They did not say that. You did.
7	things happened?	7	Q Well, I mean, is that what that means to
8	A He made sure it didn't get cut again. It	8	you?
9	did not get done under Jack Wilson.	9	A is that what that means to you?
10 11	Q All right. So you had you tape-record a conversation with the site vice president, Jack Wilson.	10	Q It could mean that. A Well, that's fine. That's fine if it means
12	You tape-record a conversation with Rob Beecken, the plant		that to you, but that's not what I said. You don't need
13	manager.	13	to say what I'm thinking and what I'm saying. I will say
14	A Uh-huh.	14	that.
15 16	Q And they were taking responsibility in your eyes for telling people downtown they didn't want you	15 16	Q Did it ever cross your mind? A No.
17	back; is that right?	17	Q Did it cross your mind after November of
18	A Uh-huh.	18	'92?
19	Q Okay. And they were	19	A After November of '92?
20 21	A Well, I'm trying to find that with Jack. I don't recall.	20 21	Q After November of '92 when Wilson McArthur told you they didn't want you back at the plant, did it
22	Q I mean, don't you get that impression from	22	cross your mind that when they told you to broaden your
23	reading that conversation that he was making it clear he	23	horizons, expand your career, that they were suggesting
24	didn't want you back?	24	that you might look for something else to do?
25	A Yes. Page 99	25	A Absolutely not.
1	Q All right. And you got that impression	′  ı	Q Okay. Now, you made a number of Page 102
2	from Beecken, that he didn't think you'd been effective	2	tape-recordings. Did you ever tell any of these people
3	and he didn't want you coming back at Sequoyah either?	3	you were tape-recording that, in fact, you were recording
4	A Yes.	4	their conversation?
5	Q And that they were taking the responsibility, at least as far as you knew, for being the	5	A No. Q The sequence of events continues through
7	people that told Bynum that they didn't want you coming	7	August of '93. Did you continue tape-recording up through
8	back down to Sequoyah?	8	that date?
9	A Yes.	9	A Let's see. That appears to be correct.
10 11	Q Did you ever have a conversation with Joe Bynum in which he told you the reasons that he didn't want	10 11	Q Did you ever have a conversation with Bill Lagergren about why you weren't going to be coming back to
12	you to return to Sequoyah?	12	Sequoyah?
13	A No.	13	A I sure did.
14	Q Did you have conversations with any other	14	Q When was that?
15	persons in management as to the reasons that you weren't	15 16	A It's in here. Oh, here it is. On November the 23rd, 1992. There may have been others. I'm not
16 17	going to return to Sequoyah? A Any other management? That's your	10	sure.
18	question?	18	Q What page is that on?
19	Q Sequoyah management.	19	A That is on page thirty nine.
20	A I'm going to have to ask you to repeat that	20	Q What was Mr. Lagergren's position?
21	question.	21 22	<ul> <li>A Basically, he could not understand it.</li> <li>Q No. I mean, what was his position within</li> </ul>
22 23	Q All right. Did anybody else in Sequoya's management chain tell you reasons why they didn't want you		the organization?
24	to come back to Sequovah? You had the two very top peopl	e 24	A Oh, I'm sorry. Oh, gosh. I do not know.
25	tell you, Wilson Jack Wilson and Rob Beecken.	25	At that date, I don't know.
T	esdel & Rusk Reporting		Page 97 - Page 102

Dc	po of Gary Fiser Conde	ense	It <sup>™</sup> In Re: TVA
	Page 103		Page 106
1	Q Was he in operations?	1	not Patrick Lydon's direct words except for the
2	A At that date, I don't know. I know that	2	quote unbelievably bad.
4	there was a time you see, Pat Lydon replaced Bill, and I'm not sure what his position was.	3	BY MR. MARQUAND: Q All right. Now, did you continue
5	Q Did Mr. Lagergren ever express any	5	surreptitious tape-recordings after the events recorded in
6	disagreement with Mr. Beecken and Jack Wilson about their	6	your sequence of events?
7	feelings that they didn't want you to come back to	7	A No.
8	Sequoyah?	8	Q How come?
9	A Yes, he did.	9	A Basically, there were two reasons. I felt
10	Q He said he wanted you to come back to	10	like I had all the information that I needed. The second
11 12	A He said he could not understand why they	11	thing is, you know, I guess they're not all that helpful.
13	would not want me back since I did a good job in his	12 13	If you take if you can take good notes anyway and keep a good documented trail of evidence, you don't really need
14	estimation. I got good reviews, bonuses, such as that.	14	them. So I didn't feel like it was necessary.
15	Q From Bill Lagergren?	15	Q So you haven't conducted any
16	A That's correct. And Rob Beecken.	16	tape-recordings after these events?
17	Q What position was Bill Lagergren in when he	17	A No, sir. None of nobody.
18	gave you good reviews and told you that you were doing a	18	Q Tell me how you operated this tape
19	good job?	19	recorder.
20 21	A Operations manager. Q All right. And when you had this	20	A Slip it into my pocket and punch record.
22	conversation with him, you don't know what position he was	21	Q Just a little hand-held recorder? A That's right.
23	in?	23	A That's right. Q How were these purported transcripts of
24	A I do not. He was downtown. I know he was	24	these tape-recorded conversations produced?
25	not at Sequoyah.	25	A By listening to the tape and entering it
	Page 104		Page 107
1	Q All right. He wasn't in Sequoyah	1	into Microsoft Word I think it was.
2	management?	2	Q Have you done anything to verify the
3	A That's correct.	3	accuracy of these purported transcripts?
4	Q Okay. So the only people in Sequoyah	4	A No.
5	management that you actually talked to who told you why	5	Q At some point in time, didn't Dr. McArthur
7	you weren't coming back were Beecken and Jack Wilson? A And Wilson McArthur.	67	become ill? A Yes.
8	Q Well, Wilson McArthur wasn't in Sequoyah	8	Q What happened to him?
9	management, was he?	9	A Lung cancer.
10	A Oh. Well, that's true.	10	Q When was that?
11	Q And ultimately we found out that Pat Lydon	11	A That was you would have to check your
12	didn't think you should be in that position.	12	records about that. I'm not sure. But as I recall, it
13	A I know at the time things were occurring	13	was right about the time that I was going into the
14 15	that he did not have a problem with it. Q Okay. But we know now, looking at his	14 15	employee transition program. I'm not sure of that, but I think that's correct. Because I remember coming and
16	record of interview, that he didn't think you should be in	16	talking to him at least early on in the employee
17	that position.	17	transition program, and he alluded to the fact that I
18	A That's what he said. That's correct.	18	asked him if he had time to talk and he said, well, I'm
19	Q All right. Now, did you	19	fixing to have a lot more time or something. And I think
20	A Of course, he was not in that position	20	that was in reference to the fact that he had cancer and
21 22	MS. EUCHNER: Hold on a minute. MR. DAMBLY: Which position?	21 22	he was fixing to go in for treatment. Q Do you recall when he was initially
23	MS. EUCHNER: Yeah. He said in his	23	diagnosed with lung cancer?
24	statement that he didn't think Fiser should be in	24	A No.
25	the corporate chemistry position. He never said	25	Q Wasn't it around the holidays in 1992?
	Page 105	1	Page 108
1	that he didn't think he should be in Sequoyah,	1	A I don't recall.
2	unless it's a different quote than you quoted	2	Q Did you ever visit him in the hospital?
3	earlier.	3	A No. We were told we should not do that.
4	MR. DAMBLY: He had lack of BWR experience,	4	Q Did you ever visit him at home? A When he was ill?
5	but he didn't have MR. MARQUAND: All right. I stand	5	A when he was ill? Q Uh-huh.
7	corrected.	7	A No.
8	BY MR. MAROUAND:	8	Q So you only saw him in the context of work
9	Q Lydon didn't think that the program was	9	space?
10	doing well, though, did he?	10	A That's correct.
11	A Again	11	Q Was he undergoing chemo or radiation
12	Q He thought the program was unbelievably	12	treatment during this time period you were tape-recording?
13	bad?	13 14	A Not that I'm aware of. I don't know. Q You just don't know at all?
14 15	A it depends on what you're talking about. And if you're talking about the equipment, it was a sad	14	A I do not know at all.
16	state of affairs.	16	Q You
17	O I'm not talking about the equipment. Lydon	17	A I don't think that's the case, but I can't
18	states the program was unbelievably bad and had	18	state for certain because I don't know.
19	long-standing problems; correct?	19	Q You worked for him, didn't you?
20	A That is what Lydon's statement was. Now,	20	A Oh, yes.
21	if you want to get into what he was talking about, that's	21	Q He was the corporate manager over the technical programs in 193 and you worked in chemistry
22 23	a different matter. Q Okay.	22 23	technical programs in '93, and you worked in chemistry which reported directly to him?
23	MS. EUCHNER: Also, I'd like to note for	23	A That's right.
24	the record that this is a record of interview and	25	Q And you traveled some with him?
T	and all & Duck Deporting	· · · · · · · · · · · · · · · · · · ·	Page 103 - Page 108

Page 103 - Page 108

1       A Yes. your Cool go by and pick him up or he'd come by your Cool go by and pick him up or he'd come by your Cool go by and pick him up or he'd come by your Cool go by and pick him up or he'd come by A No.               here responding to the Nat-Con manager at he sets, and A Intright. Your job had previously reported from decasion and burb were scally it was going the two of you is a dimer somewhere having a meal the two of you is a dimer somewhere having a meal went hyto be set something to at, yash. That could have be realigned with Rat-Con? A Right. Q. All right. Your job had previously reported from decasion and burb were set. Q. All right. Cool diat chemistry was going decasion. Q. All right. Q. All right. Q. And it was no longer going to report as part of operations? Q. And it was no longer going to report as part of operations? Q. And it was no longer going to report as part of operations? Q. And it was no longer going to report as part of operations? Q. And it was no longer going to report as part of operations? Q. And it was no longer going to report as protocol the did you have an understand that manager was going to manager at the manager was going to monothims in the corporate decasing the corporate the report directly to him at that protocol the did you most in the protocol the corport directly to him at that protocol the did you have to report directly to him at that protocol the corport directly to him at that preport direct reports to him for did do and we	De	po of Gary Fiser	Conde	ense	It <sup>™</sup> In Re: TVA
2         Q. You'd go by and pick him up or be'd come by your house an pick you py?         there was some discussion about how exactly it was going is work for your house providence in the provide of the two of you at a dime somewhere having a meal the two of you at a dime somewhere having a meal the two of you at a dime somewhere having a meal the two of you at a dime somewhere having a meal the two of you at a dime somewhere having a meal the two of you at a dime somewhere having a meal the two of you at a dime somewhere having a meal the two of you at a dime somewhere having a meal the two of you at a dime somewhere having a meal the two of you at a dime somewhere having a meal the two of you at a dime somewhere having a meal the two of you at a dime somewhere having a meal the two of you at a dime somewhere having a meal the two you at a dime somewhere having a meal the two you at a dime somewhere having a meal the two you at a dime somewhere having a meal there was a manager new at horit in the who was going to be?           3         A link is ever been of on youse? No. The cited that the for you at a dime somewhere having a meal that 's right.         A link the you at a dime some having a meal there was a tanager new at horit in the who was going to be?           3         A for Sequeyah?         A link that 's right.         A link the you at a dime some having a meal that 's right.           3         A dwo was you responsibility in ETP A Ares.         Page 113           4         A dwo was you responsibility in ETP A Ares.         Page 113           5         A nd what was you responsibility in ETP A Ares.         Page 114           6         A link you did?         Page 113			Page 109		Page 112
<ul> <li>just house and pick you up?</li> <li>a. You hover dif? Did you meet for breakfast anywker?</li> <li>b. work. I do recall that.</li> <li>c. Q. All right. Your job had previously</li> <li>d. You moet diff. You you at a dine second ings reflected</li> <li>d. You at a dine second ings reflected</li> <li>d. You would a dine second ing and you makes to longer going to report is</li> <li>d. You would a dine second ing and you moet so dine second ing and you at so from to ETP Monday. Think</li> <li>d. A. Dy set.</li> <li>d. D. Dy</li></ul>				1	be reporting to the Rad-Con manager at the sites, and
<ul> <li>just house and pick you up?</li> <li>a. You hover dif? Did you meet for breakfast anywker?</li> <li>b. work. I do recall that.</li> <li>c. Q. All right. Your job had previously</li> <li>d. You moet diff. You you at a dine second ings reflected</li> <li>d. You at a dine second ings reflected</li> <li>d. You would a dine second ing and you makes to longer going to report is</li> <li>d. You would a dine second ing and you moet so dine second ing and you at so from to ETP Monday. Think</li> <li>d. A. Dy set.</li> <li>d. D. Dy</li></ul>	2	Q You'd go by and pick him up or	he'd come by	2	there was some discussion about how exactly it was going
5         Q. You never did? Did you moet for breakfast anywher?o.         5         reported through operations; correct?           6         Q. Ithought one of these recordings reflected the two you as a dime somewhere having an enal conch how you as a dime somewhere having an enal conch how you as a dime somewhere having an enal conch how you received his near the been.         6         A flight.           10         0         A linght.         0         A dif you have been and the set in popptor or some the you you received a flight one of the two you you received affer noise in flight?           10         0         A linght.         0         A linght.           11         0         Now, you received affer noise in the some the you you received affer noise in flight?           12         0         Now, you received affer noise in flight?           13         0         Now, you received affer noise in flight?           14         0         Now, you received affer noise in flight?           15         0         Now, you received affer noise in flight?           16         0         Now, you received when to iffer you           27         A linght.         1         1           28         0         Now, you received when to set you -           28         0         Now, you received have the you -           28         0         A linght.	3	your house and pick you up?		3	to work. I do recall that.
<ul> <li>a mywdreff,</li> <li>A That's right.</li> <li>Q. Thought one of these recordings reflected together.</li> <li>Q. Thought one of these recordings reflected together.</li> <li>A. It could have been, I don't - I mean, we could have been out on a try to getter or something and environmental performance of the realigned with Kast-Con?</li> <li>A. It could have been, I don't - I mean, we could have been out on a try to getter or something and environmental performance of the realigned with Kast-Con?</li> <li>A. It could have been, I don't - I mean, we could have been out on a try togetter or something and environmental performance of the realigned with Kast-Con?</li> <li>A. That's cardit.</li> <li>A. It could have been, I don't - I mean, we could have been out on a try togetter or something and environmental performance of the realigned with Kast-Con?</li> <li>A. That's cardit.</li> <li>A. That's cardit.</li> <li>C. And did you have an understanding that service.</li> <li>A. That's cardit.</li> <li>C. And did you have an understand that manager was going to report as protection?</li> <li>A. That's cardit.</li> <li>C. And did you have an understand that manager was going to report directly together or something and environmental performance of the real performance</li></ul>				4	Q All right. Your job had previously
7       A No.         9       Discoglat one of these recordings reflected         9       Intervo of you at a dimer somewhere having a meal         9       A         9       Could have been out on a trip together or something and         10       A         11       A         12       Out space something to early house? No.         13       9         14       Deter was a manager now at that point in the corporate chemistry         15       O, Now, you stop functioning in the corporate chemistry         16       A Hight. Thm not sure.         17       O, Now, you stop functioning in the corporate chemistry organization and went to FT?         18       A Hight. Thm not sure.         19       A Go you stop functioning in the corporate         10       A Ohy vas.         11       A Ohy vas.         12       A So you stop functioning in the corporate         12       A So you stop functioning in the corporate         11       A Ohy vas.         12       A So you stop functioning in the corporation is in the reflection in streed of the reflectio		Q You never did? Did you meet for	r breakfast	5	reported through operations; correct?
<ul> <li>g. I thought one of these recordings reflected the two you at a dimer somewhere having a meal to could have been. I don't - I mean, we been.</li> <li>g. Charling a subject of the problem of somewhere having the problem of the somewhere having the somewhere having the problem of the somewhere having the some having the some having the some having the somewhere having the some having the somewhere having the somewhere having the some having the somewhere having the some having the some having the somewhere having the</li></ul>				6	A That's right.
9       two of you at a dimer somewhere having a meal together.       2       A       Kight.         10       of A have been out on a trip together or something and operations?       10       O       And it was no longer going to report as 11 part of operations?         11       of A have been out on a trip together or something and weth together.       10       O       And it was no longer going to report as 11 part of operations?         14       there was a manager have at that point in time who was is going to manage Rad-Conce chemistry of concerning to early and it was to report to FTP monday. I think to the or a friday or and it was to report to FTP monday. I think together.       10       A       A life the manager was 10 part to FTP monday. I think together.       11       A       O, set the manager max at the manager was 10 part to FTP monday. I think together.       11       A       O, set the manager max at the manager was 10 part to FTP monday. I think together.       12       11       A       News       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12       12				7	
10         together.         Q         And it was no longer going to report as           11         A         the could have been. I don'tI mean, we could have been our on a trip together or something and the could have been. I don'tI mean, we could have been our on a trip together or something and the could have been. I don'tI mean, we could have been our on a trip together or something and the could have been our on a trip together.           13         Q         All right.         Fight				8	to be realigned with Rad-Con?
11       A. It could have been. I don't - I mean, we could have been out on at the toget something and a weith by toget something to eat, yeah. That could have here been to my house? No.       11       A. It as he ever been to my house? No.       Q. And did you have an understanding that the who was that point in inter who was a manager now at that point in inter who was a manager now at that point in inter who was a manager now at that point in itrue who was a manager now at that point in the who was there was at the point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at that point in the who was a manager now at the point in the was a manager now at that point in the who was a manager now at that point in the who was a manager now at the point in the who was a manager now at the point in time?         2       A. It seems like 1 got that notice of the outpaint weight was to point in the corporate of the them was to point in the outpaint weight was to point in the outpaint weight was to point in the outpaint weight was to point in the appoint in time?         2       A. It seems like 1 got weight was to manager position?         3       A. They said manager position?       A. It seems like 1 got weight was to point ma			ng a meal	9	A Right.
112       could have been out on a trip together or something and worth by cet something to call, you.       112       A That's correct.         14       been.       A math at courds have and did you have an understanding that         15       92. Didy out stop functioning in the corporate chemistry of functioning in the corporate chemistry of a dremon, and I was to port to FTP Monday. I think a there was a manager now at that prove an intervent of functioning in the corporate chemistry of a dremon, and I was to report to FTP Monday. I think a there was a manager now at that prove an intervent of functioning in the corporate chemistry of a dremon, and I was to report to FTP Monday. I think a there was a manager now at that prove an intervent of functioning in the corporate a dremon, and I was to report to FTP Monday. I think a there was a manager now at that prove an intervent a dremon, and I was to report to FTP Monday. I think a there was a manager now at that prove the go a normal two stores and the manager was going to be?       Page 110         16       Q All right. Thin to sure.       Page 110         17       Q And was to extremate a forded time inside, custop, that was yo extremate a forded time inside, custop, that was yo extremate a forded time inside, custop, that was to extremate a forded time inside, custop, was diver to prosmibility in FTP A Core up with a manager position?       A Cartainly I would have reported to me.         10       Q And was to extremate a forded time inside, custop, was diver to possition is that in designed to ket you - a placement organization, is that if designed to ket you - a placement organization is that if sortenet.         10       Q Mail right. While you were in that				10	
13         went by toget something to cat, yeah. That could have born.         15         Q         And went by toget something to cat, yeah. That could have born.           14         A flar givet bern to my house? No. Procrised a Bir notice in a part of the corporate chemistry of functioning in the corporate chemistry.         16         9         16         9         17         0.         Now, you received a Bir notice in a part of the corporate chemistry of the corporate chemistry iob after you received that notice? You would have reported to ETP.         0.         Who would have an understand that manager was going to be?         0.         No with a way to would have reported to ETP.         1         0.         Who would have thought my position would have. I also know that there was takl of doing away with the superintendence was the doing away with the superintendece was the doing away with the superintendece was the doing				11	
International sector         International sector         International sector         International sector           14         Dent. A         Has he ever been to my house? No.         International sector         International sector           19         93         Dud You song functioning in the corporate chemistry of				12	A That's correct.
15       Q. All right:       11       12       20       11       12       20       11       12       7       All right:       13       90       10       90       10       90       10       90       10       90       10       90       10       90       10       90       10       90       10       90       10       90       10       90       10       90       10       90       10       90       10       90       10       90       10       90       10       90       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10 <td< td=""><td></td><td></td><td>at could have</td><td>13</td><td>Q And did you have an understanding that</td></td<>			at could have	13	Q And did you have an understanding that
16       A       Has he ever been to my house? No.       Particition?         18       93       Did you stop functioning in the corporate chemistry       A       That's right.         18       93       Did you stop functioning in the corporate chemistry.       A       That's right.         20       Neems like 1 pot that notice on a Friday.       C       A       It would have to report to ETP bonday. I think         21       A       A my as to report to ETP bonday. I think       Page 110         21       A       A my as to report to ETP bonday. I think       Page 110         22       A       A my as to report to ETP bonday. I think       Page 110         23       A       A my as to report to ETP bonday. I think       Page 110         24       C       A flags the that notice on a Friday.       Page 110         25       A not wait way to cither make a       tiving for yourself, find a lob, get a job with my any and the to ETP.         26       A flags the difference on a friday.       Page 110         27       A       Cortainly I would have thought my position way the difference on a friday.         28       A       To come up with a way to cither make a       tiving for yourself, find a lob, get a job would have to my minit way to cither make a         10       to come up with a way to cithan otice				14	there was a manager now at that point in time who was
17       Q. Now, you received a firmatice in April of 9 '3. Divous top functioning in the corporate chemistry of after you 12 received that notice '' fou would have reported to ETP. 13 aftermon, and I was to ETP wondy. I hink 24 that's right. I'm not sure.       16 Who did you understand that manager was 17 or rather, a surplus notice did you stop 18 or received intar notice '' fou would have reported to ETP. 18 or Q. And you did?       20 Who did you understand that manager was 10 designed functioning in the corporate 18 or gamization and was to ETP wondy. I hink 24 that's right. I'm not sure.       18 or Q. Uh-hah. 18 or Q. And you did?         2       Q. And you did?       20 And you did?       20 And you did?       20 And you did?         2       Q. So you stopped functioning in the corporate chemistry organization and went to ETP?       20 And you have that was your responsibility in ETP?       20 And you have to provide for our families. 10 or come up with a way to provide for our families. 10 or come up with a way to provide for our families. 10 or againzation - well, first of all, left's go back to the 11 surplus of was basically and you were you told that you were you told that you were you told have you were to have 11 and thight. 10 A That's was that you your position of manager. 12 or And what job was that? 23 A That's source. 13 A That's source. 14 A That's source. 15 A To a grate treatm. 16 or againzation - well, first of all, left's go back to the 17 surplus Arroys and my job had been determined to be 18 surplus Arroys. 29 A That's was to source of that was 20 or and that you moderstand 20 and what job was that? 20 A And what job was that? 21 A That's source. 21 A That's source. 22 A That's source of that are comeastry manager position at Sequeyah. 23 A That's source. 24 A That's source. 24 A That's source of that				15	going to manage Rad-Con chemistry and environmental
<ul> <li><sup>13</sup> 93. Dd you stop functioning in the corporate chemistry of an expected has notice? You would have reported to ET.</li> <li><sup>14</sup> 7 or, a surplus notice and you would have reported to ET.</li> <li><sup>15</sup> 7 or, a surplus notice and you would have reported to ET.</li> <li><sup>16</sup> 7 or, a surplus notice and you would have reported to ET.</li> <li><sup>17</sup> 8 A Day Set Segueration and went to ETF?</li> <li><sup>18</sup> 9 or or a placement organization and went to ETF?</li> <li><sup>19</sup> 9 Chaines and Rob Schult, there was talk of doing away to clifter makes a surplus notice. Why were sponsibility in ETR?</li> <li><sup>10</sup> 9 C Kay.</li> <li><sup>10</sup> 9 C Kay.</li> <li><sup>11</sup> 9 C Kay.</li> <li><sup>11</sup> 9 C Kay.</li> <li><sup>11</sup> 9 C Kay.</li> <li><sup>11</sup> 9 C Kay.</li> <li><sup>12</sup> 9 C Kay.</li> <li><sup>13</sup> 9 C Kay.</li> <li><sup>14</sup> 9 C Kay.</li> <li><sup>15</sup> 9 C Kay.</li> <li><sup>14</sup> 9 C Kay.</li> <li><sup>15</sup> 9 C Kay.</li> <li><sup>15</sup> 9 C Kay.</li> <li><sup>16</sup> 9 C Kay.</li> <li><sup>17</sup> 9 C Kay.</li> <li><sup>16</sup> 10 11 gHz.</li> <li><sup>16</sup> 9 C Kay.</li> <li><sup>16</sup> 11 gHz.</li> <li><sup>16</sup> 11 gHz.</li> <li><sup>16</sup> 11 gHz.</li> <li><sup>17</sup> 9 C Kay.</li> <li><sup>16</sup> 11 gHz.</li> <li><sup>16</sup> 11 gHz.</li> <li><sup>16</sup> 12 g C C C Kay.</li> <li><sup>16</sup> 12 g C C C C Kay.</li> <li><sup>16</sup> 12 g C C C C Kay.</li> <li><sup>17</sup> 14 11 gHz.</li> <li><sup>16</sup> 12 g C C C C C C C C C C C C C C C C C C</li></ul>		A Has he ever been to my house?	NO.		protection?
19       - or, rather, a surplus notice did you stop       igoing to be?         10       received that notice? You would have reported to ETP.       20       A For Sequeyah?         21       received that notice? You would have reported to ETP.       11       would have reported interview         21       afternon, and I was to ETP would.       Free Sequeyah?       20       A For Sequeyah?         22       Q. And you did?       Page 110       Page 110         23       Q. So you stopped functioning in the corporate chemistry organization and went to ETP?       A Cratainky I would have that for was table of doing away with the superintendent level and just having the direct sinside. It didn't matter, We were afforded time to form up with a way to provide for our families.       10       Point in time?         30       O For Sequeyah.       2       O Chay. You know there was a discussion of the sequence of the		Q Now, you received a RIF notice in	h April of		
20       functioning in the corporate chemistry job åfter you       A       For Sequoyah?         21       received duta notice? You would have reported to FTM       You With A       You With A         21       A It seems like I got that notice on a Friday       A It would have         22       A It would have       You With You       A It would have         23       Changes       Page 110       Page 110         24       A Oo you dity poor for the TTP Monday. I think       Page 110       Page 110         25       A Oo you dity poor for the TTP.       Page 110       Page 110         26       A Oo come up with a way to the make a       Page 110       Page 110         27       A To come up with a way to provide for our families.       To come up with a way to provide for our families.       To own the way a discussion of the superinterindent level and just having the direct reports of Don Adams, people like that, which would have         28       A To a grat extemt. They would help you       They would have reported to me.         29       A They set of all right. While you ware in that       They would have reported to me.         29       A They set on the discussion was, okay, term       Page 111         20       A They would have reported to me.       They would have reported to me.         30       A They seton to Charlies Kent Y:		93. Did you stop functioning in the corp	orate chemistry		
21       received that notice? You would have reported to ETP.       21       Q       Uh-huf.         23       A It seems like 1 gets that notice on a Friday.       21       A It would have freqort directly to him at that         23       A And you did?       Page 110         24       A On you did?       Page 110         25       O, And what was your responsibility in ETP?       A To come up with a way to either make a         26       A ond what was your responsibility in ETP?       A To come up with a way to either make a         26       A ond what was your responsibility in ETP?       A To come up with a way to either make a         27       Q It was basically an organization that was       Page 110         28       M the up with a way to provide for our families.       Page 110         29       A It would have frequence on the tawas       Page 110         20       A It was basically an organization is that       Page 110         20       A It was basically an organization is that       Page 110         21       Q All right. While you were in that       Page 110         21       A They satima piob had been determined to be       Page 110         21       A They satima yiob had been determined to be       Page 111         22       A That was the Sequoyah chemistry       Page 114		or, rather, a surplus notice did you st	op		
22       A It seems like I got that notice on a Friday       22       A It would h         24       afternoon, and I was to report to FTP Monday. I think       24       Q       A It would h         24       Q And you did?       Page 110       Q       Q afternoon, and I was to report to FTP Monday. I think         24       Q And you did?       Page 110       Q       Q afternoon, and I was to report to FTP Monday. I think         25       Q afternoon, and I was to report of FTP Monday. I think       Page 110       Page 110         2       Q As Ox, using the comportant the comportant that was the comportant that was the comportant that was the reported to full you that way to provide for our families.       Point in time?       Page 110         3       A The was basically in organization that was the provide for our families.       Point in time?       Page 110         4       A The was basically in organization that was the provide for our families.       Point in time?       Page 110         3       A The was basically in organization that was the provide for our families.       Point in time?       Page 110         4       A The was basically in organization that was the sequery and the provide for our families.       Point in time?       Page 110         4       A The was basically in organization, was point of Bala dot was there and the was basically in our anation that was the sequery and the prove and the was basically in		functioning in the corporate chemistry job	after you		
<ul> <li>a dermoon, and I was to Feport to ETP Monday. I think</li> <li>that's right. I'm not sure.</li> <li>Q And you did?</li> <li>a A Oh, yes.</li> <li>Page 110</li> <li>A Oh, yes.</li> <li>Page 110</li> <li>A Oh, yes.</li> <li>Page 110</li> <li>A Oh, yes.</li> <li>Q And wou did?</li> <li>A Cartainly I would have thought my position</li> <li>a Cartainly I would have. I also know there was tak of doing away</li> <li>a Cartainly I would have. I also know there was tak of doing away to provide for our families.</li> <li>a Cartainly I would have as discussion</li> <li>a designed to let you - a placement organization, is that</li> <li>a Q Okay.</li> <li>A They said my job had been determined to be</li> <li>a suplus of come my wish as the Sequeryaltemistry</li> <li>a A They said my job had been determined to be</li> <li>a suplus of somewhere.</li> <li>A A that's oreret.</li> <li>A They was that and the ore solution of ananger, that's oreret.</li> <li>A A that's ore</li></ul>					
24       UA       Q       All right. What positions did you         25       Understand were going to report directly to him at that         2       Q       All right. What position         2       Q       So you stopped functioning in the corporate       Page 110         2       Q       A dwats was your responsibility in ETP?       A dwats was your responsibility in ETP?         4       A Yes.       Corport all right. That your diagram was the that was your responsibility in ETP?         6       In advata was your responsibility in ETP?       A dwats was your responsibility in ETP?         6       In advata was your responsibility in ETP?       A dwats was your responsibility in ETP?         7       In advata was your responsibility in ETP?       A dwats your you you was the reak         9       I was basically in organization that was       I manager         9       Q (Au)       I was basically in organization that was         11       Q (Au)       Yes.       A They was discussion         12       Q Au)       A They was discussion was your you was placement organization; was discussion was youry types of persons?         13       A Yes.       A They was discussion was youry types of all was there all was these equipaint was the sequeryand hermistry         14       Q Au)       Au Hinght, Whi I wou was bale determined to be					
25       Q       And you did?       25       understand were going to report directly to him at that         1       A       Oh, yes.       Page 110         2       Q       So you stopped functioning in the corporate       A       Catanihy I would have thought my position         3       Chemistry organization and went to ETP?       A       Catanihy I would have thought my position         4       Yes.       A       Catanihy I would have thought my position         5       Q       And what was your responsibility in ETP?       A       Cotanity I would have thought my position         6       To come up with a way to provide for our familites.       Q       Okay, You know there was a discussion         9       to come up with a way to provide for our familites.       Q       Okay, You know there was a discussion         10       G       H was basically an organization hat was       Q       Okay, You know there was a discussion         11       G       A       There was discussion       A       There was discussion         12       A       There was discussion       A       There was discussion         13       Q       Okay.       A       A       A         14       Q       Cokay.       A       A       A <t< td=""><td></td><td></td><td>lay. I think</td><td></td><td></td></t<>			lay. I think		
Page 110         Page 110         Page 113           2         Q         So you stopped functioning in the corporate chemistry organization and went to ETP?         A         Cartainly I would have thought my position           4         A Yes,         Q         And what was your responsibility in ETP?         A         Cartainly I would have thought my position           6         A         Decimation and went to ETP?         A         Cartainly I would have thought my position           6         A         One up with a way to provide for our families.         Post of Do Adams, people like that, Whould have thought my position           10         Q         If was basically an organization that was         Chemistry, but I know that wes being discussed.           11         Gesigned to let you - a placement organization is it hat         Tight?         A         There was its costion?           14         Q         Chas, and their yois of persons?         A         There was its costion?           15         with the super intendent position - well, first of all, let's to abac the that         A         There was its costion?           16         With super out a placement organization well, its of all, let's to abac the that         A         There was its costion?           17         A         There was its costion?         A         There was its costion?         A					Q All right. What positions did you
1       A       Ob, yes.         2       Q. So you stopped functioning in the corporate         3       Chemistry organization and went to ETP?         4       Yes.       A         2       A. Marking the direct         3       Chemistry organization and went to ETP?         4       To come up with a way to either make a         1       inside, outside. It didn't matter. We were afforded time         9       to come up with a way to provide for our families.         0       I was basically an organization that was         1       designed to let you - a placement organization, is that         1       right?         3       A         1       A         1       designed to let you - a placement organization is that         1       right?         1       A         1       G. Say.         2       A         3       A (rs.         4       They would have been technical apport?         5       surplus or something like that.         2       and what yob was that?         3       A         4       A methat was the Sequoyah chemistry         5       surplus or something like that.	25	Q And you did?		25	
1       A       Ob, yes.         2       Q. So you stopped functioning in the corporate         3       Chemistry organization and went to ETP?         4       Yes.       A         2       A. Marking the direct         3       Chemistry organization and went to ETP?         4       To come up with a way to either make a         1       inside, outside. It didn't matter. We were afforded time         9       to come up with a way to provide for our families.         0       I was basically an organization that was         1       designed to let you - a placement organization, is that         1       right?         3       A         1       A         1       designed to let you - a placement organization is that         1       right?         1       A         1       G. Say.         2       A         3       A (rs.         4       They would have been technical apport?         5       surplus or something like that.         2       and what yob was that?         3       A         4       A methat was the Sequoyah chemistry         5       surplus or something like that.			Page 110		Page 113
a chemistry organization and went to FTP?       A         A Yes.       Q         C And what was your responsibility in ETP?       A         A To come up with a way to provide for our families.       C         0 U itsues basically an organization that was to provide for our families.       Q         10 traps to come up with a way to provide for our families.       Q         11 designed to let you a placement organization, its was traps.       Q         11 designed to let you a placement organization, its was traps.       Q         12 A Yes.       Q         13 A Yes.       Q         14 organization well, first of all, let's go back to the organization well, first of all, let's go back to the suplus notice.       Q         15 a A Tae a great extent. They would hat been determined to be suplus notice.       Q         15 surplus contenting like that.?       A         16 organization well, first of all, let's go back to the suppurimendent position as I recall.       Supplus notice.         16 organization well, first of all, let's go back to the supplus notice.       Supplus notice.         17 Q       All right.       A Tae's your notice of transfer organization was bacy notice.         16 supper intendent position as I recall.       Page 114         17 Q       All right.       Page 114         18 organization well inght.			-	1	point in time?
4AYes.with the superintendent level and just having the direct6A do what way to provide find a job, get a job within TVA,8inside, outside. If didn't matter. We were afforded times10Q. If was basically an organization that was10Q. If was basically an organization that was10Q. If was basically an organization that was11Q. Okay.12right?13A14Q. Okay.15A16With resumes, et cetera.17Q. All right. While you were in that18organization well, first of all, let's go back to the19surplus or something like that.20a. They said my job had been determined to be21a. They said my job had been determined to be22surplus or something like that.23surplus or something like that.24a. That was the Sequoyah chemistry25surplus or something like that.26surplus cortic.27A. That was the Sequoyah chemistry28a. That's our notice of transfer29Q. All right. That's your notice of transfer30Q. All right, That's your notice of transfer31A. Uh-tuh.32Q. All right, That's your notice of transfer34A. That's vant nocoganization this refers to?35A. Il right. That's your notice of transfer36A. Uh-tuh.37A. And it's that document is in here38Go (Ray, You hadn't			e corporate	2	
5       Q       And what was your responsibility in FTP?       5       reports of Don Adams, people like that, which would have         7       living for yourself, find a job, get a job within TVA,       inside, outside. If (din't matter. We were affrod time       0       Q taws basically an organization that was       0       Q taws basically an organization that was         9       If was basically an organization that was       0       Q taws basically an organization that was       0       Q taws basically an organization that was         11       designed to let you a placement organization; is that       1       Q       Don Adams and Rob Richie, they were         12       A       To a great extent. They would help you       16       A       They waid have reported to me.         14       Q       All right. While you were in that       0       Q taws basical sourching its of all, it's go back to the         15       surplus or something like that.       Q       Q daw was basical sourching like that.       Q         16       Q       And what job was that?       A       There was discussion of that.         17       Q       All right.       Page 1114         18       A They souid have teem more a lab       manager.         19       surplus or something like that.       Q       And who was having those discussions?	3		-	3	would have. I also know that there was talk of doing away
6       A To come up with a way to either make a       6       put an avful to i direct reports to him for Rad-Con         8       inside, outside. It didn't matter. We were afforded time       6       Q Okay. You know there was a discussion.         10       Q If was basically an organization that was       9       Okay. You know there was a discussion.         12       right?       A There was discussion.       9       Okay. You know there was a discussion.         12       right?       A There was discussion.       9       Don Adams indo ko Richie; they were         13       A Yes.       0       Don Adams indo ko Richie; they were       12         14       Q Okay.       14       Q And there ported to me.       14         15       A They said my job had been determined to be surplus or something like that.       16       9       Okay.         15       surplus or something like that.       20       Q And what job was that?       16       16         16       y on had't's e- that document is in here       3       20       A There was discussion of that.       2         17       Q All right. Sorrect.       9       A ldn't, bu's you notice of transfer       16       16       16       16         18       organization - well, first of all let's go back to the       3 <td< td=""><td></td><td></td><td></td><td>4</td><td>with the superintendent level and just having the direct</td></td<>				4	with the superintendent level and just having the direct
1       Iving for yourself, find a job, get a job within TVA, inside, unside, unside, unside, indivised it was to provide for our families.       7         1       0       It was basiculty an organization that was to provide for our families.       7         10       0       It was basiculty an organization that was to provide for our families.       9         11       0       It was basiculty an organization that was to provide for our families.       9         11       0       Okay.       10         12       15       A       Yes.       10         13       A       Yes.       13       A       Yes.         14       0       Okay.       14       Don Adams and Rob Richie; they were         15       A       To a great extent. They would help you       16       supplus notice. Why were you told that you were being         16       organization well, first of all, left's go back to the       supplus notice. Why were you told that you were being       17       Q       A They was discussion was, okay.         19       suprintendent position as I recall.       Page 111         20       A and tips that document is in here       20       A       A they so are organization they well, as correct.         21       A       A li right.       Page 114       functions. That's what		Q And what was your responsibility	y in ETP?	5	reports of Don Adams, people like that, which would have
sinside, outside, It didn't matter, We were afforded time to come up with a way to provide for our families.       s       Q       Oleay, You know there was a discussion?         10       Q       It was basically an organization that was right?       a       There was discussion?         11       Q       Oleay, You know there was a discussion?         12       right?       A       There was discussion?         13       A       To a great extent. They would help you         14       Q       Okay,       A         15       A       They would have reported to me.         16       Matter organization well, first of all, let's go back to the surplus notice.       b         17       Q       All right. While you were in that       manager.         18       surplus notice.       With resumes, et cetera.       Q         19       surplus notice.       With resumes, et cetera.       Q         20       A       They said my job had been determined to be surplus or something like that.       Q       Okay. And so the discussion was, okay.         21       A       They waid have base hat?       A       I understood it was Charles Kent rying to surplus on and have base unplus that fight.         22       A All right.       Mil right. sin. If you'll look, I believe ito the employee transition program. And it say		A To come up with a way to either	make a		
9       to come up with a way to provide for our families.       9       about eliminating the chemistry manager position?         11       designed to let you a placement organization, is that       10       A There was discussion.         12       right?       0       Don Adams and Rob Richie, they were         13       A Yes.       0       Don Adams and Rob Richie, they were         14       Q Okay.       14       A They would have reported to me.         15       A To a great extent. They would help you       16       A They would have been more a lab         16       with resumes, et cetera.       Q And their jobs were technical       support. Rob Richie's job would have been more a lab         16       organization well, first of all, let's go back to the       surplus or something like that.       16         20       And what job was that?       20       A They said my job had been determined to be       20         21       A That was the Sequoyah chemistry       24       A That was the Sequoyah chemistry       24         23       Q All right.       Page 111       11       Page 111         24       A That's correct.       2       Q Goy understood       2         25       sorrewhere.       3       a I don' think I had any direet discussions         26 </td <td></td> <td></td> <td></td> <td>7</td> <td></td>				7	
10       Q ft was basically an organization that was index designed to let you a placement organization; is that right?       A There was discussion.         12       right?       A They you a placement organization; is that right?       Q Don Adams and Rob Richie, they were technical support?         14       Q Okay.       A They yould have reported to me.         14       Q Okay.       A They yould have reported to me.         15       A To a great extent. They would help you       Hat was the first of all, let's go back to the surplus colice. Why were you told that you were being surplused?       A They said my job had been determined to be surplus.         16       with resumes, et cetera.       Q Okay. And so the discussion was, okay.         17       A They said my job had been determined to be surplus of somewhere.       Q And what yob was that?         18       surplus of somewhere.       Q And what yob was that?         19       Q And what yob was that?       Za And what yob mas the Sequoyah chemistry         23       Q And what yob are topsen topsen and the support.       A There was discussion of that.         24       A And if's that document is in here       Somewhere.       Q So you understood         35       A Il right, sir. If you'll look, I believe       Further was proposing to be surplus.       Further was proposing to climinate the chemistry manager position at Sequoyah themisere top.         36					
11       designed to let you a placement organization; is that right?       11       Q       Don Adams and Rob Richie, they were         13       A       Yes.       12       technical support types of persons?         13       A       Yes.       13       A       Yes.         14       Q       Ond Adams and Rob Richie, they were         15       A       Tog agreat extent. They would help you       14       Q       And their jobs were technical support?         15       A       Tog agreat extent. They would halp you were in that       20       A       Don Adams and Rob Richie, they were         16       upport. Rob Richie's job would have been more a lab       manager.         16       organization well, first of all, let's go back to the.       16       support. Rob Richie's job would have been more a lab         17       Q       And their jobs was the?       20       Okay. And so the discussion was, okay.         20       a They said my job had been determined to be       as tor what the?       20       And whay gobs due discussion?         21       A       Thet was tascussion of that.       22       23       A Ther was discussion of that.         22       A       And wit's that document is in here       23       Sortheredex       24       A That's correct. <td></td> <td>to come up with a way to provide for our</td> <td>families.</td> <td></td> <td></td>		to come up with a way to provide for our	families.		
12       right?       12       rechnical support types of persons?         13       A Yes.       13       A They would have reported to me.         14       Q Okay.       14       Q And their jobs were technical support?         15       A To a great extent. They would help you       15       A Don Adams? job would have been technical         16       organization well, first of all, let's go back to the       16       support. Rob Richie's job would have been more a lab         16       organization well, first of all, let's go back to the       16       Support. Rob Richie's job would have been more a lab         17       Q And wha job was that?       18       Q Okay. And so the discussion was, okay,         18       suppus or something like that.       12       20       Popole directly report to Charles Kent?         23       Q And wha job was that?       23       A That was the Sequoyah chemistry       23       A Inderstood it was Charles Kent trying to         24       sorewhere.       9       All right.       11       functions. That's what I understood. But I had no         25       somewhere.       2       Q Okay. So initially you understood +-       2       2         4       Q All right.       14       14       functions. That's what I understood that.       -		Q It was basically an organization t	hat was	10	
13       A Yes.       13       A The'y would have 'reported to me.         14       Q Okay.       And the'reported to me.         15       A To a great extent. They would help you       14       Q And the'reported to me.         16       with resumes, et cetera.       14       Q And the'reported to me.         16       with resumes, et cetera.       15       A Do Adams' job would have been technical support?         17       manager.       With resumes, et cetera.       16         18       organization well, first of all, let's go back to the surplus or something like that.       17       Ramager.         20       And they were you told that you were being surplus or something like that.       20       And who was having those discussions?         21       A That was the Sequoyah chemistry manager position as I recall.       22       Q And who was having those discussions?         23       A Il right.       Page 111       1       functions. That's what I understood. But I had no         2       A That's correct.       Q       Q Okay. So initially you understood that         3       Fere was proposing to eliminate the chemistry manager position of manager.       1         3       A That's correct.       Q       Q Okay. So initially you understood that         4       A Uh-huh.       Q Okay.			ation; is that		
14       Q       Okay.       14       Q       And their jobs were technical suppor?         15       A       Do addms" job would have been technical         16       with resumes, et cetera.       15       A       Don Adams" job would have been more a lab         17       Q       All right. While you were in that       16       support. Rob Richie's job would have been more a lab         17       Q       All right. First of all, let's go back to the       16       support. Rob Richie's job would have been more a lab         18       organization well, first of all, let's go back to the       16       support. Rob Richie's job would have been more a lab         19       surplus or something like that.       Q       And wha to b was that?       20       Peopie directly report to Charles Kent?         23       Q       And what job was that?       23       A       Inderstood it was Charles Kent rying to         24       souperintendent position as I recall.       Page 111         2       Page 1114       functions. That's what I understood. But I had no       2         4       Q       All right. Sir. If you'll look, I believe       3       A         5       result of reorganization, your position of manager.       9       A I don't think I had any direct discussions         6					
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7QAll right. That's your notice of transfer7position and have those Adams and Richie report8to the employee transition program. And it says as a7position and have those Adams and Richie report9result of reorganization, your position of manager,7position and have those Adams and Richie report10chemistry, PG-9, Sequoyah Nuclear Plant, has been10do say he was considering that.11QAll right. Did you have any understanding11Q12AUh-huh.11Q13QAll right. Did you have any understanding13as to what reorganization this refers to?14as to what reorganization this refers to?14A15ANot really. Now, I remember being totally15Q16shocked when I got it. I had no idea that the chemistry16A18going away. Totally.17MR. DAMBLY: Is your question was there a19QYou hadn't heard this was coming up?19THE WITNESS: Bill Jocher was in that20ANo.20Didn't Jocher leave about April 7th of '93?21AI think I do have some recollection that22Q23what the reorganization was that they were talking about?23A24AI think I do have some recollection that2425LSo from April of '93 until for several					
<ul> <li>to the employee transition program. And it says as a</li> <li>result of reorganization, your position of manager,</li> <li>chemistry, PG-9, Sequoyah Nuclear Plant, has been</li> <li>determined to be surplus.</li> <li>A Uh-huh.</li> <li>Q All right. Did you have any understanding</li> <li>as to what reorganization this refers to?</li> <li>A Not really. Now, I remember being totally</li> <li>shocked when I got it. I had no idea that the chemistry</li> <li>superintendent position at Sequoyah Nuclear Plant was</li> <li>going away. Totally.</li> <li>Q You hadn't heard this was coming up?</li> <li>A No.</li> <li>Q All right. Once you received this notice,</li> <li>di you have an understanding at some point in time as to</li> <li>what the reorganization was that they were talking about?</li> <li>A I think I do have some recollection that</li> <li>the changes were made to where this position was going to</li> </ul> <ul> <li>8 directly to him?</li> <li>A I don't say that he was proposing that. I</li> <li>G Okay. And at least for a period of time</li> <li>the changes were made to where this position was going to</li> </ul>			ransfer		
<ul> <li>9 result of reorganization, your position of manager, chemistry, PG-9, Sequoyah Nuclear Plant, has been determined to be surplus.</li> <li>10 determined to be surplus.</li> <li>11 determined to be surplus.</li> <li>12 A Uh-huh.</li> <li>13 Q All right. Did you have any understanding</li> <li>14 as to what reorganization this refers to?</li> <li>15 A Not really. Now, I remember being totally</li> <li>16 shocked when I got it. I had no idea that the chemistry</li> <li>17 superintendent position at Sequoyah Nuclear Plant was</li> <li>18 going away. Totally.</li> <li>19 Q You hadn't heard this was coming up?</li> <li>10 do say he was considering that.</li> <li>11 do say hat he was proposing that.</li> <li>11 do say he was considering that.</li> <li>12 do say he was considering that.</li> <li>13 do Say he was considering that.</li> <li>14 a Chemistry manager position at Sequoyah;</li> <li>15 a Not really. Now, I remember being totally</li> <li>16 shocked when I got it. I had no idea that the chemistry</li> <li>17 superintendent position at Sequoyah Nuclear Plant was</li> <li>18 going away. Totally.</li> <li>19 Q You hadn't heard this was coming up?</li> <li>19 A No.</li> <li>10 O Kay. And at least for a period of time</li> <li>11 thight. Once you received this notice,</li> <li>12 did you have an understanding at some point in time as to</li> <li>13 what the reorganization was that they were talking about?</li> <li>14 A I think I do have some recollection that</li> <li>15 the changes were made to where this position was going to</li> <li>16 A the same time I did. We swapped</li> <li>17 positions.</li> <li>18 O S from April of '93 until for several</li> </ul>					
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25 the changes were made to where this position was going to 25 Q So from April of '93 until for several					
					Page 109 - Page 114

