

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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In the Matter of: :  
INTERVIEW OF :  
WILSON COOPER McARTHUR : Case No. 2-1998-013  
(CLOSED) :  
- - - - - X

Tennessee Valley Authority  
Lookout Place Building  
12th and Chestnut Streets  
Chattanooga, Tennessee  
Tuesday, April 20, 1999

The above entitled matter came on for interview,  
pursuant to notice, at 10:43 a.m.

BEFORE:

DIANA S. BENSON, Investigator

APPEARANCES:

On Behalf of TENNESSEE VALLEY AUTHORITY:

BRENT R. MARQUAND, Senior Attorney  
TENNESSEE VALLEY AUTHORITY  
400 West Summitt Hill Drive  
Knoxville, Tennessee 37902

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C O N T E N T S

WITNESS	EXAMINATION
WILSON COOPER McARTHUR	
BY MS. BENSON	4

E X H I B I T S

NUMBER	IDENTIFIED
[NONE.]	

## P R O C E E D I N G S

[10:43 a.m.]

1  
2  
3 MS. BENSON: For the record today's date is April  
4 20, 1999. The time now it's approximately 10:43 a.m.. I am  
5 Special Agent Diana Benson of the NRC Office of  
6 Investigations and I will be conducting this interview.

7 During this proceeding which is being recorded for  
8 transcription the NRC Office of Investigations will conduct  
9 an interview of Wilson Cooper McArthur, M-c-Ar-t-h-u-r.  
10 This interview pertains to OI Investigation No. 2-1998-  
11 013. The location of this interview is TVA Lookout Place  
12 Building, Chattanooga, Tennessee. Others in attendance at  
13 this interview are the Court Reporter Mr. J. B. Shelton and  
14 also TV Attorney with Office of General Counsel Mr. Brent R.  
15 Marquand, M-a-r-q-u-a-n-d.

16 Prior to the interview, Mr. McArthur, was it  
17 explained to you that Mr. Marquand also not only represents  
18 you but also TVA?

19 THE INTERVIEWEE: TVA, yes.

20 MS. BENSON: Or the interest of TVA, and have you  
21 voluntarily asked him to be present today?

22 THE INTERVIEWEE: Yes.

23 MS. BENSON: Okay, and also prior to going on the  
24 record I asked you to look over Section 1001 of Title 18 of  
25 the U.S. Code. Did you read over that?

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1 THE INTERVIEWEE: Yes.

2 MS. BENSON: Do you understand that?

3 THE INTERVIEWEE: Yes.

4 MS. BENSON: Okay.

5 Whereupon,

6 WILSON COOPER McARTHUR,  
7 the Interviewee, was called for examination and, having been  
8 first duly sworn, was examined and testified as follows.

9 DIRECT EXAMINATION

10 BY MS. BENSON:

11 Q Mr. McArthur, for the record can you please state  
12 your full name?

13 A Wilson Cooper McArthur.

14 Q And your date of birth?

15 A [REDACTED]

16 Q And your Social Security number?

17 A [REDACTED]

18 Q Okay, also prior to going on the record I  
19 indicated to you that you're being interviewed concerning  
20 the 1996 Department of Labor discrimination complaint filed  
21 by Mr. Gary Fiser against TVA concerning the posting of his  
22 Corporate Chemistry position at Chattanooga, Tennessee  
23 during the 1996 time frame.

24 A Right.

25 Q Are you aware of what was occurring at that time?

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1 A I've not seen official documents of any kind but I  
2 was aware through various sources. From Human Resources. I  
3 didn't know the details but I certainly know that this was  
4 going on.

5 Q Well I'm - but you were aware of the posting of  
6 that particular position?

7 A Oh, absolutely, yes.

8 Q Okay, and can you please provide me with your  
9 employment history here at TVA?

10 A I came in April of 1990 as Manager of Technical  
11 Programs which consisted of RADCON, Chemistry, RADWASTE,  
12 environmental, -- prepared this security and fire  
13 protection.

14 Q Okay.

15 A I think that was it and that was probably for  
16 about three or four years. Then there was reorganization  
17 and I was made as a RADCON Manager with responsibilities for  
18 RADCON, RADWASTE, environmental, and chemistry, and then --

19  
20 Q Do you - and what time was that?

21 A I don't know exactly.

22 Q You don't recall what year that was?

23 A No.

24 Q Okay.

25 A That's one of the things I'm not very good at is

1 remembering years back over time, and then about three years  
2 ago we reorganized and I became the Manager of RAD -- and  
3 Chemistry Support. That's what my position is now.