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De	po of Gary Fiser	Conde	nse	It <sup>TM</sup> In Re: TVA
Γ,	P P	age 115		Page 118
1 2	months A Yes.		12	A I would have to refer to my notes. I just
3	Q there wasn't a chemistry manager		3	
4	position?		4	Q What notes?
5	A I don't recall exactly when Jocher came		5	A don't recall. Any notes that might be
6 7	Q Okay.		6 7	in my Franklin Planner or perhaps even here. Let's see. That would have been around July of '93, because I seem to
8	MS. EUCHNER: Counsel, why don't we take a	a	8	recall it was close to the July 4th holiday when he paged
9	break for a few minutes?	-	9	me. Yeah, July the 6th, 1993, page seventy four. Oh, you
10	MR. MARQUAND: Okay.		10	were already there. You could have told me.
11	(A break was taken.)		11	Q So you wouldn't disagree that you suggested
12 13	BY MR. MARQUAND: Q You went to ETP in April of '93, and you		12 13	to Charles that it might be wise for him to check and make sure no one had any objections to you having that
14	began looking for another position; correct?		14	position?
15	A Uh-huh.		15	A Let me check my notes. I don't see that in
16 17	Q At some point, did you consider a position		16	here, do you?
18	taking a position at Sequoyah? A That's correct.		17 18	Q I'm not suggesting it is in there. I'm just asking you if that's what happened.
19	Q What position was that?		19	A I think it was more along this vein.
20	A The chemistry superintendent position.		20	Charles just wanted to keep everything hush-hush, talk to
21	Q Working for who?		21	a couple of people, make it happen, have it over and done
22 23	A Charles Kent. O That would have been a different position		22	with, I'm sitting out there in the chair before certain
23	Q That would have been a different position than the position you held before; right?		23 24	Q And who were those certain people? Did he
25	A What do you mean, different?		25	ever tell you?
	P	age 116		Page 119
1	Q Well, it was a different reporting chain.	-	1	A He did not tell me.
2	A That's correct.		2	Q And what happened to his plan to put you in
3 4	Q Did you have an understanding it was going to be an identical job description?		3 4	A Let's see. I think I have notes of this on
5	MR. DAMBLY: Identical to what?		5	July the 9th where he says it was not going to work out.
6	BY MR. MARQUAND:		6	He would not go over the details with me over the phone.
7	Q To the job you'd had.		7	I told him that I would prefer to do it face to face. He
8 9	A To tell you the truth, that was so many years ago, I don't remember discussing it. But I don'	't	8 9	then asked me to come out to Sequoyah and meet around 2:30 in the afternoon. Let's see. Do you want me to just read
10	deny that that was the case.		10	this to you?
11	Q It's possible it was a different job		11	Q No, I want you to tell me what you say
12	description, isn't it?		12	you went back out. You talked to Ken. He told you that
13 14	A I reported to a different manager. Sure. Q And it was at a different grade level,	,	13 14	basically he had gotten some feedback that people didn't want you back out at the plant; is that right?
15	wasn't it?		15	A Right. He said it was like he had kicked a
16	A It was.		16	hornets' nest as I recall. And he felt like, you know,
17	Q Did you have discussions with Charles Kent		17	there were people that had it in for me and if he brought
18 19	about that job? A That's correct.	1	18 19	me back out there and placed in me that position that they would pick me to death, like picking up a baby bird that
20	Q Did you ever assume that position?	I	20	had fallen out of a nest and putting it back in the nest
21	A No, I did not.	I	21	and the mama bird comes back and just picks it to death.
22	Q Why not?	1	22	And so he felt like that wouldn't be the right thing to
23 24	A I talked to Charles about the job. I talked to the new plant manager that replaced Beecker		23 24	do. Now, that's paraphrasing. You can read the whole thing.
25	Finnig.		24	Q Now, is that based on a tape-recording you
		age 117		Page 120
1	Q Finnig or Ken Powers?	·	1	made of him?
2	A Ken Powers. I'm sorry. And things went		2	A Yes, it is. Q He doesn't identify who, but he just says
3	pretty well. And, basically, I was told to be out at the plant the following Thursday with my tie on ready to		3 4	Q He doesn't identify who, but he just says that if you went out there people are going to be picking
5	work.	<i>o</i> ~ ~~	5	at you?
6	Q Did you?	ļ	6	A He did identify, as I recall, that he
7	A No.		7	talked to Wilson, I think. I'm not sure.
8 9	Q Why not? A In the process of assuming that job,		8 9	Q All right. So you didn't get put in that position?
10	Charles Kent talked to what he stated would be the right	ght	10	A That's correct.
11	people to make sure the transition was going to go we	ll or	11	Q What happened then?
12	smoothly. One of those right people was Wilson Mc.	Arthur.	12	A I went back to ETP.
13 14	Q Do you know why he talked to Wilson? A He did not tell me.		13 14	Q All right. Now, if you would, look at exhibit number three. It predates the situation with
14	Q Did you ever suggest to him that he should	1	15	Kent. That's the memorandum from Eytchison to Dwight Nunn
16	do so?		16	••
17	A I expressed to him that I had some concerns		17	A Uh-huh.
18	about the fact that it appeared I had a target on my ba	ICK	18 19	Q saying that Joe Bynum wanted a standardization for the Rad-Con chemistry and
19 20	that I did not understand, and I did not want him to d something that would get him into trouble. So I would	ldn't	20	environmental programs for Sequoyah and Browns Ferry. Do
20	deny that I did that. I don't specifically explicitly		21	you see that?
22	recall it, but that would if I did, it should be a part		22	A Uh-huh.
23	of the record.	I	23	Q And that also Watts Bar had been requested
24	Q If Charles Kent testified that you suggested to him that he should make sure that people		24 25	to have a similar program prior to fuel load. A Uh-huh.
25	suggested to him that he should make sure that people	<u> </u>		Page 115 Page 120

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# Truesdel & Rusk Reporting

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Det	po of Gary Fiser	Conder	nse	
1	Q And if you look, you'll see attached to	Page 121	1	Page
2	that Joe Bynum's April 27th, '93, memorandum, in f	fact	1	Q Never?
3	requesting a similar emerication be set up at each of	taci,	2	A No, not more.
	requesting a similar organization be set up at each of	the	3	Q Of a different nature?
4	three plants. Do you see that?		4	A No.
5	A Uh-huh.		5	Q Anything else? Did anybody make any
6	Q And then attached to his memorandum is a		6	requests regarding data analysis and trending?
7	conceptual organizational chart?		7	A Just that we do it.
8	A That's correct.		8	Q And did you do it?
9	Q And that was the the Rad-Chem for		9	A Yes, I did.
0		monora	-	
	example, as this applied to Sequoyah, the Rad-Chem		10	Q You did what was requested?
1	would have been Charles Kent?	1	11	A Yes, sir.
2	A That is correct.		12	Q Did there ever come a time that the NSRB
3	Q The job that you were talking with him		13	made a request with respect to data analysis and trending
4	about later on was the chemistry manager position on	i the 🛛	14	A Yes, they did.
5	left-hand side of that page?		15	Q And what did they request?
6	A That is correct.		16	A While I was gone to outage management, they
7	Q Okay. Look at exhibit number four. Have		17	mining i was gone to outage management, mey
				placed a couple of guys in charge while I was in outage.
8	you ever seen that before?		18	Rob Richie was one and also Scott Watson. While I was
9	A Yes, I have.		19	away, they had some computer problems. They went down
0	Q And when have you seen it? It came out of	12	20	They were not able to generate these trends for a period
1	your notebook.		21	of time. That was a problem in the eyes of NSRB.
2	A Yes.		22	Q Was that problem ever communicated to you?
3	Q So when did you get a copy of it?		23	
	A I don't know. I don't recoll			
4	A I don't know. I don't recall.		24	Q When?
5	Q All right. But this is a review of the		25	A In an NSRB meeting.
		Page 122		Page
1	chemistry problems at Sequoyah Nuclear Plant; corre	xt?	1	Q When?
2	A Yes.		2	A I don't know the date. It would have been
3	Q And, in fact, it focussed on determining		3	approximately
4	why long-standing chemistry problems at Sequoyah h	had not	4	Q Prior to April prior to March '92?
5	been corrected?	laci not		A Van Van it would have heen Because it
-			5	A Yes. Yes, it would have been. Because it
6	A That's correct.		6	was prior to me swapping out with Bill Jocher
7	Q If you'll look at the executive summary,	1	7	Q All right.
8	which is page two of the exhibit		8	A and just after I got back from outage
9	A Page two?		9	management. I think I got back in December of '91.
0	Q Of the exhibit.		10	
				Q Was this the okay. So you say it was
1	A Okay.		11	while you were still in outage management
2	Q the first bullet talks about	1	12	A Yes, it was.
3	instrumentation availability problems.	1	13	Q or after you got back from outage
4	A Uh-huh.	1	14	management?
5	Q That's what we talked about earlier	1	15	A It was while I was in outage management
6	A Yes, it is.		16	that this problem occurred.
7				
	Q about instruments being out of service?		17	Q Was this communicated to you by the entire
8	A That is correct.	, j	18	NSRB or by the chemistry subcommittee?
9	Q And it talks about a chemistry upgrade	1	19	A It was communicated to me by Wilson
0	program; right?	2	20	McArthur, Tom Peterson, and Tom McGrath.
1	A That is correct.	2	21	MR. DAMBLY: Just so it's clear, did you
2	Q Is that a program that was in place while		22	ask him because he just answered the problem
3	you were there?		23	arose while he was at outage management. Did you
4	A Yes. And before. It's changed names		24	ask him about the NSRB meeting or when the probler
5	several times, but		25	was?
		Page 123		Page
1	Q All right. And it indicates that the		1	MR. MARQUAND: 1 asked him when it was
2	chemistry upgrade program was over-scoped. I guess	; that	2	communicated.
3	means that it was a little too ambitious and, as a resu	lt,	3	MR. DAMBLY: So were you back in your job
4	it kept getting deferred because of the expense.	·	4	when you had the NSRB meeting or were you in
5	A That's what it infers.	ļ	5	outage?
		ļ		
5	Q All right. Was that a problem when you		6	THE WITNESS: I was in my job when I had the
7	were there?	1	7	NSRB meeting where this was communicated to me.
8	A What?		8	BY MR. MARQUAND:
9	Q The fact that there was a deferral from		9	Q All right. So that was sometime after
0	year to year of funding the chemistry upgrade program	m? li	10	January of '91 and before March of '92. When did you come
1	A Yes, sir.		11	back from outage management?
		1		
2	Q Look at the second bullet. It indicates		12	A I came back from outage management in,
3	that there had been a problem with data analysis and	1	13	like, December of '91, I think.
4	trending.		14	Q Okay. So between December '91 and
5	A Right.		15	March/April of
6	Q Was that a problem while you were chemistr		16	A We had the NSRB meeting. That's correct.
			17	Q Between March of '92. All right.
	manager at Sequoyah?			
8	A No.	1	18	A Yeah. That should be a matter of record.
9	Q In your estimation, there was sufficient		19	Q It should be, like, January 25th of '92;
	data analysis and trending taking place while you we	reat 2	20	right?
)	Sequoyah?		21	A It would be in that time frame, yes. I
		14		just can't remember the exact date.
l		(n		
1 2	A That is correct.	2		
1 2 3	A That is correct. Q Did anyone ever request that you provide	2	23	Q All right. And so you say it was three
0 1 2 3 4	A That is correct.	2		

	po of Gary Fiser	Conde	_	lt	In Re: TV
		Page 127			Page 1
1	A That's right.		1	we couldn't generate them on Monday bec	
2	Q Was anybody else in the room?		2	Saturday, all of Sunday, and then we had I	Monday's data
3	A Yes.		3	coming in. So it was really Tuesday befor	e I could get
4	Q Who?		4	them out. That's what people were accusto	med to.
5	A A lot of my staff.		5	Q So you were generating from Tues	day through
6	Q A lot of people from chemistry?		6	Friday?	and an output
7	A Yes.		7		
8				A That's right.	
	Q Anybody else?		8	Q Four days a week?	
9	A Yes.		9	A That's right.	
.0	Q Who?		10	Q What did people use the data anal	ysis and
1	A Bill Jocher.		11	trending for?	•
2	Q Who else?		12	A Evaluate chemistry radiochemis	strv
3	A That's all I recall.		13	parameters.	J
4	Q So it sounds like it was a meeting		14	Q Did it make a difference in how y	ou operate
5	nrimarily of neonle on behalf of chamistry with the			the plant?	ou operate
	primarily of people on behalf of chemistry with the	NSKB;	15	the plant?	
6	is that right?		16	A Sometimes.	
7	A Yes.		17	Q All right. So you told NSRB you o	couldn't
8	Q So was this a subcommittee of the NSRB,		18	and wouldn't generate the data analysis and	
9	like the chemistry subcommittee?		19	requested they suggested to you?	
20	A Most likely, yes.		20	A Every day I could not.	
21	Q And you're certain all three of those		21	Q How did they react to that?	
22	gentlemen were there		22	A Oh, they were very upset.	
3	A Absolutely.		23	Q Who was upset?	
4	Q McGrath, Wilson and Tom Peterson?		24	A Peterson and McGrath.	
5	A Without question.		25	Q What did they do?	
· · · ·		Dago 100	_		Page 1
1		Page 128		A Got up and stormed out and said	
				A Got up and stormed out and said	1010 3 110
2	A A contractor that they hired to come in and		2	reason for this meeting to continue.	
3	assess chemistry.		3	Q Did you do anything else?	
4	Q And what did they communicate to you?		4	A I finished the day working.	
5	A They were very upset about the fact that		5	Q You didn't say anything in response	ise to
6	the chemistry trends there was a period of time wh	ule I	6	them? Did you have any further response	to them?
7	was gone and maybe even right after I came back the	at the	7	A Just the fact that I was very mu	ch a
8	chemistry trends were not being generated and distri	hnted	8	stickler about following the procedures. I	could not live
		Juni		with nutting compating in a magadung that	I bnow I mould
9	to the site and various corporate offices.		9	with putting something in a procedure that	I KNEW I WOULD
0	Q And you say they were upset about it.		10	violate the first week because we don't hav	
1	A Uh-huh.		111	prerequisite staff there on Saturday and Su	
2	Q Did they have any recommendations?		12	holidays to do this job. So I was setting m	
3	A Yes.		13	failure. Keep in mind, there were also cert	ain trends
4	Q And what were the recommendations?		14	that we generated every day, primary and s	
			1		
5	A Their recommendation was that I place in		15	coolant, that did go out Monday through Fi	
6	procedures where these trends are required to be gene	raieu	16	Q What about the weekends and hold	
7	every day.		17	A No. That would have been the	piani
8	Q How did you respond to that?		18	manager was not there. I mean	
9	A I responded I could not put that in		19	Q So this was a meeting around Janu	uary of
0	procedures.		20	'92. You continued to be employed by TV.	A through 1996
1	Q Did you tell them why?		21	A Uh-huh.	
2			22	Q And at some point in time, Sequo	vah got a
	A Yes.		22	and at some point in time, sequo	Jui Bor a
3	Q Why?		23	new chemistry manager, Gordon Rich.	
4	A Because I could not do I could not meet		24	A Uh-huh.	1
5	that requirement.		25	Q Did they provide data analysis and	
_		Page 129		·	Page 1
1	Q Why?	-	1	on a daily basis under Gordon Rich?	-
2	A Because it would have required work seven		2	A Seven days a week?	
3	days a week, holidays, et cetera.		3	Q Yes.	
4			4	A I do not recall. I was not assigned	l to
5	operate?		5	that plant.	
6	A Seven.		6	Q You don't know?	
7	Q Does it operate on the holidays?		7	A I do not know.	
8	A It sure does.		8	Q Would it suprise you to know that	t they did?
9	Q And so you were saying, well, we can do it		9	A That they generated fifty-some-od	
0	on the weekdays, but we can't do it on the weekends and		10	seven days a week?	
	balidans?		11	Q Would it suprise you to know the	v generated
1	holidays?			Q Would it suprise you to know the	, ponoratou
2	A Uh-huh. That's correct.		12		
3	Q Why did they think that it was important to		13	A That was not the request.	
4	provide that data analysis and trending?		14	Q data analysis and trending?	
5	A I think they had become very accustomed to		15	A That was not the request. The req	uest was
6	it because we had always done it at Sequoyah. And when	it	16	that we generate and trend fifty-plus trends	seven days a
7	was there was a period of time when it was not being		17	week, including holidays. Did they do that	seven davs a
	done meanly missed them name from compares receils		18	week?	
8	done, people missed them, people from corporate, people of	/11			-
9	the site. I particularly was very upset about the fact		19	Q How many days a week did you -	
0	they were not being generated.		20	A Answer my question. Did they do	
1	Q Why were you upset about it?		21	Q I'm asking the questions. Did you	
2	A Because I felt like that was pretty much		22	data analysis and trending on fifty paramet	
	the really the flagship of the chemistry department,		23	week?	
	un - itally un magalil of un chemistry ucparation,				
	Alexandra and a short and the second state of	,	124		
3 4 5	those color trends that we would generate every day. Now when I say every day, even on Monday when we would ge	/, 	24 25	A Yes. Did they? Q So your answer is you don't know	, what

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Der	po of Gary Fiser	Conde	nsel	
		age 133		Page 1
1	Gordon Rich's organization did generate?		1	bit.
2	A I would be very surprised if Gordon Rich's		2	Q Okay. You understood he was criticizing
3	organization generated over fifty color trends a day,	71	3	the RLA job knowledge?
4	seven days a week, Christmas, Christmas Eve, New Y	rear's	4	A That's right.
5	Day.		5	Q You understood he was criticising procedure
6	Q Do you know?		6	deficiencies?
7	A No, I do not.	1	7	A That's correct.
8	Q Okay.	1	8	Q And he was criticizing process instrument
9	MR. DAMBLY: May I ask a question here?		9	availability?
10	Because I'm not clear about one thing. When we	e're	10	A That's correct.
11	talking about seven days a week, did you plot		11	Q Now, at the top of page five, do you see
12	seven days a week but you only did it Tuesday		12	where he is referring to the fact he says after I
13	through Friday? Did you plot Saturday, Sunday	,	13	assume my new duties. He's talking about the fact that he
14	Monday? Or are we talking I mean, did you	.	14	was rotated into the Sequoyah chemistry manager position
15	understand the request that they had to be plotted	1	15	Do you see that?
16	Saturday and Sunday and Monday?		16	A Uh-huh.
17	THE WITNESS: I understood the request that		17	Q And he says he gathered more detailed
18	they had to be plotted Saturday, Sunday, Monda		18	information which he says he documented in the corrective
19	Christmas, New Year's, July the 4th.	-	19	action process. And do you see where he's referring to
20	MR. DAMBLY: But were you putting those	1	20	the fact that in his opinion Sequoyah technicians could
21	you said you got the data in Monday. Did you	1	21	not draw and analyze PASS samples, Post Accident System
22	generate trends that included those?		22	Samples, in under three hours as required by law?
3	THE WITNESS: Oh, yes. Those were in		23	A Right.
4	there.		24	Q That's what we were talking about earlier
5	MR. DAMBLY: You didn't skip three days?		25	······································
		age 134		Page 1
1	THE WITNESS: No, sir.	age 134	1	
2	MR. DAMBLY: That's what I didn't		1	A That's right.
3	understand.	1	2 3	Q the disagreements you had with Mr. Jocher as to when the clock started to run?
4	THE WITNESS: When they came out Tuesday,			
+ 5			4	A You keep saying a disagreement between
	they were completely up-to-date. And if we did	n	5	Jocher and I. Do you have any documented evidence of a
5	five times in one day, those five were in there.		6	disagreement between Jocher and I?
7	At the same time, I offered to allow	[	7	Q Isn't that reflected in the minutes of the
3	McGrath and Peterson to call INPO on my speake	T	8	NSRB that the two of you could not agree, and it occurred
9	phone in front of my staff and ask INPO who in t		9	and it continued to occur from meeting to meeting as the
0	country was generating fifty-plus color trends a		10	NSRB was reviewing the PASS system at Sequoyah?
1	day and generating them and delivering them to t		11	A I would have to what I recall is us
2	control room, corporate chemistry, whoever the		12	having questions, sorting this out, giving a test and
3	heck they were generated too just as we did, and		13	documenting it. I don't have knowledge of an explicit
4	they would not do that. Because nobody in the			disagreement between Jocher and I. I need to see that, I
5	country was.	·	15	guess. I remember there was a significant disagreement
6	BY MR. MARQUAND:		16	between Bill Jocher and Jack Wilson, the site VP. That's
7	Q Now, if you will look at exhibit nineteen,		17	what I recall.
8	do you understand that that's the complaint that Mr.		18	Q Let me ask you to look at I did not make
9	Jocher filed against TVA?		19	this an exhibit. I'm going to show you
D	A That is correct.	ŀ	20	MR. MARQUAND: Counsel, did we not copy the
	Q Earlier you said that Jocher had been a		21	1993 Mr. Fiser's '93 DOE complaint as an
2	very vocal critic of yours when you had been out at	1:	22	exhibit?
3	Sequoyah; is that right?		23	MS. EUCHNER: If it wasn't included in the
1	A Ýes, sir.		24	pile you gave me, then no.
5	Q If you'll turn to the I believe it's the		25	MR. MARQUAND: Okay. Well, then we'll just
		age 135		Page I
			1	have to include it.
	sixth page of this document the sixth page of exhibit nineteen, which is the fourth page of the attached lette		1 2	(Exhibit No. 24 was filed.)
	Do you see in the there's a part of the paragraph at		3	BY MR. MARQUAND:
		1		
	the top of the page. And then in the second full	Í	4	Q Let me show you what we've marked as exhibit twenty four It's a Sentember 27th 1993 letter
	paragraph it states do you see where it states in the			exhibit twenty four. It's a September 27th, 1993, letter
5	third sentence, Sequoyah SQN was subsequently ver			from Charles VanBeke to Carol Merchant. And attached
1	characterized as needing immediate attention for fixab			it is a September 23rd, '93, letter from you to Carol
3	problems. Follow-up evalutions conducted by me and	a uie	8	Merchant. Do you see that?
	staff began to reveal significant programmatic,	ł	9	A Uh-huh.
)	safety-related issues in the area of technician job		10	Q Is that the Department of Labor complaint
	knowledge, procedure deficiencies, and process instru-		11	you filed?
2	availability. Do you see that?		12	A It certainly does appear to be.
	A Uh-huh.	4	13	Q All right. I'd like to focus on the letter
	Q These findings were reported to the NSRB in			that you signed, the September 23rd, '93, letter.
	November 1991. Do you see that?		15	A Okay.
,	A That's correct.		16	Q In this letter in the first paragraph, you
	Q Did you understand that Mr. Jocher was			state that the reason TVA decided it's about two thirds
7	a second and a standard back and a second	<b>U</b>		of the way down do you see where it says TVA determine
	criticizing the Sequoyah chemistry department as havi		19	to surplus me because of the fact that I or people under
7 } )	significant programmatic, safety-related issues?			
7 } )	significant programmatic, safety-related issues?			my direction had found and/or documented and/or reporte
7 5 9			20 21	and/or corrected problems which affected plant safety at
, ; ;	A Oh, yes. Significant programmatic,		20 21	
7 3 ) 1 2	significant programmatic, safety-related issues? A Oh, yes. Significant programmatic, safety-related issues		20 21	Sequoyah? Do you see that? A Uh-huh.
7 3 9 1 1 1	significant programmatic, safety-related issues? A Oh, yes. Significant programmatic, safety-related issues Q In the area of technician job knowledge		20 21 22 23 24	and/or corrected problems which affected plant safety at Sequoyah? Do you see that?

Page 139         Page 139           i where it says that Rob Becken sid one of the reasons be dift 's wart you had a Sequeval was because of the failure of these technicins to be able to cause of the failure of these technicins to stable to be able to cause. I certainly would list it as a contributor.           A That's right.         A That's right.           A That's right.         Q. All right. But hat's cartainly would list it as a contributor.           A Were trying to get this in black and         M. Dawate to say yes or no.           M. Dawate to say were to a bob to point the set that the issue away to back was the filter change-out scenario.         Q. Do you list any other causes in this           M. That's right.         Q. We're trying to get this in black and           M. That's cright.         Q. We're trying to get this in black and           M. That's cright.         Q. We're trying to get this in black and           M. That's cright.         Q. We're trying to get this in black and           M. That's cright.         Q. We're trying to get this in black and           M. That's cright.         M. Backets he did to'reason's be did'r           M. That's cright.         M. Backets he did to'reason's be did'r           M. That's cright.         M. Backets he did to'reason's be did'r           M. That's cright.         M. Backets he did to'reason's be did'r           M. That's cright.         M. Backets he did'reason's be did'reason's be did'reason's be did'reas	Dep	oo of Gary Fiser	Conder	nse	It $^{\text{TM}}$ In Re: TVA
2         chilling of these technicinants of advancements for the radionalized filture is a control the state of the failure of these technicinants to be able to conduct a System System there hours?           2         chilling of these technicinants of advancement of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of these technicinants of the state of the failure of the state of the f			Page 139		Page 142
9       reduntion of filture calculations not accounting for the vacuum main in the struct is vacuum main the struct is vacuum main the struct is vacuum main is		where it says that Rob Beecken said one of the re-	asons he		
4         Vacuum?         A         Lid not set where it stated it was not           7         First its that M. Breecken was not pleased with the         Case		didn't want you back at Sequoyah was because of	i the		
3       A That's right.         9       A That's right.         10       A That's right.         11       A That's right.         12<			or the		
9       Q       All right. But that's certainly the gist         9       In the next managemph, Mr. Becken states					
7		A Inat's right.			
a         A         That is a contributor, not this in black and Q         a         That is a contributor, not this in black and Q         a         Control (Control (C		Q In the next paragraph, Mr. Beecken state	S the		
9       A Ub-huh       9       rot cause:       9       Do you list any other causes in this         11       9       No. But your question leads one       10         12       9       No. But your question leads one       10         13       9       No. But your question leads one       10         14       White. We need a yes or a no. Do you see that?       10       10       10         15       0       The next - the last paragraph on page two       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10 <td< td=""><td></td><td></td><td>uie</td><td></td><td></td></td<>			uie		
M. DAMBLY: You have to say yes or no.       Q         BY MK MARQUAND:       Q         BY MK MARQUAND:       Q         BY MK MARQUAND:       Q         A That is correct.       No. Do you see that?         BY MK MARQUAND:       Q         Q       That is correct.         BY MK MARQUAND:       Q         Q       That is correct.         BY MK MARQUAND:       Q         Q       Now, we've already talked about in today's         C       Q         Q       Now, we've already talked about in today's         C       Q         Q       Now, we've already talked about in today's         C       Q         Q       A That is correct.         Q       Q       Now, or the chind page of your September         P       P         Q       A That is correct.         Q       Q       A that be tass told you in that same         Q       A that be tass told you in that same         Q       A that is correct.       A tase tast.         Q       Q       A tase tast.         Q       Q       Now, or the chind page of your September         P       P       M tase tast.					
III         Ub-huh doesn't				-	
12         BY MR: MARQUAND:					
33         Q.         We're trying to get this in black and white. We need a yes or no. Do you set that? A That is correct.         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10 </td <td></td> <td></td> <td></td> <td></td> <td></td>					
14         white We need a yes or a no. Do you see that?         It is a correct.         Weell, I don't mean to suggest that. But it was a direct cause of their failure to be able to perform           15         A. That is correct.         A. Un-but.           2         Q. Now, we've already talked about in today's deposition in your conversation with M. Rockers he did but.         A. That is correct.         A. Un-but.           2         Q. Now, we've already talked about in today's deposition that he was upset and he biamed you for the that and there was not.         A. Un-but.           2         Q. Now, we've already talked about in today's deposition that he was upset and he biamed you for the threat moment problems as well.         Deposition that he was upset and he biamed you for the filter contex conversation.           2         Q. And that he also tod you in that same conversation that he was that langing you for the filter of the underlying conditions you conversation.         Page 140           2         Q. Now, on the thurd page of your September on toy was not happe with the also tod you in that same.         Q. You ididn't say that in you reiter.           3         A. The secthat.         Q. All right. You disagree dwith whether or notyou were responsible for oithes as upper of the sation in that you is a sampling analysis and the three-hour requirement. Do you?           3         A. Yes, sit.         A. In the first paragraph. 'In asyng in the letter stuli day ou sampling analysis and the three-hour requirement. Do you?           4         A. In you in					
15       A That is correct.       Q Well, I don't mean to suggest that. But it it was retaining the fuer failure to be able to perform the PASS sample within three hours?         17       States that Beecken also said one of the reasons he didn't was not paped within three hours?         18       A Wall, I don't mean to suggest that. But it it was retaining a contributor.         19       A Wall, As the charge-out scheme of the reasons he didn't was not paped and the readmonitor effluent calculations not accounting for         20       Q Now, we've already talked about in today's the readmonitor effluent calculations not accounting for         21       A That is correct.         2       Q And that he also told you in that same         2       Q Now, on the third page of your September         2       A That is correct.         2       Q Now, on the third page of your September         2       A That is correct.         3       A That is correct.         4       That is correct.         5       A That is correct.         6       Q Now, on the third page of your September         7       Artai is correct.         9       A That is correct. </td <td></td> <td></td> <td></td> <td></td> <td></td>					
16         Q         The next - the last paragraph on page two istats that Beckern also as do not dift reasons he didn't istant you back was the filter change-out scenario.         was a direct cause of their failur 'so be able to perform the two santilipated and the cours?           20         Q. Now, we've already talked about in today's cause of their failur was anticipated and the cours?         A. It was carticipated and the cours?           21         Q. Now, we've already talked about in today's cause of their failur was anticipated and the cours?         M. DAMBLY: You've got to say yes or no. THE WITNESS: But I cannot say that there were not caupment problem save say ell. So I can't tas were not caupment problem save savell. So I can't tas were not caupment problem save savell. So I can't tas were not caupment problem save savell. So I can't tas were not caupment problem save savell. So I can't tas were not caupment problem save savell. So I can't tas were not caupment problem save savell. So I can't tas were not caupment problem save savell. So I can't tas were not caupment problem save savell. So I can't tas were not caupment can't tas were not caupment can't tas were not caupment can't tas were not caupment. So I can't tas were not caupment can't tas were not caupment. So I can't tas was anticipated about the decision to surplus tas were not caupment. So I can't tas were not caupment. So I can't tas were not caupment. So I can't tas tas were not caupment can't tas were not caupment. So I can't tas' tas' can't so concret.           3         A. That is correct.         A. I not first paragraph on page three, it refers to post-accident.           3         A. That is correct.         A. I nay is correct.           4         A. I not tas tas meth		A That is correct		-	
17       states that Beecken also said one of the reasons he fidde't want you back was the filter change-out scenario, is that if was cataly a contributor.       Press sample within thre hours?         18       A Daw were ready talked about in today's control to any were not coupersation with Mr. Beecken he did tell you, in fact, that he was upset and he blanded you for the were some coupersation with Mr. Beecken he did control tell tell you, in fact, that he was upset and he blanded you for the were some coupersation with the Beecken he did coupers and the coupersation with Mr. Beecken he did coupers and the source of the readmonitor effluent calculations not accounting for the admonstor of them tells as upset and he blanded you for the were some coupersation with the size of your coupers and the present here is the size of your coupers and the coupersation with the size of your coupersation with the size of your sequences and the coupersation with the size of your sequences as well.         1       A That is correct.       Page 10         2       Conversation that he was to large of your September 23 chain the same coupersation with the size you in your letter.       So I can't say that that is unequivocally the only cause. J was charge of your september 23 chain the you in your letter.         3       A That is correct.       Q I fight. You disagreed with whether or this is correct.       I fight. You don't disagree that hey you and you to FTP. Look at the last full you in your letter.         3       A That's right.       Page 14       Page 14         4       A That's correct.       A II right. You don't disagree with whether or the last sourty toward you?         4	16				
awart you back was the filter change-out scenario; is that correct?         A         A         It was certainly a contributor.           awart you back was the filter change-out scenario; is that correct?         A         It was certainly a contributor.           adeg (now, more conversation with hub blamed you for the radmonitor effluent calculations not accounting for wacuum; right?         A         It was certainly a contributor.           adeg (now, more conversation with hub blamed you for wacuum; right?         Page 140         The is correct.         Page 140           1         A         That is correct.         Page 140         So I can't say that that is unequivocally the only cause. I just cannot remember           2         Q         And that he also told you in that same         So I can't say that tim ty cutter.           3         A         The was correct.         By ML Mock at the first page of our for the right?           2         2.2nd, D83, won the tid page of your September seponsible for either of the underlying conditions         By ML Mock at the first page of Our for the right?         A           3         A Is see that.         G         Q         You did to think that the underlying conditions           4         A is contrat.         G         G         Go was the say that in your letter indicate that Dr. McArithur was for the right?           2         A in fight. Twou disagreed with thether on you should have been he					the PASS sample within three hours?
99         correct?         90         C You said it was anticipated and           21         Q. Now, we've already talked about in today's deposition in your conversation with Mr. Beecken he did the second in your conversation with Mr. Beecken he did the second in your conversation with Mr. Beecken he did the second in your conversation with Mr. Beecken he did the adaption of the second in your conversation with the second the provide second in your conversation with the decision to as your conversation with the decision to as your conversation.         Page 140           2         Q. And that he also told you in that same conversation with the decision to as your sectore.         Page 140           2         Q. Now, on the third page of your September 233d, leter, in the first 11 paragraph, do you re responsible for either of the underlying conditions?         So I can't say that in my letter.           3         Q. Now, on the third page of your September 233d, leter, in the decision to surplus you and seque you to ETP.         So I can't say that in my letter.           4         Q. All right. You don't disagreed with whether or not you were responsible for those actions?         A. That is correct.         G. If right You don't disagreed with whether or not you were responsible for those actions?           7         A. Lagree that hose were problems?         You is disagree on the decision to surplus you and send you to ETP. Look at the last full paragraph.           9         A. Lagree that those were problems?         A. Oh, wait a minute. There's something letter is the decision to surplus you and send you to ETP. Look at the last full paragra					
20       A Right.       predictable; right?         21       Q. Now, we're already talked about in today's clubble problems as upper and how have upper and how how the assolating for the underlying conditions.       20       Predictable; right?         21       A. The is correct.       Page 140         22       So I can't say that that is unequivocally the only conversation that he also told you in that same conversation that he also told you in that same conversation that he also told you in that same conversation that he also told you in that same conversation that he also told you in that same conversation that he also told you in that same conversation that he also told you in that same conversation that he also told you in that same conversation that he also told you in that same is sormer.       So I can't say that this unequivocally the only conversation that he also told you in that same is conversation.       So I can't say that the is unequivocally the only conversation that he also told you in that same is correct.       So I can't say that is unequivocally the only conversation.       Page 140         3       A. The is correct.       Q. If you'l look at the last full paragraph. You don't disagree that those is that charged with whether or not you is should have been the person held responsible for tows cattoms?       A. In the first full paragraph last is a right?         4       A. In the last full paragraph - last is paragraph, it indicates that you and Mr. Jocher conducted excrease to last full you if this was only part is paragraph on page onc, the last paragraph.       Page 14 <td>19</td> <td></td> <td></td> <td></td> <td></td>	19				
21         Q. Now, we've already talked about in today's deposition in your conversation with Mr. Beecken heid the admonstrot effluenci actualitions not accounting for the radmonstrot effluenci actualitions not accounting for conversation that he was blaiming you for the filter conversation that he was blaiming you for the filter conversation.         Page 14 call did to tall was not directly provid here was the was blaiming you for the call call the was blaiming you for the call call the underlying conditions?         A Uli right. You don't disagreed with whether or not you were responsible for those actions?         B J I information of page of your call right?           3         A Lagree that those were problems?         C J I right. You don't disagree with whether or should have been held accountable?         B J I right. You don't disagree with whether or should have been held accountable?         B J I right. You don't disagree with whether or should have been held ac		m			nredictable: right?
22       deposition in your conversation with Mr. Beckeri he did tell you, in fact, that he was upset and he biamed you yacuum; right?       22       MR. DAMBLY. You're got to say yes or no. THE WTNESS: But I cannot say that there were not equipment problem is uses as well.         24       A That is correct.       Page 140         2       Q And that he also told you in that same conversation that he was blarning you for the filter damage out scenario.       So I can't say that that is unequivocally the only cause. I just cannot remember.         2       You didn't say that that he also told you see where i says, thus, yeen though I was not directly responsible for either of the underlying conditions leading to those situations, I was charged with whether or not you were responsible for thus actions?       So I can't say that that is unequivocally the only cause. I just cannot remember.         3       Q All right. You disagreed with whether or not you were responsible for thus actions?       A I hat is fournet.         3       A That is fournet.       Yes, that is as I recall.       Yes, that is as I recall.         4       Q Right. But you didn't think that you should have been held accountable?       Yes, that is as inceall.       Yes, that is as inceall.         5       Q A That is full. paragraph on page there: the responsible for either of the underly ing compared to has should have been the person held responsible for the staff and there were at also quipment problems.       Yes, that is as inceall.       Yes, that is as inceall.         6       A That is correct.       Q <td></td> <td></td> <td></td> <td></td> <td>A Uh-huh</td>					A Uh-huh
23       tell you, in fait, that he was upset and he blamed you for the radmonitor effluent calculations not accounting for 25       22         24       were not caujument problem issues as well. As 1 recall, 22         25       vacuum; right?         20       And that he also told you in that same conversation that he was blarming you for the filter change-out scenario.       Page 14         1       A That is correct.       Page 140         2       Q And that he also told you in that same conversation that he was blarming you for the filter change-out scenario.       So I can't say that that is unequivcelly the only cause. 1 just cannot remember.         2       Q And that he also told you in that same conversation that he was blarming you for the filter down, on the third page of your September preponsible for those of the undedph was dufficat; eregonsible for those changed with whether or that is correct.       Q I you'l look at the first paragraph. The strip paragraph in saying in the letter itself did you the disagreed with whether or tho you were responsible for those the agree that those were problems.       You and send you to TFP         2       A I night. You didn't limk that you should have been held accountable?       You and send you to TFP       You A I in the last full paragraph on page one, it refers to post-accident         3       A II right. You didn't limk that you se so that?       A II right. And further on down in that paragraph on page three, it refers to post-accident         4       A Yes, sir.       Q Did that have to do with deficiency in training					
24         the radmonitor effluent calculations not accounting for vacuum; right?         24         were not equipment problems as well. As I recall, there were some equipment-problem issues as well.         Page 140           1         A That is correct.         Page 140         So I car't say that that is unequivocally the only cause. J just cannot remember.         Page 140           2         Q And that he also told you in that same conversation that he was blarming you for the filter dhange-out scenario.         So I car't say that that is unequivocally the only cause. J just cannot remember.         Page 140           2         Q And that he also told you in that same conversation that he was blarming you for the filter dhange-out scenario.         G Q I you'll look at the first page of your presonshile for ether of the underlying conditions the under the underlying conditions the target philo you to the staft and optimize problems? You just disagree with whether or not you were responsible for those problems? You just disagree with whether or should have been held accountable?         I find the staft full paragraph on page one, the last paragraph. A That is correct.           3         A That's right. Q Right But you didn't tink that you sec that?         Page 141           4         The were also equipment problems. Page 141           5         Page 141           5         A That's right. Q All right. And further on down in that sec tarriting?           6         A l'res, sir. Q All right. And further on down in that sampling analysis and the three-hour requirement. Do to sit were mention Tom McGra					
25       vacuum; righ?       23       there were some equipment-problem issues as well.         1       A That is correct.       Page 140         2       Q And that he also told you in that same       5         3       conversation that he was blaming you for the filter       5         4       A That is correct.       6         9       Now, on the third page of your September       7         7       23:7d, 1993, letter, in the first full paragraph, do you       7         9       responsible for either of the underlying conditions       9         9       responsible for either of the underlying conditions       9         10       A I right. You disagreed with whether or that is correct.       0         11       A The is correct.       3       11" in the isst field you         12       A I right. You didn't limik that you       13       9         13       A All right. And further on down in that       9       14         14       aparegraph on page once, in theid responsible of the staff and       14         15       aparagraph. Thirel, there is any the that have been the person held responsible for thoes       14         16       A Right. But you didn't limik that you       15       14         16       A Right. But you didn't limik that yo	24	the radmonitor effluent calculations not accounting	ig for		
Page 140         Page 140           1         A. That is correct.         So I can't say that that is unequivocally the only cause. I just cannot remember.           2         Q. And that he also told you in that same conversation that he was blaming you for the filter disagreement.         So I can't say that that is unequivocally the only cause. I just cannot remember.           3         A. That is correct.         Q. Now, on the third page of your September 237d (1937) letter, in the first full grarapph, or you was not happy with them by responsible for those actions?         A. I did not say that in my ure letter. did D.r. McArthur was not mappy with them by responsible for those actions?           4         A let that.         G. All right. You disagreed with whether or the wore problems?         You in you were responsible for those actions?           4         A lage the weep roblems? You just disagrees with whether or this hyou were responsible for those countable?         You have been held accountable?           5         A. That's right.         A lagree that that you and Mr. Jocher conducted excreases to test the training level of the staff and the three-hour requirement. Do you see that you and Mr. Jocher conducted excreases to test the training level of the chastify in the lest regular you and ya animosity towards you?           4         A Yes, sir.         Q. All right. And further on down in that sparagraph on page three, it refers to post-accident           5         A Yes, sir.         Q. Did hash have to do with deficiency in the sater any where in this letter that you filed?      <	25				
1       A That is correct.         2       Q And that he also told you in that same change-out scenario.         3       Conversation that he was blaming you for the filter change-out scenario.         5       A That is correct.         9       Now, on the third page of your September 23zd, 1993, letter, in the first full paragraph, do you see where it says, thus, even though 1 was not directly 9 responsible for cither of the underlying conditions leading to those situations, I was charged with them by 11       M. Becken?         1       A I ace that.       Y MR. MARQIAND:         2       A I ace that.       M. Or you is the first page of your see where it says, thus, even though 1 was not directly 9 responsible for cither of the underlying conditions 10 A I ace that.       9 you and send you to ETP: Look at the last full paragraph on page one, the bottom of page four that Dr. McArthur that was nont happy with the paragraph on page three, it refers to post-accident         2       0       A I right. And further on down in that paragra					
2       Q       And that he also told you in that same conversation that he was blaming you for the filter conversation.       2       cause. I just cannot remember.         4       Conversation that he was blaming you for the filter conversation.       FM R. MARQUAND:         6       Q       Now, on the third page of your September 2010.       A       I do not say that in my letter.         6       Q       Now, on the third page of your September 2010.       A       I do not say that in my letter.         7       A I see that.       G       I right. You don't disagreed with whether or not you were responsible for those actions?       In fails correct.       Q       I'm not asking II i's in the first paragraph?         10       Q       A I laght. You don't disagree that those were problems?       You and send you to ETP?       A       I the first paragraph?         11       G       A Il right. And scontable?       A       Now and send you to ETP?       A         12       A       That is correct.       Bargee that wose were problems.       C       G       I'm the last full paragraph - last       C       G       I'm the last full paragraph - last       C       A       I'm asying in the level soft the sage four that Wisker were not problems?       A       I'm saying in the level soft the sage four that by were resonsible for those actions:         10       A That's right.	1	A That is correct	1 460 140	1	
3         conversation that he was blaming you for the filter change-out scenario.         3         FY MR. MARQ(JAND:           5         A. That is correct.         Q. Now, on the third page of your September         3         CM (Jung)           7         237d, 1993, letter, in the first full paragraph, do you see where: it says, thus, even though I was not directly 9         Persponsible for either of the underlying conditions leading to those situations, I was charged with them by 11         A. I see that.         A. I has charged with whether or 13         A. I has cortext.         A. In the first page of your 9 vou and send you to ETP?           13         Q. All right. You don't disagree that those 10         A. I has cortext.         A. In the first page of your 9 vou and send you to ETP. Look at the last full paragraph on page one, the last paragraph.           14         A. That is correct.         Q. All right. You don't disagree that those 10         A. I was that in you: I disagree with whether or not you 10           15         A. That is correct.         A. O, wait a minute. There's something here. 13           16         A. That is correct.         A. O, wait a minute. There's something here. 14           17         A. I not asking li paragraph - last 25         C. A. Mat is a rectal. Willsom McArthur disagreed with the decision to has 25           26         A. Mat is a treat way and mose of you?         A. Yes, sir.           16         A. That is correct.         Yes, sir.     <					
4       Conserved.       Q       You didn't say that in your letter.         5       A       That is correct.       Q       You didn't say that in your letter.         6       Q       Now, on the third page of your September (ID oc at the first page of your september 23rd letter, in didn't say that in your letter.         7       23rd, 1993, letter, in the first lip aragraph, do you as eventer it says, thus, even though I was not directly areasynoisble for them of the underlying conditions (IT oc you september 23rd letter, id Doc at the last first page of your september and the letter itself did you in your letter.         10       A       I see that.			л I		5
5       A That is correct.       5       A I did not say that in my letter.         7       23rd, 1993, letter, in the first full paragraph, do you       7       23rd, 1993, letter, in the first full paragraph, do you       7         9       responsible for either of the underlying conditions			-		
6       Q. Now, on the third page of your September 23rd [etter, idd Dr. McArthur 3         7       23rd, 1993, letter, in the first lar paragraph, dy ou responsible for either of the underlying conditions 10 is agreement of disagreement about the decision to surplus you and send you to FPP.         10       A I see that.         11       Q. All right. You disagreed with whether or you were responsible for those actions?         12       A I see that.         13       Q. All right. You disagreed with whether or you were responsible for those actions?         14       not you were responsible for those actions?         15       A. That is correct.         16       Q. All right. You don't disagree that those         17       A. I agree that those were problems.         18       bould have been held accountable?         19       A. I agree that those were problems.         10       A. I agree that hose were problems.         11       See that?         12       A. The tist signt.         13       A. I's signt.         14       of in the last full paragraph - last signt.         15       paragraph on page one, the last paragraph.         16       Q. Right. But you didit't think that you         17       A. The sist full paragraph - last signt.         18       paragraph on page ture, it ref					
<ul> <li>7 23rd, 1993, letter, in the first full paragraph, do you is seve where it says, thus, even though I was not directly in agreement of disagreement about the decision to surplus you and send you to ETP?</li> <li>7 A I see that.</li> <li>9 A I see that.</li> <li>9 A I see that.</li> <li>9 A I seight. You don't disagree with whether or not you were responsible for those actions?</li> <li>9 A I agree that those were problems.</li> <li>9 A I agree that dhose been held accountable?</li> <li>9 A I agree that those were problems.</li> <li>9 A I agree that those were problems?</li> <li>9 A I agree that those were problems.</li> <li>9 A I agree that those were problems.</li> <li>9 A That's orreet.</li> <li>9 A That's right.</li> <li>9 A That's orreet.</li> <li>9 A That's orreet.</li> <li>9 A That's correet.</li> <li>9 A Did that have to do with deficiency in training level of the staff and training level of the staff and training level of the staff and training level for problem.</li> <li>9 A That's correet.</li> <li>9 A That's correet.<!--</td--><td></td><td></td><td>er</td><td></td><td></td></li></ul>			er		
8       see where it says, thus, even though I was not directly responsible for either of the underlying conditions leading to those situations, I was charged with them by in agreement or disagreement about the decision to surplus you and send you to ETF?         10       A I see that.         11       Q All right. You disagreed with whether or toy you were responsible for those actions?         12       A I see that.         13       Q All right. You disagreed with whether or not you were responsible for those actions?         14       naticate Dr. McArthur disagreed with the decision to surplus you and send you to ETF. Look at the last full paragraph. This saying in the letter tiself did you to ETF. Look at the last full paragraph. This saying in the letter iself did you in you to ETF. Look at the last full paragraph. This saying in the letter iself did you in you to ETF. Look at the last full paragraph. This saying in the letter iself did you in you to ETF. Look at the last full paragraph on page one, the last paragraph.         12       A lagree that those were problems?         13       A lagree that those were problems?         14       of In the last full paragraph - last.         15       paragraph on page three, it refers to post-accident         16       paragraph, in indicates that you and Mr. Jocher conducted excretes to test the training level of the starting level of the start and registry instructors.         16       A Yes, sir.         17       A law old have to refer to my notes. I know there were also equipment problems. And I can't - I		23rd, 1993, letter, in the first full paragraph, do y	01		April of your September 23rd letter, did Dr. McArthur
9       responsible for either of the underlying conditions       9       in agréement rélistre arrangeraph?         1       Mr. Beccken?       9       in agréement rélistre arrangeraph?         1       A la test etat.       9       I'm not asking pit i's in the first paragraph?         1       0       All right. You disagreed with whether or not you       10         1       0       All right. You don't disagree with whether or not you       11         1       0       All right. You don't disagree with whether or not you       11         1       were problems?       You and send you to ETP. Look at the last full         1       met person held accountable?       7         2       A large that those were problems.       10         2       A That's right.       7         3       A That's right.       7         4       Q In the last full paragraph last       20         2       7       A That's right.       7         3       A Yes, sir.       7         4       A ll right. And further on down in that       7         5       paragraph, it indicates that you and Mr. Jocher conducted       7         6       A ll right. And further on down in that       7         7       A ll would					did you in your letter indicate that Dr. McArthur was
10       leading to those situations, I was charged with them by       Mr. Beccken?         11       Mr. Beccken?         12       A I see that.         13       Q All right. You disagreed with whether or         14       not you were responsible for those actions?         15       A That is correct.         16       Q All right. You don't disagree that those         17       Were problems?         18       Na I agree that those were problems?         19       A That's right.         10       A That's right.         11       A That's right.         12       Sampling analysis and the three-hour requirement. Do you         19       paragraph it indicate on the bottom of page four         11       A That's correct.         12       Sampling analysis and the three-hour requirement. Do you         12       See that?         13       paragraph, it indicates that you and Mr. Jocher conducted         14       certreises to test the training level of the staff and         15       paragraph, it molecates that you, in fact, state these test results         14       training?         15       A That's correct.         16       Q Let me refer you to further down in that         17 <t< td=""><td></td><td></td><td></td><td></td><td></td></t<>					
11       Mr. Beecken?       A       In the first paragraph?         12       A       In the first paragraph?         13       Q       All right. You disagreed with whether or not you were responsible for those actions?         14       Mr. Beecken?       You pust disagreed with whether or not you         15       A       That is correct.         16       Q       All right. You don't disagree with whether or not you         17       were problems?       You just disagree that those were problems.         18       A       Data were problems?         29       A That's right.       A         20       In the last full paragraph - last       Page 141         21       Page 141         22       Page 141         23       A       A That is correct.         24       Q       If inght. And further on down in that         25       paragraph, it indicates that you and Mr. Jocher conducted exercises to test the training level of the staff and         26       All right. And further on down in that         27       Page 141         28       A       That's correct.         39       Paragraph, it indicates that you and Mr. Jocher conducted exercises to test the training level of the staff and       Correct. <td< td=""><td>10</td><td></td><td></td><td>10</td><td></td></td<>	10			10	
12A I see that.12Q I'm not asking I it's in the first13Q All right. You disagreed with whether or13paragraph. I'm saying in the letter itself did you14not you were responsible for those actions?14paragraph. I'm saying in the letter itself did you15A I agree that those were problems?16A I agree that those were problems?1716A I agree that those were problems?18A Ok, wait a minute. There's something here.17Neght. But you didn't think that you16A Ok, wait a minute. There's something here.18Yes, sir.20A That's right.21sampling analysis and the three-hour requirement. Do you20A That is correct.22see that?21A That is correct.23A Yes, sir.24Q All right. And further on down in that24g All right. And further on down in that2525A That's correct.2926A That's correct.2027A That's correct.2028A That's correct.2030A That's correct.204A That's correct.205A That's correct.206A That's correct.207A That's correct.207A That's correct.208C And that have to or fort to my notes. I know16A That's correct.2017A That's correct.181219A That's correct. <td>11</td> <td></td> <td></td> <td>11</td> <td></td>	11			11	
Q       All right. You disagreed with whether or not you hand is correct.       paragraph I'm saying in the letter itself did you indicate Dr. McArthur disagreed with the decision to surplus you and send you to ETP. Look at the last full paragraph on page one, the last paragraph.         is should have been held accountable?       A Right. But you didn't disagree with whether or not you should have been held accountable?       A Raree that those were problems.       A Raree that those were problems.         Q       Right. But you didn't think that you should have been held accountable?       A Raree that those were problems.       Yes, that is a I recall. Wilson was not happy with the fact I was being placed in FTP.         Q       Right. But you didn't think that you should have been the person held responsible for those actions?       A Ree that those were problems.       Q I in the last full paragraph last         Page 141       sampling analysis and the three-hour requirement. Do you see that?       Page 141         1       sampling analysis and the three-hour requirement. Do you see that?       A Ree, sin.         Q       All right. And further on down in that garagraph, it indicates that you and Mr. Jocher conducted exercises to test the training level of the staff and determined that seventy five percent of the chemistry is technicians could not do the PASS samples within the there were also equipment problems. I know there	12	A I see that.			
14       not you were responsible for those actions?       14       indicate Dr. McArthur disagreed with the decision to         16       Q All right. You don't disagree that those       15       surplus you and Ar. There's something here.         17       A Tagree that those were problems.       16       A Oh, wait a minute. There's something here.         18       No, Breit. But you din't think that you       20       Che was supportive of you?         21       Should have been the person held responsible for those       16       Q All right. And if you'll look at page         23       A That's right.       20       Q Hir right. And if you'll look at page         23       A That's right.       20       Q All right. And if you'll look at page         24       four, does it also indicate on the bottom of page four       21         35       paragraph on page three, it refers to post-accident       22       Q All right. And if you'll look at page         25       sampling analysis and the three-hour requirement.       Page 141       7         36       A Yes, sir.       9       Q All right. And if you'll look at page       2         37       A Yes, sir.       2       A That's correct.       9         4       paragraph, it indicates that you and Mr. Jocher conducted       6       Q Does it indicate in this letter anywhere <td>13</td> <td>O All right. You disagreed with whether of</td> <td></td> <td></td> <td>paragraph. I'm saying in the letter itself did you</td>	13	O All right. You disagreed with whether of			paragraph. I'm saying in the letter itself did you
15       A That is correct.       15       surplus you and send you to ETP. Look at the last full         16       Q All right. You don't disagree that those       A lagree that those were problems?       A lagree that those were problems.         17       A lagree that those were problems.       A lagree that those were problems.       A lagree that those were problems.         18       Yes, that is as I recall. Wilson was not happy with the fact I was being placed in ETP.       A hat's correct.         20       Right. But you didn't think that you       20       A that's right.         21       A That's right.       Q In the last full paragraph last       20         25       paragraph on page three, it refers to post-accident       Page 141         1       sampling analysis and the three-hour requirement. Do you see that?       Page 141         1       sampling analysis and the three-hour requirement.       Do you         2       A That's correct.       Q All right. Does it indicate anywhere in         3       A Yes, in.       Q All right. Does it indicate in this letter anywhere         4       You?       Saudi have to orefer to my notes. I know         10       A That's correct.       Q Does it even mention Tom McGrath had any animosity towards you?         3       A That's correct.       Q In this letter anywhere         4 </td <td>14</td> <td>not you were responsible for those actions?</td> <td></td> <td>14</td> <td>indicate Dr. McArthur disagreed with the decision to</td>	14	not you were responsible for those actions?		14	indicate Dr. McArthur disagreed with the decision to
17       were problems? You just disagree with whether or not you should have been held accountable?       17       A       Oh, wait a minute. There's something here.         18       should have been held accountable?       17       A       I agree that those were problems.         20       Q       Right. But you didn't think that you should have been the person held responsible for those problems?       18       Yes, that is as 1 recall. Wilson was not happy with the fact I was supportive of you?         21       A       That's right.       20       Q       All right. And if you'll look at page four, does it also indicate on the bottom of page four that Dr. McArthur rated you very high compared to his other direct reports?         22       Page 141         11       sampling analysis and the three-hour requirement. Do you see that?       Page 141         12       Page 141         13       A       Yes, sir.         2       Q       All right. And further on down in that garagraph, it indicates that you and Mr. Jocher conducted determined that seventy five percent of the chemistry stechnicians could not do the PASS samples within the garagraph. Dir voluif have to refer to my notes. I know       4       No, sir.         3       A       I would have to refer to my notes. I know       4       No, sir.         4       Q       Did that have to do with deficiency in training?       A       I hat is correct.	15			15	surplus you and send you to ETP. Look at the last full
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<ul> <li>there were also equipment problems. And I can't I</li> <li>can't tell you I can't tell you if this was only part</li> <li>of the problem or the whole problem. It's just been too</li> <li>long.</li> <li>Q Let me refer you to further down in that</li> <li>paragraph. Don't you, in fact, state these test results</li> <li>were anticipated and predictable in that management had</li> <li>previously surplused all degreed chemistry instructors and</li> <li>converted the training lab into a storage room?</li> <li>A Yes.</li> <li>Q And then further on, you say without</li> <li>recurring training to reinforce fundamental concepts.</li> </ul>					
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16of the problem or the whole problem. It's just been too long.16QIn the very last paragraph of your letter, do you see where it says that the facts and issues are extremely well documented?18QLet me refer you to further down in that paragraph. Don't you, in fact, state these test results were anticipated and predictable in that management had 20 were anticipated and predictable in that management had 21 previously surplused all degreed chemistry instructors and 22 A Yes.16QIn the very last paragraph of your letter, do you see where it says that the facts and issues are extremely well documented?23A Yes. 24QAnd then further on, you say without 2510A The main thing I was referring to here was 2424QAnd then further on, you say without 2523A The main thing I was referring to here was 2525conversations.24D100	. 7				
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22converted the training lab into a storage room?22deposition exhibit eighteen?23AYes.23AThe main thing I was referring to here was24QAnd then further on, you say without24the fact that I had tape-recorded a lot of these25recurring training to reinforce fundamental concepts.25conversations.	15 16 17 18 9	of the problem or the whole problem. It's just be long. Q Let me refer you to further down in that paragraph. Don't you, in fact, state these test resu	ults	19	
A Yes. Q And then further on, you say without tecrearing training to reinforce fundamental concepts. A The main thing I was referring to here was the fact that I had tape-recorded a lot of these to conversations.	15 16 17 18 19 20	of the problem or the whole problem. It's just be long. Q Let me refer you to further down in that paragraph. Don't you, in fact, state these test resu were anticipated and predictable in that management	ults ent had	19 20	Q All right. Did that include the sequence
Q And then further on, you say without recurring training to reinforce fundamental concepts. 25 recurring training to reinforce fundamental concepts. 26 conversations.	15 16 17 18 19 20 21	of the problem or the whole problem. It's just be long. Q Let me refer you to further down in that paragraph. Don't you, in fact, state these test resu were anticipated and predictable in that managem previously surplused all degreed chemistry instruct	ults ent had ctors and	19 20 21	Q All right. Did that include the sequence of events that we talked about earlier, which is Fiser
25 recurring training to reinforce fundamental concepts. 25 conversations.	15 16 17 18 19 20 21 22	of the problem or the whole problem. It's just bealong. Q Let me refer you to further down in that paragraph. Don't you, in fact, state these test resultivere anticipated and predictable in that management previously surplused all degreed chemistry instruct converted the training lab into a storage room?	ults ent had ctors and	19 20 21 22	Q All right. Did that include the sequence of events that we talked about earlier, which is Fiser deposition exhibit eighteen?
	15 16 17 18 19 20 21 22 23	of the problem or the whole problem. It's just bealong. Q Let me refer you to further down in that paragraph. Don't you, in fact, state these test resu- were anticipated and predictable in that managem- previously surplused all degreed chemistry instruc- converted the training lab into a storage room? A Yes.	ults ent had ctors and	19 20 21 22 23	Q All right. Did that include the sequence of events that we talked about earlier, which is Fiser deposition exhibit eighteen? A The main thing I was referring to here was
<b>Fruesdel &amp; Rusk Reporting</b> Page 139 - Page 13	15 16 17 18 19 20 21 22 23 24	of the problem or the whole problem. It's just bealong. Q Let me refer you to further down in that paragraph. Don't you, in fact, state these test resu were anticipated and predictable in that managemu previously surplused all degreed chemistry instruct converted the training lab into a storage room? A Yes. Q And then further on, you say without	ults ent had ctors and	19 20 21 22 23 24	Q All right. Did that include the sequence of events that we talked about earlier, which is Fiser deposition exhibit eighteen? A The main thing I was referring to here was the fact that I had tape-recorded a lot of these