4 Q And I'll go more into detail regarding these  
5 separate positions you know later on.

6 A Sure.

7 Q I'm just trying to basically get your experience  
8 here at TVA.

9 A Okay.

10 Q And prior to coming to TVA what were you doing?

11 A I was working - well I had had my own company out  
12 on the West Coast and sold the company to another company  
13 and they kept me on for a couple of years to you know to  
14 bring the company into their organization so the last  
15 company before TVA was a company called Quadrex. Prior to  
16 that I had my company KLM which stood for Kanazrus\*, -- and  
17 McArthur, three guys that were principles in the company.

18 Q Okay.

19 A And prior to that I was --

20 Q And what type of business was this?

21 A Consulting and radiological chemistry, RADWASTE  
22 matters. We built robots, things like that. Prior to that  
23 I was with - prior to KLM I was with two consulting  
24 companies, EDS Nuclear and Tara. Then prior to that I was  
25 with Carolina Power and Light Company for about eight years

1 as Manager of Engineering. Prior to that I was working on  
2 Ph.D..

3 Q Okay, and what do you have your Ph.D. in?

4 A -- Logical Physics. Radiation Physics I guess is  
5 probably the best way to --

6 Q Okay, and if you can please indicate to me your  
7 knowledge of Mr. Gary Fiser in your past working  
8 relationships with him.

9 A When I first came to TVA he was at Sequoyah.

10 Q And that was in April of '90?

11 A Right.

12 Q Okay.

13 A I don't - from my recollection tells me that he  
14 was not the Chemistry Manager then. He was the Outage  
15 Manager but sometime shortly thereafter he became the  
16 Chemistry Manager.

17 Q Okay.

18 A And then there was a switch from my Corporate  
19 Chemistry Manager a guy by the name of Bill Jocker\* switched  
20 for a year period. Had an agreement to switch for one year  
21 that Gary would come downtown to Corporate. He came down to  
22 Corporate and let's see that was 19 - I thought I would  
23 remember that. I don't remember the specific date and in  
24 the new organization he became the - one of the what we call  
25 Chemistry Environmental.

1 Q Okay, and this is Mr. Fiser?

2 A This is Fiser, yes.

3 Q Okay.

4 A And then the organization reorganized again and we  
5 had three Chemistry Environmental - might have had four but  
6 I know we had three Chemistry Environmental people and we  
7 were - and the decision had been made to bring that down to  
8 two. At that point and time is when - and we had a Board  
9 that interviewed. There were a number of other people in  
10 addition to the three principle people, Sam Harvey, Chandra  
11 and Gary Fiser.

12 I take the two people, Sam Harvey and Chandra, and  
13 Gary then I'm not sure what happens after that. I'm not -  
14 you know as far as what Human Resources does. I know that  
15 we would rift people before and they would go to some kind  
16 of organization. I don't know the status of that or what  
17 happened from that point on.

18 Q Okay, so basically you knew Mr. Fiser from April  
19 of 1990 until he left the organization in '96?

20 A That's correct.

21 Q About that time frame?

22 A Un-hum.

23 Q And did you know him outside of work or socially  
24 at all?

25 A No, not at all.



1 Q And what about Mr. Chandrasekeran what was your  
2 working knowledge of him?

3 A Similar. He came to work after I came and he was  
4 probably about within a year after I came to TVA both he and  
5 - well actually Bill Jocker came and then he - the two  
6 people, Sam Harvey and Chandra worked with him but he's with  
7 Line Power Company so they came on board also.

8 Q They came with Mr. Jocker?

9 A They didn't come with him. Jocker came first.

10 Q And then kindly they followed him?

11 A Yes.

12 Q Okay, and so you knew both of them about the same  
13 time frame?

14 A Oh, yes.

15 Q Did you know either one of them outside of work  
16 here at all?

17 A No.

18 Q No social contacts with them at all?

19 A No.

20 Q Okay.

21 A Now that's during that time frame, okay.

22 Q Okay, well from 1990 to 1996?

23 A Yeah.

24 Q None at all?

25 A Nothing socially other than go to lunch once in a

1 while or something like that, but nothing like playing golf,  
2 none of those kinds of things.

3 Q No outside activities?

4 A No.

5 Q In 1993 Mr. Fiser filed a Department of Labor  
6 complaint against TVA. What was your knowledge of that  
7 complaint?

8 A My first recollection when I talked with the  
9 lawyers here is I couldn't remember very much about it at  
10 all. In fact I didn't know the basis - I never saw anything  
11 official. A document that stated what the concerns were.  
12 I've never seen anything of that nature.