### **CondenseIt**<sup>™</sup> Depo of -- Gary Fiser In Re: TVA Page 145 Page 148 That show up in Fiser exhibit eighteen? and the one who's watching my back and the one who's going That did show up. That's correct. All right. And do any of those recordings to provide me a position in his organization or somewhere 2 2 Α 3 -- because all these people are screwing me, and this guy 3 or any of the notes reflected in Fiser exhibit eighteen 4 4 goes to Joe Bynum after Charles Kent calls him. Now we reflect that Wilson McArthur had any animosity towards have to presume that Wilson McArthur was one of the right 5 5 6 you? guys. Do you understand? 6 7 I would have to say probably, yes. 7 Q No, I sure don't understand what you're 8 0 Show me. 8 taking about. 9 Let's see. Which exhibit is that? Ā g A He goes to the right guy and the right guy A Let's see. Which exhibit is that: Q Exhibit eighteen, the thick one. A July the 14th, 1993, page seventy eight. I went to Wilson's office downtown. Lookout Place I think it was. I'm not sure about that. This was after Charles 10 10 goes to Joe Bynum. 11 Q He says he talked to Joe Bynum? 11 12 This is one of the very people that I would 12 Α 13 13 suspect Charles Kent was wanting to get me in the position Kent had offered me the job and then rescinded the job and 14 with a tie on before Joe Bynum ever found out what was 14 said he'd talked to the right people, and I made it a mission of mine to find out who the right people were. So I go in that day and I talk to Wilson. And you 15 15 going on -16 16 Q Did you ever talk to Joe Bynum? 17 -- and Wilson McArthur goes to Joe Bynum. 17 Α can see the transcript there. How are you doing? Are you feeling all right? And he says I'm feeling fair for an 18 18 Never. 19 19 Okay. Well, we know that -- we know based 20 old man, if they'd just leave me alone and let me do my 20 on our discussions today that Rob Beecken and Jack Wilson 21 work. 21 didn't want you back out at Sequoyah; right? 22 0 What's that in reference to? 22 Α I'm not done answering that first question. 23 That's in reference to some surgery that he 23 And then he says I talked to Keuter and I talked to Joe Bynum. And I said you talked to Keuter. Yeah, I had to. These guys -- Keuter and Joe Bynum -- were involved in it. 24 had had recently. 24 25 Q Let's see. He had lung cancer? 25 Page 146 Page 149 That's right. 1 Where are you looking at? Q Where are you looking at? A I'm looking at the top of page seventy nine. Follow along. Keep up. McArthur: Yeah, I had to. These two guys were involved in it. They just all seemed to -- I don't think it will work. I don't know if that comes from the He had testicular cancer? I do not know about that. 2 Q 2 3 Α 3 4 Q Prostate cancer? 4 5 I do not know about that. A 5 6 7 You don't know how much they cut on him? Q 6 No, sir. information from above them or what, but I told them -- I Α 8 0 Do you know how long he was in the told Kent. And then I got the picture and I said, yeah, I 8 hospital? 9 0 know you did. 10 Α No, sir. And he says -- he makes the McArthur: I was supportive, but I said Gary is 10 statement -- I say have you been cut on enough. Because I knew he had had surgery. I didn't know what for. going to be bucking against a lot of people. You've got to recognize this in this case. Do you want to do that? 11 11 12 12 I think when it got down to the final analysis, he said I won't do it. It is unfortunate, but it is the kind of You didn't know that he had cancer at that 13 Q 13 point in time? 14 14 A I did know he had cancer. I did not know how much surgery he had had or what the surgery had consisted of. Since I was removed from the loop out in thing that happens. 15 15 Have I answered your question? 16 16 17 17 I don't understand where you think that shows animosity by McArthur towards you. If that's what you think, that's fine. ETP, I was not a part of all of that. 18 18 All right. That's why I asked him. He makes the 19 19 Now, anywhere in -- you said we were referring to 20 Α 20 deposition exhibit twenty four, the last page, where it says the facts and issues are extremely well documented. statement that they want to do a little more, though. And 21 21 I say cut. And he says not cut, just give me radiation. And I told him I would just stand on top of Browns Ferry's 22 22 23 23 Do you see that? A Right. Yeah. reactor. He asked me how I'm doing, how I'm spending my 24 24 time. I told him where I was over at Amnicola, ETP 25 And you agree that nowhere in your 25 Q Page 147 Page 150 program. complaint does it mention Tom McGrath? 1 Let's see if I can get to the meat of the matter here. He asked me if I'm looking at things internally or what. And I said mainly externally, although I got a call from Charles, but then things fell through. And then I asked him who's torpedoing me. And he said, well, I think it really comes all the way from -- in fact, I don't know for me who has tall the user I don't be some I That is correct. 2 2 All right. Is there anywhere in your 3 3 complaint or these facts and issues that you said were 4 4 documented in exhibit eighteen that shows that Tom McGrath 5 5 had some animosity towards you? 6 6 7 7 Yes. for sure who, but I'll tell you things -- I don't know. I Where? 8 8 0 just don't know that. I said I don't want to know when it's all over. In other words, I want to know in advance who's shooting at me. McArthur: Well, Charles' --9 The conversation I had with Beecken. 9 A 10 10 MR. MARQUAND: Let the record reflect counsel is directing Mr. Fiser's attention towards 11 11 Charles' phone call said check it out and tell me how you 12 something in exhibit eighteen. 12 think things will go. Q Well, my question was where --A I talked to Keuter and I talked to Bynum. MS. EUCHNER: I'm directing his attention 13 13 14 to page twenty two of exhibit eighteen. 14 15 THE WITNESS: Let's see. Well, the only 15 Well, now, that raised a flag in my mind that he goes to thing I see here -- I see McArthur says, well, you 16 16 the very guy that cut my head off summarily and talked to him when he was out of the position. He was not in the 17 know and I know --17 18 BY MR. MARQUAND: 18 Q Are you referring to page twenty two of loop anymore. 19 19 exhibit eighteen? Who was not in the loop? 20 20 A Okay. Yes. Just above that actually. McArthur says do you know when the downhill slide started Bynum. He was out at the dam or something. 21 21 A He wasn't even in the picture anymore. 22 22 on you. And he makes this statement. What Tom Peterson In '93? 23 23 0 And so I'm saying what is he doing. Why 24 and Tom McGrath said in your office that day. I don't 24 would this man who purports to be my friend and my helper know what happened, but Tom Peterson and Tom McGrath, one 25 25 Page 145 - Page 150 Truesdel & Rusk Reporting

Jej	po of Gary Fiser Conde	ense	
1	Page 151 or both I don't know which went directly to the	1	Page 15 McGrath.
2	plant manager and said he needed to get rid of me.	2	A You see that Peterson and those guys? You
3	Now, that is reflected in my meeting with Beecken.	3	see that at the top?
	I didn't know that at the time, but that's why I said they	4	Q Is Tom McGrath one of those guys?
	got up and said there's no reason for further discussion,	5	A Yes, sir. He is.
	left, told my plant manager that he needed to get rid of	6	Q Is there someplace else in here that refers
	me. And here Wilson is saying that.	7	to Tom McGrath?
	Q Where is it reflected in your conversation	8	A I can't recall. Peterson and those guys,
	with Beecken that one of the two of them said something to	9	that's Tom McGrath. That's who I was talking about.
	him?	10	That's who Beecken was talking about. And that's who
	A I'll have to page through it. Looking at	11	Wilson was talking about. Do you understand that?
2	we'll start at the bottom of page fifty one where I	12	Q I understand that's what you're saying. Is
;	say, well, I'm telling you now hear me you may have	13	there someplace else in here that refers to Tom McGrath?
•	had one finding if I'd been here. And I'm going to give	14	A I understand that you understand. I do not
	you a maybe on that one, because I felt like I could have	15	recall. I would have to read the whole document again.
5	done a better job presenting the group to INPO.	16	Q Well, you'll have an opportunity to tonight
,	Q You're on page fifty one?	17	when we go when you look for the rest of your notes.
	A Yes, I am, the bottom of page fifty one.	18	And I'm going to request that you do so. If you find
	Q Okay. I see that.	19	anyplace else that refers to Tom McGrath in this exhibit,
	A Okay. Flip the page. Beecken: But the	20	
	problem I didn't like Peterson and those guys.	21	I'd like to know, exhibit eighteen. A I'm not sure I'll have time to go through
	Yeah I nretty well you know in January now I		
	Yeah, I pretty well you know, in January now I really crossed those guys. Because they sat in my office,	22 23	all of this tonight and find all this stuff.
, ļ	Rob, and they demanded that I turn out fifty two, fifty	23	Q Well, you were subpoented to bring certain
	three plots every day, seven days a week, holidays,	24	documents here with you. So I'm going to ask that you bring those documents here in the morning
		125	bring those documents here in the morning.
	Page 152	Ι.	Page 1:
	weekends, everything. I refused. I could not do that.		A Okay. We'll bring those documents
	It was impossible. Not only did they want me to commit to doing it they wanted me to put it in procedures. And I	2	tomorrow.
	doing it, they wanted me to put it in procedures. And I	3	Q And when you get here in the morning, you
	absolutely could not understand why and they absolutely	4	can spend whatever time you need to reviewing exhibit
	could not understand why I would not do that. So they got	5	eighteen to find out if Tom McGrath's name appears in
	real upset with me because I would not do that. Because	6	there.
	that's a kiss of death. There's no way. It is all we	7	A Okay.
	could do to turn them out the way we do. Now, you get	8	MR. DAMBLY: You say in the morning. When
	this new, spiffy system, then there's a possibility.	9	are you talking about?
	That's a part of the chemistry upgrade project	10	MR. MARQUAND: However long it takes him.
	where all this stuff is automatically fed into a computer.	11	MR. DAMBLY: No, you said he should bring
	Then there's a possibility. But not when you have human	12	them here in the morning. I thought you weren't
	intervention, entering all the data, retrieving all the	13	going to be here until the afternoon.
	data, generating all the trends, proofing all the trends,	14	MR. MARQUAND: I'll be here. I'm here as
	copying all the trends, and delivering all the trends. We	15	long as it takes.
	could not do it.	16	MR. DAMBLY: Are you going to be here
	But I talked to INPO about that and they said that	17	tomorrow morning?
	that is ridiculous. At most, you would turn out a couple	18	MR. MARQUAND: Yeah.
	a day. Remember when I would give you guys, Cal Vondra,	19	MR. DAMBLY: Oh. Okay. That will work.
	an RCS dose equivalent and dissolved oxygen, et cetera,	20	THE WITNESS: Let's make this clear. You
	and things like that? That's okay. That would not have	21	did not say whether Tom McGrath's name appears in
	been a problem.	22	here, but if it appears
	But it was not because I was not wanting to be	23	BY MR. MARQUAND:
	responsive. It was because that was an impossible	24	Q Show me I would like for you to show me
	situation. So, yeah, I fully admit it. And I I didn't	25	where his name
	Page 153		Page 1:
	throw them out of my office. But, my gosh, I couldn't do	1	A I've already shown you one.
	that, Rob. There was no way. No human being, no	2	Q or any other references to Tom McGrath
	organization could do that. No one does.	3	expressing animosity towards you.
	So, yeah, I got in trouble with NSRB. But, you've	4	A Okay. I've shown you one explicit, one
	got to understand that Bill was downtown at the same time,	5	implicit. And you're looking for another?
	and Bill was whispering all sorts of things in their ear,	6	Q I'm looking for any and all.
	NSRB. You just read part of it. Okay? You just read	7	A Okay.
	part of it.	8	Q Let me ask you to look at exhibit twenty
	Now you now you have got to also understand	9	one.
	that I've been gone for eighteen months and I haven't been	10	A Twenty one? Okay.
	in chemistry. My gosh, I'm in trouble for something	11	Q That's the settlement agreement resolving
	that's happened in the past eighteen months when I haven't	12	your 1993 Department of Labor complaint, isn't it?
	even been here.	13	A Yes.
	Q All right. This is a reference	14	Q And doesn't that agreement provide for you
	A Beecken	15	to be placed into the corporate chemistry organization in
	Q Hold on.	16	a PG-8 technical support job?
	A Beecken I'm answering your question.	17	A Yes.
	THE WITNESS: Do I have a right to answer	18	Q All right. At that time, the job you were
	his question?	19	placed in was chemistry program manager?
	BY MR. MARQUAND:	20	A Yes, I think that is correct.
	Q I see this. My question was where in here	21	Q All right. Now, if you'll look at exhibit
	does it reference any animosity by Tom McGrath. Now, can	22	seventeen. That's a letter you sent jointly with Bill
		23	Jocher and Ralph Matthews to Senator Sasser, is it not?
	you show me anyplace in this sequence of events? A I think we're getting to that.	23	A Yes.
	Q Show me where it says something about Tom	25	Q And you signed the letter?

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De	po of Gary Fiser	Condense	It <sup>™</sup> In Re: 7	<b>TVA</b>
		Page 157		e 160
1	A Yes.		it. And that's what we did.	
2	Q This was sent by you and the other	two 2	And a lot of this information is what you might	
3	gentlemen after the filing of your Departmen complaint?		refer to as progressive revelation. Because you don't	
5	A We've got to check the dates.	4	have the depositions. You don't have a lot of information. You don't have the background. You don't	
6	Q Let's check the date of it. Oh. It w		information. You don't have the background. You don't have the information from Jocher's case. You don't know	
7	shortly before you filed your Department of	Labor 7	what McArthur was saying behind your back one time and to	
8	complaint.	8	your face another. So you have to put the story together.	
9	A That's right.	9	And it takes time. And you only have a certain amount of	
10	Q Okay. Was the information you pro	ovided in 10	time to get the Department of Labor suit filed	
11	your August 16th letter to Senator Sasser con	rect?	complaint filed.	
12	A Yes. You understand, I authored a	portion 12	Q So are you saying that, even though you had	
13	of this, not all of it.	13	tape-recorded conversations with Beecken and with Wilson,	
14	Q I would assume	14	the plant manager and site VP, in which they both told you	
15	A Dr. Matthews authored some.	15	why they didn't want you back are you saying that later	
16	Q Was there any part of it you disagree	ed 16	on you came to a conclusion, no, it wasn't those two; it	
17	with?	17	was Wilson McArthur and Tom McGrath who really did you	in?
18	A I would have to go back and read th	e letter 18	A Oh, no. No, no. I'm just saying there	
19	now. It's been too long.	19	were people added to it. There were a lot more people	
20	Q You signed the letter, didn't you?	20	with their hand on the rope than what I realized	
21	A Yeah, but I signed it representing m		originally.	
22	portion of the letter.	22	Q When did you come to this realization that	
23	Q With respect to Sequoyah and with	respect 23	McArthur and McGrath were out to get you?	
24		24	A I don't recall.	
25	A Yeah. Because everything's happen		Q Was it in 1993?	
		Page 158	Page	: 161
1	between Jocher and Matthews that I was	1	A I don't recall.	
2	Q At Watts Bar?	2	Q Was it in 1994?	
3	A evidently that I was quite frank		A I don't recall.	
4	unaware of.	4	Q <u>'95?</u>	
5	Q But with respect to the matters at	5	A I don't recall.	
6	Sequoyah, you didn't disagree with those?	6	Q '96?	
7	A That I wrote? O Yes.	7	A Certainly that had a factor in it.	
8		8	Q After the '96 reorganization was announced?	
9 10		9	A I don't recall what date that was announced.	
11	Q In fact, in this letter, the three of yo indicate that Jocher and Matthews had filed 1	Department of 11	Q Spring of '96.	
12	Labor complaints and that you were preparin		A I don't recall.	
13	similar Department of Labor complaint accu		Q Now, you were aware in '94 that there was a	
14	taking actions against each of you for identif	ving or 14	reorganization occurring in your organization that would	1
15	documenting safety-related problems; right?	15	impact the job that you held as chemistry program mana	
16	A That's right.	16	A That was shortly after I took that job?	<b>D2</b> .
17	Q And you mention a lot of the three		Q Right.	
18	you mention a lot of people as being involve		A That's right.	
19	actions; correct?	19	Q And I'm going to ask you to look at exhibit	
20	A Oh, certainly.	20	number fourteen.	
21	Q Is there anywhere in this letter that	/ou 21	A Uh-huh.	
22	or Jocher or Ralph Matthews referenced Dr. 1		Q This is the potential at-risk status notice	
23	taking any sort of discriminatory action again	nstany of 23	that you received around September 15th of '94?	
24	the three of you?	24	A That's correct.	
25	A On August the 16th of 1993. That's		Q All right. You were aware that all of	
		Page 159	Page	162
1	correct.	1	chemistry was being reorganize and the positions were	0
2	Q Is there anywhere in this letter that		being combined with environmental protection functions	s?
3	or Dr. Matthews or Mr. Jocher referenced an		A That's correct.	
4	against any of the three of you by Tom McG	rath? 4	Q All right. Were those positions	
5	A On August the 16th, 1993. That's c		advertised?	
6	Q Or any concern that the three of you	AcGrath or 7	A Yes. Did you apply for one?	
7	documented or expressed to or identified to M	AcGrath or 7	Q Did you apply for one? A Yes.	
8	McArthur? A I would have to go back and read th		A Yes. Q Did you object to having to apply for one?	
10	letter. I do not recall it. But, again, as of that		A No.	
11	Q The letter doesn't mention them, do		Q Why not?	
12	A As I recall, it does not as of August		A No reason to.	
13	16th, 1993.	13	Q Why? What do you mean, no reason to?	
14	Q What changed between August the 1		A As far as I could tell, the jobs were	
15	and September the 27th of '93 to make you a		changing. We were adding functions to the position	
16	McGrath or McArthur had taken any sort of		description that we were not doing before. It appeared to	0
17	you?	17	be legitimate.	
18	A In reviewing some of the messages a	nd it 18	Q All right. So in '94 up to that point,	
19	dawning on me what Wilson said, you know	, you just begin  19	you had been the chemistry program manager?	
20	to put the story together. You know, basical	y what 20	A Correct.	
21	you've got here is, you know, if you're walk	ing through 21	Q And the concept was let's make these	
22	the woods and you see somebody out here ha	nging on a tree 22	generalist positions and make them chemistry and	
23	and they've got their hands tied behind their	back, you've 23	environmental protection program managers?	
24	got a pretty good idea there's been a murder.	You don't 24	A Right.	
25	know who did it. You've got to put a lot of	research into 25	Q So you felt that that was a legitimate	
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	po of Gary Fiser Conde		
1	Page 163 reorganization, and you didn't file a complaint about it?		of '93? Page 16
2	A That's correct.	1 2	A Yes.
3	Q I'm going to show you let me ask you to	3	Q Okay.
4	look at exhibit number sixteen. Was that position	4	A They change all the time, as you know.
5	description available for you to review prior to applying	5	Q I didn't ask you earlier. It indicates
6	on the job?	6	that you have a BS.
7	A This particular one?	7	A Uh-huh.
8 9	Q Yeah. Not that one signed, but with the	8	Q Is that right? You have a BS degree?
10	A I know that we reviewed the job	9	A That's correct.
11	descriptions to fold in the environmental position, if	11	Q It wasn't clear. It said BS major. Did you actually receive a BS degree?
12	that's what you're asking, the environmental bullets that	12	A A BS degree in chemistry.
13	were going to be included into the new job, yes. I assume	13	Q Is this Wauchita or Quachita?
14	this is it. And the reason I'm a little concerned is	14	A Ouachita.
15	because it was it's dated October the 17th. And I'm	15	O. QU-Quachith?T-k.thanatQ?the only way
16	wondering why it was not because I think we interviewed		
17	for those jobs in the June or July time frame. Am I	17	we could spell it. It was in the fight song.
18	correct in my assumption? In other words, it just gives	18	Q If you'll look at the resume, it's
19 20	me a little pause for concern.	19	misspelled. The reason I ask is I've never heard of it.
20	MS. EUCHNER: Brent, why don't we take five	20	A Okay. That's a typo.
22	minutes while you go through your documents? MR. MARQUAND: Sure.	21 22	Q Ouachita?
23	(A break was taken.)	23	A Right. Q Is that an accredited school?
24	MR. MARQUAND: All right. Exhibit twenty	24	A Yes, it is.
25	five.	25	Q Okay. Now, following your resume are four
	Page 164		Page 16
1	(Exhibit No. 25 was filed.)	1	interview score sheets. Were you interviewed by and if
2	BY MR. MARQUAND:	2	you'll look at the first page, it indicates the second
3	Q Have you seen the first two pages of	3	page indicates who the boards members were.
4	exhibit twenty five before?	4	A The second?
5	A Not that I recall.	5	Q The second page of the exhibit, the
6	Q All right. This is a memorandum from	6	memorandum to Ben Easley.
7	Grover and McArthur to Ben Easley to set up interviews for	7	A Okay.
8	various positions, including the chemistry and	8	Q It shows Gordon Rich/Dave Voeller. Do you
9 10	environmental specialist position, and the interview was	9	see that?
1	to take place for that position September 22nd, '94. Do you see that?	10 11	A Uh-huh. Q John Sabados, Pat Hughes/Wilson McArthur?
2	A Okay. Yes.	12	Q John Sabados, Pat Hughes/Wilson McArthur? A Uh-huh.
3	Q And your particular interview was to occur	13	Q Ron Grover and Ben Easley?
4	at 11:30 a.m. on that date?	14	A Uh-huh.
5	A Yes.	15	Q All right. Now, if you'll turn back to the
6	Q Okay. Look at	16	pages marked HH000139.
7	A A concern that I have is this is the	17	A Okay.
8	schedule. So I'm supposed to interview on the 22nd of	18	Q All right. It's a score sheet for PWH. Do
9	September, and this document you gave me is dated	19	you see that?
20 21	Q It's not dated. It's the effective date. A $-10/17$ .	20 21	A Yes. Q All right. The next page is a score sheet
22	Q Right.	21	done by Sabados. Do you see that?
3	A When did these become effective? Okay.	23	A Uh-huh.
24	That's just a question that I have.	24	Q The next page is a score sheet that doesn't
5	Q If you'll look at the third page of this	25	reflect who did that particular one.
	Page 165	1	Page 16
1	exhibit, is that an August 31st, '94, application you	1	A I see it.
2	submitted for that position?	2	Q And the last page looks like it says G.
3	A Yes.	3	Rich. Do you see that?
4	Q And attached to it or, you attached to	4	A I do see that.
5	it a two-paged resume?	5	Q Now, going back to the second page on these
6	A It looks like me.	6	board members, apparently we've got a score sheet from
7	MR. DAMBLY: Mr. Marquand, are you	7	Gordon Rich, Sabados, PWH which is Pat Hughes, and the
8	representing this is all that was submitted?	8	unmarked one may have been Ron Grover. Where was Gordon
9	MR. MARQUAND: This is selective. I've	9	Rich? What plant or what location was he assigned to at
0	gone through the selection package and taken the	10 11	the time of this interview?
1	pertinent parts out with respect to Mr. Fiser. MR. DAMBLY: I mean, I don't know if there	12	A Sequoyah. Q John Sabados, where was he assigned to?
2	were performance appraisals or	13	A Browns Ferry.
4	THE WITNESS: There would be others in	14	Q Pat Hughes, where was he assigned?
5	there. I don't have any business	15	A I don't even remember.
6	MR. MARQUAND: We produced the entire	16	Q Do you know who Pat Hughes was?
7	selection package to you.	17	A The name, yes. I know I know him. I don't
8	MR. DAMBLY: Okay.	18	remember.
9	BY MR. MARQUAND:	19	Q Well, Rich and Sabados were chemistry.
0	Q Is the resume accurate as of the date of	20	A Pat Hughes. It seems like he was Watts
1	your application, August 31st of '94? It didn't reflect	21	Bar. Wasn't he in rad protection or something?
2	your assignment following your return after your	22	Q Rich and Sabados were chemistry; right?
3	settlement; is that correct?	23	A That's right.
4 5	A This goes through April of '93. Q All right. Is it accurate up through April	24 25	Q Hughes wasn't chemistry; is that right? A As far as I recall, that's correct.
	Q All right. Is it accurate up through April	123	A As far as I recall, that's correct.

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<u> </u>	po of Gary Fiser Cond		It In Re: T
	Page 169		Page
1	Q I mean, you would know if he was Watts Bar	1	A By virtue of the fact he was in personnel.
2	chemistry, wouldn't you?	2	Q But other than that, you don't know how he
3	A Oh, yes. I don't recall him.	3	would have known?
1	Q Ron Grover was downtown chemistry?	4	A And personnel, his boss, Phil Reynolds, was
5	A Corporate chemistry.	5	helping to get me into a position to settle it. So I can
;	Q And Ben Easley was human resources?	6	only assume either they talk or they don't. I would
7	A Yeah.	7	assume that they do talk.
3	Q All right. So we've got two of the site	8	Q Or that he was responsible for implementing
)	chemistry organizations represented. The Watts Bar	9	the settlement?
)	chemistry organization is not represented; right?	10	A Who was?
	A It depends on who this was.	11	Q Easily. Wasn't he the HR manager for your
2	Q Well, Pat Hughes wasn't Watts Bar	12	organization?
	chemistry; right?	13	A Yes. But I think Phil was the one that was
ļ	A Yeah, but Dave Voeller is.	14	responsible.
5	Q Right. But we have G. Rich.	15	Q Well, Phil was the overall manager for HR.
;	A But we don't have any name on this one.	16	but wasn't
	Q Right.	17	A He's the one I talked to.
:	A I don't know who that was. Was that Dave	18	Q Okay. Did Gordon Rich know of your 9/23
)	Voeller? I don't know.	19	Department of Labor complaint and the settlement?
I	MR. DAMBLY: Do you recall who was on the	20	A I can't answer that.
	panel?	21	Q Did Voeller?
	THE WITNESS: No, sir.	22	A I can't answer that.
	BY MR. MARQUAND:	22	Q And you said you weren't as certain, but
Ļ	Q You don't recall?	23	
	A I don't even I do not.	24	you felt confident that Sabados knew. Why do you think knew?
	Page 170		Page
	Q Do you remember who what persons were	1	A You know, I think I would have to put him
	selected for this job?	2	in the same boat as the others. I'm not absolutely
	MR. DAMBLY: By this job, you mean the PG-8	3	certain of that.
	level?	4	Q He was at Browns Ferry?
	BY MR. MARQUAND:	5	A Uh-huh.
	Q The PG-8 chemistry and environmental	6	Q He really didn't work with you on a
	specialist environmental program specialist job.	7	day-to-day basis, did he?
	A I know Sam got a job. Chandra got a job.	8	A That's correct.
)	I got a job.	9	Q Now, you said you think you may have even
)	Q Dave Sorrelle?	10	talked to Wilson McArthur about your Department of La
	A I don't honestly, I did not even	11	complaint?
	remember him applying. I thought he already had another	12	A Oh, I did.
	job, but I'm probably wrong there.	13	Q Did you talk with Grover about it?
ł	Q Okay.	14	A Oh, I did.
	A That's been just I don't remember.	15	Q It wasn't any big secret, was it?
,	Q At the time of this board selection, did	16	A No.
,	Wilson McArthur know of your 1993 Department of Labor	17	Q It wasn't anything you were ashamed of, was
5	complaint?	18	it?
,	A I feel certain he did.	19	A It's not something I wanted known widely
)	Q Did Ron Grover?	20	known I should say.
	A I feel certain he did.		
	A TIGH CHAIN NE UIU.	21	Q But you didn't feel restrained in talking
	Q Did Ben Easley?	22	to McArthur or Grover about it?
	A I feel certain he did.	23	A No.
	Q Did Sabados?	24	Q And did Charles Kent know about it?
	A Most likely.	25	A Yes.
	Page 171		Page
	Q You stated that differently than you did	1	Q Okay. We know now that he knew about it
	with respect to McArthur and Grover and Easley.	2	because he was interviewed by TVA's Inspector General.
	A I can't say as a certainty that he did, but	3	But how did you know then that he knew about it?
	I'm pretty sure he did.	4	A I don't recall.
	• Why are you certain of McArthur?	5	Q Okay. Did you talk with him about it?
	A This was in see, I am afairly certain we	6	A I honestly do not recall. I could check
	had possibly even discussed it. I don't know.	7	that in my notes and see if I had anything, but I
	Q Is it also possible that he would have had	8	Q If Kent said that you had talked with him
	to know because you were placed back into his into an	9	about it and told him about it, would you disagree with
	organization he supervised when the complaint was settled?	10	that?
	A Yes.	11	A Probably not.
		12	Q All right. So in '94, this selection
	Q And how do you know how are you certain that Grover knew?	1	
		13	occurred and you went to an interview.
		14	A Uh-huh.
	A He's the one that hired me out of the ETP		Q And these various people who knew of your
	A He's the one that hired me out of the ETP program as part of the	15	'93 complaint interviewed you. You did not feel like it
	A He's the one that hired me out of the ETP program as part of the Q He didn't hire you. You were placed in	16	
	A He's the one that hired me out of the ETP program as part of the Q He didn't hire you. You were placed in there as a result of the settlement.	16 17	was necessary for you to file a Department of Labor
	<ul> <li>A He's the one that hired me out of the ETP</li> <li>program as part of the</li> <li>Q He didn't hire you. You were placed in</li> <li>there as a result of the settlement.</li> <li>A As part of the settlement for the complaint</li> </ul>	16 17 18	was necessary for you to file a Department of Labor complaint simply because they were on the selection board
	A He's the one that hired me out of the ETP program as part of the Q He didn't hire you. You were placed in there as a result of the settlement.	16 17	was necessary for you to file a Department of Labor
	<ul> <li>A He's the one that hired me out of the ETP program as part of the</li> <li>Q He didn't hire you. You were placed in there as a result of the settlement.</li> <li>A As part of the settlement for the complaint that I filed. So I feel certain</li> </ul>	16 17 18	was necessary for you to file a Department of Labor complaint simply because they were on the selection board
	A He's the one that hired me out of the ETP program as part of the Q He didn't hire you. You were placed in there as a result of the settlement. A As part of the settlement for the complaint that I filed. So I feel certain Q He would have to know if somebody said,	16 17 18 19	was necessary for you to file a Department of Labor complaint simply because they were on the selection board that interviewed you?
	A He's the one that hired me out of the ETP program as part of the Q He didn't hire you. You were placed in there as a result of the settlement. A As part of the settlement for the complaint that I filed. So I feel certain Q He would have to know if somebody said, hey, you're going to get Fiser and somebody would have to	16 17 18 19 20	was necessary for you to file a Department of Labor complaint simply because they were on the selection board that interviewed you? A That's correct. Q The fact that they already had knowledge of
	A He's the one that hired me out of the ETP program as part of the Q He didn't hire you. You were placed in there as a result of the settlement. A As part of the settlement for the complaint that I filed. So I feel certain Q He would have to know if somebody said, hey, you're going to get Fiser and somebody would have to explain why you're going to get Fiser all of the sudden;	16 17 18 19 20 21	was necessary for you to file a Department of Labor complaint simply because they were on the selection board that interviewed you? A That's correct. Q The fact that they already had knowledge of your prior Department of Labor complaint didn't compel you
	A He's the one that hired me out of the ETP program as part of the Q He didn't hire you. You were placed in there as a result of the settlement. A As part of the settlement for the complaint that I filed. So I feel certain Q He would have to know if somebody said, hey, you're going to get Fiser and somebody would have to	16 17 18 19 20 21 22	was necessary for you to file a Department of Labor complaint simply because they were on the selection board that interviewed you? A That's correct. Q The fact that they already had knowledge of

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De	po of Gary Fiser	Conde	nseIt	1M	In Re: TVA
		Page 175			Page 178
1	is the position description after you went through the	-	1		·
2	selection review board, the position description issued to		2	CERTIFICATE	
3	you approximately a month later for this particular job; correct?		3 4	I, Bonnie L. Smith, do hereby certify that	t the
5	A That appears to be the case. Yes, sir.	J		oregoing 177 pages is a true and accurate trai	
6	And I do see environmental words, functions, whatever.			he testimony taken by me on the day of Dece	
7	Q On this particular job description?		-	2001.	
8	A Yes, I do.		8	This 7th day of January, 2001.	
9	Q All right. So in '94, you applied for this		9		
10	job. You didn't feel like you were necessarily stuck	Í	10		
11 12	forever in the job that you had received as a result of your settlement? You felt free to apply for a new job?		11 12	Notary Public	
13	A By virtue of the fact that the job was		12	My Commission Expires	<u>.</u> .
14	going away and we had folded in environmental requirer		14	November 29, 2005.	•
15	and it was, a quote, new position. You're right.	ĺ	15	· · · · · · · · · · · · · · · · · · ·	
16	Q You didn't feel like TVA had to maintain		16		
17	that one job for you as a result of your settlement	1	17		
18 19	forever, nor did you feel like you were locked into that job forever?		18 19		
20	A No.		20		
21	Q Now, if you'll look at exhibit fifteen. I		21		
22	think you said earlier that exhibit fifteen was issued as		22		
23	a result of some minor modifications to the previous		23		
24	position description which is exhibit sixteen; is that	I	24		
25	right?		25		
1.	4 Would sum out that?	Page 176			
1 2	A Would you repeat that? Q All right. Do you see exhibit fifteen and				
3	exhibit sixteen?	[			
4	A Yes.				
5	Q How did exhibit fifteen come to pass?				
6	A I don't recall. I'll have to	1			
8	Q Well, you didn't have to apply for and be	1012			
ŷ	A Let's see. Hang on one second. Not that	you?			
10	recall. Because I know we changed the PDs in '94 t	to I			
11	encorporate the environmental functions which is the				
12	that we interviewed for. And then later on, those	-			
13	functions were removed.				
14 15	Q Right. In '95, apparently a new PD was issued and your signature is on it.				
16	A Uh-huh.				
17	Q That's exhibit fifteen.	1			
18	A Uh-huh. And is that where the				
19	environmental functions were removed?				
20	Q No. It states it's still chemistry and				
21 22	A I don't know why this came about. I don'	.			
23	recall.	•			
24	Q Okay.				
25	A These appear to be the same thing. You				
		Page 177			
1	know, I haven't done a word for word, but certainly	y all of			
23	the bullet points are the same. MR. DAMBLY: I just went through this.				
4	Other than do you know of any change other	than			
5	to the title? They dropped senior. Because I				
6	don't see any difference in them.				
7	MR. MARQUAND: I don't know of specific				<i>y</i>
8	changes.				
9 10	BY MR. MARQUAND: Q My question is, if there was testimony that	. 1			
11	position descriptions were revised slightly to standa				
12	them without going through a selection process, wo				
13	disagree with that?	- J			
14	A I could not agree or I have no knowledge	e			
15	of that. Q. You couldn't agree or disagree?				
16 17	Q. You couldn't agree or disagree? A Yeah. I don't				
18	Q Okay.				
19	A It's just they appear to be the same				
20	thing. I don't understand the point of it I guess.				
21	Q I think it was an HR exercise.				
22 23	MR. MARQUAND: All right. Let's adjourn until tomorrow at 10:00 a.m.				
24	(Thereupon the deposition was adjourned.)				
25					