13 I became more aware of it by a little bit from  
14 people that I talked to they would tell me something, or  
15 then I was given a document this morning that one of my  
16 testimonies I referred to it or it leaves some indication I  
17 was knowledgeable but not - I couldn't tell you what the  
18 concerns that Gary had in that particular DOL.

19 Q Do you know how that complaint was resolved?

20 A Um, again, nothing official but he would come back  
21 to a position in - who was then under a fellow by the name  
22 of Ron Grover. I did not - I was not the Manager of that  
23 group that he came back to.

24 Q What were you doing at that time?

25 A Undergoing a major cancer operation for

1 approximately two and a half months so as a lot of this  
2 thing was coming about I was not even involved.

3 Q Okay.

4 A And he reported to Ron Grover who was - it was  
5 divided into the Manager Radiological Support and Manager of  
6 Chemistry and Environmental Support so the people in the  
7 Chemistry group held both chemistry and environmental  
8 responsibilities under Ron Grover.

9 Q Well we'll go back into this a little bit more  
10 later.

11 A Okay.

12 Q But in his 1993 Department of Labor complaint  
13 during that time frame from 1990 to '93 besides the  
14 positions that you previously listed were you on any of the  
15 Boards like Nuclear Safety Review Board?

16 A Yes, Nuclear Safety Review Board.

17 Q And how long were you a part of that?

18 A It's been off and on. I'm still a part of that  
19 now but as an alternate at this point and time because of my  
20 job functions. I know for at least four years - the first  
21 four years that I was a permanent member of NSRB and since  
22 then it's been on for a period of time and then as an  
23 alternate.

24 Q And did you work with Mr. McGrath in the NSRB?

25 A Mr. McGrath was the Chairman of the NSRB.

1 Q Okay.

2 A I was on a sub-committee. RADCON and chemistry  
3 sub-committee.

4 Q So you had working contacts with Mr. McGrath as  
5 far as the NSRB goes?

6 A Yes, that's correct.

7 Q And were you aware that Mr. Fiser's 1993 complaint  
8 had to do with his disagreement with the NSLB on some of the  
9 things they were trying to implement or change or  
10 procedures?

11 A I'm aware of that, yes.

12 Q And how did you become aware of that?

13 A We had a - NSRB what we do is go down - around and  
14 we would interview various people, and then we would go out  
15 into the Plant and look at conditions of equipment, those  
16 kinds of things.

17 We had a meeting in Gary's Office and this fellow  
18 by the name of Tom Peterson who is now an outside consultant  
19 to TVA he and I were in talking to Gary and we had found  
20 that - well there were really three concerns that day. One  
21 of them had to do with the PASS. Let's see --

22 Q For the record can you --

23 A Yes, -- sampling system.

24 MR. MARQUAND: Tell us what the acronym is for the  
25 record.

1 THE INTERVIEWEE: Okay. The pass for some reason  
2 the p word slips in with us.

3 MR. MARQUAND: Post -- sampling system.

4 BY MS. BENSON:

5 Q Okay.

6 A It's the lawyers telling me that. I don't know  
7 and then we also were concerned about under monitored  
8 released points. We were talking about that, and the third  
9 area was the area that Tom Peterson and I both had looked at  
10 and normally in a nuclear power plant in the Chemistry  
11 Department you trend a lot of different things.

12 Let's see your sodium, phosphates, dissolved  
13 oxygen, those kinds of things you do that on a routine basis  
14 to see if anything is getting out of kilter, and for  
15 whatever reasons Gary wasn't doing that.

16 In fact one of the documents I read last night he  
17 made the comment that he was doing better than any other  
18 Plants in the USA which is absolutely not true so we were  
19 concerned because we weren't trending things, and Gary said  
20 well I'm just not going to do it.

21 Q Un-hum.

22 A So we began to continue the discussion on the  
23 basis well this is a smart thing to do. We need to be doing  
24 this kind of thing. His comment was I don't have the  
25 resources. I'm going back in memory trying to remember what

1 happened there but it was obvious he did not want to do the  
2 trending that we thought was important.

3 If I remember correctly we wrote it up in the  
4 minutes of the NSRB meeting. What it was - and this is not  
5 uncommon. We do have these kind of problems at other sites  
6 too. The people just say I don't have resources I can't do  
7 this. I didn't see it as an unusual thing. I thought it  
8 was one that we needed to convince him that it made sense to  
9 do trending just from the standpoint of knowing what's going  
10 on at the Plant.

11 Q Un-hum.

12 A But we were not very successful.

13 Q Un-hum. Had he been having problems with the  
14 computer system that they logged the information on to do  
15 these trends? Had there been a problem with that?

16 A Not that I'm aware of. I don't remember --

17 Q Because you had indicated that you know he hadn't  
18 been doing them, or you know there was a --

19 A Yeah, it was a conscious decision not to do them.

20 Q Un-hum, but you don't know whether there was in  
21 fact a problem with the computer system or whatever system  
22 he was using?

23 A Most of these things you could do manually if you  
24 didn't have - you don't have to use a computer system.

25 Q Well you know I'm not arguing that but I mean do

1 you know whether there was a problem?

2 A No.

3 Q Okay, so after this meeting that you had with Mr.  
4 Fiser and he declined to implement a procedure is that what  
5 it was?

6 A That wasn't a decline to implement a procedure.  
7 He declined to track and trend chemistry data.

8 Q Okay.

9 A He was tracking some but he wasn't tracking the  
10 normal things you would track in a PWR. It was a very  
11 strong feeling on the part of Mr. Peterson. He's an outside  
12 consultant in the chemistry area. He felt very strongly  
13 that we should be doing that tracking and trending.

14 Q Un-hum. Were they not doing any tracking or --

15 A They done some.

16 Q You're saying they weren't as doing as much as he  
17 felt they should be doing?

18 A And it was more not doing enough.

19 Q And after this meeting you had were you present in  
20 a room when Mr. McGrath was speaking to Mr. Fiser?

21 A Yes.

22 Q Okay, you were in the room?

23 A Yes.

24 Q Was Mr. McGrath upset with Mr. Fiser?

25 A Not any more than usual. He was upset over the

1 fact that we weren't getting any place on this tracking and  
2 trending but that was - it was nothing uncommon. It was you  
3 know that was his nature. He wasn't angry with his eyes  
4 blurring or something like that. They was just saying it  
5 doesn't make any sense. We need to be doing the tracking  
6 and trending.

7 Q Now was the - of course we're getting back into  
8 the 1993 complaint.

9 A Okay.

10 Q But I just want to find out what your analysis is  
11 of this but was the request to do more trends or was the  
12 request to implement a written procedure stating he would do  
13 that?

14 A Um, I don't recall that. I think that the only  
15 information I could give you is that there are probably  
16 thirty-five - on that order of thirty-five things that you  
17 would trend in chemistry in a nuclear power plant. We were  
18 probably trending four or five.

19 Q Un-hum.

20 A The thing about the procedure I mean it's possible  
21 that Tom could have asked for a procedure but I don't recall  
22 that.

23 Q Okay. Anyway you - correct me if I'm wrong but  
24 you indicated this was the basis of Mr. Fiser's '93 DOL  
25 complaint was this disagreement --



1           A     As good as I know - honestly, I better say no to  
2 know because I don't know. I did not - never saw anything.  
3 I heard different things but I never heard the details of  
4 what --

5           Q     What other different things did you hear regarding  
6 the complaint?

7           A     It had something to do with protective what do you  
8 call it - working in a protected area. That's not the right  
9 way to say it. There were safety concerns and I don't have  
10 any idea what any of those were.

11          Q     Okay.

12          A     I don't have any idea.

13          Q     And any other rumors about what his DOL complaint  
14 was about?

15          A     No.

16          Q     Were you familiar with Mr. Bill Jocker?

17          A     Yes.

18          Q     Were you familiar that he had also been involved  
19 in a DOL complaint against TVA?

20          A     Yes.

21          Q     Were you made aware that Mr. Fiser had been  
22 secretly tape recording you?

23          A     Yes, I was made aware of that.

24          Q     Okay, and what were you told about this recording

25          --

1           A     I was just told to be careful that Gary was tape  
2 recording people and it became obvious to me because right  
3 after that on several occasions he came in and he would ask  
4 blunt questions. Obviously, he was seeking something. I  
5 said Gary, that's not the right question to ask me. It's  
6 not any of your business or something of that nature. I  
7 knew he was tape recording me.

8           Q     Un-hum.

9           A     I didn't know at the time what for but I was  
10 notified. I didn't know that he was doing that.

11          Q     Un-hum, and when you were notified of this tape  
12 recording what were you told about it?

13          A     Just told to be careful that he is tape recording.  
14 There was not no other comments other than you're being tape  
15 recorded be careful. You could be tape recorded be careful.