De	po of Gary Fiser		Conde	ense	[t <sup>™</sup>	In Re: TVA
	UNITED STATES ( NUCLEAR REGULATOR	PF AMERICA	Page 1	1	understand the reasons to be	Page 4
	NUCLEAR REGULATON BEFORE THE ATOMIC SAFETY				being combined?	with those functions were
	In the Matter of:			3	A I think there was a re	
	TENNESSEE VALLEY AUTHORITY (Watts Bar Nuclear Plant, Unit 1, Sequoyah Nuclear Plant, Units 1 4 2; Browns Ferry Nuclear Plant, Units 1, 2, 3	Docket Nos. \$0-390-CiVP; 50-327-CiVP; 50-328-CiVP; 50-259-CiVP; 50-260-CiVP; 50-260-CiVP;		4	some of the some of the po	sitions were done away with.
	Unit 1; Sequoyah Nuclear Plant, Units 1 ( 2; Browns	) 50-259-čívP; 50-260-cívP;		5	Q So the idea then was	
	Units 1, 2, 3	ASLBP No. 01-791-01-Cive		6	generalist positions that could responsibilities so you could	
		EA 99-234		8	that right?	do will lower positions, is
	APPEARANCES			9	A I'm sure that's corre	ct.
	BRENT R. MARQUAND, ESQU EDWARD J. VIGLUICCI, ES Attorneys for the Tenne	JIRE SOUIRE		10	Q Who did you get this	s information from?
				11	A I don't recall.	Crosses about it?
	JENNIFER M. EUCHNER, ES DENNIS C. DAMBLY, ESOUI	OVIRE RE ar Regulatory Commission		12 13	Q Did you talk to Ron A Oh, extensively. Bu	
	DEPOSITION OF GA (Continued from Dece			14	information you know, we	had received word years ago
	(Continued from Dece December 12			15	that eventually we were going	to be cut down to two or
	December 12	, 2001		16	three people at corporate.	10.10
	Copyright Bonnie I	. Smith, 2001	-	17	Q And you knew that i	
				18 19	A I did not know the sp heard rumors that that was the	
				20	Q All right. Following	
				21	in which you were selected for	
				22	environmental protection spec	
				23	job responsibilities change?	
				24	A None.	acciente norferne entr
				25	Q Did you ever have or	ccasion to perform any
1	INDE	: x	Page 2		environmental protection resp	Page 5 onsibilities?
2	WITNESS	PAGE		2	A Not that I recall.	
3	GARY L. FISER			3	Q Why not?	
4 5	Examination by Mr. Marc Examination by Ms. Euch Examination by Mr. Marc	nand 3 Nand 149		4	A As I recall, we had a	couple of people in
6				5	the group that still performed	
7				6	environmental than, say, you	d more background in and the other chemists?
8	EXHIBIT DESCRIP	TION PAGE		8	A I would not necessar	
9	No. 26 1994 Franklin Pl	•		9	Q Who were the people	
.0 .1	No. 27 1995 Franklin Pl No. 28 1996 Franklin Pl	=		10	environmental functions?	
2	No. 29 1996 Franklin Pl	•		11	A Trish Landers. It see	
3	No. 30 1996 Franklin Pl	•		12	or Somebody else. I don't recall Q Take a look at exhibit	
4	No. 31 1992 Franklin Pl	anner Excerpts 122		13 14	Q Take a look at exhibit A I go to twenty three.	
5	No. 32 1993 Franklin Pl	-		15	five.	
16 17	No. 33 9/20/99 Letter t No. 34 2/7/00 Letter to			16	Q You can use my copy	
8				17	A I think I got away fro	
9				18 19	Q All right. Take a loc	
0				20	A Okay.	
:1 :2	NOTE: Unless provided by cours	el to the reporter, all		21	Q See the roster at the t	
23	NOTE: Unless provided by couns names are rendered as the best	phonetic approximation.		22	or, toward the top of people	
24				23 24	chemistry and environmental towards the bottom, you'll see	
5				25	being considered for the PG-7	
			Page 3		0	Page 6
1	The deposition of GARY			1	jobs. Do you see those?	-
2	of counsel, for any and all pu			2	A Uh-huh.	if any of those nearly
3 4	Tennessee Rules of Civil Pro SMITH, Shorthand Reporter ar			3	Q Do you know which, were selected for the PG-7 level	
5	State of Tennessee at Large,			5	Eiford-Lee selected?	positions: when the bould
6	2001, at the offices of the Te			6	A I don't recall. I know	
7	Chattanooga, Tennessee.	· · ·		7	was in the group and then she	
8	It is agreed that the repo	rter may swear the	4	8	And I can't tell you when that	t nappened. It's just
9	witness; that she may take the reduce her notes to typewritte			9 10	it's been too long. Q Were any of those ot	her people ever in the
10 11	the witness thereto.	a torni and sign the fidi		11	group?	ner people ever in the
12	All objections except as	to the form of the		12		the group at one time.
13	question are reserved until th	e time of hearing.		13	Betsy Eiford. That's the only	
14	Formalities as to caption	n, certificate and		14	recall.	vironmental functions
15	transmission are expressly was GARY L. FISER	arveu.		15 16	Q Did they perform env from time to time?	anonnental functions
16 17	having been previously	duly sworn, was examine	ed	17	A Yes.	
18	and deposed as follows:			18		ily chemists, were they?
19	EXAMINATION			19	A No.	
20	BY MR. MARQUAND:	11		20		explain to you or any
21	Q Mr. Fiser, you're sti	II under oath from		21 22	of the others in the staff what intended to be with respect to	
22 23	yesterday. In 1994 when the chemi	stry and environmental		22	intended to be with respect to responsibilities?	UI VII UIIIIUIIUI
23 24	functions were combined and		ob of	24	A It seemed that he had	
25	chemistry and environmental			25	time there was going to be sor	
r	esdel & Rusk Reporting					Page 1 - Page 6

1         Unitations would be absorbed into the group as they were prigrams method with method for you is basened in the provide in the provide into the point.         A         Yes, it is the provide into the present time, have you here the present time, have you have the present time, have you here the present time, have you have the present time, have you have	Der	po of G	ary Fiser	Conde	mse]	[t™	In Re: TVA
2       or ginally intended whenever we put floss requirements into the position description and interviewed in hird?         2       0       From 194 up to the present time, have you service in any other businesses besides that sign business?         2       0       From 194 up to the present time, have you service in any other businesses besides that sign business?         2       0       From 194 up to the present time, have you service in any other businesses besides that sign business?         2       0       From 194 up to the present time, have you service in any other businesses business?         2       0       From 194 up to the present time, have you service in any other businesses besides that sign business busines business business business business business						·····	Page 10
<ul> <li>into be position description and interviewed and hired for the jown what Lace you saving is that he interviewed the second what lace is the position description of the basiness?</li> <li>been what Lace you serve and the the interviewed that you be consistent whether the position description of the basiness?</li> <li>A Well, there was supposed to be a Multiple second what is an other the position why - or, that at an only specialise. I'm not sure.</li> <li>Q All right. To be ever explain the position description of the position description descriptintes description description description description descriptio</li></ul>					1		
4         for the jobs.         business?           5         So then what have you saying is that he interpossibilities as you went into the set of the se	1					Q From '94 up to the present time, h	ave you
5       C So then what I hear you saying is that he intended for you to learn opick up these theorem pathway been involved in any other transmostilities as you were involved in any other transmostance with an				red	3		les that sign
intended for you to learn or pick up these         Q. Have you been involved in ny other           responsibilities as you wern, and to be         involvement wern you have you invested any money with any other           g. Char, Have you invested any money with any other         involvement wern you have you invested any money with any other           g. Char, Have you invested any money with any other         involvement wern you have you invested any money with any other           g. Char, Have you invested any money with any other         involvement wern you have you invested any money with any other           g. On the provide of investigation why - or, involvement wern you have you invested any money with any other         involvement wern you have you invested any money with any other           g. On the provide of investigation why individe the provide of involvement wern you have you					4	business?	
7       reportsibilities asy our wett.       7       basinesses with any other TVA employees?         9       constraining. I'm not sure exactly what he meant by       7       basinesses with any other TVA employees?         0       11 (diff that coss-training ever occur?)       0       11 (diff that coss-training ever occur?)         11       0       11 (diff that coss-training ever occur?)       0       11 (diff that coss-training ever occur?)         12       0       0       0       0       0       0       0       0         13       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0		Q Sc	then what I hear you saying is that he		5	A Yes.	
<ul> <li>A. Well, there was supposed to be cross-funing. If most supposed to be the second of the event splain why - or, the standard second of the event splain why - or, the standard second of the event splain why - or, the splain why</li></ul>	1	intended to	r you to learn or pick up these		6		ner
9         coses-training. I'm not sure exactly what he meant by that, 11         9         Q Okay. Have you invested any money with any 12           11         did hat cross-training ever occur? 13         A           12         did hat cross-training ever occur? 14         A           14         Q Did he ever tell you why it didn't or did 15         you ever ican may bit didn't or did 16           15         A         Lear only specifies. I'm of sure. 17         a That's on the 18th? 18         A That's on the 18th? 18         A           16         A         I can only specifies. I'm of sure. 20         A         I more sure occur? 10         A           17         A         That's on the 18th? 19         I on the sure occurs? 20         A         I more sure occurs? 21         A           21         Q         A         I reget I         I more sure occurs? 21         A         I on the sure occurs? 21         A           21         Q         A         I sevent bits.         I on the sure occurs? 21         A           22         Q         A         I reget I         I on the sure occurs? 21         A           23         A         I reget I         I on the sure occurs? 21         I on the sure occurs? 21           24         D on warethy is is a on try J wart to a sure					7	businesses with any other TVA employees?	
10       that.       10       TA employees?         10       that.       All right. Did he ever etay low why it didn't or did         11       did hat.       C Did he ever tell you why it didn't or did         12       did hat.       C Did he ever tell you why it didn't or did         13       did hat.       C Did he ever tell you why it didn't or did         14       did hat.       C Did he ever tell you why it didn't or did         15       A Lan only specialize. I'm not sure.       C Did hat.         16       A Reservice were just burg and we       recall.         20       Okay. Now, let's move forward to 1996.       recall.         21       M. MARQUAND:       The going to have marked.?         22       All right.       Nobel these runners.         23       Bandoning that idea?       Franking hanner. The first one is an entry livent to ak.         24       O. Care antry were is a to any special bas is a spectry.       Page 1         25       M. No. 1 had started a buisness when i were solar bas in about as incentsry would be curting in spectry.         24       A. Wisson Machrithm and John Mateigewski. John         25       A. Wisson Machrithm and John Mateigewski. John         26       A. Wisson Machrithm and John Mateigewski. John         27       A. Wisson Ma	8	A W	ell, there was supposed to be		8		
11       Q       All right. Did he ever explain why - or, ADD         12       did that cosst-training ever occur?       Page 2         13       A       No.         14       A       No.         15       A       No.         16       A       No.         17       A       No.         18       you ever tell you why it didn't or did       involvement were you lange with him?         16       A       Isam black were tell you why it didn't or did         17       A       No.         18       you over teal you why it didn't or did       involvement were you lange.         18       you over teal you why it didn't or did       involvement were you lange.         11       Intradit. Nobody ever fold you we're       abandoning that idea?         21       O       A         22       Gifta, return the secure of the secure	9	cross-traini	ng. I'm not sure exactly what he meant b	у	9	Q Okay. Have you invested any more	ney with any
11       Q       All right. Did he ever septian why - or,       A         12       did that crossftraining ever accurred?       Constant why ididit't       Constant why ididit't         13       A       No.       That's on the 18th. I's on the         14       Q       You ever fail you why if didit't       That's on the 18th. I's on the         15       A       Can only speculate. I'm not sure.       Find side of the page.       A         16       A       Can only speculate. I'm not sure.       Find side of the page.       A         16       A       Can only speculate. I'm not sure.       Find side of the page.       A         17       A       No.       Find side of the page.       A         18       You why if never courred?       A       No.       He worked for INF0?         21       A       No.       He worked for INF0?         23       A       No.       No.       He worked for INF0?         24       Find san contrast, why if side is a cart? I want to ask       Page 5         35       Well, actually, let's part gas context exhibit?       Page 5         46       Find san contrast, why if side is a cart? I want to ask       Page 5         57       MARAQUAND.       Find san context exhibit?       Pag	10		- •	•	10	TVA employees?	• •
12       did that cross-training ever occur?       12       Q       On the entry for February the 18th, 1 see         14       you were hearn why it didn't or did       involvement were you having with him?         15       A       I.can only speculate. I'm not sure.         17       Q. You don't recall ever hearing anybody tell       16         18       a       No.         19       vert our ourself in. The not sure.       17         20       O they were pour howing with him?         19       A       R seems like we were just basy and were         21       a       No.         22       a No.       No.         23       A       No.         24       Q. Okay. Now, 1ct's move forward to 1996.       24         25       M.M. MARQUAND: 'I'm going to have marked. I'       1         26       O. New were you concerned about why it work of resource. We tak all         27       A. No.       Page 1         28       W.M. MARQUAND: 'I'm going to have marked. I'm soak       2         36       P.M. MARQUAND: 'I'm going to new marked. I'm soak       2         37       A Flaw on that to on the two ok of the resource. 'I'm soak       2         38       P.M. MARQUAND: 'I'm going to have marked tak iff       2	11	Q Al	ll right. Did he ever explain why or,		11		
13       A No.         13       you ever learn why it didn't?         14       you ever learn why it didn't?         15       you dwy it didn't?         16       you dwy it never occurred?         17       Q You don't riceall ever hearing anybody tell         18       you why it never occurred?         19       A Isseens like were just busy and we         20       Q Alir light. Nobody ever tol you we're         21       A No.         22       A No.         23       A No.         24       A No.         25       Co Nay. Now, le's move forward to 1996.         26       MR. MARQUAND: I'm going to have marked. I are         27       A MA. DAMBLY: treenty six.         28       Chaw. A. A fellow that a to re time worked here, I         29       A MR. DAMBLY: treenty six.         20       A Relaw. What at one time worked here, I         21       Think. as a contractor and then took a job with hroo.         29       You exempted pages from you: 1994         20       A Sol was filed.)         21       A No.         22       A Maken worked for NAO.         23       Contractime time worked here, I         24       Foraston in	12	did that cro	oss-training ever occur?		12		. I see
14         Q. Did he ever tell you wery it didn't or did         14         involvement were you having with im?           19         You ever tell get hearing anybody tell         15         A. That's on the 18th?           19         You were you anying didn't work for TvA then, did he?         Q. Friday, February the 18th?           19         You were you anying with laws any any every on any any strength         16         A. No.           20         Q. All right. Nobody ever toid you we're         20         16         A. No.           21         Q. All right. Nobody ever toid you we're         20         16         A. No.           23         Well, actually, let's just go back to these runners.         Page 7         A. No.         17         A. No.           24         Gr some company, and all some point in time, he went back         16         17         No.           25         Well, actually, let's just go back to these runners.         Page 7         No.         17         No.         19         No.           24         for some company, and all some point in time, he went back         19         10         10         10         10         10           25         MR. NAQUAND.         17         10         10         10         10         10         10         10	13				1		
15       You core team why it didn't?       15       A That's on the 18th?         16       A I can only speculate. I'm not sure.       16       A That's on the 18th?         17       You don't recail get were just busy and we       16       A Recoms like were were just busy and we         20       A Recoms like were just busy and we       20       0       A In the some time, I do not         21       A No.       20       I makes dich't work for TVA then, did he?         23       A Oo.       No.       20       I makes dich't work for TVA then, did he?         24       A No.       20       I makes dich't work for TVA then, did he?         25       O No.       No.       20       He worked for NNOT         26       O No.       No.       20       He worked for NNOT         27       A No.       20       He worked for NNOT in the make that time he age 1         28       Well, actually, let's just go back to these runners.       10       Well actually let's just go back to these runners.         10       MR. MARQUAND:       Page 10       20       Well actually let's for some company, and a some power here.         11       MR. MARQUAND:       Page 10       20       Well actually let's for some time.         12       Weell actually let's fow in farmo	14	0 Di	id he ever tell you why it didn't or did		14		
16       A I can only speculate. I'm not sure.       16       Q Friday, February the 18th. It's on the         18       you why it never occurred?       A is seems like we were just busy and we       A is seems like we were just busy and we         21       here for All right. Not something. I'm not sure.       A is seems like we were just busy and we         22       abandoning that idda?       Q is seems like we were just busy and we         23       abandoning that idda?       Q is seems like wey if the next control of the work of the row control of row row if a seem some where else         24       Q Okay. Now, Let's move forward to 1996.       He work of the row control of row row morks.         2       Q Okay. Now, Let's move forward to 1996.       Was. MARQUAND: I'm going to have marked. I         2       Q. View set field.''       Was. MARQUAND: ''m cone time worked here. I       Page 1         3       Q. View corptice pages from your 1994       Page 1       was. I'm pretty certain, though, that at that time, he went bask in about six months.       Q All right. If 'you''l look at April 1st,         4       Example. I here 's a not is more trave worked here. I       Was. MaRQUAND: ''was conduct regulations; do I have to it here ''s not there worked here. I       Page 1         3       Q. No had to let two know if I have another job?       A is a contrave of keems?'       A Wilson MARThur. It is an adjuar tore row that is months.	15	vou ever le	arn why it didn't?				
17       Q. You don't recall ever hearing anybody tell         18       you why it newr occurred?         19       A. It seems like we were just busy and we         19       A. It seems like we were just busy and we         10       A. It seems like we were just busy and we         11       A. It seems like we were just busy and we         12       Babandamin that idse?         13       A. Okay. Now, let's move forward to 1996.         24       O. Okay. Now, let's move forward to 1996.         25       Well, actually, let's just go back to these runners.         12       guess is twenty five the next exhibit?         26       D. No. I don't remember exactly how long that period         27       Page 8         28       Trankin planner. The first one is an entry 1 want to ask         29       A. Mellow that at one time worked here, I         20       A. Mellow that at one time worked here, I         21       M. MacQiAND.         20       A. Mellow that at one time worked here, I         21       M. M. MAQUAND.         22       A. Mellow that at an etime worked here, I         32       M. M. MANDIAN.         33       Cokay. Why were you concerned about where job?         34       M. Macinta happened to it?     <					1		the
18       you why it never occurred?         9       A It scores like were just busy and we         20       never got around to it or something. I'm not sure.       Q         21       Q Im Bates didh't work for TVA then, did he?         22       A Okay. At this particular time, I do not         23       Dolay. Now, let's move forward to 1996.         24       O Okay. Now, let's move forward to 1996.         25       Well, actually, let's just go back to these runners.         26       O Okay. Now, let's move forward to 1996.         27       MK. MARQUAND: 'm going to have marked, I         28       FExhibit No. 26 was lifed.)         29       Context contains an entry I want to ack         20       Context contains an entry I want to ack         20       Context contains an entry I want to ack         20       Context contains an entry I want to ack         20       Context contains an entry I want to ack         21       Context contains an entry I want to ack         22       Context contains an entry I want to ack         23       Context contains an entry I want to ack         24       Context contains an entry I want to ack         25       Context contains an entry I want to ack         26       Context content then took a lob with NPO.		0 Y	ou don't recall ever hearing anybody tell			left-hand side of the page	
19       A       It seems like we were just busy and we       19       reall         21       Q       All right. Nobody ever told you we're       20       Q       Jim Bates didn't work for TVA then, did he?         22       A       No.       20       Fimality divides       21       A       No.         23       A       No.       22       A       No.       22       A       No.         23       Well, actually, let's just go back to these runners.       Page 8       20       A       Wen he left TVA, hew went sock where clse         24       MAXQUAND.       Immediate that the time he page 1       10       No.       11       genes - is hwenty five the pages from your 1994         5       Fimaking hearner. The first one is an entry 1 want to ask as a contractor hand then took a job with hvo-       10       A       11       10       A       11       10       A       11       10       11       10       11       10       11       10       11       10       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11       11					1		not
20       peer got around to it or someting. I'm not surce.       Q       Jim Bates didn't work for TVA then, did he?         21       abandoning that itdea?       A       No.         22       O Casy. Now, let's move forward to 1996.       A       No.         23       Mem DataBut?, the spin to the term one research here the case.       Page 1         24       Mem DataBut?, the the peet cabibit?       Page 1         25       Well, actually, let's just go back to these runners.       Page 1         26       Mem DataBut?, Twenty six.       Page 1         27       Mem DataBut?, Twenty six.       Page 1         28       Page 1       was. I'm pretty certain, though, that at that time he Reg 1         29       Well, actually, let's just go back to these runners.       Page 1         29       Well manuary 26th, '94.00 number one, who's Mike       Page 1         40       It ithink, as a contractor and then took a lob with NPO       Page 1         41       the time horow if I have another job?       I have no idda.         42       Q. On number three, there's a nota at the sime on the idda chemistry well ad chemi			seems like we were just husy and we				) IIOL
21       Q       All right. Nobody ever töld you we're       21       A       No.         22       abandming that idea?       Q       No.       22       Q       He worked for INFO?         23       A       No.       22       Q       He worked for INFO?         23       Well, actually, let's just go back to these runners.       Page 1       24       A       No.         24       G Xolay, Now, let's move forward to 1996.       25       to NFO. 1 don't remember exactly how long that period         25       Well, actually, let's just go back to these runners.       Page 1       was. I'm pretty certain, though, that at that time he         26       Chronic Transport five the next child?       Page 1       was. I'm pretty certain, though, that at that time he         4       (Exhibit No 66 anits remember exactly how long that jeens?       1       1       1         4       (Exhibit No 66 anits remember exactly how long that jeens?       1       1       1         5       Definition of the root in the not were state at he       1       1       1         6       O. I'we exceepted pages from your 1994       1       1       1       1         7       A Kellow that at one time worked here, I       1       1       1       1       1       1		never got of	round to it or something. The not area				n did he?
22       abandoning that idea?       22       Q       He worked for NPr0?         24       Q       Okay. Now, let's move forward to 1996.       24       G       A Well, actually, let's just go back to these runners.         24       Well, actually, let's just go back to these runners.       Page 8       1       worked for NPr0?         25       to NPO. 1 don't remember exactly how long that period       Page 1       worked for NPr0?       Page 1         26       Well, actually, let's just go back to these runners.       Page 3       1       worked for NPr0?       Page 4         27       frankin planner, The first one is an entry 1 want to ask about on january 26th, '94. On number three, there's a note at the 2       worked for NPR0?       10 box forward. All new management team. Open door. Say 11 think, as a contractor and then took a job with NPR0.         38       bottom. It says TVA's conduct regulations; do 1 have to let they changed that. He said chamistry would be cutting 1       book forward. All new management team. Open door. Say 11         39       O N. Thad started a business when I was in 2       Q       All far, Maciejewski was Wilson McArthur's 2         30       O Jud you have another job?       A No.       Ald wre roy ou continuing to run that 2         41       G Add were you continuing to run that 2       Q       All far, Maciejewski was Wilson McArthur's 2         4       A wisson						· • • •	n, ulu ne?
<ul> <li>A No.</li> <li>Q Okay. Now, let's move forward to 1996.</li> <li>When he left TVA, he went somewhere else</li> <li>MR. MARQUAND: I'm going to have marked, I</li> <li>guesses - is twent for the next cachibit?</li> <li>MR. MARQUAND: I'm going to have marked, I</li> <li>guesses - is twent for the next cachibit?</li> <li>MR. MARQUAND: I'm going to have marked, I</li> <li>guesses - is twent for the next cachibit?</li> <li>MR. MARQUAND: I'm going to have marked, I</li> <li>guesses - is twent for the next cachibit?</li> <li>G. The excepted pages from your 1994</li> <li>Franklin planner. The first one is an entry I want to ask</li> <li>a bottom. The first one is an entry I want to ask</li> <li>a contractor and then took a job with INPO.</li> <li>G. On number three, there's a note at the</li> <li>bottom. I says TVA'S conduct regulators, do I have to leak.</li> <li>G On number three, there's a note at the</li> <li>bottom. I have noidea.</li> <li>G Okay. Why wre you concerned about whether</li> <li>a Thave noidea.</li> <li>G Oki forward. All next margement team. Open door. Say.</li> <li>A Yes, Ido.</li> <li>G Oki May were you concerned about whether</li> <li>a Thave noidea.</li> <li>G Did you have another job?</li> <li>A I have noidea.</li> <li>G Did you have another job?</li> <li>A No.</li> <li>I have noidea.</li> <li>A Wash and pappened to it?</li> <li>A No.</li> <li>A Yes, I do.</li> <li>A Yes, I do.</li> <li>C A I was not running a business.</li> <li>G Ni had stating a business.</li> <li>G Ni had statines or trait.</li> <li>A When the dia pappened to it?</li> <li>A I tays work ing my rear end off at night and on weekends for sure.</li> <li>A Yes, And I do recall that now. And</li> <li>A Yes and I ming a business.</li> <li>A I was not running a business.</li> <li>A I tays work ing wrear end off at night and any the yexist shat you were wolin</li></ul>	21				1		
24       Q Ckay. Now, let's move forward to 1996.       24       for some company, and at some point in time, he went beech on NRO. 1 don't remember exactly how long that period       Page 8         1       MR. MARQUAND: The noing to have marked, I       1       was. I'm pretty certain, though, that at that time he end to the company. and at some point in time, he went beech on NRO. 1 don't remember exactly how long that period       Page 1         2       guess - is twenty five the next exhibit?       was. I'm pretty certain, though, that at that time he end to worked for NRO. 1 use hims as a resource. We talk all to time he account on the to manage of hemistry and the time beam ender proton.         4       A fellow that at one time worked here, I       10       100 for work 1.11 haves in the proton.         5       A fellow that at one time worked here, I       10       100 for work 1.11 haves in the sout of how condit period or sout at the end time for worked for ends?         10       A fellow that at one time worked here, I       10       100 for work 1.11 haves in the sout time be cutting in the work of have another job?         3       or number three?       10       0 Kay. Will work you concerned about whether in the ETP program.         10       Q Kay. Will work out on that work if a work if a night and on worked for sum.       10       0 Kay. If you'll look at he entry for June 2         10       A furg an entry if a night and on worked baves or at TVA?       10       0 (Kay. If you'll have another job?							
<ul> <li>25 Well, actually, let's just go back to these runners.</li> <li>26 INPO. 1 don't remember exactly how long that period</li> <li>Page 1</li> <li>MR. MARQUAND: I'm going to have marked, I</li> <li>guess - is twenty five the next exhibit?</li> <li>MR. DAMBLY: Twenty six.</li> <li>(Exhibit No. 26 was filed.)</li> <li>W. DAMBLY: Twenty six.</li> <li>(Exhibit No. 26 was filed.)</li> <li>W. DAMBLY: Twenty six.</li> <li>(Exhibit No. 26 was filed.)</li> <li>W. DAMBLY: Twenty six.</li> <li>(Exhibit No. 26 was filed.)</li> <li>W. DAMBLY: Twenty six.</li> <li>(Exhibit No. 26 was filed.)</li> <li>W. DAMBLY: Twenty six.</li> <li>(Exhibit No. 26 was filed.)</li> <li>W. Daward 26 in source of a six how shife.</li> <li>(Exhibit No. 26 was filed.)</li> <li>W. Daward 26 in source of a six how shife.</li> <li>(Exhibit No. 26 was filed.)</li> <li>(Ex</li></ul>							
Page 1Page 12guess is twenty five the next exhibit?3MR. DAMBLY, Twenty six.4(Exhibit No. 26 was filed.)4(Exhibit No. 26 was filed.)5BY MK. MARQUAND:6Q. 1've excerpted pages from your 19947Franklin planner. The first one is an entry I want to ask8about on January 26th, '94. On number one, who's Mike9A fellow that at one time worked here, I10A A fellow that at one time worked here, I11think, as contractor and then took at job with INPO.12Q On number three, there's a note at the13them mowy that was another job.14let them howy three you concerned about whether15reanimose three yeas I do.16or Oksy. Why were you concerned about whether17Q Okay. Why were you concerned about whether18the ETP program.19A Ihave no idea.20Q Did you have another job?21A No.22A No.23Q Odd were you continuing to run that24business?25A No.26A Unsy to fire you add the second entry27A No.28Q Usi was not running a business?29Q What had happened to if?20A Il nght. So did you disclose your21A Ng wife ran ut of you have another job?22A Ng wife ran ut of you have another job?33Q So you were out involved in it?4A Il nght.		Q O	kay. Now, let's move forward to 1996.				
1       MR. MARQUAND: I'm going to have marked, I         2       geness - is twenty five the next exhibit?         3       MR. DAMBLY: Twenty six.         4       (Exhibit No. 26 was filed.)         5       PY ME. MARQUAND:         6       O. Twe excerpted pages from your 1994         7       Franklin planner. The first one is an entry 1 want to ask about to alnuary 26th. '94. On number one, who's Nike about on alnuary 26th. '94. On number one, who's Nike about on alnuary 26th. '94. On number one, who's Nike about on alnuary 26th. '94. On number one, who's not ext the allelen?         6       A Fellow that at one time worked here, I         11       think, as a contractor and then took a job with INPO.         9       On number three, there's a note at the let time heave another job.'         9       On number three, there's a note at the lite time heave another job.'         10       O Reaver trave, there's a note at the strip of the value all allow traves another job?'         11       the EEP program.         12       the EEP program.         13       business?'         24       My wife ran it.         25       A No.         26       What had happened to it?         27       A My wife ran it.         28       Q What had happened to it?         39       You were out of fit?	25	well, actua	illy, let's just go back to these runners.		25	to INPO. I don't remember exactly how long	that period
1       MR. MARQUAND: I'm going to have marked, I         2       geness - is twenty five the next exhibit?         3       MR. DAMBLY: Twenty six.         4       (Exhibit No. 26 was filed.)         5       PY ME. MARQUAND:         6       O. Twe excerpted pages from your 1994         7       Franklin planner. The first one is an entry 1 want to ask about to alnuary 26th. '94. On number one, who's Nike about on alnuary 26th. '94. On number one, who's Nike about on alnuary 26th. '94. On number one, who's Nike about on alnuary 26th. '94. On number one, who's not ext the allelen?         6       A Fellow that at one time worked here, I         11       think, as a contractor and then took a job with NPO.         9       On number three, there's a note at the let time heave another job.'         9       On number three, there's a note at the list me monor three?         10       O Namber trove, there's a note at the list me three?         11       the item denses (fill supported to it?)         12       A Moy were you concerned about whether job?         13       bottom. If away working my reare and fill night and on were you continuing to run that business or at TVA?         14       A Way wife ran ii.         15       A Way wife ran ii.         16       A Way wife ran ii.         17       Q What had happened to it?         16 <td></td> <td></td> <td></td> <td>Page 8</td> <td></td> <td></td> <td>Page 11</td>				Page 8			Page 11
2         guess is twenty five the fact exhibit?         2         worked for INVO 1 use firm as a resource. We talk all           4         (Exhibit No. 26 was filed.)         2         worked for INVO 1 use firm as a resource. We talk all           4         (Exhibit No. 26 was filed.)         2         worked for INVO 1 use firm as a resource. We talk all           4         (Exhibit No. 26 was filed.)         2         worked for INVO 1 use firm as a resource. We talk all           6         Q         I've excerpted pages from your 1994         1           7         Franklin planner. The first one is an entry I want to ask         1         1           8         about on January 26th, '94. On number one, who's Mike         1         1994, would you read to us the entry that appears on the           10         A         A fellow that at one time worked here, I         1         1994, would you read to us the entry that appears on the           12         Q         On number three, there's a note at the         1994         1994, would you read the moke so the they changed that. He said chemistry would be cutting           16         A         Yes, I do.         A         Yes, I do.           17         Q Kay. Wy were you concerned about whether         1         A         Yes, sir.           18         or not you had to let TVA know if you had         A	1	М	R. MARQUAND: I'm going to have marked.		1	was. I'm pretty certain, though, that at that	
3       MR. DAMBLÝ: Tventy six.       3       the time because of his knowledge of chemistry and the chemistry-related matters.         3       PY MR. MARQUAND:       Q       Q       All right. If you'll look at April 1st, or Q         4       A A fellow that at one time worked here, I       1       1       1       1         5       A       A fellow that at one time worked here, I       1       1       1       1         1       think, as a contractor and then took a job with INPO.       0       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1       1 <t< td=""><td></td><td></td><td></td><td>, -</td><td>1</td><td></td><td></td></t<>				, -	1		
4       (Exhibit No. 26 was filed.)       4       (Exhibit No. 26 was filed.)         BY MR. MARQUAND:       5       (A) right. If you'll look at April 1st.         6       Q. I've excerpted pages from your 1994       5       (A) right. If you'll look at April 1st.         7       A fellow that at one time worked here, I       (A) right. If you'll look at April 1st.         10       A fellow that at one time worked here, I       (A) right. If you'll look at April 1st.         10       A fellow that at one time worked here, I       (A) right. If you'll look at April 1st.         11       (A) fellow that at one time worked here, I       (A) right. If you'll look at April 1st.         12       (A) On number three's a note at the       (A) was scheduled to go to a sit.         12       (A) No. I had started a business when I was in       (A) Kay. Why were you concerned about whether         13       (A) Lave no idea.       (A) And Mr. Maciejewski's welcoming you back?         14       (A) Lave no idea.       (A) And Mr. Maciejewski's welcoming you back?         15       (A) No. I had started a business when I was in       (A) And Mr. Maciejewski's welcoming you back?         16       (A) Wise ran it.       (A) Con't know.         17       (A) My wife ran it.       (A) My wife ran it.         18       (A) I was ont running a business.       (A) I							
5       BY MR.MARQUAND:       5       Q       All right. If you'll look at April 1st, 6       994, would you read to us the entry that appears on the finally record of events?         8       about on January 26th, '94. On number one, who's Mike       1994, would you read to us the entry that appears on the finally record of events?         9       A fellow that at one time worked here, I       1       100k forward. All new management team. Open door. Say in the really means it. Says I was scheduled to go to a site.         10       0 on number three, there's a note at the the mow if I have another job?       1       A flate, the woow if I have to iter or undy ou had to let TVA know if you had another job?         10       A layes no idea.       0       Okay. So is this apparently after you had?         11       the terp program.       0       Okay. May were you conterned about whether         12       A No. Thad started a business when I was in       1       0       Okay. If you'll look at the entry for June         13       0       Okay. May were you continuing to run that       1       A low it mow.       1       A low it wow.         14       M wy wife ran it.       1       A low working my rear end off at night and on worked to it?       A lif sight. So dui you uselose your       1         15       Q Number two, under daily record of events?       A lif sight. So dui you useay the wore obligaid und wot the call is correcity, it	1						
6       Q. I've excerpted pages from your 1994       6       1994, would you read to us the entry that appears on the daily record of events?         8       about on January 26th, '94. On number one, who's Mike Juellen?       A fellow that at one time worked here, I         10       A A fellow that at one time worked here, I       A Wilson McArthur and John Maciejewski. John Maciejewski. John Vok forward. All new management team. Open door. Say think, as a contractor and then took a job with hroo. If awy tryk so conduct regulations; do I have to the entry for so the entry was scheduled to go to a site, and then to sole was scheduled to go to a site, and then to sole was scheduled to go to a site, and then tow or and you 're reporting back to work and the tory of you had to let tryk know if you had another job?         11       Q Okay, Why were you concerned about whether or not you had to let tryk know if you had another job?       A Yes, I do         12       A Mo. I had started a business when I was in the thery forgram.       Page 1         12       Q Mad were you continuing to run that business?       Page 1         13       Q So you were out of it?       Page 1         2       A No.       Page 1         2       A Way wife ran it.       A May wife ran it.         3       Q So you were out involved in it?       Page 1         4       I was not running a business.       A I try as nettry in the susiness.         3       Q You were not involved in it?       Page 1 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>et</td>							et
7       Franklin planner. The first one is an entry I want to ask about on January 26th, '94. On number one, who's Mike 9       7       daily record of events?         8       about on January 26th, '94. On number one, who's Mike 9       A fellow that at one time worked here, I         11       think, as a contractor and then took a job with NPO.       0         2       O number three, ther? is a note at the let them know if I have another job. Do you see that, it im number three?       1         13       bottom. It says TVA's conduct regulations, do I have to remote on about you had to let TVA know if you had another job?       0         14       A I have no idea.       0       O kay. Why were you concerned about whether it the ETP program.         15       or not you had to let TVA know if you had another job?       A       No. Thad started a business when I was in the ETP program.       Page 1         20       A Mo were you continuing to run that business?       Page 7       A I don't know.       Page 7         25       A No.       Page 7       A I was working my rear end off at night and on weckends for sure, or at TVA?       Page 7         2       A I don't know.       Q All right.       So gou were out of it?       A I was working my rear end off at night and on weckends for sure, or at TVA?       A I don't know.       Page 7         2       A I don't know.       A I don't know.       A I was working my rear en							
s about on January 26th, '94. On number one, who's Mike       a       A Wilson McArthur and John Maciejewski. John         o       Luellen?       A Milson McArthur and John Maciejewski. John         o       A A fellow that at one time worked here, I       item number three, there's a note at the         Q       On number three, there's a note at the       item number three, there's a note at the         item number three, there's a note at the       item number three, there's a note at the         item number three, there's a note at the       Q         o       O Nay Why were you concerned about whether         item rumber three, thaw to ida.       Q         Q       Did you have another job?         A       No.         2       A No.         3       Q So you were out of it?         4       A were you continuing to run that         business?       Page 9         1       Q         2       A No.         3       Q So you were out of it?         4       A were you continuing to run that         5       Q You were not involved in it?         4       A way wife ran it.         3       Q So you were out of it?         4       A way wife ran it.         5       Q You were not involved in it?				ack	1		spears on the
<ul> <li>Juellen?</li> <li>A A fellow that at one time worked here, I</li> <li>A fellow that at one time worked here, I</li> <li>In think, as a contractor and then took a job with INPO.</li> <li>Q On number three, there's a note at the</li> <li>bottom. It says TVA's conduct regulations; do I have to</li> <li>let them know if I have another job. Do you see that,</li> <li>item number three?</li> <li>A Yes, I do.</li> <li>Q Okay. Why were you concerned about whether</li> <li>A No. T had started a business when I was in</li> <li>Q Did you have another job?</li> <li>A No. T had started a business when I was in</li> <li>Q And Mr. Maciejewski 's welcoming you back?</li> <li>A No. Thad started a business when I was in</li> <li>Q Mad karted a business when I was in</li> <li>Q What had happened to it?</li> <li>A No. Thad started a business.</li> <li>Q You were out in involved in it?</li> <li>A I was not running a business.</li> <li>Q You were not involved in it?</li> <li>A I was not involved in it?</li> <li>A I have no timely read off at night and</li> <li>on weekends for sure.</li> <li>Q Did anyone ever advise you that if you had</li> <li>A I don't recall.</li> <li>Q Did anyone ever advise you that if you had</li> <li>A I don't creall.</li> <li>Q Did anyone ever advise you that if you had</li> <li>A I don't know?</li> <li>A I do treall hat now. And</li> <li>Whenever I came back to work, I had some questions about in ander United States code to disclose thors?</li> <li>A I do thereall.</li> <li>A I do thereall.</li> <li>A I do thereall.</li> <li>A I do thay one ever advise you that if you had</li> <li>A Con tractily thereall in parentices.</li> <li>M A do 'treall.</li> <li>M I don't know?</li> <li>A I dor't know?<td></td><td></td><td></td><td></td><td></td><td></td><td>awaki John</td></li></ul>							awaki John
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11       think, as a contractor and then took a job with NPO.       in the cally means it. Says I was scheduled to go to a site,         12       Q       On number three, there's a note at the         13       bottom. It says TVA's conduct regulations; do I have to         14       Let them know if I have another job. Do you see that,         15       item number three;         16       A Yes, I do.         17       Q       Okay, Why were you concerned about whether         18       or not you had to let TVA know if you had another job?         19       A       I have no i dea.         20       Did you have another job?       A         21       A No. 1 had started a business when I was in       A         22       A My wife ran it.       20         23       A No.       Page 9         24       My wife ran it.       22         3       Q. So you were out invi?       23         4       A I was not running a business.       24         5       Q. What had happened to it?       24         4       A I was working my rear end off at night and       64         7       No.       I adon't know.         9       Q. Did anyone ever advise you that if you had       30         14			fallow that at one time muchad have T			wanted to welcome me, tell me to lorget add	out me past,
12       Q       On number three, there's a note at the         12       bottom. If says TVA's conduct regulations; do I have to         14       let them know if I have another job. Do you see that,         15       item number three?         16       A Yes, I do.         17       Q Okay. Why were you concerned about whether         18       or not you had to let TVA know if you had another job?         19       A I have no idea.         19       A No. I had started a business when I was in         20       Did you have another job?         21       A No. I had started a business when I was in         23       Q And were you continuing to run that         24       business?         25       A No.         2       A My wife ran it.         2       Q What had happened to it?         2       A I was not running a business.         3       Q So you were out in olived in it?         4       A I was nor trunning a business.         5       Q In the business or at TVA?         8       Q In the business or at TVA?         9       Q All right.         10       Q What had happened to it?         4       A I was not running a business.         9 <t< td=""><td></td><td></td><td></td><td></td><td>E</td><td></td><td></td></t<>					E		
13       bottom. It says TVA's conduct regulations; do I have to let them know if I have another job. Do you see that, item number three?       13       back in about Six months.         14       let them know if I have another job. Do you see that, item number three?       14       Q Okay. So is this apparently after you had or not you had to let TVA know if you had another job?         16       A Yes, I do.       14       Q Okay. So is this apparently after you had or not you had to let TVA know if you had another job?         17       M. I had to idea.       Q And Mr. Maciejewski's welcoming you back?         20       Q Did you have another job?       A No. Thad started a business when I was in         21       A Mo wire ran it.       2         22       A No.       You were you continuing to run that         23       Q What had happened to it?       2         24       My wife ran it.       2         3       Q So you were not involved in it?       2         4       I was working my rear end off at night and on weekends for suc.       7         3       Q In the business or at TVA?       9         4       I don't troeall.       7         5       Q You were not involved in if?       2         4       I don't recall.       9         5       Q You were outof if?       1 <tr< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr<>							
14       let them know if I have another job. Do you see that,       14       let them know if I have another job.         16       A Yes, I do.       15       reached the resolution of your 1993 Department of Labor         16       A Yes, I do.       16       A Yes, Sur.         17       A No. 1 had started a business when I was in       17       A No. 1 had started a business when I was in       18         20       Q And were you continuing to run that       20       boss at that time?       21         21       A No.       20       Okay. So is this aparently after you had         23       Q And Were you continuing to run that       20       boss at that time?         24       A No.       21       A I was not running a business.       21       A I was not running a business.         24       A I was not running a business.       2       A I was working my rear end off at night and       7       7       A I was working my rear end off at night and       7       7       8       A - or that Ron had with Ron       4       Q All right.         35       Q I In the business or at TVA?       9       Q Rad-Con number is three?       9       A Reduction are corning. Going to loan one guy now. If I         36       Q any off a recall.       A I don't knowit f that ever obligated       A I was not running a b		Q OI	n number three, there's a note at the				ouid be cutting
15       item number three?       15       reached the resolution of your 1993 Department of Labor complaint and Mr ar dyou're reporting back to work an Mr. Maciejewski's welcoming you back?         16       A Yes, I do.       complaint and Mr ar dyou're reporting back to work an Mr. Maciejewski's welcoming you back?         17       Q Okay. Why were you concerned about whether       17       Mr ar dyou're reporting back to work an Mr. Maciejewski was Wilson McArthur's         20       Q Did you have another job?       20       A Mo. Tad Started a business when I was in       21         21       A No. Tad Started a business when I was in       22       A I don't know.         22       A Me were you continuing to run that       22       Q Okay. If you'll look at the entry for June         22       A No.       Page 9       1       Q Number two, could you read the second entry         24       business?       25       A It's an entry       Page 9         2       A My wife ran it.       2       A It's an entry       Page 1         3       Q So you were out of it?       4       A I was outry ing partment of Labor         4       A was dor antimo, and with Ron       Q All right.       5         5       Q You were not involved in it?       4       A was out off at night and       6         6       A		bottom. It	says TVA's conduct regulations; do I have	το			1 1
16AYes, I do.17QOkay. Why were you concerned about whether18or not you had to let TVA know if you had another job?19AI have no idea.19AI have no idea.20QDid you have another job?21ANo. 1 had started a business when I was in23QAnd were you continuing to run that24business?2125ANo.26QWhat had happened to it?27ANo.28QWhat had happened to it?29AI was not running a business.30QYou were out of it?31QSo you were out of it?32AI was not running a business.33QYou were out of it?34AI was not running a business.35QYou were out of it?36AI was working my rear end off at night and37AI neb business.39AIn the business.30QOkay U disclose your310QI don't recail.311QDid anyone ever advise you that if you had312AI don't recail.313QSo uustide business to TVA?314AI don't tracell.315QYou were end off at night and316O hal m't recail.317AI don't tracell.318QSo did you disclose your <td></td> <td>let them kn</td> <td>ow if I have another job. Do you see that</td> <td>τ,</td> <td></td> <td></td> <td></td>		let them kn	ow if I have another job. Do you see that	τ,			
17       Q       Okay. Why were you concerned about whether         18       or not you had to let TVA know if you had another job?       A       I have no idea.         20       Q       Did you have another job?       A       Yes, sir.         20       Q       Did you have another job?       A       No. I had started a business when I was in         21       he ETP program.       20       And were you continuing to run that       20       O Kay. If you'll look at the entry for June         23       A No.       16h, 1994, number two, could you read the second entry         24       business?       25       A       It's an entry         25       A       No.       Page 9       Page 1         26       Q       What had happened to it?       21       A       It's an entry         2       A       I was not running a business.       2       A       It's an entry         3       Q       So you were out oit?       3       discussion I had with Ron       4       A       I was working my rear end off at night and       -       -       A       -       -       Page 1         4       A       I was working my rear end off at night and       -       -       Reductions are coming. Going to loan one guy now. If							
18       or not you had to let TVA know if you had another job?       18       A Yes, sir.         20       Q Did you have another job?       20       Q And Wr. Maciejewski was Wilson McArthur's         20       Q Did you have another job?       20       A No. 1 had started a business when I was in       20         21       A No. 1 had started a business when I was in       20       Q And Wr. Maciejewski was Wilson McArthur's         23       Q And were you continuing to run that       21       A I don't know.         23       Q And were you continuing to run that       23       A Idon't know.         24       A No.       1994, number two, could you read the second entry         25       A No.       23       A It's an entry         26       A My wife ran it.       23       A It's an entry         27       A Was not running a business.       2       A It's an entry         28       Q You were out of it?       3       4 I aght. Ron         3       Q So you were out of it?       3       4 I aght. Rom         4       A I was working my rear end off at night and       6 In the business.       6 Reductions are coming. Going to loan one guy now. If 1         7       on weekends for sure.       9 Q Rad-Con number is three?       A Rad-Con number is three?							back to work and
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Dep	o of Gary Fiser	Condense	It <sup>™</sup>	In Re: TV
	orticle une commente. Ils statistications to statistication of the	Page 13		Page
1	article was accurate. He advised me to stay out of it.		Q Let me ask you if I'm re	
2	Q What article is he referring to?	2	He said that he still felt I should a	
3	A I think there was an article written by a	3	the reporter and stick with the tru	th. Is that what Mr.
	fellow the newspaper in Dayton, Tennessee.	4	McArthur told you?	
5	Q And it was about your case?	5	A That's right.	
6	A Not just my case.	6	Q Okay. So is there any de	oubt in your mind
7	Q Well, it was about whistle blowers, and it	7	that this entry on June 20th refers	
8	included a quote from you or something about your of	case: 8	16th with Ron Grover?	,
	correct?	9	A It certainly appears that	way
ó	A As I recall, that's correct.	10		
			Q Wilson McArthur didn't	
1	Q And so you were having this discussion with	h 11	misgivings, at least that you recor	ded, about the fact
2	Mr. Grover in which he was speculating that maybe		that somebody might tell him not	to keep you in the
3	wouldn't get a job in the reorganization because of	13	reorganization?	
	something in the article?	14	<ul> <li>A Not in that conversation,</li> </ul>	no.
5	A Well, that's not what it says, but you can	15	Q Okay. On June 29th, the	ere's an entry
6	infer that if you'd like.	16	there. Can you read that for us, p	
7	Q Well, how did you understand it? I mean,	17	A Uh-huh. This is apparen	
	you've got the two sentences right there together. If	vou 18	I had with Ron	
9	narticinate in the interviewe company may tall him	ot to 19		
	participate in the interviews, someone may tell him n	0100 19	Q Okay.	Costobour tollead
0	keep me in the reorganization. Then it goes on and s	ays 20	A wherein I say he said	
1	he asked you about your objective in the article. I m	ean, 21	to him today about the reorg and	ine importance of saving
2	they're juxtaposed. I mean, how did you understand	it? 22	his favorite employee, parenthesis	
3	A I think Ron was concerned that it would not	t 23	Q Sam and Ron didn't get	
1	be received well by TVA management.	24	A At times they did not.	
5	Q That he was concerned that it might not be	25	Q And what was this wh	v do vou have this
		Page 14	in anotas his familie 1	Page
	the article might not be received well?	1	in quotes, his favorite employee, r	
2	A You'd have to talk to him about that.	2	A Because I'm certain that	
5	Q All right. Did anybody else in your	3	It was not stated to me at that tim	
ŧ	management ever express any concern to you about the	he fact   4	with Ron. It might have been stat	
;	that your name and you were quoted in an article about	out 5	Goetcheus had with him but not n	ne. So if it was inferred
	whistle blowers?	6	I put it in parentheses.	
,	A I don't recall.	7	Q All right. So why did yo	w or Ron infer
3				
	Q But he did tell you that he didn't he	1ine 8	that Sam was Goetcheus' favorite	emproyee:
	had not received any directions from someone up the		A Probably appearances.	
	but he was just speculating that that might happen, w		Q Okay. Goetcheus was a	
-	he?	11	maintaining the integrity of the st	eam generators
2	A You can read it as well as I can. That	12	basically, wasn't he?	
	appears to be	13	A Yes.	
4	Q Isn't that what it says?	14	Q And do you know if he h	ad a lot of
5	A That appears what it was saying. I would	15	confidence in Sam Harvey's abili	
	refer this to him personally.	16	chemistry program to accomplish	
		10	A I don't know how much	confidence he had in
;				contraction the flagt fit
	20th, 1994.	18	him. O Did he seem to express a	onfidence in Ser to
)	A Uh-huh.	19	Q Did he seem to express c	f the steem commenter of
)	Q There is an entry one entry there. Can	20	be able to maintain the integrity o	ule steam generators?
	you read that for us, please?	21	A No, I would not say that.	
	A It was a conversation I must have had with	22	Q Well	
	Wilson McArthur, because WCM's initial were there.	23	A He had confidence in him	nself for
	Q Uh-huh.	24	maintaining the integrity.	
	A I discussed my conversation with Ron	25	Q Goetcheus had confidenc	e in himself?
				Page
		Page 15	A In himself Ilm not man	
	Grover, parentheses, 16th.		A In himself. I'm not sure	ne would chu ust
	Q Which would be the conversation we just	2	that to anyone.	0
	talked about; right?	3	Q Did he seem to think that	
	A I don't know.	4	expertise in the area of secondary	chemistry?
	Q Well, if you look back, it was on the 16th.	5	A I can't read the man's mi	ind.
	Isn't that the way you keep your planner?	6	Q I asked you if that's what	
	A I'm certain I did not write down every	7	think.	
	conversation I had on the 16th.	8	A I don't know.	
	Q I understand that. But doesn't it say I	1 (41-9	Q Did he rely upon Sam?	
	discussed my conversation with Ron Grover, parens,		A I don't know.	
	A That's correct.	11	Q Did he rely on you?	
	Q And if you look back on the 16th, we just	12	A At times.	
	talked about a conversation you documented you had	with 13	Q Who did he rely on the r	est of the time?
	Ron Grover on the 16th. Isn't that what it apparently		A You'd have to ask him.	
	refers to?	15	Q You don't know?	
	A I can see how you would make that	16	A No. You'd have to ask h	im.
	A I Can see now you would make that			
	inference. Yes, sir.	17	Q Okay.	~
,	Q All right. Let's read the rest of the	18	A I'm not into mind readin	
r L		19	Q Did you get along with C	joetcheus?
r L	entry for June 20th.			
7 3	entry for June 20th. A For June 20th?	20	A At times.	
• 	entry for June 20th. A For June 20th?			nes that you didn't
r L ) }	entry for June 20th. A For June 20th? O Uh-huh. I discussed my conversation with	20 21	Q Did you were there tin	nes that you didn't
, ,	entry for June 20th. A For June 20th? Q Uh-huh. I discussed my conversation with Ron Grover on the 16th with Wilson. Am I reading	20 21 it 22	Q Did you were there tin get along with Goetcheus?	nes that you didn't
	entry for June 20th. A For June 20th? Q Uh-huh. I discussed my conversation with Ron Grover on the 16th with Wilson. Am I reading is correctly so far?	it 20 21 22 23	Q Did you were there tin get along with Goetcheus? A There were.	
	entry for June 20th. A For June 20th? Q Uh-huh. I discussed my conversation with Ron Grover on the 16th with Wilson. Am I reading	it 20 21 22 23	Q Did you were there tin get along with Goetcheus?	at?