16          Q     Were you allowed to review the transcripts that  
17 had been transcribed based on the tape recorded  
18 conversations?

19          A     I went - I guess we went through some of them at  
20 one point and time. They were very - not very good  
21 information on them. A lot of problems in translating but  
22 we did look at them at one point and time very briefly. Not  
23 in detail.

24               MR. MARQUAND: I think he may be mixing up those  
25 with the transcripts of the IG tape recordings of the Jocker

1 interviews.

2 MS. BENSON: Un-hum.

3 MR. MARQUAND: Those are the only transcripts I've  
4 ever seen.

5 MS. BENSON: Okay.

6 THE INTERVIEWEE: Yeah, my mind tells me I had  
7 looked at them briefly and they were just - in fact I think  
8 I was told by TVA Legal that the basis stuff was not very  
9 clear. You couldn't comprehend anything on the tapes and  
10 that's about what I thought I saw.

11 BY MS. BENSON:

12 Q Un-hum. Who else did you tell that Mr. Fiser had  
13 been tape recording people?

14 A I told my boss.

15 Q And who was that?

16 A At that point and time it was probably John  
17 McJeskey or Dan Kiter. One of the two. I'm not sure.

18 Q And who else?

19 A I don't recall. I didn't make it a general  
20 statement to people.

21 Q Did you advise Charles Kent that you were - that  
22 you had been tape recorded?

23 A I don't think so but it's possible. Charles is  
24 our peer group leader so that would be a feasible thing but  
25 I don't remember doing that.

1 Q And what about Mr. Easley did you tell him you had

2 --

3 A I think I probably the Human Resources person  
4 that's the kind of thing I would tell Human Resources.

5 Q Un-hum.

6 A I don't recall a specific time doing that but I  
7 wouldn't be surprised if I didn't do that.

8 Q Did you tell anyone else?

9 A No, I don't think so.

10 Q It was pretty common knowledge among the Corporate  
11 chemistry people according to the ones I've interviewed so  
12 far that he had been tape recording so --

13 A Okay.

14 Q I'm just trying to establish you know your  
15 specific knowledge and who you may have told. Were you ever  
16 interviewed as a witness in Mr. Fiser's 1993 DOL complaint?

17 A Um, I don't know. Brent, can you help me out  
18 there?

19 MR. MARQUAND: He was interviewed by the IG. I  
20 don't know who else he may have talked to.

21 BY MS. BENSON:

22 Q So you were actually a witness in the 1993 DOL  
23 complaint?

24 MR. MARQUAND: It never was tried. There was no  
25 witnesses per se. The IG talked to a number of people. We

1 know he was talked to.

2 MS. BENSON: Okay, but that was following a DOL  
3 complaint?

4 MR. MARQUAND: Yes.

5 MS. BENSON: And DOL never did an investigation.  
6 You're just saying IG's?

7 MR. MARQUAND: I don't know. I don't remember if  
8 DOL did an investigation. In fact I think they might not  
9 have because it was settled before it went to - I think it  
10 was settled before it went - it was decided by Wage and  
11 Hour.

12 BY MS. BENSON:

13 Q So basically as far as the 1993 complaint you may  
14 have been interviewed just by the TVA IG?

15 A That - was that --

16 MR. MARQUAND: That was by TVA IG that I'm aware  
17 of. I don't know if Wage and Hour did interviews. It was  
18 their practice to postpone those as long as they could to  
19 see if there was going to be a settlement. You know this  
20 case - that case didn't get settled until '95 some fifteen,  
21 sixteen months after it was filed. It took them forever.

22 MS. BENSON: Un-hum.

23 BY MS. BENSON:

24 Q How did you feel about the treatment Mr. Fiser got  
25 during 1993 when he was placed into the ETB program or I

1 guess that's - was that early transition program?

2 MR. MARQUAND: Employee transition program.

3 A Employee transition program.

4 Q Employee transition program at TVA.

5 A Well actually I had tried to keep him. I thought  
6 Gary was a good chemist. He was very strong rated primary  
7 chemistry guy. Not very good in secondary chemistry but at  
8 that point and time I thought I would be able to save him  
9 downtown because they had one fellow, Don Adams, that was  
10 going to take a position out at Sequoyah so I thought that I  
11 would have that head count to keep him on, but then that  
12 head count was taken away so I did not have a position for  
13 him. You know he was a good man.

14 Q And that's a '90 - after the '93 complaint?

15 A I think that's - I believe that's correct.

16 Q Did you ever talk to Ron Grover about the fact  
17 that Mr. Fiser was being placed into the chemistry -  
18 Corporate Chemistry Division following his - as a part of  
19 his 1993 complaint?

20 A I don't remember a specific conversation.

21 Q That he was coming into this position as a result  
22 of a settlement?

23 A I think that all transpired after Ron Grover  
24 became the Manager of that group so, therefore, I wouldn't  
25 be involved but I don't remember having any kind of

1 discussion with Ron.

2 Q So you may or may not have is what you're saying.  
3 You don't recall?

4 A I don't recall.

5 Q Okay. Do you ever recall stating that you felt  
6 Fiser had been done wrong and that he was a real good guy  
7 and he deserved a good shot?

8 A Like I said I thought he was a good chemist. I  
9 mean with certain limitations. You know we -- to TVA quite  
10 frequently so you get use to that kind of thing happening.  
11 You also have to make choices sometimes of filling positions  
12 with two out of three or something so - yeah, I don't like  
13 to see anybody lose their job.

14 Q Yeah, but do you recall making that comment?

15 A No.

16 Q Is it possible you could have made that comment?

17 A Yes.

18 Q Do you recall what position Sam Harvey was holding  
19 in Corporate Chemistry from '93 to '96?

20 A Let's see - I think it was in one of these  
21 positions of Chemistry and Environmental - the TGA position.  
22 The same thing the other - Chandra and Gary were filling I  
23 believe in that time frame.

24 Q And were you ever approached by anybody in 1996  
25 after you were made Manager regarding the possible - no,

1 prior to you becoming the RADCON CHEM Manager --

2 A Okay.

3 Q While you were still there did you remember  
4 discussing with anyone about a possible transfer of Sam  
5 Harvey from Corporate over to Sequoyah?

6 A Yes.

7 Q Who did you talk to about that?

8 A Charles Kent.

9 Q And what was discussed?

10 A He felt that Sam was a very valuable person both  
11 primary and second chemistry. He wanted him out at Sequoyah  
12 and I told him that you know I would have to talk to Tom  
13 McGrath and I'm sure it was Tom McGrath.

14 Tom basically said no, we can't do that. They  
15 have to advertise the position so he never really ended up  
16 going to Sequoyah.

17 Q Did Charles talk to you about this, or did he talk  
18 to Ron Grover about this?

19 A He probably talked to both of us. I know he  
20 talked to me because he wanted Sam out at the site.

21 Q But did Sam belong to you at that point?

22 A When we first started talking about it, yes. When  
23 we went into the new organization RADCON and Chemistry I'm  
24 sure that's the point and time he would have talked to Ron  
25 if he did. I can't say for sure.



1 Q Well I'm talking about in 1996 what position did  
2 you hold prior to being placed in the RAD Chem Environmental  
3 position?

4 A I was the RADCON Manager.

5 Q And who worked for you?

6 A Chemistry, RADCON, RADWASTE. I think that's  
7 right.

8 Q And what position did Ron Grover hold?

9 A He was Manager of Chemistry and Environmental.

10 Q And who worked for him?

11 A Wait a minute. Did I say chemistry?

12 Q Un-hum.

13 A I had RADWASTE and RADCON. Okay, I'm sorry and  
14 Ron Grover had chemistry and environmental.

15 Q So who worked for him?

16 A I don't know if I know everybody but he had Sam  
17 Harvey, Chandra, a guy by the name of David Serell, and a  
18 lady by the name of Dee Drinita\*. I believe that's correct.

19 Q Okay.

20 A And there may have been others but that's the only  
21 ones I can remember.

22 Q So going back to my previous question did Charles  
23 Kent ask you about this, or do you know whether Charles Kent  
24 talked to Ron Grover about this?

25 A I can't tell you anything about Ron Grover. I

1 know that every since I've been here - every since Sam has  
2 been here Sequoyah has been trying to transfer Sam Harvey to  
3 Sequoyah so there were many conversations in that regard.

4 Q Un-hum. I'm just kindly trying to wonder why  
5 Charles Kent would have talked to you when Ron Grover was  
6 his boss?

7 A Well at one point and time it was appropriate  
8 because he was working for me.

9 Q But during that time frame he belonged to Ron  
10 Grover?

11 A I don't know if I talked to him during that time.  
12 I don't recall the specific dates. I just know that Charles  
13 Kent wanted him out at the site.

14 Q Okay.

15 A In fact I believe Ron Grover came to me and said  
16 the same thing and so we made Tom aware and Tom said no,  
17 it's not something we can do without putting this position  
18 up for - advertise this position.