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Der	po of Gary Fiser	Conden	selt	<sup>M</sup> In Re: TVA
1	he asked one of my guys to falsify data.	Page 19	1 23	Page 22 Brd of '94 that the IG had released those tapes somewhere
2	Q When was this?		2 in	some context?
3	A I don't recall the date.		3	A Unless I was just on the wrong page when I
4	Q Did you ever get upset with Goeto what seemed to you to be his preference for	r Sam?	4 re 5	corded it, that's correct. Q All right.
6	A With Goetcheus?		6	A That did happen sometimes.
7	Q Yes.		7	Q I saw that,
8	A I don't recall getting upset with hi	m.		Exhibit No. 27 was filed.)
9 10	Q Okay. Did you ever learn that Sat			MR. MARQUAND;
11	that Goetcheus had expressed a preference i A Yes.		10 11 ex	Q Mr. Fiser, I've shown you Fiser deposition hibit twenty seven. It's a copy of the some of the
12	Q Did that bother you?			ges out of your 1995 planner. Do you see the entry for
13	A Yes.		13 A	pril 26th, 1995? There's one entry under the daily
14 15	Q Did you learn why he expressed a for Sam?			cord of events.
16	A No.		15 16	A Right. Q Can you read that to us, please?
17	Q And when did you learn this?		17	A I will try. It must have been a
18	A I don't recall.			nversation I had with Phil Pfiefer, one of the attorneys
19 20	Q Okay. A Lot think there are noted on it the	1		orking for TVA, preparing for the case Bill Jocher had
20	A I do think there are notes on it, the Q If you'll look at the entry for June	30th 2	20 go 21	Q All right. Why don't you read this entry
22	1994, what is the can you read the first e	ntry out loud 2		d then we'll ask you some questions about it?
23	for us please?	2	23	A 632-8949, Bill's attorney, 9th dash and
24 25	A Again, I have Ron out beside num	ber one. 2	24 23	rd of May. During the week of the 15th. Need to be
<u> </u>	So it must have been a conversation I had y		25 ab	le to get me on short notice.
1	my name came up in a meeting with John 1	Page 20   Maciejewski He	1	Q Some rocky top rocky time? Page 23
2	said that John expressed misgivings about r		2	A Some rocky time, but time but the time
3	had		3	I'm going to try this again some rocky time. By the
4	Q Had turned it around?			ne he left, we had
5	A and that he had turned it around telling him how hard I've been working 1	by think that a a	5 6	Q Patched things up?
7	comma there; I'm not sure about turning	around Watts		A Oh, I see. Some rocky time. By the time left, we had patched things up. No real help. Many
8	Bar chemistry, image with NRC, NSRB, et ce	tera, that I was		alings with WCM.
9	working long, hard hours and that the peop	e at Watts	9	Q That's Wilson McArthur.
10 11	WBN, Watts Bar, were very pleased with the doing.		0	A WCM Q Was fair?
12	Q Did Mr. Grover tell you what the	misgivings 1	2	A I think that's what it says. WCM was fair.
13	that Mr. Maciejewski had about you were?			an was a bad guy.
14	A If he did, I did not record it here.		4	Q All right. So this is a conversation
15 16	Q And you don't remember? A No.	1	5 ap	parently you're having with Phil Pfiefer, an attorney
17	Q Look at the fourth entry. Read that	it to us,	0 IIC 7 att	orney wants you to be available during certain periods
18	please.	1		May of '95 to testify in Bill Jocher's case?
19	A Ron Grover wants me to do the les		9	A Uh-huh.
20	think that's plan on primary chemistry.	2		Q And you're telling him basically what
21 22	Q For what? A I don't have a clue.	2		u've noted here is some of the information that you had provide in this case, that is, you had some rocky times
23	Q Okay. If you'll look at the entry f		.2 tu 13 bu	t by the time Bill Jocher left, you and he had patched
24	August 23rd, can you read to us the entry n	umber six? It 24	4 thi	ngs up?
25	refers to Beth Thomas.	2	:5	A That's correct.
	A Vec	Page 21		Page 24
1 2	A Yes. Q And Beth Thomas is in the Inspec		1 2 he	Q And then you said what does the no real
3	General's office; right?		3	A I have no idea.
4	A That's correct.		4	Q All right. And then you said had many
5	Q Okay.			alings with Wilson McArthur; is that right?
67	A Beth Thomas. I told Beth I was ca about the timing of release of the tapes. I to		6 7 I d	A I said many dealings with Wilson McArthur.
8	had just been notified of the fact that our jo		8	Q All right. And then you said Wilson
9	risk. She was unaware of it. That's in pare	mtheses. I		cArthur was fair?
10	told her I wanted to discuss this with Donal			A Right.
11 12	think. Q Okay. And is she is this conver	sation 11		Q This is your conversation with Phil iefer?
13	referring to the IG's release of the copies of			A That's correct.
14	surreptitious tape-recordings you made?	14	4	Q Not with Bill; right?
15	A It must have been.	tion that		A That is correct.
16 17	Q All right. And had they informed were going to release those tapes?	you they 10		Q So you're telling Pfeifer your perceptions Wilson McArthur and Dan Keuter?
18	A No. They had told me they were n			A I suppose that's Dan Keuter. We have to
19	to release them without my knowledge. An	d then I think I 19	9 ini	er that
20	got a letter that said, hey, we did it or some	thing like 20		Q How many other Dans
21	that. Q But that's what that was about wa	2		A That would be logical.
		s the fact	2	() How many other Uses in management would you
22		s the fact		Q How many other Dans in management would you ow of?
	that they A Yeah, that they released the tapes. Q All right. So you knew at least by	s the fact 22 22 24	3 kn 4	

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Jej	po of Gary Fiser Cond	ense	In Re: T
	Page 2:		Page
1	what it appears.	1	environmental, temperature that would be degrees T
2	Q All right. So when Mr. Pfeifer was	2	temperature problems, rumor or hearsay. Ruth Morgan is
3	interviewing you about appearing as a witness at the	3	his secretary.
4	trial, you were telling him Wilson McArthur was fair, but	4	Q All right. So what was this about? What
Ś	Dan Keuter was a had mu?	1	
	Dan Keuter was a bad guy?	5	was Grover telling you? He had a meeting with Tom
5	A Yes.	6	McGrath. Tom McGrath's the new boss, and Tom wants to be
7	Q Okay.	7	kept up to speed with everything going on, even if it's
3	MR. DAMBLY: Off the record for a second.	8	just a rumour or hearsay; is that right?
)	(A discussion was held off the record.)	9	A Well, if it's I would say if it has to
)	BY MR. MARQUAND:	10	do with a smill environmental terrestative mechanic menor
			do with a spill, environmental temperature problems, rumor
	Q If you'll look at the entry for June 30th,	11	or hearsay, in other words if we even think there might be
2	would you read out loud the entry the third entry on	12	a problem with the temperature.
	the daily record of events? And then I'll ask you some	13	Q He doesn't want to be surprised?
1	questions about it.	14	A He doesn't want to be surprised. That's
5	A The third entry says US Congress, Con	15	
;	Clement, C-L-E-M-E-N-T, House of Representatives,		what I get out of it.
		16	Q So, in other words, he's saying if there's
	attention Jay Hansen. Tell him that Ann Harris told me to	17	a problem, you tell me about?
	call NRC's IG. And I have the phone number and Tom	18	A Regarding spills, environmental
	Blatchford	19	temperature, rumour or hearsay.
	Q All right. What does this mean?	20	Q All right. Now, was this a one-on-one
	A I don't know.	21	conversation you had with Grover?
	Q Had you had conversations with Ann Harris	22	A I don't know. It could have been a phone
	in which she suggested you call Congressman Clement's	23	call.
	office?	24	Q All right. But it wasn't apparently a
	A Yes, it appears to be.	25	staff meeting. It was just a message Grover passed on to
	Page 26		Page
	Q Why?	1	you?
	A I don't know.	2	A Oh, it could have been a staff meeting. I
	Q Why was she recommending you call	3	mean, if he just said that to me or in a staff meeting or
	Congressman Clement?	4	anywhere.
	A I do not recall. I know I had	5	Q I note that it doesn't say anything about
i	conversations with her, but I really don't	6	chemistry issues here. McGrath is concerned about
	Q About what?	7	apparently environmental problems, spills, temperature;
	A My case, Bill's case, her case.	8	right?
	Q There's a reference to a Tom Blatchford	9	A That's what it says.
ł	here.	10	Q And Grover's passing on this information to
	A Right.	11	you as though it's your responsibility to let him know so
2	Q Is that somebody in the NRC's IG office?	12	he can let McGrath know; right?
	A I would assume so.	13	A That's correct.
	Q Were you in contact with the NRC IG?	1	All might. So at longt to some dogmen at
	Q Were you in contact with the NKC 1G?	14	Q All right. So at least to some degree at
5	A It doesn't say that.	15	this point in time Grover was holding you accountable for
6	Q Pardon me?	16	some environmental responsibilities?
	A It doesn't say that.	17	A Absolutely not.
5	Q I know. But were you in contact with the	18	Q Even though he was giving you these
	NRC IG?	19	directions?
	<b>.</b>		
ł	A I don't recall, but it would not surprise	20	A To communicate those to McGrath. Somebody
	me.	21	else could have done the work. I didn't have to do the
	Q I haven't seen any documents from the NRC	22	work. He just wanted to know if something was going or
	indicating one way or another whether or not you have	23	Q So you had a responsibility to report them?
	been. I would assume that they would have been produced	24	
	if you had been.	25	know he wanted to have the report. That does not mea
	Page 27	1	Page
	MR. DAMBLY: Well, unlike TVA, NRC'S IG	1	that I was doing the work.
	doesn't provide those documents.	2	Q You had the responsibility to report the
		3	problems if you were aware of them?
	MR. MARQUAND: I would assume they would if		
	the case was closed and you asked for them.	4	A That's correct.
	MR. DAMBLY: Well, as far as I know, there	5	Q If you'll look at the entry for October
	never was I mean, IG would not investigate	6	16th, 1995, would you read the fifth entry, please?
	whistle blower complaints. That's OI's function.	7	A Sam says we are signed up for Chem Works.
	MR. MARQUAND: Unless the whistle blower is	8	No problems. Ron had approved it. We, corporate
		ŷ	
	complaining about OI.		chemistry, have the voting share.
	MR. DAMBLY: I have no knowledge of there	10	Q And there's an exclamation point behind
	being any IG investigation.	11	that; right?
	MR. MARQUAND: Could you check and, if	12	A I think that's correct.
	there is, produce the documents?	13	Q What's that mean?
	MR. DAMBLY: Sure. I'll see if there was	14	A Sam was letting me know that we now have
	one.	15	the program Chem Works on the computer and we can run it.
	BY MR. MARQUAND:	16	Q What's that mean, that corporate chemistry
	Q Would you look for the entry for	17	has the controling share?
	MR. DAMBLY: What year are you talking	18	A I'm not sure.
	about?	19	Q Corporate chemistry was in control of it,
	MS. EUCHNER: '95.	20	right, as opposed to the sites?
	BY MR. MARQUAND:	21	A That's what it appears.
	Q October 12th, 1995. Can you read us	22	Q All right. Now, moving to 1996, at some
		23	DOULD IN THIS ADD DECAME AWAIE THAT TOUR MUCH MAD TAKEN
	that entry?	23	point in time you became aware that Tom McGrath had taken over at least in an acting canacity as the when Don
		23 24 25	over, at least in an acting capacity, as the when Don Moody became ill; is that right?

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$\begin{array}{cccccccccccccccccccccccccccccccccccc$	Pag A That's correct. Q And you learned that in the fall of 1995? A I don't recall. Q You knew Don Moody died in the fall of 195, didn't you? A McGrath had taken over before he died. I n't remember when he died. Q All right. You're aware that McGrath began king over responsibilities in the September/October time ame in '95? A Whenever. I know he took over. Q All right. Because we have already seen, r example, the conversation you had with Grover in wh rover told you McGrath wanted to make sure you report vironmental problems? A (No verbal response.) Q You have to say yes or no for the court porter. A Correct. Q All right. When did you first learn that ere might be a reorganization of the chemistry and vironmental organization in 1996? A I don't recall. Q When you learned of it, was it of concern you? Pag A As I recall, it was. xhibit No. 28 was filed.) 'MR MARQUAND: Q All right. I've handed you Fiser position exhibit twenty eight. It is a selection of ges from your 1996 planner. That runs from March 20 ough May 14th of 1996.	e 10 11 12 14 15 16 16 16 16 16 16 16 16 16 16	2 has 3 but 5 beca 5 con 7 to h 8 is. 9 at th 1 that 5 and 5 the 7 you 9 you 9 you 9 you 9 you 9 you 9 you 9 you 9 you 9 times 1 that 1 t	Q I thought you did that like, if you nded to have a conversation with somebody, you put r name on the prioritized daily task list on the eding page, and then when you accomplished the Page
2 3 4 5 5 19 6 7 6 1 2 6 7 6 7 6 7 7 6 7 7 6 7 7 1 1 1 2 6 7 7 1 1 1 1 2 6 7 7 1 1 1 1 1 1 1 1	Q And you learned that in the fall of 1995? A I don't recall. Q You knew Don Moody died in the fall of 1995, didn't you? A McGrath had taken over before he died. I n't remember when he died. Q All right. You're aware that McGrath began king over responsibilities in the September/October time ame in '95? A Whenever. I know he took over. Q All right. Because we have already seen, r example, the conversation you had with Grover in wh rover told you McGrath wanted to make sure you repor- vironmental problems? A (No verbal response.) Q You have to say yes or no for the court porter. A Correct. Q All right. When did you first learn that re might be a reorganization of the chemistry and vironmental organization in 1996? A I don't recall. Q When you learned of it, was it of concern you? Page A As I recall, it was. xhibit No. 28 was filed.) 'MR MARQUAND: Q All right. I've handed you Fiser position exhibit twenty eight. It is a selection of ges from your 1996 planner. That runs from March 20 ough May 14th of 1996.	$e = \frac{10}{12}$ ich 13 ich 14 ich 14 ich 15 ich 15 ich 15 ich 15 ich 15 ich 15 ich 16 ich 16 ich 16 ich 17 ich 17 ich 16 ich 17 ich 17	2 has 3 but 5 beca 5 con 7 to h 8 is. 9 at th 1 that 5 and 5 the 7 you 9 you 9 you 9 you 9 you 9 you 9 you 9 you 9 you 9 times 1 that 1 t	a colon and then nothing following it. A There are times I don't know for sure, there are times when I would write down something ause I was going to have a conversation, maybe the versation maybe it was business, maybe I didn't g lave it. I don't know. I don't even know who Mr. U Q Well, now, as I understand if you look he preceding page, the task list is the list of things you intended to do that date. A Right. Q Whereas, the record of events are things actually happened. I mean, you didn't put down na say I intend to have a conversation with somebody of right-hand side of your planner, did you? A If I was going to have a conversation with and I wanted to record it, I might just write down r name and then try to call you, just so I could have r name down and start writing. I did that a lot of the prioritized daily task list on the reding page, and then when you accomplished the Page
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3         BY           4         6         pa,           5         de,         pa,           6         pa,         r           7         8         0           6         pa,         r           9         in         1           9         3         cvi           5         thi         6           6         pa,         r           9         wc         r           6         thi         pa,           6         r         r           6         r         r           6         r         r           7         r         r           8         wc         r           9         wc         r           11         2         con           7         3         r           12         2         con           3         4         thr	MR. MARQUAND: Q All right. I've handed you Fiser position exhibit twenty eight. It is a selection of ges from your 1996 planner. That runs from March 20 ough May 14th of 1996.	3	2 daily	restion, you would document the conversation on the
3         BY           4         6         pa,           5         de,         pa,           6         pa,         n           7         thr         8           9         0         in           1         pa,         3           6         5         thi           6         6         5           7         8         wc           9         Wc         5           6         7         8           9         Wc         5           60         Th         1           7         4         12           3         4         thr	MR. MARQUAND: Q All right. I've handed you Fiser position exhibit twenty eight. It is a selection of ges from your 1996 planner. That runs from March 20 ough May 14th of 1996.	3		record of events; isn't that correct?
$\begin{array}{cccccccccccccccccccccccccccccccccccc$	Q All right. I've handed you Fiser position exhibit twenty eight. It is a selection of ges from your 1996 planner. That runs from March 20 ough May 14th of 1996.	4	)	A No.
6 pa, 7 thr 8 9 0 in 1 pa, 2 3 4 evo 6 6 7 4 evo 6 6 7 5 8 wc 0 Th 1 41 2 con 3 4 thr	position exhibit twenty eight. It is a selection of ges from your 1996 planner. That runs from March 2( ough May 14th of 1996.	5		Q If you'll look at the daily record of
6 pa, 7 thr 8 9 9 in 1 pa, 2 4 evo 3 thi 5 5 7 8 9 wc 0 Th 1 41 2 con 3 4 thr	ges from your 1996 planner. That runs from March 20 ough May 14th of 1996.			ts for March 25th, 1996, can you read the second entry
7 thr 8 9 1 pa 2 4 eva 5 thi 6 7 8 9 wc 0 Th 1 41 2 2 3 4 thr 4 thr	ough May 14th of 1996.	th   6	-	is please?
8 9 1 pa 2 3 4 eve 5 thi 5 7 8 9 wc 5 7 7 8 9 wc 5 1 41 2 con 3 4 thr				A Ron's staff meeting. I have a colon then
9 in 1 pa 2 3 4 eve 5 thi 6 7 8 wc 9 wc 9 wc 1 41 2 con 3 4 thr	A That's correct.	8		I have something. I'm not sure what it is.
0 in 1 pa 2 3 4 eve 5 thi 6 7 8 8 9 wc 1 41 2 con 3 4 thr	Q These are on this was on your planner			
1         pa,           2         3           3         4           4         eva           5         thi           6         7           8         9           9         WC           0         Th           1         41           2         con           3         4           4         thr	1006 and langer names as these and and man	9		Q Shinberger?
2 2 3 4 eva 5 thi 6 7 8 9 wc 9 wc 9 wc 1 41 2 con 3 4 thr	1996 are larger pages, so these are one page two	10		A Shinberger
3 4 eve 5 thi 6 7 8 9 wc 9 wc 0 Th 1 41 2 con 3 4 thr	ges per day.	11		Q Is checking out?
4 eve 5 thi 6 7 8 9 wc 0 Th 1 41 2 con 3 4 thr	A Okay. I understand.	12		A Shinberger is checking out this week. List
5 thi 6 7 8 9 wc 0 Th 1 41 2 con 3 4 thr	Q If you'll look at the daily records of	13	of re	quired courses TVAU. We have to complete budget for
6 7 8 9 wc 0 Th 1 41 2 con 3 4 thr	ents for March 20th of 1996, can you read to us the	14	fisca	Il year '97, fifteen percent reduction to seventeen
7 8 9 wc 0 Th 1 41 2 con 3 4 thr	rd entry that's got the star by it?	15	; perce	ent reduction. 2001, forty percent reduction. He
8 9 wc 0 Th 1 41 2 con 3 4 thr	A Yes.	16	want	ts two
9 wc 0 Th 1 41 2 con 3 4 thr	Q Okay.	17	,	Q Summary plans?
0 Th 1 41 2 con 3 4 thr	A The third entry is a note from BJ. That	18	5	A summary plans for seventeen percent
0 Th 1 41 2 con 3 4 thr	ould be Bill Jocher. It says they have closed my case.	19	redu	ction in '97 and forty percent reduction in 2001.
1 41 2 con 3 4 thr	ey said they found nothing. Ron Fields, NRC's IG, (301)	20		marize first cut by Monday. Identify our mission,
2 con 3 4 thr	5-5965. Bill said that this word was based on a	21		ary functions, what we must do as a minimum, number of
3 4 thr	nversation that Ron had with Jim Vorse.	22	-	le and the level they should be at, all in bullets.
4 thr	Q Okay. So you were getting information	23		ress safety, reliability, regulatory, maintain proper
	rough Bill Jocher that the NRC IG or NRC OI had closed	24		can't read those last two words.
	ir investigation with respect to your '93 complaint?	25		MS. EUCHNER: The last word may be
	Page			Page
1	A That's correct.	1		expertise.
2	Q Jim Vorse being with OI and Ron Fields			THE WITNESS: Maintain proper technical
	ing with the IG?	3		expertise, I guess. Establish developmental
i uci	A I think that is correct.	4		positions within the organization. We are not
		-		
j - "f	Q If you'll look at the entry for March 22nd	5		policemen, don't do their I don't know what
	1996 on the daily record of events.	6		that means combine Wilson and Ron. Combine
Ţ	A March 22nd. Okay.	7		Rad-Con and chemistry. Separate steam generator
3.	Q Would you read the second entry that begins	8		organization.
	th George Moley?	9		AR. MARQUAND:
)	A George Moley, NRC's IG, (301) 415-5967.	10		Q All right. So is this a meeting where Ron
	llow up with the letter stating my complaint. I think	11	was	telling you how your organization was going to have
	it's Jane.	12	budg	get reductions in '97 through 2001 and that you all
3	Q Jane thinks?	13	were	e responsible for coming up with at least some
l	A Jane thinks that NRC's IE rubber-stamped	14	prop	osals on how to do that while accomplishing certain
-	TVA IG report.	15	matt	ters relating to safety and reliability, et cetera?
j	Q Who's Jane?	16		A No.
7		17		Q What was it about then?
3		18		A You said where he told me.
<u> </u>	A I don't know.			
	Q So is this a conversation you had with	19		Q No, the organization.
	Q So is this a conversation you had with orge Moley with the IG's office or maybe Jane, his	20		A It was a staff
L	Q So is this a conversation you had with orge Moley with the IG's office or maybe Jane, his cretary?			Q A staff meeting?
2	Q So is this a conversation you had with orge Moley with the IG's office or maybe Jane, his retary? A I don't know.	21		A Yes, it was a meeting of the entire staff
s cor	Q So is this a conversation you had with orge Moley with the IG's office or maybe Jane, his retary? A I don't know. Q Okay. Apparently it's some sort of	21 22		
4	Q So is this a conversation you had with orge Moley with the IG's office or maybe Jane, his retary? A I don't know. Q Okay. Apparently it's some sort of nversation with the NRC IG's office.	21 22 23	as I	recall.
	Q So is this a conversation you had with orge Moley with the IG's office or maybe Jane, his retary? A I don't know. Q Okay. Apparently it's some sort of	21 22	as I	

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Dep	oo of Gary Fiser	Conde	ense]	It TM In Re: TVA
		Page 37		Page 40
1	Q So this was the first time that you knew	- • •	1	there's going to be budget cuts. Is he telling you now
23	about the budget cuts and the fact that there was goin be a reorganization?	gio	23	that it's planned that there's only going to be two chemists left in the group, but it would be him and
4	A It's the first time I recorded anything		4	Chandra?
5	apparently.		5	A It may even go beyond that. At that time,
6	Q Okay.		6	it may have been there was only going to be two
78	A I'm trusting you going through my notes.		7	chemistry/environmental/Rad-Con. I don't know. But he
ĝ	Q Well, I mean, if you can find some more, I'll be glad for you to find them. If you'll look at		8	felt like at that time there were going to be two left. They would keep Ron and they would keep Chandra.
10	March 29th, 1996, daily record of events.		10	Q Okay.
11	A Okay.		ii	A And I don't know that for sure. I'm just
12	Q Can you read the third entry for us?		12	guessing.
13	A Yes, I can. Ron Grover, colon. Met with		13	Q That's what your notes indicate, though;
14 15	Chandra, Sam, Diedre, Trish and me. He said that		14	right? That's what your notes indicate that Grover told
16	everything budget-wise was up in the air. He advised Chandra, Sam and me to go get in touch with the Rad	-Chem	15 16	you? A Well, we are assuming that the him is Ron.
17	managers and have them talk with the VPs, parenthese	s Ike.	17	It could have been Sam. I don't know. I don't recall.
18	and have the VPs call McGrath and help us keep McG	arth	18	It's just been too long.
19	from slashing our group.		19	Q Let's see. Your note says Ron said they or
20	Q So Ron wasn't in agreement apparently with	L	20	the it was planned now, that they would keep two in our
21 22	the budget cuts and he wanted to try to have the sites exercise their influence to keep your budget intact; is		21	group. And then there's a long dash. It looks like it
23	that right?		22 23	says but, not and. But it would be him and Chandra. It doesn't mention Sam on this page; right?
24	A It appears to be the case.		24	A No, it doesn't. Right. But we are
25	Q Who's Trish?		25	assuming that the him there is Ron and not Sam. I don't
		Page 38		Page 41
1	A Trish Landers. She worked in the group.	-	1	know that.
23	Q Was she an employee? A Yes.		23	Q All right. If you'll look at the daily
4	Q Or was she an intern?		4	record of events for April 22nd? A April 22nd?
5	A I don't know at that time.		5	Q Right.
6	Q Did you work with her?		6	A Okay.
7	A When you say with her, she was sort of in a	•••	7	Q Would you read to us the second entry?
8	different area job responsibility-wise. But, yeah, we work together.	did	8	A The second entry? Sam Harvey. I called
10	Q What about Sam? Did you work with him?		9 10	him and asked if he had a job yet. He said he Q He does not?
lii	A Oh, yes.		11	A He said he does not but that he is not
12	O Was Sam stationed downtown during this tir	ne	12	concerned about it. I told him that Diedre said she
13	period?		13	Q Did not have an RLA position at Sequoyah?
14 15	A Yes, he was. Q Full time?		14	A did not have an RLA position at
16	Q Full time? A Yes.		15 16	Sequoyah. And I was concerned that they may do the same thing to Sam. Sam said that he had more information than
17	Q Did he have any assignments at the sites?		17	I did
18	A He was assigned Sequoyah.		18	Q No, than did Diedre.
19	Q Did he have any particular assignments that		19	A than did Diedre. And he could not tell
20 21	A I don't recall at that time.		20 21	Q All right. What is this reference when it
22	Q Read the fourth entry to us, please.		22	Q All right. What is this reference when it says he had more information than did Diedre? What's the
23	A The fourth entry. Jack Cox. I talked I		23	deal with Diedre and this RLA position?
24	told sorry Jack that if he liked the way we have		24	A There was a lot of concern with the fact
25	been supporting them that he should contact his VP an	d	25	that they were going to be cutting positions and nobody
		Page 39		Page 42
1 2	have the VP call McGrath. Jack said he knew what to and said he was very pleased with us, chemistry. He		1	would have a job. Diedre at that time was trying to go back to Sequoyah as an RLA.
3	not so pleased		3	Q She was in Corporate environmental; right?
4	Q With Rad-Con?		4	A Yes.
5	A with Rad-Con, just as he had discussed		5	Q And she tried to go back to Sequoyah, and
6	with me last week.		67	she found that she couldn't get a job at Sequoyah?
7	Q Okay. So you were carrying out Mr. Grover's directions to talk with your chem managers	to	8	A That's correct. Q All right.
9	solicit their support for maintaining the corporate		9	A And my concern was because I knew Sam had
10	chemistry budget?		10	been trying to work out something to go back there. And I
11	A That's correct.		11	said, Sam, if Diedre suddenly doesn't have a position when
12 13	Q Read the fifth entry on that page to us, please.		12 13	she thought she did, you know, the same thing might happen to you.
14	A Ron Grover. Met with me privately,		14	Q Well, at that point in time, what did you
15	parentheses, joined us later. Ron said		15	think was going on with Sam at Sequoyah?
16	Q It was planned?		16	A Sam was pretty certain that he was going to be assigned to the chemistry group at Sequence. He had
17 18	A I can't make out that word. Ron said they or there or that I'm not sure that it was planned		17 18	be assigned to the chemistry group at Sequoyah. He had worked out some kind of deal. I don't know the specifics.
19	now that they would keep two in our group and it wo	uld be	19	Q He had been working out there pretty much
20	him and Chandra.		20	on some sort of cleaning assignment?
21	Q What's that in reference to? What was he		21	A I don't know.
22	telling you? I mean, surely the conversation was mor	e	22 23	Q Now, if you'll look at the entry for A I don't recall.
23 24	A Oh, I'm certain it was.		23	Q Now, if you'll look at the entry on May 7th
25	Q Well, we've already seen that he's told you		25	on the daily record of events.
T	and al & Durals Departing			Dage 37 - Dage 12

# Truesdel & Rusk Reporting

Page 37 - Page 42

Dej	po of	Gary Fiser	Conde	nse		In Re: TVA
		01	Page 43			Page 46
1	A	Okay.				
2 3	Q entry?	All right. Would you read to us the second	۰ ۱	23		<b>n</b> 0
4		Ron Grover. Told me he had visited with		4		
5		at Sequoyah yesterday. He said Sam's job	was iin	5		us mat
6		r. They were probably trying to do something		6		
7	illegal.	He said Sam may not have a job and that the	ev	7		าบ
8	would h	ave to post	- )	8		Ju
9	Q	The one he's interested in?		9		
10	Α	the one he is interested in. He also		10		McGrath?
11	said that	McGrath was probably going to use this		11		
12	opportu	ity to rewrite the PD such that he can keep S	Sam	12	<ul> <li>conversation we discussed yesterday which we</li> </ul>	e had with
13	and get :	id of me. He wants to do this because of th	e NRC	13		ore I was
14		I raised in the past. He said McGrath had	a very	14		
15		ion of me. I told him		15		
16		That the feeling?		16		
17	A	that the feeling was mutual.		17		goes
18	the doils	All right. So going back to April 22nd of		18		of the story.
19 20	this call	record of events, it appears that you initiate to Sam to ask him if he had a job at Sequoy	zu vəh	19		mtm.
20 21		I don't know if it was a call or if he was	CH1,	20 21		anu y,
21 22	in the of			21		have
23		Well, it says Sam Harvey, colon. I called		23	to worry too much about McGrath because the	
24	him and			24		•
25	A	Oh. That's correct. I'm sorry.		25		be
			Page 44			Page 47
1	0	And you initiated the call, initiated the	- 450 44	1	chemistry managers, and they would be split h	
2	inquiry?			2	Bar, Sequoyah, with Browns Ferry having the	swing vote
3	A A	Uh-huh.		3		B • 0w.
4		Were you concerned about Sam for Sam's a	sake	4		we
5	or were	you concerned about Sam getting a job at Se	quoyah	5		
6		that would be one less person for you to cor		6	to be comprised of people who would be fair.	0.00
7		downtown?	•	7		by May
8	Ă	The answer is both.		8	8th of '96 that there was going to be a selectio	
9	Q.	Okay. When you look at the entry then for		9	for those new positions?	
10	May 7th	, you learned that Sam was not going to get	a job	10	A There was always a selection board.	
11	at Seque	yah and that they were going to have to pos	t the	11	Q But you knew there was going to be a	
12	job dow			12	selection board and you knew the jobs were go	oing to be
13	A	No. That's not what it says.		13	advertised and competed?	
14		Okay. If he was going to get a job at	l	14	A Right.	
15		h, they were going to have to post it? Right.		15	Q Had you seen any position description	ns :
16 17		And then it says that they were going to	I	16 17	A I don't recall. Q Were you ever involved in preparing	the
18		the PDs apparently downtown?		18	position descriptions?	uic
19		Apparently.		19	A At the time they were going to take the	ne
20	Q	All right.		20	environmental functions	
21	Ă	That's correct.		21	Q In '96?	
22	ö	Now, in this conversation with Grover, he		22	A back out?	
23	savs Mc	Grath was probably going to use this as an		23	Q Right.	
24	opportu	ity to rewrite the PDs. He was speculating t	o you	24		position
25		me, wasn't he?	- <b>,</b>	25		<b>f</b>
			Page 45		U	Page 48
1	Α	I don't know.		1	Q Who is we?	
2		Well, he doesn't indicate that that's a		2	A Chandra, Sam, me, I assume the	
3	fact; rigl	it?	ſ	3	environmental people as well, and the Rad-Co	n people
4	A	I don't know.	ſ	4	maybe. I don't know	
5		It says probably.	ſ	5	Q So the staff was tasked with writing t	he
6	Ã	I don't know.	1	6	new position descriptions for the new reorgani	
7		Is that the word you used?		7	A With drafting them.	
8	À	Yeah. But that does not mean he's		8	Q Did anybody take the lead in drafting	;
9	speculati			9	there was two chemistry position descriptions,	the PWR and
0		All right. Does he indicate do your	}	10	the BWR position; correct?	
lł		licate that this is information that McGrath	1	11	A Right.	
12		told Grover?	}	12	Q Did anybody take the lead in drafting	5
13		My notes do not.		13	either or both of those descriptions?	
4	Q L	The sentence that says he wants to do this		14	A When you say take the lead, I don't k	
15		of the NRC concerns I raised in the past, do		15	why they would. It was basically just line-out	
	Grover?	licate that that's something that McGrath to	u	16	environmental and hand it back in.	ak at
16		That's implied.	ſ	17	Q Well, did somebody take the first cravit?	UN al
16 17		LUGUN HUBBERL	<b>,</b>	18		
16 17 18	Α			19		
16 17 18 19	A Q	That's the impression you got from Grover'		20	O You don't remember?	
16 17 18 19 20	A Q A	That's the impression you got from Grover' That's implied. Yes.		20	Q You don't remember?	
15 16 17 18 19 20 21 22	A Q A Q	That's the impression you got from Grover That's implied. Yes. When he says McGrath had a very low opin	nion	21	A I don't remember.	n Harvev
16 17 18 19 20 21 22	A Q A Q of you, c	That's the impression you got from Grover That's implied. Yes. When he says McGrath had a very low opin id he ever tell you what the basis for McGr	nion	21 22	A I don't remember. Q Did there ever come a time when San	
16 17 18 19 20 21 22 23	A Q A Q of you, o having a	That's the impression you got from Grover' That's implied. Yes. When he says McGrath had a very low opin id he ever tell you what the basis for McGr low opinion of you was?	nion	21 22 23	A I don't remember. Q Did there ever come a time when San complained that you had done the primary dra	fting on the
16 17 18 19 20 21 22	A Q A Q of you, o having a	That's the impression you got from Grover That's implied. Yes. When he says McGrath had a very low opin id he ever tell you what the basis for McGr	nion	21 22	A I don't remember. Q Did there ever come a time when San	fting on the

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Der	po of Gary Fiser	Conde		It <sup><math>M</math></sup> In Re: TVA
.	0 And how did	Page 49		Page 52
2	Q And how did you respond to it?	and I	1	Wilson McArthur came in to see him wanting feedback on my
3	A He did not complain to me as I r		2	usefulness. Dave said Wilson had nothing but positive
4	think he complained to Ron or to Chandra	athing like that	3	things to say about me and that he appeared supportive.
5	Q Do you recall when that occurred	tenning like mat.	4	Dave said that he did
6	A No.	1!	6	Q A sales job?
7	Q I've noticed a number of convers	sations in	7	A did a sales job on me and that it was well received by Wilson McArthur.
8	here where Ron is coming to you to talk a	hout the	8	Q What does the DFG in the third entry refer
9	possibility of you being selected or alm	lost as if Ron's	9	to. Oh. That's Dave Goetcheus, isn't it? Would you read
10	taking sides with you. Do you ever get th	at impression	10	the third entry?
11	when you read these notes?		11	A Yes. Ron Grover said he and Chandra would
12	A I haven't read these notes in year	s. So	12	approach John Sabados about DFG and make sure DFG does not
13	you'll have to be more specific.		13	back door me.
14	Q Well, in terms of the way the dyn	namics of	14	Q All right. DFG is a reference to Dave
15	your office worked, did was there align	ment of you and	15	Goetcheus; right?
16	Kon on one side and Sam as being the guy	y on the outs with	16	A I would think so, yes.
17	Ron?		17	Q And John Sabados was the chemistry manager
18	A Sam and Ron did not get along a	Il the time,	18	at Browns Ferry at the time; right?
19	as I mentioned earlier.		19	A Right.
20	Q And you got along with Ron?		20	Q What's this conversation about then where
21	A Yes.	1 *1	21	Grover said that he and Chandra would talk to Sabados and
22	Q If you'll look at the entry for the	daily	22	make sure Goetcheus didn't back door you? What was he
23	record of events for May the 9th. Can yo	u read the fourth	23	talking about?
24	entry, please?	Lengt	24	A You would have to talk to him.
25	A Fourth entry, yes. Dave Voeller.		25	Q Well, he had a conversation with you. What
1.	with David the SC of 1 of 15 AS	Page 50		Page 53
	with Dave in his office at about 15:45, an	a ne told me	1	did you understand?
23	that Goetcheus had called him campaignin	ig for Sam Harvey	2	A I understood that perhaps he was trying to
4	to be retained on the corporate staff instea		3	back door me.
5	push came to shove. I asked him if he had he said he had not mentioned it to him yet		4	Q Well, why would Grover be talking to
6			5	Sabados? Was this to put in a good word for you with Sabados?
7	Q All right. So Goetcheus is expre preference for you as opposed to Sam to b	ssing a retained?	67	A I don't know.
8	A No.	c retained?	8	Q What did you mean when you said that maybe
9	Q I'm sorry. Did I misstate that?	Goetcheus	9	Goetcheus was trying to back door you?
10	Voeller is telling you that Goetcheus ha		10	A I don't think I said that.
11	preference for Sam to be retained if push		ii	Q Well, those are your words. Didn't you use
12	instead of you?		12	the words back door in your notes?
13	A That's correct.		13	A Yes.
14	Q All right. Did you understand w	hy or did	14	Q What did you understand those to mean when
15	Voeller tell you why Goetcheus was camp	aigning for Sam	15	
16	Harvey to be retained?	j - j	16	A I don't think I said that.
17	A No.		17	Q What did you understand those words to mean
18	Q Did you have any idea?		18	when you wrote them down?
19	A No.		19	A I think those words came from Ron Grover.
20	Q You had no idea why Goetcheus		20	Q What did you understand those words to mean
21	to you?		21	when you wrote them down?
22	A NO. Whather it was true or not you h	adaa	22	A That he thought Goetcheus was trying to
23 24	Q Whether it was true or not, you h idea?		23 24	Q Meaning what?
25	A They had worked closely together		25	Q Meaning what? A I'm not really sure.
<u> </u>	A They had worked closely wgente	Page 51	25	Page 54
1	had Goetcheus and I.	Fage J1	1	Q You must have thought something about it.
2	Q Do you know why Voeller told y	ou this?	2	I mean, it's only one of four notes you made for that day.
3	A I could only speculate.	0u uns.	3	It must have had some significance to you. What did it
4	Q Well, what's your speculation?		4	mean to you?
5	A I'm not sure.		5	A That Ron felt like David Goetcheus was
6	Q Well, I asked you what your spec	culation	6	trying to back door me.
7	was.		7	Q Would you look at the daily record of
8	A I'm not sure.		8	events for May the 14th?
9	Q Well, I know you're not sure. The	nat's why	9	A Yes, sir.
10	you said it was speculation. What is it?		10	Q Read the second entry, please.
11	A Perhaps he didn't get along with	Sam. I	11	A Second entry. Mike King. Sodium
12	don't know.		12	Q No, on your daily record of events. It's
	Q Perhaps Voeller didn't get along		13	number two.
13	A That's correct.		14	A I'm sorry. Sam Harvey. Sam says McGrath
14			15	will not
14 15	Q Okay. So we're seeing some littl		16	Q Release him?
14 15 16	here, Goetcheus and Sam, Voeller versus S	Sam, you and Ron		A release him. He says he says Gordon
14 15 16 17	here, Goetcheus and Sam, Voeller versus S as a clique. There's a lot of dynamics goi	Sam, you and Ron ng on there;	17	
14 15 16 17 18	here, Goetcheus and Sam, Voeller versus S as a clique. There's a lot of dynamics goi right?	ng on there;	18	has a position. Sam has been talked to
14 15 16 17 18 19	here, Goetcheus and Sam, Voeller versus S as a clique. There's a lot of dynamics goi right? A That's your opinion.	ng on there;	18 19	has a position. Sam has been talked to Q Is that told to?
14 15 16 17 18 19 20	here, Goetcheus and Sam, Voeller versus S as a clique. There's a lot of dynamics goi right? A That's your opinion. Q If you'll look at the daily record	ng on there; of	18 19 20	has a position. Sam has been talked to Q Is that told to? A I'm sorry. Sam has been told to post on
14 15 16 17 18 19 20 21	here, Goetcheus and Sam, Voeller versus S as a clique. There's a lot of dynamics goi right? A That's your opinion. Q If you'll look at the daily record events for May the 10th.	ng on there; of	18 19 20 21	has a position. Sam has been talked to Q Is that told to? A I'm sorry. Sam has been told to post on 8720.
14 15 16 17 18 19 20 21 21 22	here, Goetcheus and Sam, Voeller versus S as a clique. There's a lot of dynamics goi right? A That's your opinion. Q If you'll look at the daily record events for May the 10th. A Right.	ng on there; of	18 19 20 21 22	has a position. Sam has been talked to Q Is that told to? A I'm sorry. Sam has been told to post on 8720. Q Post on all jobs down here?
14 15 16 17 18 19 20 21 22 23	here, Goetcheus and Sam, Voeller versus S as a clique. There's a lot of dynamics goi right? A That's your opinion. Q If you'll look at the daily record events for May the 10th. A Right. Q Can you read the entry for the	ng on there; of second	18 19 20 21 22 23	has a position. Sam has been talked to Q Is that told to? A I'm sorry. Sam has been told to post on 8720. Q Post on all jobs down here? A I'm sorry. Sam has been told to post on
14 15 16 17 18 19 20 21 21 22	here, Goetcheus and Sam, Voeller versus S as a clique. There's a lot of dynamics goi right? A That's your opinion. Q If you'll look at the daily record events for May the 10th. A Right.	ng on there; of second	18 19 20 21 22	has a position. Sam has been talked to Q Is that told to? A I'm sorry. Sam has been told to post on 8720. Q Post on all jobs down here?