19 Q Do you know why the position was not advertised?

20 A Which position?

21 Q That position at Sequoyah that they were trying to  
22 transfer him into?

23 A I have no idea.

24 Q Was there any discussion of moving Fiser out to  
25 Sequoyah or trying to get him to advertise or advertise

1 positions so Fiser could fill that position?

2 A I don't know of any - I really don't know what  
3 went on there. That was a site situation.

4 Q So nobody discussed that possibility with you?

5 A No.

6 Q And was there a vacant position out at Sequoyah?

7 A I don't think there was a vacant position at that  
8 point and time. They were looking - that was the reason  
9 they were having trouble because they didn't have a head  
10 count that could bring somebody out and that's my  
11 recollection.

12 Q After you went in as the - or transferred into the  
13 RAD CHEM Environmental position - Manager.

14 A RAD Chem for radiological control - radiological  
15 and chemistry services, yeah.

16 Q Okay, I'm sorry if I'm mispronouncing that.

17 A It's okay.

18 Q Did - and before those other positions were  
19 advertised, the chemistry positions were advertised and the  
20 other ones that were being filled, was Mr. Harvey assigned  
21 temporarily out to Sequoyah do you know?

22 A I know he was there for steam generator outage  
23 like a weeks time frame or something like that. He was  
24 working for David Gatches\* who is our Steam Generator  
25 Manager.

1 Q Un-hum.

2 A We do that quite often. We loan people for  
3 outages.

4 Q Okay, going back to July the first reorganization  
5 that you all went through in July or during 1994.

6 A This was the one where I became the RADCON  
7 Manager?

8 Q Right.

9 A Okay.

10 Q Okay, the position you held before that was  
11 Manager of Technical Support.

12 A Programs, yeah.

13 Q And then in July - the time frame of July of '94  
14 as a part of this reorganization that position was  
15 eliminated?

16 A Yes.

17 Q And a new position was created?

18 A Right.

19 Q And you were ultimately selected for this new  
20 position of RAD --

21 A CON Manager.

22 Q RADCON Manager. Who were you working for at the  
23 time?

24 A John McJeskey.

25 Q And do you know who was responsible for rewriting

1 those position descriptions and the vacancy announcements  
2 for the new positions in 1994?

3 A -- I don't know anything about but I usually write  
4 my own job description. That's been my experience. I don't  
5 remember specifically writing that one but I suspect that I  
6 did.

7 Q Does Human Resources normally assist in that?

8 A They just take and file them away. In fact I've  
9 got an understanding that there is a description for me as  
10 Manager Technical Programs apparently but I do specifically  
11 remember writing one. The one for RADCON Manager I don't  
12 think Human Resources found a copy. They do have a copy of  
13 my current position.

14 Q Un-hum, but you wrote the one in '94?

15 A Yes.

16 Q And do you have a copy of that?

17 A No, I've looked. We've moved a couple of times  
18 and it may still be in a box some place but I haven't been  
19 able to find it.

20 Q But there was a position description on that?

21 A I remember writing a position description.

22 Q Okay, and what do you do once you write a position  
23 description who do you give it to?

24 A You get approval from your boss first, and then  
25 you give it to Human Resources.

1 Q Do you know whether you got approval for that  
2 position description?

3 A I honestly do not remember.

4 Q Okay.

5 A I know it was submitted you know but I don't know  
6 if it ever was signed and sent back. I just don't have any  
7 recollection.

8 Q It was submitted to who?

9 A Tom McGrath and to Human Resources.

10 Q Okay.

11 A I probably sent an advance copy to them saying  
12 this is in the hands of my boss he's reviewing it so they  
13 would know what is going on because that was the normal  
14 practice.