Page 49 - Page 54

Der		Condens		In Re: TV
,		age 55	o Okay	Page
1 2	Q 8720? A 8720, J. Barker, MR and without MR. I			Mika
3	A 8720, J. Barker, MR and without MR. I don't know what that means.	2	~	IVIINC
4	Q You've said everything is going and then	4		
5	the G has sort of a squiggle down below. Does that me			don't
6	everything is going south?	6		uonit
7	A No. That's just a weird looking G, I	7		of
8	think, but that certainly would be implied.	8		
9	Q I mean, that's what I inferred from the way	9		ry number
0	you wrote your G.	10		alah
1	A No.	11		
12			A I'm corry Four Ron Grover	
13		12		
4	A Yes, I do have symbols, but that's not one of them.	13		four
5	·	14		iouis.
6	Q Okay. A I don't	15		
7	A 1 0011 t	16		at a weath
	Q In the first line, it says Sam says McGrath	17		iot a main
8	will not release him.	18		my. Dave
9	A Right.	19		
0	Q He says and then the next line I'm not	20		lot closer with
1	sure that you've repeated yourself again unless I'm	21		vas not
2	misreading it. He says?	.22		e one of the
3	A Right. I did. He says Gordon has a	23		
4	position.	24		going to post
5	Q He says he says?	25	and interview for the job. Sam said that the	
	P	age 56		Page
1	A Right. He says McGrath will not release	1	probably do it but that he would be the one	
2	him he says. I don't know what that means. I'm a	2		
3	chemist, not an English major.	3		
4	Q Well, you're doing a pretty good job. All	4		ver. Savs
5	right.	5		
6	MS. EUCHNER: Can we take a five-minute	6		e weeks and
7	break, please?	7		
8	MR. MARQUAND: Okay.	8		
9	MS. EUCHNER: Thank you.	9		ie
0	(A break was taken.)	10		k that's what
1	(Exhibit No. 29 was filed.)	11		
2				harts?
	BY MR. MARQUAND:	12		1101 15 :
3	Q Let's see. I think I gave you a new	13		atmoo
4	exhibit to look at.	14		
5	A Well, I have several things here on my	15		( all the
6	notebook.	16		
7	MS. EUCHNER: Exhibit twenty nine.	17		- :
8	THE WITNESS: Okay. Yes.	18		n m
9	BY MR. MARQUAND:	19		
0	Q On the prioritized daily task list for May	20		d a a b
1	15th on exhibit twenty nine	21	Q Under item three, it says July 29th,	dasn,
2	A Yes.	22		
3	Q And by the way, exhibit twenty nine are	23		
	copies of pages from your 1996 planner from May 15th			
5	through August 2nd of '96. And if you'll look at May	15th 25	MS. EUCHNER: Right here.	
	. P	age 57		Page
1	on the prioritized daily task list, what does the		BY MR. MARQUAND:	•
2	reference mean that says INPO memo, include Ron Grow		Q If you'll turn to the June 10th daily	
3	A I don't have a clue.	3	record of events, would you read item numb	
4	Q Were you aware that Ron Grover was loaned	4		e King.
5	by TVA to INPO?	5	Q No, I'm sorry. Number four.	-0-
6	A Yes.	6		
7	Q Beginning sometime in 1996; correct?	7	Q The only number four I see.	
•	A It was about that time frame, yes.	8	A Ben Easley. I talked to him for a n	ninute
8		9	about perceptions. He stopped me after a fe	w minutes an
	O All right Were you aware in May of '06		-lad f is some along for the sells in front of	
9	Q All right. Were you aware in May of '96	f f	asked if it was neaving the talk in tropping	f Ed Rovlee
9 0	Q All right. Were you aware in May of '96 that Ron had requested to be assigned to INPO?	10		f Ed Boyles.
9 0 1	Q All right. Were you aware in May of '96 that Ron had requested to be assigned to INPO? A That would not surprise me, because I did	10 11	I agreed to.	f Ed Boyles.
9 0 1 2	Q All right. Were you aware in May of '96 that Ron had requested to be assigned to INPO? A That would not surprise me, because I did know about it. I just don't know when.	10 11 12	I agreed to. Q All right. Would you read number	five?
9 0 1 2 3	Q All right. Were you aware in May of '96 that Ron had requested to be assigned to INPO? A That would not surprise me, because I did know about it. I just don't know when. Q But did you know at some point in time that	10 11 12 13	I agreed to. Q All right. Would you read number A Ben Easley, Ed Boyles, me. I talke	five?
9 0 1 2 3 4	Q All right. Were you aware in May of '96 that Ron had requested to be assigned to INPO? A That would not surprise me, because I did know about it. I just don't know when. Q But did you know at some point in time that Ron initiated the request to go to INPO?	10 11 12 13 14	I agreed to. Q All right. Would you read number A Ben Easley, Ed Boyles, me. I talke	five?
9 0 1 2 3 4 5	Q All right. Were you aware in May of '96 that Ron had requested to be assigned to INPO? A That would not surprise me, because I did know about it. I just don't know when. Q But did you know at some point in time that Ron initiated the request to go to INPO? A No. I don't know if Ron initiated it or	10 11 12 13 14 15	I agreed to. Q All right. Would you read number A Ben Easley, Ed Boyles, me. I talke Q I told Ed?	five? five? ed to Ed
9 0 1 2 3 4 5 6	Q All right. Were you aware in May of '96 that Ron had requested to be assigned to INPO? A That would not surprise me, because I did know about it. I just don't know when. Q But did you know at some point in time that Ron initiated the request to go to INPO? A No. I don't know if Ron initiated it or somebody suggested it.	10 11 12 13 14 15 16	I agreed to. Q All right. Would you read number A Ben Easley, Ed Boyles, me. I talke  Q I told Ed? A I'm sorry. I told Ed that if my job	five? five? ed to Ed
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9 0 1 2 3 4 5 6 7 8 9	Q All right. Were you aware in May of '96 that Ron had requested to be assigned to INPO? A That would not surprise me, because I did know about it. I just don't know when. Q But did you know at some point in time that Ron initiated the request to go to INPO? A No. I don't know if Ron initiated it or somebody suggested it. Q All right. Were you involved in drafting a memo to send Ron to INPO? A Not that I recall.	10 11 12 13 14 15 16 17 18 19	I agreed to. Q All right. Would you read number A Ben Easley, Ed Boyles, me. I talka  Q I told Ed? A I'm sorry. I told Ed that if my job posted tomorrow that I will Q Contact my attorney? A contact my attorney, because TVA	f Ed Boyles. five? ed to Ed is A will be
9 0 1 2 3 4 5 6 7 8 9	Q All right. Were you aware in May of '96 that Ron had requested to be assigned to INPO? A That would not surprise me, because I did know about it. I just don't know when. Q But did you know at some point in time that Ron initiated the request to go to INPO? A No. I don't know if Ron initiated it or somebody suggested it. Q All right. Were you involved in drafting a memo to send Ron to INPO? A Not that I recall. Q All right. What is right beneath that?	10 11 12 13 14 15 16 17 17 18 19 20	I agreed to. Q All right. Would you read number A Ben Easley, Ed Boyles, me. I talka  Q I told Ed? A I'm sorry. I told Ed that if my job posted tomorrow that I will Q Contact my attorney? A contact my attorney, because TVA violating will have violated my settlement	f Ed Boyles. five? ed to Ed is A will be
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8 9 0 1 2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7 8 9 0 1 2 3 4 5 7 8 9 0 1 2 3 4 5 7 8 9 0 1 2 3 4 5 5 7 8 9 0 1 2 3 4 5 7 8 9 0 1 2 3 4 5 5 7 8 9 0 1 2 3 4 5 5 7 8 9 0 1 2 3 4 5 5 7 8 9 0 1 2 3 4 5 5 7 8 9 0 1 2 3 4 5 7 8 9 0 1 2 3 4 5 7 8 9 0 1 2 3 4 5 7 8 9 1 2 3 4 5 7 8 9 0 1 2 3 7 8 9 1 2 3 7 8 9 1 2 3 7 8 9 1 2 3 7 8 9 1 2 3 7 8 9 1 9 1 8 9 1 8 9 1 8 9 1 8 9 1 8 9 1 8 9 1 8 9 1 8 9 1 8 9 1 9 1	Q All right. Were you aware in May of '96 that Ron had requested to be assigned to INPO? A That would not surprise me, because I did know about it. I just don't know when. Q But did you know at some point in time that Ron initiated the request to go to INPO? A No. I don't know if Ron initiated it or somebody suggested it. Q All right. Were you involved in drafting a memo to send Ron to INPO? A Not that I recall. Q All right. What is right beneath that? What does the next line say? INPO writers or I can't read that.	10 11 12 13 14 15 16 17 17 18 19 20 21	I agreed to. Q All right. Would you read number A Ben Easley, Ed Boyles, me. I talke  Q I told Ed? A I'm sorry. I told Ed that if my job posted tomorrow that I will Q Contact my attorney? A contact my attorney, because TVA violating will have violated my settlement At that time, Ben Q Filled Ed in? A filled Ed in on my DOL case thre	t Ed Boyles. five? ed to Ed is A will be t agreement. e years
9 0 1 2 3 4 5 6 7 8 9 0 1 2	Q All right. Were you aware in May of '96 that Ron had requested to be assigned to INPO? A That would not surprise me, because I did know about it. I just don't know when. Q But did you know at some point in time that Ron initiated the request to go to INPO? A No. I don't know if Ron initiated it or somebody suggested it. Q All right. Were you involved in drafting a memo to send Ron to INPO? A Not that I recall. Q All right. What is right beneath that? What does the next line say? INPO writers or I can't read that.	10 11 12 13 14 15 16 17 18 19 20 21 22	I agreed to. Q All right. Would you read number A Ben Easley, Ed Boyles, me. I talka  Q I told Ed? A I'm sorry. I told Ed that if my job posted tomorrow that I will Q Contact my attorney? A contact my attorney, because TV/ violating will have violated my settlement At that time, Ben Q Filled Ed in? A filled Ed in on my DOL case thre	t Ed Boyles. five? ad to Ed is a will be t agreement. e years thil Reynolds

Der	po of Gary Fiser	Conde	ense	
	orchestrated everything to teach me a lesson and th	Page 61		Page 64
12	orchestrated everything to teach me a lesson and the instructions were to cut his head count by sevented		1 2	that we folded the environmental position in, that was the only change to that position description, but it was a
3	percent		3	legitimate change. We interviewed and I was selected. We
4	Q His budget?		4	never did those functions. So they took out functions we
5	A his budget by seventeen percent only	a 1.1	5	never did, which now made the PD just almost identical to
6	this year and forty percent by the year 2001. I tol that McGrath was the only one working for ODK th	d him	6	the very one they had offered me to settle this thing back
8	under budget except for Sanger.	lat tame m	8	in '93. I felt like then if they posted essentially the very same job that they offered me to settle the thing in
9	Q Who?		9	'93 that they were violating the agreement they had made
10	A Carl Sanger.		10	with me to come back to work.
11	Q Singer?		11	Q I thought we talked about yesterday the
12 13	A Singer. Okay. I thought it was Sanger. Q Okay.		12 13	fact that you applied for a job in '94 that was different
14	A If I had been told to cut my budget by		13	than the one you accepted and you didn't feel you were constrained to stay in the same job, nor was TVA
15	seventeen percent, I would have protected my tean	n and not	15	constrained by virtue of the settlement agreement to
16	offered up a fifty percent reduction until the year	2001.	16	retain you in that same job but that they, for business
17	Q Then as people?		17	reasons, could change the way they did business?
18 19	A Then as people left and shoot it looks like oh then as people left and found oth	har	18	A They could. That is correct. They didn't,
20	jobs, I would not replace them. I told him that thi	s	19 20	but they could. That's my point. Q You said here that you've told Ed that
21	Q Whole thing?	5	21	you felt McGrath had orchestrated everything to teach you
22	A that this whole thing was avoidable and	1	22	a lesson. Why was he trying to teach you a lesson in your
23	really smelled funny. He said that he would talk t	o Phil	23	opinion?
24 25	Reynolds but told me		24	A It would be speculation on my part.
	Q To be sure and?	D	25	Q Well, you said it here. What were you
1	A to be sure and apply for the job. I	Page 62	1	Page 65 speculating about then?
2	told him that I was not sure I wanted to work for t	he two	2	A In my opinion?
3	for two of the guys that shot me in the back three	e	3	Q Yeah. What was your opinion?
4	years ago. I told him I would be glad to talk to Ph	ul if	4	A My opinion was he was trying to teach me a
5	Phil so desired.		5	lesson.
6	Q Now, you mentioned Phil Reynolds in he couple times.	rea	67	Q For what reason? A That's the part that would be speculation
8	A Uh-huh.		8	A That's the part that would be speculation. I'm not sure. I think that he really had it in for me
9	Q What position was he in, do you know?		9	after the NSRB incident.
10	A I called him the head of personnel. I		10	Q The '91 NSRB incident?
11	don't know what his official title was.		11	A Or '92.
12 13	Q Something like that? A Correct.		12 13	Q Late '91 or early '92? A Correct.
14	Q Okay. And did you know Phil Reynolds	?	14	Q So you were thinking that this guy was
15	A Yes.		15	waiting in the bushes for four years to a point that he
16	Q Did you know him well compared to, say	, Ed	16	could take it out on you?
17 18	Boyles? A No.		17 18	A Those are your words. Q Well, is that what
19	Q Did you work with Phil in the past?		19	Q Well, is that what A That's not what I said, no.
20	A Yes.		20	Q Is that your opinion?
21	Q At Sequoyah?		21	A No.
22	A That's correct.		22	Q Your opinion was that he was trying to
23 24	Q Did you even car pool some with him? A Not that I recall.		23 24	teach you a lesson because of whatever interaction you had with him at the NSRB meeting in late '91, early '92?
25	Q You've never ridden to work with him or		25	A My opinion is the first opportunity he got,
		Page 63		Page 66
1	anything?	0 -	1	he took advantage of it to settle an old score.
2	A I can't say that, but not that I recall.	-	2	Q And the old score was based on what? The
3	Q Okay. A I would assume if some day he had car		3	NSRB meeting? A The NSRB meeting, the former complaint that
5	trouble and needed a ride or if I was in a position,	but	5	I had, me being able to come back out of ETP to get a
6	not as a matter of routine. No, sir.		6	position and to even possibly go back to Sequoyah
7	Q He lives on Signal Mountain too, doesn't		7	chemistry manager. I think all of those he would have had
8	he?		8	a problem with. Now, you wanted speculation. That's
9	A Who does? O Phil.		9 10	speculation. Q All right. While, we're dealing with
10 11	Q Phil. A I have no idea. Now, Ed Boyles does. I		10	speculation, let's talk about it. You mentioned the
12	offered Ed a ride one time.		12	former complaint. We talked yesterday. The former
13	Q Did you ever car pool with Ed Boyles?		13	complaint doesn't mention Mr. McGrath; right?
14	A There was a time when I gave him a ride		14	A We talked yesterday about the fact
15 16	home. Q Okay. Just the one time?		15 16	Q The complaint. A the fact that he was mentioned in the
17	A As far as I know, yes.		17	eighty-something paged deposition. That's what we talked
18	Q Now, in the second line of item number		18	about yesterday.
19	five, it said that you will contact your attorney bec		19	Q The complaint does not mention Mr. McGrath;
20	TVA will have violated my settlement agreement.		20	is that right?
21 22	A Correct. Q In what fashion did you think that TVA		21 22	A By name, no. Q Or by position?
22	would violate your settlement agreement if they po	sted the	22	A That's correct. And we talked yesterday
24	new position descriptions?		24	about the fact that you see this body in the woods that's
25	A Because back in '94 or '95, whenever it v	vas	25	hanging, hands tied behind, with a lot of people
TT I	andal & Duck Denorting			Page 61 - Page 66

## Truesdel & Rusk Reporting

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	po of Gary Fiser	Conde	7	It	In Re: TVA
1	Q Well, until we see the body in the words	Page 67	1	with regard to posting the positior	Page 70 s is on hold until they
2	A we named with hands on the rope. Do yo	u	2	get to the bottom of my complain	Ben said they are
3	remember talking about that?	-	3	looking at it very closely.	
4	Q We'll worry about the complaint.		4	Q All right. Now, you wer	e aware that the
5	A You remember that; right?		5	plan was for chemistry to go from	three program manager
6	Q Yeah. And I really kind of drew a blank		6	specialists to two, one of PWR and	one of BWR?
7	A I'm sure you did. Q as to any sort of relevance to this		7	A That's correct.	indexate a distribut
9	case. In '93 when you filed your Department of Lab	or	9	Q And you felt that if I u you were saying correctly that t	
10	complaint, Mr. McGrath was not your supervisor. He	e wasn't	10	job at all; right?	ney shouldin t post the
11	in your supervisory chain at all; right?		11	A That's correct.	
12	A That's correct.		12	Q What did you think they	should do? How did
13	Q All right. And he wasn't in your	. f	13	you think they should handle it?	
14 15	supervisory chain when you settled your Department Labor complaint in the spring of '94 and came back t	01	14 15	A I thought they should have	
16	nuclear power?		16	functions had not changed at all, I have pulled our retention register a	
17	A That's correct.		17	those positions based on seniority.	
18	Q All right. Do you have any information at		18	Q Did you have any unders	tanding as to who
19	all as to whether or not Mr. McGrath even knew that	you	19	had the most seniority and who ha	d the least?
20 21	filed a Department of Labor complaint in '93?		20	A Yes, I did.	
22	A It's inconceivable to me that he would not. Q Well, again, that's speculation. But do		21 22	Q And who was that? A Me.	
23	you have any information that would show whether h	e knew	22	Q You would have had the	most?
24	or didn't know about your '93 Department of Labor		24	A I would have had the most	
25	complaint?		25	Q And who had the least?	
1		Page 68			Page 71
1	A I did not go tell him.		1	A I'm not sure.	-
23	Q Okay. And you don't know of anybody who did tell him?		2	Q You didn't have any idea	?
4	A I would have to check my notes on that.		3	A No, I'm not sure. Q Could it have been Sam l	Jarvev?
5	Q Well, we've got them here. I mean, if you		5	A I'm not sure.	laivey?
6	want to check your notes, fine. But I don't see it.		6	Q Or was it Chandra?	
7	Would you disagree?		7	A I'm not sure.	
8	A I don't disagree you don't see it.		8	Q All right. But you felt yo	ou should have
9 10	Q Okay. You don't disagree it's not in your notes?		9	been retained and one of the other force?	two RIF'd, reduced in
11	A I don't know. That's why I say I'd have to		10 11	A Correct.	
12	check it.		12	Q Now, you know Trish	vou knew Trish
13	Q All right. Do you have any information		13	Landers at that time; right?	
14	that Mr. McGrath was aware of your '94 settlement of your	r	14	A Yes, sir.	
15	DOL complaint?		15	Q Where did she work phys	ically? In
16 17	A I never discussed it with him. Q Do you know of anybody who did?		16	Chattanooga? A Yes.	
18	A I would have to check my notes.		17 18	Q Was it in the same vicinit	v as your office?
19	Q But as you sit here today, you don't have		19	A Yes, it was.	<i>y</i> uo your onnoo.
20	any knowledge or information that Mr. McGrath had any cl	lue	20	Q Did you talk with her fro	m time to time?
21	about your '93 DOL complaint or the '94 settlement of that		21	A Oh, certainly.	
22	complaint?		22	Q Did she ever indicate to y	
23	A I would dispute that.		23	having any problems with any co-	workers?
24 25	Q Okay. Tell me. A The article in the paper that you just		24 25	A Ýes. Q Who?	
<u> </u>		Page 69	<u> </u>	<u> </u>	Page 72
1	referred to before we broke for lunch		1	A Sam Harvey.	1 460 12
2	Q Right.		2	Q Did you talk with her abo	ut it?
3	A it's customary for TVA to cut those		3	A Yes.	
4	articles out and to distribute them to management. It		4 5	Q Tell me about that conver A I don't recall it.	sation.
5	to get them all the time. That article was in the paper That article must have been cut out and distributed to		5	Q Well, what did she tell yo	<b>w</b> ?
7	managers, because that's what you did to keep everyb		7	A She was concerned about	sexual harassment
8	up-to-date. That complaint was in that article.	-	8	from Sam.	
9	Q Okay. Did you see it being distributed	Í	9	Q Did she initiate this conv	
10	throughout TVA?		10	A I don't recall. I would no	t have known
11	A I'd have to check my notes. I would have		11 12	about it otherwise, but	her if the was
12	to check my notes. I'm not sure. At that time, I was I had been reduced to such a level in the organization	-	12	Q Well, I mean, did you ask having any kind of problems?	not it she was
14	that I probably would not have been on distribution for	or	14	A No, not that I recall.	
15	it.		15	Q And she told you it was -	
16	Q If you'll look at the daily record of		16	concerned about sexual harassmen	
17	events for June 11th, would you read the second item	on	17	A That's correct.	Vou wars on the DO
18	that, please?		18	Q And you were a manager's schedule at TVA; right?	1 ou were on the PG
19 20	A Yes, sir. I will. Ron Grover. Said that Ben E. had been in to talk with him and that they wer	~	19 20	A That's correct.	
20	looking into my case. He said that they, personnel in		21	Q Did you know that you h	ad some management
	parentheses, felt like there was some time limit on my	,	22	responsibilities if you received allo	
22	paronalosos, foit fino alore was some time thint on my				-
22 23	settlement. I told him that, in fact, it was open-ended	. [	23	harassment?	
22	settlement. I told him that, in fact, it was open-ended Q Would you read the third item? A Third item. Ben Easley says everything		23 24 25	harassment? A Yes. Q And what were those resp	

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осро	of	Gary Fiser	Conder	nse	
1		I don't recall now, but I told her she	Page 73	1	Page 2 Q Did you go and talk with Ed Boyles about
		ursue it with personnel.		1 2	the posting of the new position?
3		Is that all you did?		3	A It seems that I did.
i		Yeah.		4	Q What did he tell you?
		You didn't do anything else?		5	A That they had reviewed it and determined
		Not that I recall.		6	that they were going to go ahead and post the position.
		Did you report it to anyone?		7	Q All right. What did you say?
		Not that I recall.		8	A I don't recall.
		You didn't tell Ron Grover about it?		9	
		Not that I recall.		10	Q Look at the June 17th daily record of events.
		You could have, but you just don't recall?			
	Ň	Not that I recall.	1	11	A Okay.
			1	12	Q What does item number two say?
h	er?	When did you have this conversation with	1	13	A Tom McGrath. See attached presentation.
		I don't recall.		14	Q And for the record, there's no presentation
		Could it have been around June 11th or	1	15	attached to your June 17th planner notes? A That's correct.
1	0th?	Could it have been around june 11th of	1	16 17	
-		I do not recall.	1		Q What presentation does that refer to?
				18	A I'm fairly certain it refers to a
	¥.	Would you deny it if she said that it was? No, sir. I would not.		19	presentation that he made to the entire group of everybody
				20	who worked for him wherein he laid out some changes that
~	aformed	Would you deny it if she said that you		21	were in effect for the new reorganization.
n		her to Ron Grover?		22	Q If you would, look at exhibit twenty three.
	A ithan ta'	I would not, because I knew that she had to		23	And look if you'll look at attachment one to it, there
e	anter tal	k to personnel or a supervisor or bring she		24	are some it looks like some overheads.
C	ouldnit	just drop it.		25	A Correct.
			Page 74		Page
	Q	Do you know what happened with respect to		1	Q Are these overheads that were used during
h		plaints about Mr. Harvey?		2	that presentation by Mr. McGrath?
-		Yes. I know that it was pursued at some		3	A Yes, sir. I do believe they are.
le	ength ar	id a letter was written and placed in Sam's f	ile.	4	Q And did he conduct this presentation?
	Q	And when did you learn that?	[	5	A Yes, sir. He did.
	Α	I don't know.		6	Q If you'll go to the end of those overheads,
	Q	Did you know that about that time?		7	you'll see an organization chart.
		I don't know when the letter was written		8	A Yes, sir.
n	eally.			9	Q Is that organization chart part of what was
	Q	How did		10	handed out at that presentation?
	A	I would have known it when the letter was		11	A As I recall, it certainly was.
W	ritten b	ecause I know she communicated that to me	. (·	12	Q And there's an organization chart for the
	Q	She told you about it?		13	general manager, operations support. And if you'll go two
	Â	I'm sure she did.		14	more pages over, there's another organization chart that
	Q	Did Ron Grover tell you about it?		15	says radiological and chemistry control. Do you see that?
	Ā	I know she did. Now, I don't know if Ron		16	A Yes, I do.
to		or if I asked Ron about it or discussed it. The	iat	17	Q Was that also handed out at the June 17th
W	vould no	ot surprise me once she told me that it had		18	presentation?
h	appened	1.	1	19	A I'm certain it was. Yes, sir.
	î o	Did Sam tell you about it?		20	Q Does that reflect the organization that you
	A	Oh. I don't think so.		21	understood was going to be put in place as a result of
	0	Did Wilson McArthur tell you about it?		22	this reorganization? It shows two program managers for
		I would have to check my notes. I don't		23	chemistry, one PWR and one BWR specifically.
k	now if	we ever discussed that.		24	A That's correct.
		Did she specifically tell you that Sam		25	Q Now, following this presentation, did you
	<u> </u>		Page 75		Page
н	la <del>r</del> vev v	vas sexually harassing her?		1	have a discussion with Sam Harvey?
11		I don't recall.		2	A I don't recall.
		Well, now, earlier you said that you were		3	Q If there was testimony that you met with
21	ware th	at she had problems of sexual harassment by	him	4	Sam Harvey afterwards and you told him that he was goin
a		Uh-huh.		5	to be selected because Wilson McArthur was going to be t
		So now you're saying you don't specifically	, 1	6	new Rad-Chem manager, would you dispute that?
				7	A Unless it was in my notes.
16		using the words sexual harassment?		8	Q Unless it was in your notes, you're going
r	don!+ -	Well, according to the definition. I mean,		8 9	to dispute it?
		ecall exactly what she said. I really do not.		10	A Yeah. I don't know that I had a meeting
		know that I didn't just drop it. I said, well,		10 11	
		ot to pursue it. I don't remember if I said			with Sam Harvey. I don't know that I did not, but I
p		l or Ron, but she could not just drop it.		12	certainly do not remember having one with him.
		Did you tell Ben Easley about it?		13	Q Well, I mean, a lot of things happen in your day that aren't reflected in these notes, don't they?
	A	l don't recall. Nou could have, but you don't recall?		14	Don't things occur?
		You could have, but you don't recall?		15	Don't things occur?
		No, I have no recollection of that.		16	A What things?
		It could have happened. You just can't		17	Q Don't various things occur during your day
	Q			18	that you don't take notes of?
ai	Q ffirm or	deny it; is that right?			a not when they are nertinent to this acce
a	Q ffirm or A	deny it; is that right? That's correct.		19	A Not when they are pertinent to this case.
	Q ffirm or Q	deny it; is that right? That's correct. Would you look at the daily record of		20	Q Well, how did you know you were having this
	Q ffirm or A Q vents fo	deny it; is that right? That's correct. Would you look at the daily record of r June 12th?		20 21	Q Well, how did you know you were having this case at that point in time?
	Q ffirm or Q vents fo A	deny it; is that right? That's correct. Would you look at the daily record of r June 12th? Yes.		20 21 22	Q Well, how did you know you were having this case at that point in time? A You want me to go back and review the
	Q A Q vents fo A Q	deny it; is that right? That's correct. Would you look at the daily record of r June 12th? Yes. What does the second item say?		20 21 22 23	Q Well, how did you know you were having this case at that point in time? A You want me to go back and review the previous day when they said they were going to post my je
e	Q A Q vents fo A Q A	deny it; is that right? That's correct. Would you look at the daily record of r June 12th? Yes.		20 21 22 23 24	Q Well, how did you know you were having this case at that point in time?

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)cj		onde		t <sup>1m</sup>	In Re: TV
1	Q So you were meticulous	ge 79		you that.	Page 8
2	A because I felt like they had violated		1	Q Well, you did contact DOL	and file a
3	the agreement that they had with me in '94 and now you	ı say	3	complaint, didn't you?	
4	I don't know that I'm going to have a case. Have you n	ot	4	A That was already in the wo	orks.
5	been paying attention?		5	Q Okay. You did contact Va	mBeke, didn't you?
6	Q Well, what does Sam Harvey have to do with		6	A I don't think so. I certainl	y did not use
7 8	it? He was not a decision maker, was he? A A decision maker?		7	him in the second case. I can't say	I didn't call and let
9	Q Yeah. Sam didn't make any decisions with		8	him know something was going on. Q Well, if you'll look back o	ne name in this
0	respect to how the organization was going to be		10	document to the prioritized daily tas	
1	reorganized or how it was going to look, did he?		11	A Right.	514 1150
2	A I don't know. I'm not assigned to him. I		12	Q for June 17th	
3	don't follow him around.		13	A Correct.	
4	Q He was your peer; right?		14	Q what's the third item the	re?
5 6	A Yes. Q So it's your testimony that if		15	A Call VanBeke.	hat was seen
7	A I know that at one time he told me that he		16 17	Q So those were daily tasks t setting for yourself?	hat you were
8	had information I did not have.		18	A Yes. I don't recall doing is	t though
9	Q It said as I recall, the note said he		19	Q Okay.	, alough.
0	had more information than Diedre.		20	A But, like I say, it could have	ve been just,
1	A That's right. And he was not willing to		21	hey, this is what's going on, since h	
2	share anything. So I don't know. You know, you're as	king	22	settlement of my previous case.	
3	me you know, I don't know.		23	Q In your conversations with	
4 5	Q So as you sit here today, you're denying that you had any meeting with Sam Harvey on June 17th		24	did she ever tell you that Ann Harri	s had tried to call
5			25	her?	Dega
1	about who might be selected for the PWR chemistry program	ge 80	1	A Yes.	Page
2	manager position?		2	Q And what advice did you g	vive Trisha about
3	A I don't have any note of it.		3	that? First, let me ask you. Did yo	u tell Trisha who Ann
4	Q So are you saying that you deny that it		4	Harris was?	
5	happened?		5	A I don't recall.	
5	A I'm saying I don't have any note of it.		6	Q Do you recall any advice y	ou may have given
7 8	Q Did it happen or not?		7	Trisha about it?	
9 9	A I don't have a note of it. How can I say? Q I don't know. Do you have a recollection?		8	A Yes. Q And what advice did you g	ive her?
0	A It is doubtful, because I think that would		10	A That Ann had a lot of know	wiedge about
1	have been so germane to the case that I would have made a		11	proper procedure for dealing with co	omplaints.
2	note about it.		12	Q With whistle-blower compl	laints
3	Q Okay.		13	specifically?	
4	A So I would question it.		14	A No, I did not mention whis	stle-blower
5	Q Read the third item on the June 17th daily			complaints specifically.	
6	record of events, please.		16	Q Okay.	vuol homocoment
7 8	A Third item. Ed Boyles. Said that they decided to go ahead and post my position. He said that he		17 18	A Her complaint about the se But I said, you know, you can talk t	to her You can
9	had talked to both Tom McGrath and Phil Reynolds. He said		19	listen. But just as I did, you need to	be careful and
0	the reason was because they were going to do all groups			make up your own mind about what	
1	the same way.		21	information she provides. As I reca	ll, that's what I told
2	Q Read the fifth item too, please.		22	her.	
3	A Fifth item. Ann Harris, 2492. Contact DOL		23	Q Would you deny that you t	
4	and file a breach of contract. I have a hundred and		24	shouldn't talk to Ann Harris becaus	e she was a whistle
5	eighty days to do something. Letter to Zack Wamp, Al		25	blower?	
		e 81	.	A No Toward and a second	Page Page
	Gore, Cravin. Talk to VanBeke. No basis for posting the	i¢	1	A No. I would wait a minu	uic. Repeat the
2 3	job. The job's presently filled. Q Abritrary and capricious?		3	Q Would you deny that you t	old Trisha she
, ,	A Abritrary and capricious on McGrath's part.		4	shouldn't talk to Ann Harris becaus	e she was a whistle
5	Need to apply on the job.		5	blower?	
5	Q So this is a conversation you had with Ann		6	A I do not recall that.	
1	Harris?		7	Q Would you deny it?	
3	A Uh-huh.		8	A If I don't recall it, I would	probably deny
)	Q Did you call her or did she call you?			it. I do recall telling her just be care	erul with the
)	A I don't recall.		10	information she provides.	v record of
	Q Are these things she was suggesting to you? A Yes, sir. They were.		11 12	Q Would you look at the dail events for July 15th?	y iccord of
2 3	Q How did you know Ann Harris?		12	A Yes, sir.	
\$ \$	A Through the Bill Jocher case.		14	Q Could you read the third it	em, please?
5	Q Okay. And who is Ann Harris?		15	A Third item. David VanBoo	ckern. Left a
5	A A previous employee of Tennessee Valley		16	message on his voice mail. Told hir	n I was at WBN and he
7	Authority.		17	could page me at 40063. I stated the	at I would like to
8	O And why was she advising you on these		18	start out with a short interview, pres	ent him some info
<u>^</u>	matters?		19	and then continue to correspond in v	writing for reasons
	A She had been down this road before, felt		20	that I would make clear for reason	
9			21	abundantly clear to him in the short	interview.
0 1	like she had an insight into and phone numbers and				adv attameted to
0 1 2	contacts and people that could help out in a case like		22	Q Now, VanBockern had alre	
0 1					

Je		dense	
	Page	1.	Page
1 2	Q Do you know who David VanBockern is? A Yes, sir. I do.		Q Would you look at the prioritized daily
3	A Yes, sir. I do. Q Who is he?	2	task list for July 18th? A Yes, sir.
4	A He is the TVA IG person assigned to	4	Q What's the second item there beginning with
5	investigate the case. But what I'm telling you is I don't	5	Ron?
5	remember it appears from this record that I called him.	6	A It says Ron. Dave's message from dx
7	He was not in and I left a message for him.	7	Harris.
B	Q Right. I mean, somehow or another you had	8	Q What's the dx mean?
9	to have his name and know that he was	9	A With respect to. It's a calculus term.
0	A Right.	10	Q I thought maybe you were differentiating or
1	Q the person assigned the case.	11	something.
2	A I can assume he was the one assigned. He	12	A You remember the dx/dy in calculus?
3	sent me a letter or something.	13	Q Yeah.
1	Q All right. And your note says for reasons	14	A Okay.
5	that I would make abundantly clear to him. Is that the	15	Q So with respect to which particular Harris?
5	reason that you wanted to do a short interview? Is that	16	A I do not have a clue. I don't even know
7	what that means?	17	which Dave, so
3	A I think that has reference to the fact that	18	Q Well, we could be talking about Sharon
)	I wanted to communicate in writing.	19	Harris-Plant or Ann Harris, couldn't we, either one, or
)	Q Oh. Okay. And why did you want to	20	maybe even some other Harris?
	communicate with him in writing?	21	A It could have been any Harris.
2	A I do not recall.	22	Q All right.
1	Q And you wanted to communicate in writing as	23	A I don't know. But I would also note in the
ł	opposed to orally; is that right?	24	little bar out to the left where it's X's out. So that
	A Obviously both. A short interview and then	25	usually means I didn't do it, don't carry it forward,
	Page	36	Page
	I wanted a lot of our correspondence to be in writing.	1	whatever, usually.
2	That didn't happen, but that's what I wanted.	2	Q Apparently you did, if you look at item
i	Q If you'll turn to the daily record of	3	number three on the daily record of events.
ł	events for July 17th, I'd like for you to read to us item	4	A On the 18th?
;	number two.	5	Q Uh-huh. Do you see the reference to Sharon
;	A Item number two. Ron Grover. McGrath	6	Harris-Plant there?
'	wants to go ahead with the interviews even though Cox and	7	A Yes, I do.
3	Hughes will not be able to participate on the board.	8	Q Okay. Why, if you know do you see in
)	Wilson McArthur told Ron and Ron's recommendation was to	9	your appointment schedule 12:30 to 13:15, BR3N BO1 and
)	reschedule. Now they want to place Marcy Cooper or Dennis	10	believe that's Indian Creek room?
	Cole or Rick Rogers, two of the Rad-Chem managers from	11	A Correct.
2	Browns BFN and SQN and none from WBN. Jack Cox says	12	Q Do you recognize that as the time and date
3	this was a bad time and he could not participate on that	13	that you were interviewed by the selection review board?
ļ.	day. Wilson refused to reschedule at Ben E.'s	14	A As I recall, I think that's correct.
5	Q To reschedule, period?	15	Q All right. Do you have any idea why you
5	A Period. Ben E. said this was wrong and we	16	didn't even make an entry in your daily record of events
7	should wait and reschedule. No big hurry. Ben and Ron	17	about how your impressions from the interview?
3	were very upset that they would go ahead with the	18	A No.
)	interview knowing that the selection board was obviously	19	Q Well, that would be a fairly significant
)	biased towards Sam, but Wilson would not change his mind.	20	thing as far as your career goes, wouldn't it?
	Q Why do you say in here that the selection	21	A Oh, yes.
	board was biased towards Sam?	22	Q If you'll look at the July 26th daily
	A Because that's what they said.	23	record of events.
ŀ	Q Who said?	24	A Yes, sir.
	A Ron.	25	Q Read item number four.
	Page \$	37	Page
	Q Did Ron explain why he thought the board	1	A Number four. David VanBockern. I don't
	was biased towards Sam?	2	know if I'm pronouncing his name right or not.
	A He did not. He just stated it.	3	Q You've got it misspelled, but that's okay.
	Q Did you understand why he thought that the	4	He's not here.
	selection board was biased towards Sam?	5	A Okay. I don't think I ever learned how to
	A I can only speculate.	6	spell his name. I called to let him know
	Q And what is that speculation?	7	Q That my?
	A My speculation would be that you've got a	8	A that my background is primary coolant,
	high-level manager from Watts Bar that was not present, a	9	failed fuel, and data interpretation. I let him know that
	high-level manager from Browns Ferry who was, and a	10	there was not a single question dealing with primary. All
	high-level manager from Sequoyah who was present.	11	the questions were dealing with secondary. Designed to
	Q Okay. So why would that mean the board was	12	make Sam shine. I would
	biased towards Sam in your opinion?	13	Q He?
	A Because the people who were present from	14	A I'm sorry. He would give no indication,
	Browns Ferry knew Chandra, knew his work. He had been	15	only that he was working on stuff prior to the complaint.
	assigned to that plant. They knew the contributions he	16	Time, 1:49.
	had made to that plant from a corporate perspective. The	17	Q All right. Does this refer to the
	guy from Sequoyah knew Sam because he had worked closely	18	questions that were asked during the interview, during the
	with Sam through projects, through problems that Sequoyah	19	selection review board
	was having. The guy at Watts Bar who worked closely with	20	A Yes, sir.
	me, who knew me, was not present. I would think that	21	Q on July the 18th?
	would be biased.	22	A Yes, sir. It does.
		1	
	Q That's your	23	Q But on July the 18th, you didn't make any
		23 24 25	Q But on July the 18th, you didn't make any notes at all about the types or nature of the questions; right?

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ep		Conde	ense	
1		Page 91	1.	A Yes, sir. Page
2	A That's correct. Q And it didn't occur to you until July 26th			A Yes, sir. Q What reason do you have to think he knew
3	to make any to question the questions that were		3	about it?
4	selected for that interview?		4	A As is stated in the record somewhere, after
5	A Absolutely incorrect.		5	I took the job with Ron Grover, Ron took off some time,
5	Q You didn't make any note of it; isn't that		6	placed me in charge or asked me to attend a meeting to
	right.		7	represent Ron between the Rad-Chem managers at the various
3	A Absolutely correct.		8	
,	Q How would you describe the way you handle	ad	9	sites. I attended for Ron. Things appeared to go well.
	yourself during the interview on the 18th?	cu		At one point in that meeting, I was asked to leave
) l			10	because they had some things they wanted to discuss
	A Nervous, but okay.		11	privately or without me being in attendance and so I left.
2	Q Were you relaxed?		12	And I reported to Ron, you know, what all took place in
3	A Yes.		13	the meeting, just to bring him up to speed since he was
4 5	Q Did you sit back in your chair?		14	not present.
	A I didn't stand in it.		15	And I said there was something else that went on.
5	Q Were you gregarious?		16	I have no idea what it was. They wanted to talk in my
7	A Yes. Lots of people in there I really		17	absence. If you need to know that, you will have to call
	admired.		18	them because I didn't have a clue what it was.
)	Q Pardon me?		19	And later on, he did that. And I just followed up
)	A There were lots of people in there I really		20	and I just asked, well, did you get everything resolved.
l	admired.		21	And he said yes. And I said good. He said the reason you
2	Q Who?		22	were not they did not want you present was because they
3	A I can't remember.		23	knew they, one, both, I don't know knew that you had
1	Q Well, Rick Rogers, did you know him?		24	taped some information in the past and they were fearful
5	A Yes, I did.		25	that you might do it again. So they wanted to speak in
		Page 92	1	Page
l	Q Did you admire him?		1	private.
2	A Yes, I do.		2	Now, the only way and the only time I have ever
	Q Did you think he was fair?		3	taped anybody in this organization is in association with
ļ	A As he could be.		4	the first Department of Labor complaint. How would the
5	Q Does that imply that he couldn't be fair?		5	have known that if they did not know about it?
5	A That implies he did not have the knowledge		6	Q Did they tell you that they didn't want you
	base to stand toe to toe with the guys who were in the	ma	7	there because you had tape-recorded people in the past?
\$		AC.	8	
>	Q Do you think he was biased against you?			A They told Ron.
	A Not deliberately so.		9	Q They told you're saying Ron told you
)	Q Do you have any indication that he was		10	that that's what they said?
	aware of your 1993 Department of Labor complaint?		11	A That's correct.
2	A I have no reason to believe he did not know	-4	12	Q Ron didn't come to TVA until after you
	about it for the same reason that the others knew about it because there articles user accord and all of	4L	13	settled your Department of Labor complaint; right?
	it, because these articles were passed around all of		14	A I don't think that's true.
5	management.		15	Q He wasn't there when you filed it?
5	Q You had worked with Rick some before,		16	A That's correct. Which
	hadn't you?		17	Q Your '93 complaint.
8	A Yes, str.		18	A Yes, sir.
2	Q When you had been at Sequoyah?		19	Q How was he aaware that if you know
)	A That's correct.		20	that you had tape-recorded people?
L	Q He was in TVA-speak, he was a customer		21	A I don't know. I don't even know if he did
?	of the chemistry organization, wasn't he?		22	up until that point.
3	A At times.		23	Q Had you ever disclosed to various people in
1	o Was Charles Kent on the selection review		24	management that you had surreptitiously tape-recorded
5	board?		25	them?
		Page 93	1	Page
	A Yes, sir.		1	A Yes, sir.
2	Q Did you admire him?		2	Q Pardon?
	A Yes, at times I did.		3	A Yes, sir.
ļ	Q Did you think he was capable of being		4	Q Who did you tell?
	impartial and fair?		5	A You, for one.
			6	Q You told me?
5	A Capable, yes.		7	
7	Q Do you think he was?		1	
	A I can't say.		8	Q When? When you were preparing for the Bill Jocher
)	Q You don't know?		9	A When you were preparing for the Bill Jocher
)	A I don't know. I was not part of the		10	case.
	deliberations or anything, so I don't know what took		11	Q Why did you tell me? I don't believe you
?	place.		12	and I spoke.
5	Q Were you aware John Corey was on the		13	A Oh, I think we did. Because you and Mr.
ŧ	selection review board?		14	Phil Pfiefer were preparing for that case. And at one
5	A Yes.		15	point, you guys brought me to you and Phil brought me ir
;	Q Did you admire him?		16	a room trying to get information. I think you were trying
7	A I didn't really know him that well.		17	to see if I had anything that would support TVA's side of
	Q So you wouldn't say you did or didn't		18	the case going up against Bill Jocher.
2	admire him?		19	Q I think we spoke this morning looking at
			20	part of your planner about a conversation you had with
)	A L'OTTROT		20	Phil Pfiefer. And I believe someone else was in
) )	A Correct. • Well if you didn't know him yery well do			THE FREEDER FARMER CONCEPTENCE SUBJECTION FOR THE STATE OF THE STATE O
) ) 	Q Well, if you didn't know him very well, do			
) )   2	Q Well, if you didn't know him very well, do you think he knew you very well?		22	attendance, but I don't believe it was me.
3	Q Well, if you didn't know him very well, do you think he knew you very well? A I don't know.		22 23	attendance, but I don't believe it was me. A I think it was.
)     	Q Well, if you didn't know him very well, do you think he knew you very well?		22	attendance, but I don't believe it was me.

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1       Q       And you think you told us at that time that         2       you had done some tape-recordings to write all writes that was the time that you and 1 yes.         3       A       Yes. And if 1 remember 1 don't yes.         4       I don't recall whether that was the time that you and 1 yes.         5       that you were going to be distributing a notebook that         contained the transcribed messages from those         7       a percoordings to various people. Wilson McArthur being         9       Q       I duit' to to the newspaper?         10       M'res. You did circulate that notebook to       '''         11       Wilson McArthur and others.       ''         12       Q       Mai makes you thin't that?       ''         14       A ''res. You did circulate that notebook to       '''         11       Wilson McArthur?       '''         12       Q       Yes was '''       '''         13       Q       '''       A '''         14       Yes was it in the room when he was lipping       '''       '''         14       Yes was wit?       '''       '''       '''         15       Q       Yes was wit?       '''       '''         16       Yes was wit? <td< th=""><th>Dep</th><th>oo of Gary Fiser (</th><th>Conde</th><th>ense</th><th></th></td<>	Dep	oo of Gary Fiser (	Conde	ense	
2         you had done is must reperfectively         A         1 diafy till the work I. I diafy too to           1         dat you vere going to be distributing a notebook that         ib the novepage storme done         ib the novepage storme done           1         upper recordings to various people. Wilson MAArthur had         of the novepage storme done         ib the novepage storme done           1         upper recordings to various people. Wilson MAArthur and others.         0         Q         Q, Var. Bit you don't have a recollection           1         upper recordings to various people. Wilson MAArthur and others.         0         Q         Q, Var. Bit you don't have a recollection           1         definition of the said stripping         one of Definition when he was flipping         in the said stripping         in			age 97	Γ.	Page 100
3         A. Yes, And if I remember - I don't - yes. I have the two sharps of a system do.         9           4         I herewapper as some do.         9           5         I herewapper as some do.         9           6         Orey, You doid og to the newapper. So         9           7         O Area         Mark you don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one way of the other about taiking don't have a recollection one don't have a recollection one don't have a recollection one don't have a				-	
<ul> <li>I den't recall whether that was the time that you and 1 bat you were going to be distributing a notobook that repercondings to various people, Wilson McArthur being one of them, but at some are collection.</li> <li>Q Cleay, But you don't have a recollection.</li> <li>Q Cleay, But you don't have a recollection.</li> <li>Q What makes you think that?</li> <li>Q Was are in the room when he was flipping the through it.</li> <li>Q What makes you think that?</li> <li>Q The go differ.</li> <li>Q I heg to differ.</li> <li>Q I heg to differ.</li> <li>Q How ere transmode ther you or Phil.</li> <li>Heffer were transmode ther you or Phil.</li> <li>R A Yes, sir.</li> <li>P Heffer were transmode ther you or Phil.</li> <li>R A Yes, sir.</li> <li>P Heffer were transmode ther you or Phil.</li> <li>R A Yes, sir.</li> <li>P Heffer were transmoder ther said.</li> <li>R A Yes, sir.</li> <li>P Heffer were transmoder in the room of the you or Phil.</li> <li>R A Yes, sir.</li> <li>P You were ry expologic. But now you neacch me sould to because you necked in the case us or you rever you nocked in the you are phil.</li> <li>You were ry expologic. But now you neacch me sould to be cause you necked in the you are the shall be beause you necked in the you are ther that were it was a the phile have you see the entry for C.</li> <li>A Leading up to that ease. I thought that</li> <li>C and the mark next to that mean?</li> <li>A Leading up to that ease. I thought that</li> <li>C and the number three.</li> <li>Q You mode - if I was, you made notes about</li> <li>Q Well, earlier you said you made notes about you</li> <li>Q Well were than the dueld Boyle to they you were in a side you see the entry for C.</li> <l< td=""><td></td><td>A Yes. And if I remember I don't yes.</td><td></td><td></td><td></td></l<></ul>		A Yes. And if I remember I don't yes.			
6         contained the transmibed messages from those tape-recordings to various people, Wilson MACrhub relations of the difference of the difference of the difference of the di		I don't recall whether that was the time that you and I			
1         1         0         Okay, But you don't have a recollection one way or the other shout alking about it with Charles one way or the other shout alking about it with Charles one way or the other shout alking about it with Charles one way or the other shout alking about it with Charles one way or the other shout it.           1         Wison MacArhur and others.         I was in the room when he was flipping the through it.           1         Wison MacArhur and others.         Q You meen you don't have a liking - you don't daw of the other shout it.           1         A Was in the room when he was flipping the through it.         A Was in the room when he was flipping the through it.           1         A Yee, sir.         A Thave no recollection of telling him. I can't it meas you were preparing for Bill Jocher and you said - ther you was ald it and he nolded in agreement of he said ad you nodded in agreement of he said tendance.         A May the was alken.           1         treated right. We know that 1903 cases we wrong the know everything didn't group it. We know you weren' the know everything didn't group it. We know you weren' the know everything didn't group it. We know you were it the know everything didn't group it. We know you were it the know everything didn't group it. We know you were it the know everything didn't group it. We know you were it the know everything didn't group it was your notes would the first dust it be at of high the you book care of?         First deposition exhibit high the tas of the high was your notes would the first dust you be the set at but you book care of?           1         there at a sourge to that asset. Thought that the strend righ. We know that		that you were going to be distributing a notebook that			
a one of them, but at some point in time you did.         a dual you did could ave the about taiking about it with Charles           iii Wikson McArthur and others.         iii Wikson McArthur and others.         iii Wikson McArthur and others.           iii Wikson McArthur and others.         iii Was makes you think that?         iii Was makes you think that?           iii Was makes you think that?         iii Was makes you think that?         iii Was makes you think that?           iii Was makes you think that?         iii Was makes you think that?         iii Was makes you think that?           iii Was makes you think that?         iii Was makes you think that?         iii Was makes you think that?           iii Was makes you was?         iii Was makes you was?         iii Was makes you was?           iii Was makes you was?         iii Was makes you was?         iii Was makes you was?           ii Was makes you was?         iii Was makes you was?         iii Was makes you was?           ii Was makes you was?         iii Was makes you was?         iii Was makes you was?           ii Was makes you was?         iii Was makes you was?         iii Was makes you was?           ii Was makes you was?         iii Was makes you was?         iii Was makes you was?           ii Was makes you was?         iii Was makes you was?         iii Was makes you was?           ii Was makes you was?         iii Was makes you was?		contained the transcribed messages from those		-	
9       Q       [ddf]         9       Q       [ddf]         9       Q       [ddf]         10       What makes you tak that?         11       Q       Was in the room when he was flipping         12       Wink makes you tak that?         13       Q       Whet wilson was?         14       through it       C         15       Q       Wink makes you tak that?         16       Q       Was in the room when he was flipping         17       A       Yes, it         18       Q       Hegt of differ.         19       Q       Hegt of differ.         11       Prefere were there, and either you or Phil, one, lookd at the and you noded in agreement - yeah, Gary, you know, we tak differ.       C         11       treated right. We know you werer't tak that?       Char think so.       Char think so.         12       Filed A       Hell weight of the loogen that the sole of the tak sole			eing		Q Okay. But you don't have a recollection
10       A 1 would have to refer to my notes. I don't         11       Wilson Mach was in the room when hews flipping         12       Q When Wilson was?         13       Q When Wilson was?         14       Q When Wilson was?         15       Q When Wilson was?         16       A Yes, sir.         17       Q And you saw it?         18       A 1 weak on resollection of telling him. I         19       A 1 would have to refer to my notes.         10       A 1 would have to refer to my notes.         11       real was in beroom when hews flipping         14       and you saw it?         16       A Yes, sir.         17       Q And you saw it?         18       and you word perparing for Bill Jocher and you said -         19       Page 98         10       reated right. We know that 1993 case was wrong.       Page 98         11       reated right. We know that 1993 case was wrong.       Page 10         10       A 1's possible.       Page 10         10       A 1's possible.       Page 10         10       A 1's possible.       Q 1's you'l ad some task dealing Q         11       reated right. We languat 2nd, 16G hore son appec 10 fill. 1.1 don't have to you reat it meritor you reatif		o I did?			
11       Wilson McArthur and others.       if is a fixed in the room when he was flipping through the production of the maghting.         12       Q. You many you don't recall talking you don't recall talking you don't recall talking you don't recall talking you don't day telling Wilson McArthur?         13       A fixes in the room when he was flipping through the production of the maghting.         14       A Yes, sit.         15       A Yes, sit.         16       A Yes, sit.         17       Q. And you saw it?         18       A Yes, sit.         19       A Yes, sit.         10       A Yes, sit.         11       The go tallformether correctly, you and Phil         12       production for bill booker.         13       throw he room other he nodded in agreement or he said         14       readed right. We know that 1993 case was wrong.         15       reade of thim booker. And I think you were in a site of anone.         11       readed right. We know that 1993 case was wrong.         12       you make the anone of the room other of the site of the room other of the room you no contex with him.         11       readed right. We know that 1993 case was wrong.         12       your case for Bill booker. And I think you were in a site of anone case of the first metas with the roothe and the wook and the wook and the wook and the wook		A Yes. You did circulate that notebook to			
12       Q       You mean you don't recall alking you         13       A       I was in the room when he was flipping         14       through it       A         15       Q       When wilson was?         16       Q       You mean you don't recall alking you         17       A       A flave no recollection of telling him. I         18       A       Yes, sir.         19       Q       I begt of telling him.       I flave no recollection of telling him. I         11       To mean you don't recollection of telling him.       I flave no recollection of telling him.       I         11       Piefer were there, and ether you or Phil, one, lookd at       I flave and the noordel in agreement on te sad       I flave and ten you and the noordel in agreement on te sad       I flave and ten you and ten ten sad       I flave and ten you and ten ten sad       I flave and ten you and ten ten sad       I flave and ten you and ten ten sad       I flave and ten you and ten ten sad       I flave and ten you and ten ten sad       I flave and ten you and ten ten sad       I flave and ten you and ten ten sad       I flave and ten you and ten ten sad       I flave and ten you and ten ten sad       I flave and ten you and ten ten sad         10       treated right. We know that 1993 case was wrong.       I flave and ten you and ten ten sad       I flave and ten you and ten ten sad       I flave and ten you a		Wilson McArthur and others.			
13       A I was in the room when he was flipping through with the set of the set				1	
14       Unrough Li, A Marting Million was?       14       A Inave no recollection of celling him. I a measy ould not have. C You hold Sam - you lodd Ron Grover?         15       A Marting Million Was and Million 10       10       A Marting Million Million 10       10       A Marting Million Million 10       10       A Marting Million 10       10       A Marting Million 10       10       A Marting Million 10       10       A Marting Million 10       10       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10	13	A I was in the room when he was flipping		13	
16       A Yes, sir.       16       Q Tou told Samyou told Ron Grover?         18       A Yes, sir.       16       Q Tou told Samyou told Ron Grover?         18       A Yes, sir.       17       A M, MARQUAND. Ld's take a five-minute         19       Parate       17       A M, MARQUAND. Ld's take a five-minute         10       Parate       16       A Correct         11       Treated right. We know that 1993 case was wrong.       2       A Correct         11       treated right. We know that 1993 case was wrong.       2       A Correct         12       You were very abogetic. But now you needed me standam.       9       A Correct         14       treated right. We know that 1993 case was wrong.       2       0       On the first page under prioritized daily         10       A It's possible.       0       On the first page under prioritized daily         10       A It's possible.       10       A Usually that means that whatever it was 1         10       A It's possible.       0       No. That might have just been reminding me         17       A Itern number three, August 2nd daily       10       0       0         10       A Usally that means that whatever it was 1       10       0         11       O Correct					A I have no recollection of telling him. I
17       Q       And you saw it?       if       A       Oh, I think certainly idd.         19       Q       Logs to differ.       if       MR       MRQUAND. Let's take a five-minute         12       Prefer were there, and etitler you or Phil, one, looked at       if       MR       MRQUAND. Let's take a five-minute         12       reflect were there, and etitler you or Phil, ore, looked at       if       MR       MRQUAND. Sec. I're handed you         2       output statistics of the said       if       MR       MRQUAND. Sec. I're handed you         2       you were yeaplogetic. But now you were in       if       MR       MRQUAND. Sec. I're handed you         2       You were very spologetic. But now you were in       if       MR       MRQUAND. Sec. I're handed you         2       You were very spologetic. But now you needed information I had to spatiance.       Page 98       Fise redposition exhibit thiry.       Page 98         11       of I don't think so.       orrest.       I don't think so.       orrest.       A Usally that means that whatever it was I         13       A Leading up to that case. I thought that       I don't twee to       orrest.       orrest.         14       Q       Well, earlier you said you made notes about       I woll was to ic norrest.       O so apparently you were in contacut with h					
18       A       Yes, šir.       is       MR MARQUAND. Lét's take a five-minute         19       Q       Dog to differ.       (A       KR MARQUAND.       (A         20       meas you were preparing for Bill Jocker and you said -       (A       (A       (A       (A         21       meas you were preparing for Bill Jocker and you said -       (A				1	
19       Q       I beg to differ.         20       A       If i remember correctly, you and Phil, one, looked at 21 me as you were preparing for Bill Jocher and you said - 22 either you said i and he nodded in agreement on he said at 25 know everything didn't go right. We know you were in 25 know everything didn't go right. We know you were in 25 know every apologetic. But now you needed me 31 involved because you needed information I had to support 1       26 WR (MAQUAN).       20 Qlaright Mr. They into the link. And I've marked it as 25 know every apologetic. But now you meeded me 31 involved because you needed information I had to support 1       27 You were very apologetic. But now you meeded me 31 involved because you needed information I had to support 1       28 WR (MAQUAN).       Page 10 Quart they marked it as 1         3       attendince.       10 Other first page under prioritized daily 4       You were very apologetic. But now you meeded me 31 involved because you needed information I had to support 1       28 WR (MAQUAN).       Page 10 Quart have to 40 Quare 40 Pal have have to 40 Quare 40 Pal have have 40 Qua		Ver sir			
20       Å If I remember correctly, you and Phil         21       Pisfer were there, and either you or Phil, one, looked at         22       me as you were preparing for Bill Jocher and you said				1	
11       Prilefer were there, and either you or Phil, one, looked at measy ou were prigming for Bill Johensen do there and the nodded in agreement or he said and you modded in agreement or he said and you modded in agreement or he said and you mere very apologetic. But now you werent ' 23       21       (Exhibit No. 30 was filed.)         25       Know everything didn't go right. We know you werent ' 23       Q       All right. Mr. Fiser, 've handed you 24       Q         26       know everything didn't go right. We know you werent ' 23       Page 98       Page 98         1       treated right. We know that 1993 case was wrong. 20       Page 98         2       Mou were very apologetic. But now you needed in a two you meeded information I had to support your case was low line. And I think you were in 3 entered fill that'.       Fiser deposition exhibit thry.       Page 10         3       A Could check my record.       A       Could check my record.       A       Usagust 61, you were in contact with him 0. So apparently you were in contact with him 12 significant events.       A       Usagust 61, you were in contact with him 13       So apparently you were in contact with him 14 case was over.       So apparently you were in contact with him 1996 despice your sailer testimon?         12       Q. Posted?       A       I think it asys NUC       A       This different entry that yust simply       A       This different entry that yust simply         13       A Leading up to that case.       I thould - it does not ap		A If I remember correctly, you and Phil			
12       me as you were preparing for Bill Jocher and you said -         etitlery ou said it and he nodded in agreement or he said         and you nodded in agreement - yeah, Gary, you know, we         know everything din't go right. We know you reacted         more wery apologetic. But now you needed in         wor avery apologetic. But now you needed         more and in this you were in         statendance.         a Loadin this do.         a Loadin denk my.         a A Loading up to that case. I thought that         ceore of events, could you read item number three?         A Loading up to that case. I thought that         ceore of events, could you read item number three?         A Loading up to that case. I thought that         ceore of events, could you read item number three?         A Loading up to that case. I thought that         ceore of events, could you read item number three?         A Leading up to that case. I thought that         ceore of events, could you read item number three?         A reposted. Go to - I think it says NUC         A reposted. Go to - I think it says NUC         A reposted. Go to - I think it says NUC         A reposted. Go to to - I think it says NUC         A loadit the ow,         A loadit dow,         A loadit and we appearent by our adit wort and and with iter at the appearent by         by that a bifed head there.         A loadit the ow,         A loadit the ow,         A loadit the ow,         A loadit and we appearent by our adit that was and load the at was inder based on the fact that appearent by         A loadit the ow,         A loadit the ow appearent by our adith this areadit as appearent by our adit the that appe		Pfiefer were there, and either you or Phil, one, looked a	at		
23       either you said it and he inolded in agreement or he said and you nodded in agreement - yeak, Gary, you know, we ze know everything dich't go right. We know you werch 't 25       23       Q All right. Mr. Fissr, 'tve handed you 24         24       and you modded in agreement - yeak, Gary, you know, we ze know everything dich't go right. We know you werch 't 25       23       Q All right. Mr. Fissr, 'tve handed you 24       Page 98         1       treated right. We know that 1993 case was wrong. 25       You were very apologietic. But now you needed me 3 involved because you needed information I had to support 4       Fissr deposition exhibit htty. 4       Page 98         1       You were very apologietic. But now you needed me 3 involved because you needed information I had to support 4       Fissr deposition exhibit htty. 4       Core soft and the sup soft and the sup soft and the sup soft and the sup soft and the soft and		me as you were preparing for Bill Jocher and you said			
24       and you nodded in agreement - yeah, Gary, you know, we       24       copies of some pages from your 1996 planner that go from your response planner that go from your 1996 planner that go from your response planner that go from your response planner to have the you pok care of?         13       A Leading up to that case. I thought that case way over.       13       A Leading up to that case. I thought that is a file thad with thim. It fores not necessarily mean that, buit is planner three?       13       A I think that would how care of?         14       Q for your add the fact that my job had been -       9       10       A I think that would have that you took care of?         15       Q for your add that thar you took case. I thought have you have you have to		either you said it and he nodded in agreement or he sai	d		Q All right. Mr. Fiser, I've handed you
125       Know everything didn't go right. We know you weren't       125       August 6th to December the 11th. And I've marked it as Page 98         1       treated right. We know that 1993 case was wrong.       Page 98         1       You were very apologetic. But now you needed me involved because you needed information I had to support your case for Bill Jocher. And I think you were in as for Bill Jocher. And I think you were in as for Bill Jocher. And I think you were in as for Bill Jocher. And I think you were in as for Bill Jocher. And I think you were in as for Bill Jocher. And I think you were in as for Bill Jocher. And I think you were in as for Bill Jocher. And I think you were in as for Bill Jocher. And I think you were in as for Bill Jocher. And I think you were in as for Bill Jocher. And I think you were in as for Bill Jocher. And I think hat would be corect.         7       A Leading up to that case. I thought that tease of I you! Hoak at the August 2nd. '96, Dirder 18 moltane three, August 2nd. '96, Dirder 18 moltane three, August 2nd. '96, Dirder 19 my DoL and that it was filed based on the fact that my job 20 had been -         10       Q Dosted?       Q I Sthis a different entry that just simply 21 is not numbered?         2       Prequent of Labor C.       A I man fairly certain that was Sam Harvey.         6       Q How did Sam Harvey know about your '20 I bill you and that if recall.       Page 99         1       A I could - it does not appear to be?       A I'm sorry.         2       Preve.       Page 10         2       Preve.       Page 99      <		and you nodded in agreement yeah, Gary, you know	, we		copies of some pages from your 1996 planner that go from
1       treated right. We know that 1993 case was wrong.       1       Fiser deposition exhibit thirty.         2       You were very apologetic. But now you needed me       2       A Correct.         3       involved because you needed information 1 had to support         4       1       1       Correct.         5       attendance.       Q       On the first page under provitized daily         6       Q       I don't think so.       Q         7       A       I could check my record.       Q         8       Q       What is the mark next to that mean?         9       reflect that?       Q       What is the mark next to that mean?         9       A       Leading up to that case. I hought that       Q         11       Q       Well, earlier you soid you made notes about       Q         12       A       Leading up to that case. I hought that       Q         13       Case was tree:       Q       So apparently you had some task dealing         14       Item number three, August 2nd; 96. Diedre       A       No. That might have just boen reminding me         16       Posted?       A       How that is says NUC       A       I hink that would be correct.         16       Posted?       A	25	know everything didn't go right. We know you weren	't	25	
2       You were very apologetic. But now you needed information 1 had to support your case for Bill Jocher. And I think you were in attendance.       A       Correct.         6       Q       I don't think so.       Q       A       Correct.         7       A       I could check my record.       A       Yes, I do.         8       Q       Your note if I was, your notes would       A       Yes, I do.         9       Yes, I do.       A       Yes, I do.         10       A       It's possible.       A       Yes, I do.         12       significant events.       G       Well, earlier you said you made notes about       B       Do that first page under prioritized daily         12       Significant events.       G       So apparently you hards that mean?       A       Yes, I do.         12       So apparently you hards that was I       G       So apparently you hards that mean?       A         13       A Leading up to that case. I thought that       G       So apparently you hards that him in       I doespite your cattler testimon?         14       G       So apparently you hards that him in       I doespite your cattler testimon?         16       If you'll look at the August 2nd, 96. Diedent       Im lim hit's hard fifteent entry that just simply         16       P		P	age 98		Page 101
3       involved because you needed information 1 had to support your case for Bill Ocher. And I think you were in statendance.       3       Q       On the first page under prioritized daily task list for August 6th, you see the entry for C.         5       Q       I don't think so.       5         7       A       I could check my record.       5         8       Q       Your note: if I was, your notes would       7         9       reflect that?       Q       What's the mark next to that mean?         10       A       Lading up to that case. I thought that         11       Q       Well, earlier you said you made notes about         11       So apparently you had some task dealing         11       Put that reminder in here for I did it. I don't have to         12       A       Ladinity the mash atw hatever it was I         13       A       Lading up to that case. I thought that         14       case was over.       0       So apparently you had some task dealing         15       O       I fyou'll look at the August 2nd dialy       So apparently you were in contact with him         16       Posted?       A       I think it says NUC         17       A       Item number three, August 2nd, '96. Diedre       10         18       Nida ent it was filed based on t				1	
4       your case for Bill Jocker. And I think you were in stak list for August 6th, you see the entry for C.         5       attendance.         6       Q I don't think so.         7       A I could check my record.         8       Q Your note if I was, your notes would         9       reflect that?         10       A It's possible.         11       Q Well, earlier you said you made notes about         12       significant events.         13       A Leading up to that case. I thought that         14       case was over.         15       Q If you'll look at the August 2nd, (%) briedre         18       Nida that's who the Diedre is said SH told her about         19       my Dot. and that it was filed based on the fact that my job         20       Posted?         21       A posted. Go to I think it says NUC         22       Pww. nuke power, procM. system 014 DCN.M.         23       Q Who was SH that Diedre Nida was referring         40       You was St that Diedre Nida was sam Harvey.         6       A I am fairly certain that was Sam Harvey.         7       A I don't knew in sect. I don't - i dor't - i do				1	
5       attendance.       5       VanBekc?         6       Q       Idon't think so.       7         7       A       I could check my record.       6         9       reflect that?       9       WanBekc?       9         10       A       It's possible.       9       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       11       10       10       11       10       11       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10			port		
6       Q       I don't think so.         7       A       Loould check my record.         8       Q       Your note if I was, your notes would         9       Your note if I was, your notes would       7       Q         9       Well, earlier you said you made notes about       9       Your note if I was, your notes would         10       Well, earlier you said you made notes about       9       yut that reminder in here for I did it. I don't have to         12       significant events.       Go So apparently you had some task dealing         10       Well, earlier you said you made notes about       9         11       O Ko apparently you had some task dealing         12       So apparently you were in contact with him         13       A       I think thi would be correct.         14       Case was over.       So apparently you were in contact with him         15       I for ould be correct.       9         16       If main that it was filed based on the fact that my job         17       A       Ice and that it was filed based on the fact that my job         18       hom that in was filed based on the fact that my job         19       go back and pull sometask       file I had with         19       yees, sir. WCM.       Yees, sir.				1	
7       A       I could check my record.         8       Q Your note - if I was, your notes would         9       reflect that?         9       reflect that?         10       A       It's possible.         11       Q       Well, earlier you said you made notes about         13       A       Leading up to that case. I thought that         14       case was over.       Q       If you'll look at the August 2nd, '96. Diedre         15       Q       If you'll look at the August 2nd, '96. Diedre         16       Tem number three, August 2nd, '96. Diedre       No. That might have just bear reminding me         17       A. It could it does not appear to be       A       No. That might have just bear reminding me         17       A       I could it does not appear to be       Q       A link intry.         18       No. That might were yust bear was field base of the fact that number three.       Q       A link intry.         10       Posted?       A       Yes, sir, WCM.         20       Posted. Go to I think it says NUC       Q       A link intry.         21       Q       Posted. Go to I think it says NUC       Q       A link intry.         22       Prow. The sposite. Go to I think was sam Harvey.       Q					
8       Q       Your note if I was, your notes would       8       A       Usually that means that whatever it was I         9       reflect that?         10       A       It's possible.         11       Q       Well, earlier you said you made notes about         12       significant events.       Q       So apparently you had some task dealing         13       a. Leading up to that case. I thought that       Q       So apparently you were in contact with him         15       Q       If you'll look at the August 2nd daily       in 1996 despite your earlier testimony?         16       Nida that's who the Dicdre is - said St told her about       A       No. That might have just been reminding me         17       A       - posted?       A       No. That might have just been reminding me         18       Nida that's who the Dicdre is - said St told her about       A       No. That might have just been reminding me         19       Q       Posted?       A       No. That might have just been reminding me         20       Posted?       A       No. That might have just been reminding me         21       Q       Posted?       A       No. That might have just been reminding me         22       Q       Posted?       A       Yes, sr. WCM.		A I could check my record.		1	
9       reflect that?         10       A It's possible.         11       Q       Well, earlier you said you made notes about         11       X       Leading up to that case. I thought that         12       A Leading up to that case. I thought that       Q         13       A Leading up to that case. I thought that       Q         14       Q       So apparently you had some task dealing         15       Q       If you'll look at the August 2nd daily         16       recaser was over.       Q       So apparently you were in contact with him         16       Nida that's who the Dicdre is - said SH to lah crabout       No. That might have yous the correntinding me         17       A Ite manumber three, August 2nd, '96. Diedre       No. That might have yous the correntinding me         11       De posted?       A       No. That might have yous the correntinding me         12       Q       Posted?       A       The fifth entry.         13       De posted?       Q       If it is not?       Ym. Nuke power, DCCM. system 014 DCN M.         12       Page 99       It could it does not appear to be       Page 99         14       It could it does not appear to be       It more 'I'm sorry to fill Tom in on?         15       A It am fairly c	8	Q Your note if I was, your notes would			
11       Q       Well, earlier you said you made notes about         11       significant events.         13       A       Leading up to that case. I thought that         14       case was over.       With VanBeke that you took care of?         15       Q       If you'll look at the August 2nd daily         16       record of events, could you read item number three?       Q       So apparently you were in contact with him         16       record of events, could you read item number three?       A       In hink that would be correct.         18       Nida that's who the Diedre is said SH told her about       In 1996 does not necessarily mean that, but it certainly         19       Do tand that it was filed based on the fact that my job       In the daily record of events for August 6th?         20       Posted?       A       posted. Go to I think it says NUC         21       O       Prostem 014 DCN M.         22       A       posted. Go to I think it says NUC       22         23       Q       Who was SH that Diedre Nida was referring       4         4       troid at it recail.       2       The fifth entry.         3       Q       Who was SH that Diedre Nida was referring       4       A Trish. One year in services or one month, a         10	9	reflect that?		1	
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<ul> <li>posted my job I was going to file, I don't I don't see</li> <li>how that knowledge would have been just kept with those</li> <li>few guys. So how did he find out? I don't know.</li> <li>Q It's possible you told Wilson McArthur?</li> <li>A It's possible.</li> <li>Q Did you tell in fact, you discussed it</li> <li>With Charles Kent, didn't you?</li> <li>A I would have to refer to my notes. I don't</li> <li>You didn't keep it a big secret, did you?</li> <li>A What a big secret?</li> <li>A I don't either. Probably she asked, but I</li> </ul>					V WIO'S ITISH! A Trish Landers is the lady we were enabling
<ul> <li>how that knowledge would have been just kept with those</li> <li>few guys. So how did he find out? I don't know.</li> <li>Q It's possible you told Wilson McArthur?</li> <li>A It's possible.</li> <li>Q Did you tell in fact, you discussed it</li> <li>With Charles Kent, didn't you?</li> <li>A I would have to refer to my notes. I don't</li> <li>A I would have to refer to my notes. I don't</li> <li>P Q You didn't keep it a big secret, did you?</li> <li>A What a big secret?</li> </ul>		posted my job I was going to file I don't I don't see	•		
16few guys. So how did he find out? I don't know.17Q18A19Q19Q10you tell in fact, you discussed it10With Charles Kent, didn't you?11A12A13A14I would have to refer to my notes. I don't15You didn't keep it a big secret, did you?16about one year in services or one month and one year17Salary?18A19Q10Did you tell in fact, you discussed it10one of the options that I would have been given had I not10been selected for the job. I don't recall.18Q19Right. But that sounds like an option if10you were in services, but I don't understand why you woul13Q14A15You didn't keep it a big secret?16A17Salary?18A19One of the options that I would have been given had I not10been selected for the job. I don't recall.11Q12You were in services, but I don't understand why you woul13Q14A15I don't either. Probably she asked, but I		how that knowledge would have been just kent with th	ose	1	
17QIt's possible you told Wilson McArthur?17salary?18AIt's possible.17salary?18AIt's possible.18AI don't recall, unless that would have been19QDid you tell in fact, you discussed it19one of the options that I would have been given had I not20with Charles Kent, didn't you?10101021AI would have to refer to my notes. I don't20Right. But that sounds like an option if23QYou didn't keep it a big secret, did you?23document a conversation with her about that.24AWhat a big secret?24A		few gives. So how did he find out? I don't know		1	about one year in services or one month and one year
18       A       It's possible.         19       Q       Did you tell in fact, you discussed it         20       with Charles Kent, didn't you?         21       A       I would have to refer to my notes. I don't         23       Q       You didn't keep it a big secret, did you?         24       A       What a big secret?		O It's possible you told Wilson McArthur?			
19QDid you tell in fact, you discussed it19one of the options that I would have been given had I not20with Charles Kent, didn't you?20been selected for the job. I don't recall.21AI would have to refer to my notes. I don't21Q23QYou didn't keep it a big secret, did you?23Q24AWhat a big secret?24A					A I don't recall, unless that would have been
<ul> <li>with Charles Kent, didn't you?</li> <li>A I would have to refer to my notes. I don't</li> <li>recall.</li> <li>Q You didn't keep it a big secret, did you?</li> <li>A What a big secret?</li> <li>been selected for the job. I don't recall.</li> <li>Q Right. But that sounds like an option if</li> <li>Q were in services, but I don't understand why you woul</li> <li>document a conversation with her about that.</li> <li>A What a big secret?</li> </ul>				19	one of the options that I would have been given had I not
21AI would have to refer to my notes. I don't21QRight. But that sounds like an option if22recall.23QYou didn't keep it a big secret, did you?23document a conversation with her about that.24AWhat a big secret?24AI don't either. Probably she asked, but I	20	with Charles Kent, didn't you?			
23 Q You didn't keep it a big secret, did you? 24 A What a big secret? 23 document a conversation with her about that. 24 A I don't either. Probably she asked, but I	21	A I would have to refer to my notes. I don't			
24 A I don't either. Probably she asked, but I					
25 Q The fact that you filed a new Department of 25 don't know. Or perhaps it was a message. Because, see,					
125 Q The fact that you mod a new Department of 125 don't know. Of perhaps it was a message. Decades, see,		A What a Dig Secret?			
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De	oo of Gary Fiser	Conde	msel	It <sup>™</sup> In Re: TVA
		Page 103		Page 106
1	why would she tell me to fill McGrath in since he w		1	Q So an opportunity for somebody to shine in
2	little weak? It might have been she took a message a		2	front of the board in the area of secondary chemistry you
3	gave it to me for some reason. Maybe I wasn't arou	nd.	3	think, if it happened to be in the area of secondary
4	Because that is strange that I would that Trish wo		4	chemistry, would cause a bias against you?
5	be telling me to fill Tom McGrath in because he was	s weak	5	A It could be. Because due to the fact I was
6	in some area or something. I'm not really sure I		6	in ETP I was off of everything. I wasn't on any boards.
7	understand.		7	I came back. We were firing up Watts Bar. I didn't have
8	Q Would you read the second item?		8	time to. Sam was assigned to such things as the primary
9	A WCM		9	and secondary leak task force or whatever with EPRI. Sam
10	Q Second. Number two. I know you want to	•	10	was assigned to something having to do with the shutdown
11	get to that number six and we'll get to that.		11	of cooling chemistry, things likes that, that I did not
12	A The second one is JB.		12	have an opportunity to do.
13	Q Get the?		13	Q Okay. So when the question of what
14	A I think that is get. It says get the long		14	strengths do you have that will benefit this position, the
15 16	list of problems I submitted back in 1989-'90 time f Q Parens?	rame.	15	answer your opinion is that Sam's strengths in the area
			16	of his background and what he had done would make him
17	A Yeah, parentheses. W-M, F-R-A-D-E-G or		17	shine better than you?
18	something. I don't know who that is.		18	A Due to the fact he was plugged in to all of
19	Q Could that be a Y?		19	these various organizations, boards, subcommittees, et
20	A It could be. I don't know. I can't		20	cetera, tag team, especially assigned by Goetcheus to that
21	it's been too many years. I don't know.		21	tag team, you know, you could make that argument.
22 23	Q He had to appeal it to the Secretary of Labor?		22	Q You apparently did, because you told
23			23	VanBockern that the questions were geared towards
24 25	A Right. He had to appeal it to the Secretary of Labor to get a favorable ruling. They ta	۱Ŀ	24 25	secondary chemistry and not primary chemistry; right?
23	Secretary of Labor to get a favorable ruling. They ta		23	Isn't that what you told him?
		Page 104		Page 107
	about priming the test questions so that it and ther	נ	1	A Yes. Not necessarily this one question.
2	there's a period or a dash fits certain individuals.		2	Q Not you're saying not necessarily that
3	Q Could that be a reference to a Department	11	3	question?
4	of Labor case by the name of Fradey that the individ	luai	4	A Not necessarily. It could be.
5	took to the Secretary of Labor?		5	Q But that that question might make Sam look
6	A It could be. I don't recall.		6	better than you?
7	Q Well, who's JB?		7	A Oh, yes.
8	A I don't recall.		8	Q The second question that was asked and
9	Q Bates? Barker?		9	it's number two on the question sheet is indicate
10	A I don't recall. I just can't I don't		10	weaknesses that you need to address if you fill this
11	Q All right. Now read the sixth number		11	position. Was that slanted towards favoring somebody? A No.
12	Q All right. Now read the sixth number six.		12 13	A No. Q Did it make Sam shine better than you?
13 14			13	A No, I don't think so.
15	A Number six. WCM. Selections have been made. I am not one of them. Chandra, Sam I gue	CC.	15	Q You're saying it was a neutral question?
16	that's were.	.33	16	A It appears to be.
17	Q Chandra plus Sam?		17	Q All right. The third question which was
18	A Chandra and Sam were WCM says.		18	asked and which is number seven on the question sheet is
19	Q Won. Chandra and Sam won; is that right?		19	to state or, describe three projects/programs you
20	A That very well could be. It's a little		20	helped initiate, develop and complete in the chemistry
21	hard to read. Chandra and Sam won, were selected f	for the	21	areas. Would that make Sam shine more than you?
22	positions I guess. WCM says it was fair. I said it wa	is and	22	A It very well could have due to the fact he
23	not. Jack Cox could not meet. Said it was not neces	ssarv	23	was on all these subcommittees and things. Yes, it is
24	Even with him not there, WCM conceded, Wilson e			possible.
25	him not there, Wilson conceded.		25	Q Was it a question which would make him look
		Page 105	1	Page 108
1	Wilson provided the questions and the board	1050 105	1	better because it spotlighted secondary as opposed to
1 2	selected the ones they wanted to ask. He was unawa	re of	2	primary chemistry?
3	the fact that the questions were that no questions v	vere	3	A Possibly due to the fact that he was
4	asked that had to do with primary but said it would		4	involved in all these committees and things. It's
5	have mattered. The board would have selected Sam	anywav.	5	possible.
6	Q I'd like to discuss the interview questions	,	6	Q The fourth question, which is number nine
7	with you		7	on the list, says describe the level of responsibility
8	A Uh-huh.		8	this position should have in contributing to the success
9	Q that were asked for the PWR selections.		9	of the site chemistry programs.
10	The first question was what strengths do you have th	nat	10	A Correct.
11	will benefit this position. Is that question slanted		11	Q In your opinion, was that a neutral
12	towards either PWR or I mean, towards primary or		12	question or was that designed to make Sam shine?
13	secondary aspects of chemistry?		13	A I feel like that was pretty neutral.
14	A It could be.		14	Q Was it geared to make secondary chemistry
15	Q It could be slanted?		15	to give somebody who had a background in secondary
16	A It could be.		16	chemistry a foot up on you or a leg up on you since you
17	Q How?		17	were in primary chemistry?
18	A Sam had been heavily involved with EPRI.		18	A I feel like that was pretty neutral.
19	Sam had been appointed to the chemistry tag team by	У	19	Q Okay. The next question was describe at
20	Goetcheus. Sam had served on several boards, EPRI		20	least two chemistry concerns of TVAN.
21	meetings, things like that. He was really, really		21	A Correct.
22	up-to-date on secondary chemistry issues because of	nis	22	Q Was that neutral or was that biased?
23	position on these various boards. I would think thin	ĸ	23	A Probably pretty neutral.
24	that that would be an opportunity for him to really		24	Q You think the chemistry concerns were
25	present himself well.		25	equally weighted between primary and secondary?
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)e		ondense	
		e 109	Page
1 2	A Would you repeat that question?	1	day.
3	Q Do you think the chemistry concerns A No, the question.	2	Q Oh. So he was up on that? He was current with it?
4	Q Describe the question that was asked was		
5	describe at least two chemistry concerns of TIAN	4	A Yes.
	describe at least two chemistry concerns of TVAN.	5	Q And you weren't?
6 7	A I think that's pretty neutral.	6	A Due to the fact I was operating at a plant
	Q The next question was define the term	1 7	that was not that was in start-up, that's correct.
8	denting and where and how does it occur. Is that neutra		Q The next question was discuss your specific
9	or not?	9	management experience and training. Was that a neutral
0	A Certainly Sam was involved in all these	10	question or not?
l	outside organizations, EPRI. I think he could quite	11	A The experience thing, you know, with Sam
2	possibly have more current information than I did by	12	having the inside track and being assigned to all these
3	virtue of the fact that he had attended all the meetings.	13	wonderful task forces and EPRI and things like that, that
1	Q Well, is	14	would have certainly helped him.
5	A Did that answer your question?	15	Q But not because of his secondary background
5	Q Is denting secondary or primary?	16	but simply based upon his the work he was doing?
7	A Secondary.	17	A And the subcommittees and task forces he
3	Q Now, in your job as program manager, did	18	was assigned to, yes.
)	you work with one particular plant more than the others	? 19	Q The last question was, define molar ratio
)	A Yes, I did.	20	and the primary factors affecting it. Is that a neutral
l	Q What plant was that?	21	question or not?
2	A That was Watts Bar.	21	A Fairly neutral I would say.
3	Q Were there concerns at Watts Bar about	22	Q Would you look at the daily record of
i	denting?	23	events for August the 7th of '96?
5	A There are concerns at all plants about	24	A Yes, sir.
		e 110	
l	denting.		Page Q Can you read item number four?
2	Q Oh, there are? Are there concerns even at	2	A Number four. It says later that morning I
5	BWR plants about denting?		left a message with Wilson McArthur expressing my extr
	A No, sir.	_	
4 5		4	displeasure in the fact that he had spread the info before
	Q Oh. Only PWR plants?	5	we were ready to go public.
Ś	A That's correct.	6	Q What info are you talking about?
2	Q So if somebody worked primarily in a BWR	7	A I think it had to do with item number three
3	plant, it might be a question that they might not be as	8	above. It was a specific incident where, as I recall,
)	familiar with?	9	there was some contamination and this was being checked
)	A That's correct.	10	out by chemistry on site at Watts Bar. They were trying
l	Q So like Chandra who was assigned primarily	11	to get to the bottom of it. I mentioned this to him. And
2	to work with Browns Ferry, would that be a question th	at 12	I said, look, these guys are still chasing this down.
3	you might have more of a leg up on than him? You mig		We're trying to find out if it's a real problem, an
ŀ	have more background on that particular topic?	14	instrument problem. We don't know.
5	A No, I don't I don't think so.	15	Q Is there a discussion about H-3 being in
5	Q Well, he worked at a BWR plant, didn't he?	16	the secondary?
7	A And PWR.	17	A Right.
3	Q Well, didn't he primarily work at Browns	18	Q Okay
)	Ferry?	19	A And the Watts Bar chemistry management
)	A At that time.	20	folks were very upset when they started getting calls from
	Q You primarily worked your career had	21	high-up managers in corporate chemistry.
2	primarily been in PWR plants; right?	22	Q This has nothing to do with the selection
}	A My career?	23	issues then; right?
ļ.	Q Uh-huh. P, as in pressure.	24	A Oh, no.
5	A That's correct.	25	Q Okay. Look at August the 8th, daily record
		2111	Page
	Q And denting was primarily at PWR plants?	1	of events item number three.
2	A That's correct.	2	A Right.
	Q And did you have any experience in it?	3	Q It says JB called Ron Fields NRC's IG.
	A Me?		A Right.
	Q In denting, dealing with denting.	5	Q Who's JB? Is that a secretary?
i	A Oh, yes.	6	A I don't know. I don't recall.
	Q The next question was number fifteen,	7	Q Okay. And Mr. VanBeke's name once again?
	discuss the INPO chemistry index; what is its	8	A Right.
	significance. Is that a neutral question or is that	9	O Item number four. And there's a
			parentheses, Gail.
	biased toward somebody with a secondary background?	10	
	A That would be biased towards somebody that		A No. No parentheses.
	was operating at a nuclear plant, a PWR nuclear plant that		Q I mean colon, Gail.
	was in operation.	13	A That's right.
	Q Somebody with operational experience?	14	Q August the 9th, there's a note, number two.
	A Present operational experience, yes. So	15	Trish. My problem ticket is 1504.
ŕ	that one would have been very biased in favor of Sam.	16	A Right.
1	Q Okay. But not necessarily because of his	17	Q Ticket for what?
	secondary background but simply because he had operat	ional 18	A I have no idea. I might have had a
	experience?	19	computer problem. I don't know.
		20	Q If you'll look at August 20th of the daily
)		120	
)	A No, because he was assigned to a plant that		record of events.
} )	A No, because he was assigned to a plant that was operating. I was assigned to a plant that was in	21	record of events.
) }	A No, because he was assigned to a plant that was operating. I was assigned to a plant that was in start-up.	21 22	record of events. A Yes, sir.
	A No, because he was assigned to a plant that was operating. I was assigned to a plant that was in	21	record of events. A Yes, sir

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<ul> <li>werking out in the new organization. He said he was notic being information about what was going on a Water Bark Deriver was the about the said of th</li></ul>	Det	o of Gary Fiser Cond		
<ul> <li>being informed about what was going on it Watts Bar. West it as an experiment if the mather work it is an experiment if the mather work it is an experiment if the mather work it is a set in the work it is an experiment if the mather work it is an experiment if the mather work it is an experiment if the mather work it is a set in the work it is a set i</li></ul>	1	Page 11: working out in the new organization. He said he was not		Page 118
<ul> <li>wast used to know if Rom had signed my leave slip for the past weekend. I was to experime to him, and the index many product of the said?</li> <li>A Tim serry. He said that he had been told that my nerve in the said method that my nerve in the said method. The said many is at quarts exclude like to be saying some good things about us. And that night nev in the my nerve in the said method that my nerve in the said method. The said that method that my nerve is the said method. The said that my nerve is the said method that my nerve in the said method. The said that method that my nerve is the said method. The said that method that my nerve is the said method that my nerve is the said method. The said that method that my nerve is the said method. The said that method that my nerve is the said method. The said that method that my nerve is the said method. The said that method that my nerve is the said method that my nerve is the said method. The said that method that my nerve is the said method that my nerve is the said method. The said that method that my nerve is the said method that my nerve is the said method. The said that my nerve is the said method that my nerve is the said method. The said that my nerve is the said method method that my</li></ul>		being informed about what was going on at Watts Bar. He	1	
<ul> <li>particle weekend. I was to be reporting to hum. And if I had is problem. An if had, I could guark to McGrant about I.</li> <li>a problem. The said?</li> <li>A The said?</li> <li>A The said? Row I was all to a McGrant and that mgin to whith Ben Saley and you read that?</li> <li>a A the reporting to Row and that mgin to whith Ben Saley and you read that?</li> <li>b a the reporting to Row and that mgin to whith Ben Saley and you call year read that?</li> <li>b a the reporting to Row and that mgin to would give him the Wats Bar - Now at the reporting to Rom and that the row tho said to know that?</li> <li>b a the reporting to Rom and that reporting to Rom and that read the row in the Wats Bar - Now at the reporting to Rom and that report now the to read that?</li> <li>b a the row that said the row of that was not be cases since he was char.</li> <li>b a the number five. D Mid. Heard that report that they are trying to get a campaign against us to biame all problems of the row that was the is more finge. The same that reporting to Rom and the report row minimuting that har 1 have been that should be chards are prosend to the row that that that the row that the row and that rught now?</li> <li>b or bobby that has the was not being stay with TA until September 30 th - that's grants than September 30 th - that's g</li></ul>	3	wanted to know if Ron had signed my leave slin for the	1	
<ul> <li>a problem with that, I could go talk to McGrath about it.</li> <li>I said that: "aff</li> <li>A Tran 's - Tran done.</li> <li>C He was throughing?</li> <li>A Tran sorry. He said that he had been told</li> <li>A Tran sorry. He said that he been told</li> <li>A Tran sorry. He said that he been told</li> <li>A Tran sorry. He said that he been told</li> <li>A the was not being how for any last quarter service.</li> <li>A the was not being how for any last quarter service.</li> <li>A the was not being how for any last quarter service.</li> <li>A the was not being how for any last quarter service.</li> <li>A the was not being any were not going</li> <li>Watts was not not any the service train maniher five on that the service train maniher five.</li> <li>A the manuber five. D. Nida. Heard that affirt in the the service train maniher five.</li> <li>A them number five. D. Nida. Heard that affirt in the mass the heard that affirt in the mass the theory. The service train maniher five on that affirt in the mass of the service train maniher five.</li> <li>A them number five. D. Nida. Heard that affirt in the mass of the service train in moments. The service train maniher five on that affirt any service train maniher five on that affirt in the mass of the service train in the service train the service train in the service train in the service train in</li></ul>		nast weekend I was to be reporting to him And if I had	1	
<ul> <li>I said that -Q. Fie said?</li> <li>A The said? A The said that he had been told?</li> <li>A The said? I be said that he had been told?</li> <li>A The said? I be said that he had been told?</li> <li>A The said? I be said that he had been told?</li> <li>A The said? I be said that he had been told?</li> <li>A And that right now things where not going</li> <li>A And that right now things where not going</li> <li>A And that right now things where not going</li> <li>A And that right now things where not going</li> <li>A And that right now things where not going</li> <li>A The said that wan of the case since he was telling</li> <li>The said that wan of the case since he was telling</li> <li>The said that wan of the case since he was telling</li> <li>A The said that wan of the case since he was telling</li> <li>A The said that wan of the case since he was telling</li> <li>A The said that wan of the case since he was telling</li> <li>A The said that wan of the case since he was telling</li> <li>A The said that wan of the case since he was telling</li> <li>A The said that wan of the case since he was telling</li> <li>A The said that wan of the case since he was telling</li> <li>A The said that wan of the case since he was telling to the page. Please:</li> <li>A Number five. On that page. The said that was the tase was the said that was to take that was the tase was to be an order to not do work.</li> <li>Page 11</li> <li>Page 12</li> <li>Page 12</li> <l< td=""><td>5</td><td></td><td>1</td><td></td></l<></ul>	5		1	
<ul> <li>Q. He said?</li> <li>A. If sorry. He said that he had been told that means here was poing to be doing my last quarter service.</li> <li>Q. And that right now?</li> <li>Q. And that right now things were not going when us. And that night - to be saying shout us. And that night - to be saying shout us. And that night - to be asserved to a same about that word. Row If you'll look August 21st, item number five on that ragins two the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that word. Row is a solution of the same about that was been in probably that had a - 1 think that was being in probably solution. Row is a solution work where the same about here is a dash. I don't know who it was the same about the was support of the same about here is a dash. I don't know where the same about here is a dash. I don't know where the same about here is a same and work is a same and work here about what was going on it chemistry and that the same aright to be upset if the same aright to be upset if the work area in the same aright to be upset if the same aright to be upset if the same aright to be upset if the same</li></ul>				
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<ul> <li>Å And that right now things were not going well because haves not being kept informed. I fold him is void the key haves to keep him any status of a comparison that word.</li> <li>Easley. It says T called per Easley and voiced a comparison tay is the status by voice mail enco a day. He said that word were the fold in the weak to take the distance of the said that word.</li> <li>A tern number five. D. Nida, Heard that they do the the beddee status by voice mail once a day. He said that was doay.</li> <li>Q Would you read item number five on that page, please.</li> <li>A tern number five. D. Nida, Heard that they do there have no their saids. It was the said that was doay.</li> <li>Paceple will not answer pages. Work also stall last inght and a - I think that's meeting - they had - probably that should be here had a read two phone numbers. Do you know with a same they and word of the same and two phone numbers. Do you know with weak the size of the read that free's a dash. I don't know with that's meeting - they had - that's whet had a rot that say the the status epton that says the same them sphone call yesterday morning.</li> <li>Watts - WNN in order not - in order to not do wore free to do ware same and two phone numbers. Do you know with was the says of the read that they are transfer to save and here home and two phone numbers. Do you know with was the says of the read that you needed to be there after September 30 here the space that here there?</li> <li>A that they as they may thig to a bays of the methers. September 30 here there same says that the says the says that you needed to be kept and that was poing on in chemistry and that?</li> <li>A that they as the was to being informed of the status of chemistry at that here state action and the phoes and the status of the state spot. A that they as the was to be my that here that you needed to the state are than spetially to be aware of what's a they asto phoes, right?</li> <li>A Yes.</li> <li>A Yes.</li></ul>	2			
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the state is tar 1 knew 1 was still reporting to Ron and that       Ron was to keep - Kon was to keep him       Informed. I'm not sure about that word.       If a morning. I went over it with Bern and asked that he       If a morning. I went over it with Bern and asked that he       If a morning. I went over it with Bern and asked that he       If a morning. I went over it with Bern and asked that he       If a morning. I went over it with Bern and asked that he       If a morning. I went over it with Bern and asked that he       If a morning. I went over it with Bern and asked that he       If a morning. I went over it with Bern and asked that he       If a morning. I went over it with Bern and asked that he       If a morning. I went over it with Bern and asked that he       If a morning. I went over it with Bern and sex balance it with Bern Sersen.       If a morning in the said that was obay.       If a morning in the said that was brain been and went here it a morning. I went over it with Bern Sersen.       If a morning in went in the service morning.       If a morning in went in the more that went heling out it was. He is morning that that's for the morning in the should be they had a meeting last right and that should be they had a meeting last right and that should be they had a meeting betwee halfs out it was. He is morning in the should be they had a meeting last right and that was bree in the source of a morning in the service minimum that is a meeting of the should morning in the service minimum in the set is the was	4			
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2       page?       A Item number five. D. Nida. Heard that       they are trying to get a campaign against us to blame all         by problems on Ron, me and Diedre. People were hiding out at       yesterday morning.       Page 116         Watts - wBN in order not - in order to not do work.       Page 116       Q Why was Grover in Florida, if you know?         People will not answer pages. WCM also said last night that should be they had a meeting last night and will be they had a meeting last night and then there's a dash. I don't know who it was, He is work for error was post-1 on that a page will for a bone of the PP bonus collars.       Q Why was Grover in Florida, if you know?         and then there's a dash. I don't know who it was, He is work for error was post-1 on that apge       Who was frower in and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know with Ron Grover's name and two phone numbers. Do you know withat not reas nutha sport of the stawas phore	1	0 Would you read item number five on that		A Number five. Ron Grover. Called from
<ul> <li>A Item number five. D. Nida. Heard that the was error to complain the to a consense of works in the massenge at a specific a voice harassment complaint the was error to make the was not been was from an the there are specific at the time?</li> <li>Watts WNN in order not - in order to not do work.</li> <li>People with that a an -1 think that's meeting they had probably that should be they had a meeting last night and Wilson McArthur said he cannot get a response out of and then there's a dash. I don't know who it was. Here by a dar meeting last night and Wilson McArthur said he cannot get a response out of and then there's a dash. I don't know who it was. Here been been analyted yeles.</li> <li>Watt was a greater than September 30th to get any of the rip bouns collars.</li> <li>Q. So this is your impression.</li> <li>Q. Moat was her position at the time?</li> <li>A Yes.</li> <li>Q. The roblem with Wilson in his</li> <li>A Yes.</li> <li>Q. Why? I mean, he's the boss; right?</li> <li>A Yes.</li> <li>Q. Mad was not being to dur his was out of the staw so the space of the staw are of what's going on with the plant?</li> <li>A Yes.</li> <li>Q. Mad was not being to dur his was going on in chemistry and that was going on in chemistry and that twas you was the was not being informed of the staw so the specifies a was the was to feen age to be was being out us, she changed that. And that is why I said, clay, it willson that so there are problem with Wilson thing in formed to the staw so there are the ody own?</li> <li>A Yes.</li> <li>Q. And doesn't he have a regination be use so the staw so the staw of the staw so the specifies in flormed to the staw so the specifies and the plant?</li> <li>A Yes.</li> <li>Q. So why (id you have a problem with wilson telling you to staw supposed to</li></ul>	2	page?		
<ul> <li>the up are trying to get a campaign against us to blame all problems on Ron, me and Diedre. People were hiding out at sever har with Ben Easley because of WCM's threatening phone call yesterday moming.</li> <li>Page 116</li> <li>Watts WBN in order not in order to not do work.</li> <li>Popole will not answer pages. WCM also said last night that had a I think that smeeting they had probably that should be they had a meeting last night and Wilson McArthur said he cannot get a response out of and then there's a dash. I don't know who it was. He is service review review insimulating that I have bear for the review. Have the stary with TVA until Softember 30th that's greater than September 30th that's greater than September 30th to get any of the PtP bonus follars.</li> <li>Q. So this is your impression that you needed to be there after September 30th to alloy you have a problem with Wilson in his A Yes.</li> <li>Q. Way Y and a meet now should be they had to sime number four reflect 19 that you should be they had to sime number four?</li> <li>Q. Dia Sure, he does.</li> <li>Q. Why? I mean, he's the boss; right?</li> <li>A. At that time, as I recall, my instructions where to allo for erating appears that way.</li> <li>Q. Why? I mean, he's the boss; right?</li> <li>A. At that time, as I recall, my instructions where to allo shous?</li> <li>A. At that time, as I recall, my instructions where to allo shous?</li> <li>A. At that time, as I recall, my instructions where to allo down where you don't know where that a ways not being to be was to be away form number five on number five?</li> <li>A. At that time, as I recall, my instructions and the probably told me.</li> <li>Q. So why did you have a problem with wilson telling you to get away fix that a way as problem with wilson telling you to start the next work and the start so of chemistry?</li> <li>A. The problem was he was - he was very?</li> <li>A. The problem was he was - he was very?</li> <li>A. The problem was he was</li></ul>	3			
5       problems on Ron, me and Diedre. People were hiding out at 25       yesterday morning.       Page 116         Watts WBN in order not in order to not do work.       Page 116       Page 116         People will not answer pages. WCM also said last night and wilson McArthur said he cannot get a response out of and then there's a dash. I don't know who it was. He is what she due to the pinotized daily task is was under the pinotized daily task.       I don't know.       No. more than anybody else.         Mutual the 30th we get our letters. September and then there's a dash. I don't know who it was. He is get any of the PiP bonus follars.       No. more than anybody else.       No. No. sir.         Q. So this is your impression that you needed to be there all September 30th - to get any of the PiP bonus follars.       O You don't know where the 816 area code is?         Y Q. Do this is what she was telling you?       A that 'trecall.       Q try out how why you had that posted in the rest.         Y Q. Did you have a problem with Wilson in his       Page 117       You don't know where the 816 area code is?         Y Q. What was not being told what was going on in chemistry and the arwas not being informed the say?       You have a region in chemistry and that was you add what was going on in chemistry and the say work now?       You for Gale from Froida.       You you doa's lobay told mae.         Q. Why? I mean, he's the boss; right?       A the was a region to be use tif he was and the tarw a region to be mistry and that the was a to regord the say with row.       You for Kale from Froida.	4			
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that's why I said, okay, I will give you the status report every day. Q So why did you have a problem if Ron wasn't doing what he was supposed to do, why did you have a problem with Wilson telling you to give him a voice mail every day about the status of chemistry? A The problem was he was he was very threatening. A Content of the status of th	6	felt like he was being cut out, so he changed that. And	16	
<ul> <li>every day.</li> <li>Q So why did you have a problem if Ron</li> <li>wasn't doing what he was supposed to do, why did you have a problem with Wilson telling you to give him a voice mail</li> <li>every day about the status of chemistry?</li> <li>A The problem was he was he was very</li> <li>threatening.</li> </ul>	7	that's why I said, okay, I will give you the status report	17	where the 816 area codes are? As far as you know, it
QSo why did you have a problem if Ron19AOr Kalamazoo. I don't know.wasn't doing what he was supposed to do, why did you have20QIt could be Kansas City?a problem with Wilson telling you to give him a voice mail21AWe could look it up.every day about the status of chemistry?22QWell, we did.AThe problem was he was he was very23AOh. Okay.threatening.24QBut that's where he told you he could be	8		18	
<ul> <li>wasn't doing what he was supposed to do, why did you have a problem with Wilson telling you to give him a voice mail every day about the status of chemistry?</li> <li>A The problem was he was he was very threatening.</li> <li>A The problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very threatening.</li> <li>C A Dial Control of the problem was he was he was very the problem was he w</li></ul>	,			A Or Kalamazoo. I don't know.
a problem with Wilson telling you to give him a voice mail21AWe could look it up.every day about the status of chemistry?22QWell, we did.AThe problem was he was he was very23AOh. Okay.threatening.24QBut that's where he told you he could be	)	wasn't doing what he was supposed to do, why did you have	20	Q It could be Kansas City?
2       every day about the status of chemistry?       22       Q       Well, we did.         3       A       The problem was he was he was very       23       A       Oh. Okay.         4       threatening.       24       Q       But that's where he told you he could be	í	a problem with Wilson telling you to give him a voice mail	21	
A The problem was he was he was very threatening. A Oh. Okay. Q But that's where he told you he could be	2	every day about the status of chemistry?		_ **7 *1 1' 1 "
threatening. Q But that's where he told you he could be				
	3	A The proplem was ne was ne was verv		

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De	po of Gary Fiser	Conde	nse	It In Re: T
	· · · · · · · · · · · · · · · · · · ·	Page 121		Page
1	A That was a guess.	TC		your HR guy.
2 3	Q Well, you didn't make them up, did you?		2	A In March of '92, I was downtown. I think
3 4	you didn't get them from Grover, where could you	nave	3	that's correct.
	gotten them?		4	Q All right. At that point in time, they
5	A Oh, I could have gotten them from a		5	were reorganizing chemistry and environmental and the
6	secretary that just said, hey, here's here's where		6	program managers had been chemistry/environmental and they
7	Grover is. As a matter of fact, that does not appear	r to	7	were reorganizing it to remove the environmental aspects
8	be my writing. It is not my writing. So I don't kn	iow.	8	of the job; right?
9	Q So you put those down and put them in yo	our	9	A I have no idea.
0	planner in case you needed to reach him?	,	10	Q Isn't that what this indicates?
1	A Somebody may have just come by and stu	ick	11	A I have no idea. That certainly would
2	them down there. I don't know.		12	appear that that would be part of it.
3	Q I don't know how they'd get into your		13	Q All right.
4	safety deposit box to do that.		14	A PDs were rewritten all the time. I don't
5	A This book was not in my safety deposit bo	DX.	15	know.
6	Q Okay. Look at the entry for November 25		16	Q If you'll look at the daily record of
7	1996, entry number two.	1	17	events for March 11th.
8	A November 5th?		18	A Yes, sir.
9	Q The 25th.		19	Q Do you see item number two?
)	A I'm sorry. The 25th. Entry number two?	?	20	A Yes, sir.
1	Q Uh-huh.		21	Q Can you read that out loud, please?
2	A Zack Wamp.		22	A It looks like there are two item number
3	Q There's a reference to Zack Wamp.		23	twos. No, it's actually one.
4	A Right.	ĺ	24	Q Let's look at sub-item two under item two.
5	Q What does that mean, cobra for TVA?		25	A Okay.
		Page 122		Page 1
1	A I think when we left, those of us who were	age 122	<b>,</b>	Q This is a conversation with Bill Jocher?
2	not successful in getting a job, we could not continu		1 2	A I think that is correct.
3	insurance.	ucou	3	
\$	O Oh. This is in reference to the statute		4	Q Okay. At that point in time, Bill was site
5	regarding insurance?			chemistry manager at Sequoyah.
5			5	A Yes, sir.
	A Yeah. It wasn't a snake.		6	Q And you were downtown
7	Q It threw me there. Okay. I thought maybe	;	7	A Yes, sir.
3	you were like, somebody was sending us a snake.	. I	8	Q in the corporate chemistry manager
9	didn't know. If you had put it in all caps I wouldn		9	position. Can you read that sub-item two?
)	have a problem with that.		10	A Okay. I will read it. Bill also wanted to
1	A You need a break.		11	clear the air and say he was not trying to stab me in the
2	Q Put it in all caps and we wouldn't have ha		12	back. I told him I was concerned about him taking Chand
3	a problem.	1	13	from office to office this past Monday and Tuesday and
4	A I'm sorry. I will do that next time.		14	trying to get him installed instead of me. The reason, I
5	Q December 4th, there's a reference to		15	have no BWR experience and the hydrogen water chemistry
6	Chandra with some directions. Are those directions		16	issue. I told him that I felt we had that resolved, i.e.,
7	house?		17	that I would use him as a resource, him being Chandra.
8	A Chandra. We would have to follow them.		18	Q Chandra?
9	That is the approximate area where he lives for sure		19	A I think it was Chandra. It could have been
)	you could follow those and see where they lead.		20	Bill, but most likely it was Chandra.
1	Q I'm not that interested.		21	Q All right. So you as I understand this
2	A Okay. You're more interested in the cobra		22	conversation, you felt that maybe Bill was trying to do
3	Q Yeah. Definitely.		23	something behind your back by taking Chandra around an
1	MR. MARQUAND: Number thirty one.		24	introducing him and because you had no BWR experience
5	(Exhibit No. 31 was filed.)	J	25	hydrogen water chemistry experience and that Chandra di
		Page 123		Page 1
l	BY MR. MARQUAND:		1	And by Bill taking him around, you thought maybe Bill v
2	Q If you'll look at the prioritized daily		2	trying to get Chandra into your job?
	task list for March 6th.		3	A That's what I had been told. At one time,
ļ	A Yes, sir.		4	you know, when this switch was supposed to take place,
;	Q Do you see		5	Bill was trying to get Chandra installed as the manager.
, ,	A This is 1992.		6	And evidently we had discussions about it at some time
•	Q I'm sorry. '92, more of your Franklin	1	7	because I said, no, it's not a problem. Yes, I don't have
	Dianner notes These are for 100		8	
	Planner notes. These are for '92.		8 9	any explicit experience in hydrogen water chemistry, but I've got Chandra: Lwill use him or Bill Lwill use you
	A Okay. O Now I've lost where I was Oh The very		9 10	I've got Chandra; I will use him or, Bill, I will use you.
)	Q Now I've lost where I was. Oh. The very			I can't remember which it was. And I thought it was a dead issue and annarently it was
	last item on the task list. It says Ben Easley, colon,		11	dead issue and apparently it was.
	rewriting PD. Do you see that?		12	MS. EUCHNER: Brent, can we take five
i	A Yes.	1	13	minutes?
ļ	Q And then if you look at the next page, it	1	14	MR. MARQUAND: Yeah.
	says daily records of events, same day.	1	15	(A break was taken.)
;	A Yes.		16	BY MR. MARQUAND:
1	Q About midway down the page, the fifth lin		17	Q March 24th, if you'll look at your planner
3	of item number two, it says PDs to be redacted to ge	et	18	in the daily record of events.
	environmental stuff out. Do you see that? Remove	dor	19	A What year?
)	whatever, redone.		20	Q '92.
			21	A March 24th?
)	A Redone I guess.			
<b>)</b>	A Redone I guess. O All right.		22	Q Still looking at exhibit thirty one. March
)   !	Q All right.		22 23	
)	Q All right. A I guess I do.			24th, do you see item number two, WCM and Arthur? A WC McArthur.
9 1 2 3 4	Q All right.		23	24th, do you see item number two, WCM and Arthur?

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Truesdel & Rusk Reporting

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### **Condenselt**<sup>TM</sup> Depo of -- Gary Fiser In Re: TVA Page 127 Page 130 Α Yeah. Right. Q All right. So this is a reference -- we DK -- is this what he says to you? DK and talked about PASS yesterday, the fact of the number of 2 0 2 J. Bynum say that the sites are overloaded. Do you see that? 3 people who could or couldn't meet the PASS criteria. 3 4 4 A I think that is what this is about. Yes, 5 Yes. sir. 5 A sir. DK being Dan Keuter? 6 0 6 0 When did you come downtown from Sequoyah? 7 I would suppose. A 7 February or March? 8 0 Well, he was the vice president that Wilson 8 Yes. Α 9 reported to. 9 All right. If you'll look at July 10th, 0 10 1992, item number four. Apparently that's a conversation with Bill -- with Wilson McArthur. I would suppose. Α 10 What did you understand Wilson to mean when 11 11 he said that Keuter and Bynum had said that the sites were 12 Yes. 12 Α overloaded? 13 13 Q What did he tell you? 14 I don't recall. WCM. Told me confidentially that when Bill Α 14 А 15 Possibly that they were staffed too 15 Jocher met with Dan K. -- that would be Keuter -- last heavily? 16 16 week, he let Dan know that Fiser was not his cup of tea. 17 A Or possibly that they felt that they had When Dan pressed him about what he meant, he did not have 17 18 too much work to do with the staff. 18 any specifics. 19 One or the other? 0 19 Q So Jocher was continuing to complain about 20 Yeah. I don't know which. you behind your back to the vice president of your 20 Q Actually, if you'll look at the previous page, March 23rd, item number three, there's a discussion 21 organization? 21 22 22 А Well, you say continuing. 23 with Bill Jocher who was at that time at the site; right? 23 0 Well, you said earlier he was raising 24 That's correct 24 complaints about the way you were running Sequoyah 25 Q It says John Sabados, Mr. Budget. Bill has 25 chemistry and that's why he was sent to Sequoyah. Page 128 Page 131 A But you're inferring that this just happened. This could have been months ago. I don't recall. You see what I mean? He could have been relating 1 no travel 1 2 No. Bill Jocher, John Sabados, me. Α 2 Okay. Discussing the budget? 3 Q 3 4 Right. this information to me about when I first transferred Α 4 Q Bill has no travel budget. John has it. John is being challenged to get Sequoyah's number lower 5 downtown. 5 6 6 It says last week. than forty three since they have --A That appears to say John is being challenged to reduce to Sequoyah's forty three since they 7 Wait a minute. Let me read that again 7 А then. Told me confidentially that when Bill met with Dan 8 8 Keuter last week -- you're right -- he said that I was not his cup of tea. That's correct. 9 9 have primary and secondary chemistry. Q So in other words, somebody's telling John he's got to reduce the size of his organization? 10 10 All right. So evidently they had a meeting that 11 11 0 12 12 Δ That appears to be the case. Yes, sir. 13 previous week. I mean, surely we could pull that record. Α 13 Q And then the next day you have a conversation that says Wilson McArthur says the sites are Q Would you look at the October 26th daily record of events? 14 14 15 15 overloaded? 16 October? 16 Α 17 Yes 17 0 October 26th. Α Yes, sir. 18 0 So you get a confirmation from both the 18 Α Q Would you read item number three? A Item number three. Wilson's staff meeting. Dan is looking at cutting 2.2 percent out of the '93 --1993 budget. 1994 budget will be cut by ten percent, plus the cost of living will be cut as well. Head count will be out in '04' if we gen it come we will the ten percent chemistry managers at the site that they're being asked to reduce their staff and then Wilson McArthur says, hey, my 19 19 20 20 bosses say the sites are overloaded too. I.E., sites are 21 21 overloaded. 22 22 23 That's your inference. А 23 Well, how do you read it? be cut in '94 if we can't come up with the ten percent. 24 24 Q Don't fill vacancies. It's probably separate issues. I know no 25 25 A Page 129 Page 132 other way to do it. It's been too long. I don't remember the exact specifics and probably what we would have to do Exclamation? 1 1 0 Don't fill vacancies, exclamation. Report 2 2 A there is collate the information from Sabados' notes, to WCM how much time we spend on the advanced reactor 3 3 Jocher's notes, my notes, even Chandra's notes, to find out what's really going on here. But I'm not absolutely project -- I think that's what it is -- advanced reactor project, if I can read that correctly. I'm not sure. Tech programs' reports indicate what we can take away. 4 4 5 5 sure that these two are connected, although I could see 6 6 Sam has this report. Got information to DWS over Wang and get to David tomorrow. Oliver -- I think that's what that 7 how you could infer that. 7 It's not an unreasonable inference, is it? 8 8 Q says -- Oliver wants to go over our quarterly reports, It's not an unreasonable inference for you 9 9 check-off sheets, et cetera, within the next two weeks. Q So in this staff meeting, Wilson is telling 10 to make. 10 Would you look at the May 21st, 1992, 11 111 Q you about reduced budgets and potential reductions in head entry, number two? 12 12 counts? 13 Yes, sir. 13 А Okay. It says NSRB, colon. Do you see If we can't come up with a ten-percent 14 14 Q Α that? reduction somewhere else. 15 15 Okay 16 16 0 Α Don't fill vacancies, et cetera. In other 17 Will you continue and read the rest of 17 Q that? words, it's my understanding after reading this almost ten 18 18 A Yes, sir. NSRB. All examined on PASS. Seven could not meet the three-hour criteria if Boron was years hence that we were going to have to reduce the 19 19 budget. And if we couldn't come up with a way to do it 20 20 out of moneys allowed for programs, we were going to have not included. All but four techs retrained and twenty one 21 21 of twenty seven can meet. I assume that's the to cut people. 22 22 Q Okay. Do you know if people were cut that 23 requirements. 23 year? Or were you able to cut out programs instead? 24 24 Can meet? Oh, I think certainly we just cut out That's what it looks like. 25 A 25 Α

### **Truesdel & Rusk Reporting**

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### **CondenseIt**<sup>™</sup> Depo of -- Gary Fiser In Re: TVA Page 133 Page 136 Q If you'll look at the May 10th, '93, entry, programs as far as I recall. If you'll look at the November 16th, '92, can you read number two, please 2 2 May 10th? 3 entry. 3 Α 4 А Yes, sir. 4 0 Uh-huh. A May 10th, 1993. Charles Kent. Standardized the organization and it is approved. It 5 0 Can you read to us entry number seven where 5 it says Bill Lagergren's name? A Yes, sir. Bill Lagergren. Said he knew 6 6 includes a Rad-Con chemistry manager Job. He's recruiting the tech support manager Rob Beecken, slash, he did not have the opinion that I was not aggressive enough. 7 7 that they were going to get rid of Jocher. I told him 8 8 that WCM had told me that Beecken had told him that they would not want -- that they did not want me back at 9 9 10 So what is this conversation about? 10 0 11 Sequoyah. He was very surprised and asked me if Rob had I think this is the time I was in the ETP 11 А talked to me about it, parentheses -- I think that's a parentheses -- it looks like an A, no. Answer no is what 12 program. 12 13 13 0 And Kent was looking at you possibly to I would guess I was trying to communicate there. Again, he stated that he was very pleased with my performance and that the proof was in the bonuses, et 14 fill the new chemistry manager position? 14 A Well, it just says that the standardization 15 15 16 of the organization apparently was approved. Q All right. But it says he's recruiting the 16 117 cetera. I think there's a period after that. He said he 17 felt Jocher had been talking to Rob and he was getting a one-sided story. Also he said he was going to talk to Beecken and Joe Bynum and find out what he could and get 18 18 19 19 Α And he makes a statement that Rob Beecken 20 was not of the opinion that I was not aggressive enough. 20 21 back to me. This is before he's looking for a chemistry 21 0 22 Do you remember what position Lagergren was manager. He's looking for a tech support manager; right? 22 in at the time? 23 A I don't know that. 23 But he got the input that Beecken didn't 24 No, sir 24 А Who is Bill Burke, do you know? think you were aggressive enough to do the job? 25 0 25 Page 137 Page 134 Bill Burke was a senior INPO evaluator. A No. If I read this correctly, it says he Α did not have the opinion that I was not aggressive enough. In other words, he thought I was okay. That's what Charles Kent felt like Beecken thought, I think. Would you look at November 17th, '92 --2 Q 2 3 Α Yes, sir. 3 4 -- and read item number two? Q 4 A Yes, I will. Called WCM and told him, parentheses, at 15:30, that Bill Burke was very interested 5 Kent disagreed with Beecken's opinion? 5 6 6 No. Kent was trying to express to me what he thought Beecken's opinion was. 7 in making a swap with me. He may not, however, be 7 Q What does that mean? That Beecken did not have the opinion that 8 8 0 you were not aggressive enough? 9 9 10 As I recall, when I found out that the swap 10 Yeah. -- I was not going back to Sequoyah, I went to Wilson and said, well, heck, I didn't know this was going on. I don't know what's happening. Why don't I just go to INPO and maybe we could arrange for me to be transferred there or arrange a swap or something like that. A lot of double negatives there. 11 Q 11 12 12 Go figure. Α Q All right. July 3rd, '93. There's an entry for Charles Kent at 08:45. Can you read that? A Yes, sir. 08:45. Charles Kent beeped me. 13 13 14 14

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When I returned the call?

When I returned the call, Charles said that Α he wanted to know if I had found a job yet. I said no. He then asked if -- this must have been in some felt tip that didn't come through very good.

- Something come out to Sequoyah to meet with Q
  - MS. EUCHNER: If I would.

That's correct.

That's correct.

He said that he had --

All right.

Okay.

А

Q

Q

А

Q

А

BY MR. MARQUAND:

### Q Okay. If I would come out to Sequoyah to

meet with their new plant manager; is that right?

As I read it, that is correct. Sometime Tuesday morning?

23 entry, number three? 23 A Number three. Ben Easley. Says he was unaware of anything going on other than the fact that 24 24 25 25 Page 135 Keuter made the decision against WCN's advice to give me no raise this year. He said my actual rating was high and 1 1 2 2 Keuter made the decision in Ben's presence to move the 3 3 rating to the lowest group. I asked him to talk to Lagergren and see if anything was open, and he said he 4 4 5 5 would talk to Sorrelle as well 6 6 He said my salary would be protected for twenty six pay periods, even if I was placed in a PG -- within a 7 7 8 8 PG with a lower cap than my original salary. He also agreed that I needed to get out of chemistry as long as Jocher and Keuter were around. Ben also said that he did 9 9 10 10 11 11 not understand how ODK could get a two hundred thousand dollar a year bonus and have misled the TVA employees as 12 12 13 13 he did. 14 14 (Exhibit No. 32 was filed.) 15 15 BY MR. MARQUAND: 16 16 Q Okay. Mr. Fiser, I'm going to show you some pages from your 1993 planner. The first page of this exhibit in this exhibit thirty two is dated April 2nd, 17 17 18 18 19 19 '93. Item number three says Bill Jocher presented me with surplus letter. Is that when you received the surplus letter in '93 sending you to services and informing you 20 20 21 21 22 22 23 that your chemistry management position at Sequoyah had 23

And they had a guy at INPO that really wanted to

come here because he wanted his son to attend college, I guess, at UTC and he was interested in the swap. I nean, he was highly motivated to get here. I, of course, wanted to go there. It looked like it would be a good plan to get the heck out of Dodge. Q Would you read the November 18th, '92, matrix number three?

## Q Decided to fill the chem manager position and that I should not get my hopes up? A And that I should not get my hopes up. I can't read it. MR. DAMBLY: Have you got the original? THE WITNESS: Yeah. We may need to look at the original. It may help. This is '93.

- BY MR. MARQUAND: Q Write these in pen from now. Okay?
- Do what? А
  - Write these in pen from now Okay? 0
  - At this time when he paged me, I was out at
- a flea market, got a page, ran over to the pay phone, and I grabbed whatever pencil that I could find as I recall. Q Pretty good recollection.
- A Oh, that was -- that really made my day, if you want to know the truth about it. 24
- 25

Truesdel & Rusk Reporting

As I recall

been eliminated?

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Page 133 - Page 138

Page 138

Dep	o of	Ga	ry Fiser Co	dens	selt <sup>T</sup>	In Re: TVA
	T.		Page 1	1		Page 142
1	It v	was 1	n pencil. Okay. This does help a little.	1		A About three hours.
2	He said	that	he had decided to fill the chemistry manager	2		Q Where?
3 4	position		that I should not get my hopes up but that it	3		A My home.
5	he said t	that -	good. He said that he had filled the new	4		Q Anybody else present? A My son and my wife.
6			t he had filled the new?	6		A My son and my wife. Q They were present during your meeting?
7			that he had filled the new PM, plant	7		A No. They were coming in and out of the
			on what had happened to me and that he seem			itchen.
9	to be fay	voral	ble. That's it.	9		Q All right. But you and Jennifer Euchner
10			at that point, Kent was talking with you	10		nd Dennis Dambly met to discuss various things about this
	about th	e pos	ssibility of coming out to Sequoyah as the	11		roceeding?
12	chemistr	rv ma	anager but not to get your hopes up?	12		A Yes.
13	Α	But	that it looked pretty good.	13		Q All right. Did they tell you what issues
14	Q	Oka	y. If you'll look at the July 16th,	14	ŧ w	vere involved in this case?
15	'93, entr	ry <u></u> 1	hat's a conversation with Ron Brock?	15	5	A Just the fact that TVA was appealing to a
16		Cor		16	5 th	ree-judge tribunal and something a little bit about
17			ed Al Black at Sequoyah	17	th th	hat process.
18	-	Cor		18		Q What did you talk about for three hours?
19	, ,Q		find out what was going on with	19		A They went down to my basement. They looked
20	placing i	me u	the chem manager's position at Sequoyah?	20		ver some books that we had down there for sale. We
21	A	Rig	at.	21		lked about a sizeable stack of information that they
22			d him	22		It me to review, most of which we have already gone
23	A	No.	AI. d	23		ver. The deposition of the predecisional enforcement
24		I to	u	24		onference back in December of '99 I guess it was.
25	A	Al.		25	) 	Q Did you discuss with them the sequence of
_	-		Page 1	40		Page 14
1	Q .	AIt	old him that it had been blocked at the	1		vents which is attached to deposition exhibit eighteen?
2	nignest i	level.	Ron then asked Al if they were going to	2		A Some parts of it I'm sure.
3	mi une p		on. Al said he did not know but that they	3		Q All right.
4 5			ng to fill it with G. Fiser.	4		A Not all of it.
6				5		Q Now, you attended part of the predecisional
0 7			hat right?	67		aforcement conference; correct? The whole thing?
8			t was on a speaker phone. You were there and you heard?	8		A I attended all of it. Q The whole thing with TVA?
° 9			as there. I heard it. Al Black heard	9		
	it and so	hih .	Mr. Mannis. They had they Sequoyah -			A Yes, sir. Q And you heard TVA's presentation and you
11	someboo	dv ha	d contacted these guys and said, hey, we wan	11		ade your own presentation?
12	to arrang	e thi	s direct transfer. We want it to happen	112		A Yes, sir.
13	quickly.	An	d then then it just kind of vaporized.	13		Q All right. So you heard when did you
14	0	Oka	y. Do you know how Chandra and Harvey	14		e the apparent violation that had been sent to TVA prior
15	got hired	i by '	TVA?	15	to to	the predecisional enforcement conference?
16	Ā	No,	sir.	16	i	A I think I did.
17			do not?	17		Q All right. And I'm reading from
18			Jocher hired them. That's all I know.	18		MR. MARQUAND: Where is the synopsis?
19			you know why he hired them?	19	•	Exhibit No. 33 was filed.)
20	A	1 00	uld only speculate. He had a very high	20		Y MR. MARQUAND:
	opinion			21		Q Mr. Fiser, I've handed you a September
22			you know if he had worked with them	22		Oth, 1999, letter from the NRC to TVA which is the
	previous		ain	23	ap	oparent violation which TVA was cited for and the request
24 25	A	Yes		24	100 111	the predecisional enforcement conference. And that's
<u></u>	<u>Q</u>	A00	they went back some years together?		ul	e predecisional enforcement conference that you
		v.	Page 1			Page 144
1		Yes.				tended?
2 3	26th of 1	101	me show you your planner for February Do you see the entry on the right-hand side?	2		A That's correct. Q Did you get a copy did you see a copy of
	2001 01	Ver	eir	3		Q Did you get a copy did you see a copy of is letter?
4 5		Yes.	ys Al Black, IG, investigating.	4		A I definitely remember seeing a copy of it,
			n reference to?	6		ah.
7			clueless.	7		Q If you will look, we have the two
8			e rest of that a different entry?	8		tachments.
8 9		Yes		9		A Two attachments?
10	л		MARQUAND: Why don't we take about a	10		Q Yeah. There's enclosure one and enclosure
11	five		ute break and we will determine if we have	11		•
12			e questions?	12		A Yes, sir.
	(A break			13		Q You'll see in the fourth paragraph of
	BY MR. N			14		closure two it says in late 1995 and early '96 the two
15			Fiser, did you meet with the attorneys	15	inc	dividuals who served as NSRB committee member and
			prior to this deposition?	16		airman in 1993 and who were named as culpable parties in
17			sir. I did.	17	the	e employee's 1993 DOL complaint do you see that
18			v many times?	18		nguage?
19	A	One	time.	19		Ă Yes, I do.
20			ember 1st, Saturday?	20	I	Q Now, do you remember at the predecisional
21		Satu	rday. I don't know what the date was.	21		forcement conference TVA took issue with whether or not
22		MS.	EUCHNER: I'll confirm that it was	22		ilson McArthur or Tom McGrath were named as culpable
23		urday	, December 1st.	23		arties in your 1993 complaint? Do you remember that's a
	BY MR. N	ИARČ	UAND:	24		art of the TVA presentation?
25	QQ	Hov	v long did you meet?	25		A I remember discussions about that, yes.
_			sk Reporting			Page 139 - Page 14

### Depo of -- Gary Fiser

## **CondenseIt**<sup>™</sup>

De	po of Gary Fiser Conde	ense	It M In Re: TVA
	Page 145		Page 148
1	Q All right.	1	A and review this document and see if
2	A I don't remember the specifics, but I do	2	there were any other indications.
3	remember that being discussed.	3	Q Right.
4	Q All right. When you and, in fact I'm	4	A And there were. That would be on page
5	going to show you what I'll have marked as deposition	5	twenty four.
6	exhibit thirty four.	6	Q Tell me where on page twenty four.
7	(Exhibit No. 34 was filed.)	7	A Let's see. Let me go back here a second.
8	BY MR. MARQUAND:	8	Okay. We got the one at the top of page twenty three;
9	Q Fiser deposition thirty four is a February	9	correct?
10	7th, 2000, letter from the NRC to TVA citing TVA with a	10	Q We talked about twenty two and twenty
11	notice of violation. Do you see that?	11	three, yes. The same conversation continuing with
12	A Yes, sir.	12	McArthur Wilson McArthur?
13	Q At the bottom of page first, at the last	13	A Right. And then on page twenty four, the
14	complete paragraph at the bottom of page two, in the last	14	sixth message down, where it says, of course, the thing
15	sentence, it says TVA took exception to the statements in	15	with Peterson didn't help.
16	the NRC's September 29th September 20th, 1999, letter	16	Q That's when you said that, right?
17	that the 1993 NSRB chairman and committee member were	17	A Uh-huh. That's correct. And then
18	named as culpable parties in Mr. Fiser's 1993 DOL	18	McArthur, a couple of entries down, speaking of the NSRB
19	complaint. Do you see that?	19	let's see. What was McArthur saying? He says, no,
20	A Yes, sir. I do.	20	that one I did not understand. He I think he's talking
21	Q And in the next paragraph, beginning in the	21	about Jocher at this time he started a couple of rumors
22	middle of the top of page three, it says the NRC agrees	22	that were way off base. He just called me one day and
23	with TVA basically that the NRC NSRB chairman and	23	said I guess he's got to feeling that there were some
24	committee member were not named as culpable parties in Mr.	24	criticisms and a corrective action program, that NSRB did
25	Fiser's 1993 DOL complaint as misstated in our September	25	give him a rough time. That was another reference of
I .	Page 146	F .	Page 149
	20th, 1999, letter. Do you see that?	1	NSRB.
2	A Yes, I do.	2	Q NRC giving Jocher a rough time?
3	Q Now, my question then is, when you were	3	A About some problems with the corrective
4	meeting and being prepared for this deposition by the NRC	4	action program. I'm not sure what.
5	attorneys on December 1st, was there some discussion with	5	MR. DAMBLY: It just says the NRC.
6	you about the issue of McArthur and McGrath being named by	6	BY MR. MARQUAND:
7	you with respect to your 1993 complaint?	7	Q Did the NRC give him a rough time too, Mr.
8	A There was discussion as to whether they	8	Fiser?
9	were included in some of the documents and things like	9	A No, sir.
10	that, which they were.	10	Q All right. Mr. Fiser, I'd like if we could
11	Q And yesterday when I was questioning you	11	to at least go off the record maybe permanently, but I'd
12	about Fiser deposition exhibit eighteen if you'll get	12	like to listen to parts of some of these tapes that you
13	that out	13	brought with you.
14	A Eighteen?	14	(A break was taken.)
15	Q Uh-huh.	15	EXAMINATION DV MS. ELICIPIED
16	A Eighteen. Yes, sir.	16	BY MS. EUCHNER: Q Okay. For your 1993 Department of Labor
17	Q Do you recall yesterday when I asked you	17 18	
18 19	about I was asking you about whether they were named in	19	case, did you have any interactions with any of the attorneys for TVA?
20	your complaint and you said no, but they're named in this	20	A Yes, I did.
20	sequence of events, and I made a point of mentioning that	21	Q Which attorneys?
22	counsel for NRC was pointing out to you in this particular document where you mention Mr. McGrath and Mr. McArthur.	22	A Mainly Brent.
22		23	Q What interaction did you have with Brent?
23	Do you remember that? A Oh. At one point, yes.	24	And for the record, we're discussing Brent Marquand;
25	Q Did you ever did counsel for NRC in your	25	correct?
	Page 147		Page 150
Ι.		1,	A That was the 1993 case?
1 2	meeting with them on December 1st point those particular passages out to you?	12	Q Yes.
3	A I do not recall.	3	A Well, there was a time, of course, when we
1 .	- This is a strength of the st	4	talked about certain points of that case as it related to
4	Q Did you have discussions about that with them?	5	Bill Jocher's case when they were preparing to do go to
6	A About McArthur and McGrath?	6	trial or something with Bill Jocher. And I talked to both
7	Q About being mentioned in the sequence of	7	Brent and to Phil Pfiefer I think was the guy's name.
8	events.	8	Q But that was not during your '93 complaint?
ŝ	A I do remember going over that, yes	9	It was after?
10	Q And did they show you	10	A It was after.
11	A that they were in the sequence of	11	MR. MARQUAND: That was in relation to
12	events.	12	Jocher's complaint, not your complaint?
13	Q Did they show you where the sequence of	13	THE WITNESS: That's true. But some of the
14	events that it was subject to interpretation that	14	stuff the information that was part and parcel
15	McArthur and McGrath were named in there?	15	of my complaint was being looked at and evaluated
16	A It seems like I showed them some cases	16	for use in his complaint.
17	where they were. And you had asked me to find any others,	17	BY MS. EUCHNER:
18	by the way, last night as my homework.	18	Q During the resolution of your '93
19	Q And yesterday when we did have your	19	complaint, did you have any interactions with Mr.
20	deposition, counsel for NRC pointed it out to you?	20	Marquand?
21	A Did point out one of the indications one	21	A There were several letters that were sent
22	of the places where it was indicated. That's correct.	22	back and forth and discussions between my attorney and his
23	You had further asked yesterday that I do some homework	23	attorney I'm sorry between my attorney and these
24	last night	24	guys trying to arrive at a settlement. But I don't ever
25	Q Right.	25	recall talking to him personally about it.
·	110 D 1 D		Dago 145 - Dago 150

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Dcp	o of	Gary Fiser	Conde	nse	
	-	The second is directed in 1004 for	Page 151		Page 1
1	Q VOI	Then you indicated in 1994 fo			A Is seemed like it was Phil Pfiefer and
2 3		a met with Phil Pfiefer and Brea That's correct.	nt Marquanu.	3	possibly Mr. Marquand. I'm not sure of that.
	A		t with them?	_	Q Did you give anyone permission to poison
4		How many times did you mee		4	the well by showing Dr. McArthur these transcripts of you
5		I don't recall. It was certainly		5	tapes?
6	one, son	tetimes in an office with a close	ed door, sometimes	6	MR. MARQUAND: I'm going to object to that.
	at my cu			7	That's totally objectionable.
8		Do you recall what you discus	sioned with	8	MS. EUCHNER: I'll rephrase.
	them?	<b>C</b> 1		9	BY MR. EUCHNER:
0	A	Going over this eighty-some-o	dd-paged	10	Q Did you give anyone at TVA permission to
		t which was a transcription of	the tapes.	11	share the transcripts or the tapes with Dr. McArthur?
12		The sequence of events?		12	A No.
13	, A	The sequence of events. That'	s right. And	13	Q To your knowledge, did anyone else at TVA
4		d the transcribed tape-recording		14	ever see the transcripts or hear the copies of your tapes?
5		Who did you initially give cop	bies of your	15	A I feel fairly certain that the copies
	tapes to			16	the transcript of the tapes were passed around to various
17		Copies of my tapes to?	_	17	people who were preparing to go to trial with Jocher.
8	Q	Yes. Did you provide a copy	of your tapes	18	MR. MARQUAND: Object to the answer.
9			•	19	That's nonresponsive to the question. Move to
20	Α	Yes, I did.		20	strike. The question was to your knowledge.
21	Q	to anyone at TVA?		21	BY MS. EUCHNER:
22	À	Yes, I did.		22	Q Let me ask some more specific questions.
23		Who was it?		23	Do you know whether Charles Kent was ever shown a
4		I cannot remember. It seems t	o me like I	24	transcript of the conversation that you recorded with him?
		m to a place where they were re		25	A I can't say for sure.
			*		
,	aot	hook and there make have - !- !-	Page 152	Ι.	Page 1.
1	from the	back, and they probably picke	a up meir copies		Q Do you know whether Ben Easley was ever
		re or it could be that I turned the	iem over to	2	shown a transcript of the conversation?
	someone			3	A Yes, he was. Or at least he heard some of
4	Q	Who is they? They is TVA.		4	the tapes. Because he was very upset about it.
5	Α	They is TVA.		5	Q Do you know whether Rob Beecken was ever
6	Q	Was it the OIG for TVA?		6	shown either the transcripts or listened to the copies of
7	Α	It could have been. I'm not su	re that I	7	the tapes?
8	recall ex	actly who picked up the tapes.	Either the OIG or	8	A I don't know personally, but I would be
9	the IG. If	could have been Beth, Beth Tl	nomas. I don't	9	very surprised if he were not.
	know.			10	Q Do you know whether Jim Mullinex was ever
11		MR. MARQUAND: The IG is the	OIG.	11	shown the transcript or listened to the tapes of his
12		THE WITNESS: Okay.		12	conversations?
13		MR. MARQUAND: And Beth Th	omas is an agent	13	A I do not.
14	with	n that organization.		14	Q Do you know whether Bill Lagergren was ever
		UCHNER:		15	shown a transcript or whether he was able to listen to the
16		Now, did you provide her thes	e tanes as	16	copies of the conversation with him?
		our 1993 DOL complaint?	e apos as	17	A I do not know.
18		Copies of the tapes.		18	Q You stated that you know that Ben Easley
19		Copies of the tapes for your '9	3 complaint?	19	heard
20		As I recall.	5 comptaint.	20	A Yes.
21	4	MR. MARQUAND: Could it have	heen in	21	Q the tapes.
			10		
2	COIL	nection with the Jocher case ins		22	
3		THE WITNESS: It could have be		23	Q How do you know that?
4		ember if it was actually the e		24	A He mentioned it to me. O Did he tell you how he came to hear the
5	1	that I provided it to them. I ca		25	Q Did he tell you how he came to hear the
			Page 153		Page 1
1		d just have to check the record		1	copies of the tapes?
2		were copied and get the date.		2	A No, he did not.
3		bill somewhere because we had		3	MS. EUCHNER: I have nothing further.
4	had	to pay somebody to copy the t		4	EXAMINATION
5		MR. MARQUAND: The IG has a	record of that	5	BY MR. MARQUAND:
6	and	you have it.		6	Q When the first time counsel asked you if
7		THE WITNESS: She has it?		7	you had if you knew if Ben Easley heard the tapes you
8		MR. MARQUAND: Uh-huh.		8	said he heard some of the tapes and you knew that because
	BY MS. E	UCHNER:		9	he was upset. The second time she asked you the question
0		When you provided copies of	your tapes to	10	you said that he mentioned it to you. Now, my question
	the IG di	d you give them permission to	share what was on	11	is, did Ben Easley directly tell you tell you directly
		ntents of the tape with anybody		12	that he heard the tapes or simply that he was upset about
3		No, I did not.		13	the fact that you had taped him?
4		Did they ever ask your permiss	sion to share	14	A He told me that he had heard the tapes.
		ints of the tape?		15	Q Did he tell you how he heard those tapes?
5 6		No, and I never gave it.		16	A No, he did not
	A	Were you ever notified that the	IG had	17	Q And where was it that you where were you
7				18	when he told you this?
		copies of your tapes to anyone	0130:		
9	A	Yes, I was.	<b>)</b>	19	A I don't recall.
0	Q	Who did they provide them to	. Theory	20	Q When did he tell you this?
1		I can't state everybody, but I -		21	A I don't recall.
		w Wilson McArthur paging thre	ougn the	22	Q Did you make a note of it?
		tion of the tapes.		23	A I don't recall.
	0	Was there anyone else present	while Dr.	24	Q Would it be reflected in your planner if
4 5	×.	ir was paging through the trans		25	you did make a note of it?

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Truesdel & Rusk Reporting

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Depo of	Gary Fiser	Conden	scIt™		In Re: TV
	If I did make a note of it, it would have		1	A I don't know. We'd have to	Page 160 page through
2 been. 3 Q	Is there any reason why you wouldn't have		2 ther 3	n and look. Q I'd be willing to sit here whi	le you do it.
4 made a	note of it?		4	A Well, that's fine. I don't kno	ow that I
	Yes. Why?	ľ	5 WOL 6	ald have made a note of that just b	
Â	Because I felt like that case was over and			Q You made a note we looke ay that Phil Pfiefer called you to	ask you to be
8 it was n	o longer important.			ilable to testify in the Jocher case.	
Q the deep	When you saw Wilson McArthur paging t	hrough	9	A Uh-huh.	
0 the docu 1 A	ment entitled sequence of events, where wa Here on either the fifth or third floor,		0 1 beli	Q And he gave you his phone n eve that his secretary was on the li	umper. And I
2 right acr	oss the hall.		2 was	any dispute about what was said.	ne m case mere
3 Q	On the fifth or third floor? That's a big	,	3	A I don't recall.	
4 discrepa 5 A	ncy. Yeah. We moved around a lot.		4 5 it?	Q It's not even reflected in you	r notes, is
6 Q	When did this occur?		5 it? 6	A What?	
7 À	When you were preparing for Bill Jocher's			Q The fact that his secretary wa	s also on the
8 case.		1	8 line		
9 Q 0 A	For the trial? That's correct.		9	A I don't recall.	todar
0 A 1 Q	That was in 1995?		0 1	Q Well, we had the note earlier A Yeah. I don't know what his	
	I think that's correct.	2		w his secretary from Adam.	1 001 (
3 Q	Where were you located then?	2	3	Q How many times did you me	et with an
4 A 5 O	Downtown. What floor?	2		mey from TVA prior to your testim	ony in the Jocher
<u> </u>		Page 158	5 case		Page 16
i A	It seems like we were in Blue Ridge on the		1	A I don't know.	rage 10
2 fifth flo	or, but I'm not sure because we did move a	round	2	Q More than once?	
some.	And you don't megall when this was?		3	A Yes. O More than twice?	
	And you don't recall when this was? In '95.		4 5	Q More than twice? A Yes.	
	Where within the office space was Wilson		6	Q More than three times?	
McArthi	ar paging through the transcript?	1	7	A Possibly.	
A O	Sitting behind a desk. In his office?		8 9	Q More than four times? A I don't know, A few,	
À	That I don't recall.	1		A I don't know. A few. Q At least three times more th	an three
L Q	Well, was he sitting out in the hallway?	1		s you said?	
	No, he was in an office. I do not know if	1		A A few.	
3 itwashi 4 O	He has a hard-walled office with a door	1		Q More than three times? A I can recall three.	
doesn't ]	he? Always has; correct?	i		Q Okay. When did they occur?	
5 <b>A</b>	That's correct.	1		A In preparation for the Jocher	rial.
V Q	Is there any reason he'd be sitting in a to page through this transcript to be prepare	for 1		Q All right. Where did they occ A Here.	cur?
s cubicle t trial?	to page unough this transcript to be prepare	G for 1		A Here. O All of them here at the Chatta	nooga office
) A		2	o com	plex?	
Q	And you say there was an attorney there	2		A As I recall, that's right.	
2 with hin 3 A	n at the time? As I recall, yes.	2		Q Did you play the tapes for the mey?	TVA
	Why would you be in that room at that tin			A No, sir.	
	I think that the attorney called me in to	2		Q Not at all?	
		Page 159			Page 16
ask a qu words ev	estion or something about possibly some of ven in the document.		1 2	A No, sir. O Did you review the sequence	of events the
	And you said that you recall you think	1		Q Did you review the sequence ument sequence of events?	or oventa, ale
you reca	11 Phil Pfiefer there and you said that I mig		4	A As I recall.	
have bee	n there as well?		5	Q Each time?	
A O	It's possible? Now, I want you to answer		6 7	A I do not recall each time. How far apart in time were th	ese meetings?
Q this ques	stion for me, remembering you're under oat	-	7 8	Q How far apart in time were the A I don't recall.	ose moetings?
Ā	Correct.	1 !	9	Q Were they scheduled ahead of	time or did
	Isn't it true that the first and only time	1		attorney just drop in on you?	
I met yo in the ha	u prior to your testimony at the Jocher trial llway outside the courtroom?	was 1		A As I recall, the attorney was j ing to various people preparing for	the case I do
Α	In Knoxville? The first and only time we	1:		remember there being a scheduled	
met?		1.	4	MR. MARQUAND: No further q	uestions.
	The first and only time I had met you prior estimony in the locher trial was in the hall			AND FURTHER DEPONENT SAF	IH NOT.
outside t	estimony in the Jocher trial was in the hally he courtroom in Knoxville on the fourteent	h floor 1			
of the Fi	rst Plaza Bank building?	1	8		
A	I don't even recall meeting you there.	1			
	That's the only time we met.	2			
A Q	That's your words, not mine. I'm asking you. Is that the case or not?	2			
	No. I don't recall it that way.	2	3		
Q	Do you have any notes of ever having met	me 2	4		
before?		2	-		

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Depo of Gary Fiser	Condenselt <sup>1M</sup>	In Re: TVA
1       CERTIFICAT         3       I, Bonnie L. Smith, do heret         5       foregoing 162 pages is a true and         6       the testimony taken by me on the         7       2001.         8       This 7th day of January, 2009         10       11         12       Notary Pub         13       My Comming         14       November 2         15       16         17       18         19       20	Page 163 E	In Re: TVA
21 22 23 24 25		

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