15 Q And your boss at the time was?

16 A Tom McGrath.

17 Q It wasn't McJeskey at the time?

18 A No, but we were going through a lot of changes  
19 during this period of time.

20 Q Okay.

21 A I remember specifically - well I'm being a little  
22 careful. I think it was Tom McGrath.

23 MR. MARQUAND: Wasn't there somebody else between  
24 McJeskey and McGrath too?

25 THE INTERVIEWEE: Dan Kiter. It could have been

1 Dan Kiter.

2 MR. MARQUAND: I thought Kiter was before that.

3 THE INTERVIEWEE: That's right. That's right.

4 Kiter was before McJeskey. McJeskey and then Tom McGrath  
5 and now Jack Bailey.

6 MR. MARQUAND: What about Don Moody?

7 THE INTERVIEWEE: Oh, yeah. Yeah, I can't forget

8 Don. He was in there before - let's see he - what's --.

9 Who was - I can't remember if he was before McJeskey or not.

10 I think it was just before McJeskey.

11 BY MS. BENSON:

12 Q Or was he after McJeskey?

13 A I - right now I can't --

14 Q Who was the one that passed away?

15 MR. MARQUAND: Don Moody died I believe at the  
16 time McGrath took over.

17 THE INTERVIEWEE: That's what it was, yeah. Yeah,  
18 that's correct. Tom took over Acting from Don Moody.

19 BY MR. BENSON:

20 Q So in 1994 do you recall who you were working for?

21 A No. I'm sorry. I'm sure I can go back in my  
22 notes and find out.

23 MR. MARQUAND: Mr. McGrath I think will have a  
24 fairly good recollection when he took over and at least when  
25 Don Moody was in the office.

1 MS. BENSON: Un-hum, because it seems to me  
2 looking at those past descriptions that you all sent to me  
3 during this time frame that McJeskey may have been in there.

4 MR. MARQUAND: I think that at least at the outset  
5 he was when you look at -- I think McJeskey was there.

6 MS. BENSON: Un-hum, un-hum, I'm pretty sure.

7 BY MS. BENSON:

8 Q So, anyway, the point being is that do you recall  
9 writing that position description?

10 A Yes, I do.

11 Q And do you recall submitting that to someone?

12 A Yes, I do.

13 Q Okay, you're not sure who you submitted it to?

14 A No, I'm sure I gave it to Human Resources. Ben  
15 Easley was my contact at that point and time and also to  
16 whoever was the Manager of what was called Operations  
17 Support back then.

18 Q What is it called now?

19 A It's now called Engineering and Technical Support.

20 Q I didn't know it had changed.

21 A I can't even keep up with the name changes.

22 Q But you don't recall ever seeing that back again  
23 or anything like that?

24 A Usually what would happen is they were sent in  
25 they would go to the Pay Committee. Pay Committee would do



1 an evaluation and then you get that evaluation back. I  
2 don't recall ever getting the evaluation back. It pretty  
3 well tells you where you stand on the pay scale and that kind  
4 of thing, but I don't remember that happening. It could  
5 have happened but I don't remember that.

6 MR. MARQUAND: If you recall the -- it does have  
7 McJeskey's name on it. I believe it does say that it was  
8 pending and it uses the word -- (cannot hear due to someone  
9 coughing at this point.) approval.

10 BY MS. BENSON:

11 Q When you - after you wrote that position were you  
12 interviewed for that job?

13 A Yes.

14 Q And who interviewed you?

15 A John McJeskey.

16 Q So that would have been your supervisor. Right?

17 A Yeah, it makes me - it helps out.

18 Q And were there any other applicants for that  
19 position that you're aware of?

20 A I honestly cannot say. All I know is that John  
21 McJeskey called me in and said you have the RADCON Chemistry  
22 - the RADCON Manager position.

23 Q Un-hum.

24 A That's all I can tell you.

25 Q Okay. In comparing and I need you to think back -

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MR. MARQUAND: You said - did you say the RADCON  
Chemistry --

THE INTERVIEWEE: I changed it to RADCON.

MR. MARQUAND: Okay.

MS. BENSON: RADCON Manager at the time.

BY MS. BENSON:

Q In comparing the RADCON position that you were  
selected for and the position description that you wrote  
were the Manager of Technical Support or the exact title I'm  
not sure what was the difference in those job descriptions?

A It was a lot more to the Technical but all the  
things that were in the RADCON and any other positions that  
I've had were part of the original Technical Program  
position. Things like at one point and time security was -  
I kept - I talked to Management and said it doesn't make  
sense for Corporate to have - security ought to be at the  
sites so they transferred 650 policemen to the sites.  
Divided them into sites.

Fire protection was the same thing so those and  
industrial safety. I didn't even mention that earlier so  
that was transferred out by our Training Academy so then  
what was left was -- and this RADCON, Chemistry,  
Environmental, RADWASTE, and of course the new position was  
some of those elements but not all the elements.

1 Q So the new position basically certain job  
2 functions were taken away?

3 A That's correct.

4 Q But you still maintain some of the old ones?

5 A Yes, that's correct.

6 Q And when you got the new position as RADCON  
7 Manager was that position ever changed along the way? From  
8 '94 to '96 were additional functions added on to that job?

9 A I don't think so. I don't recall anything.

10 Q And after you were selected for the position of  
11 RAD and I say RADCON Chem --

12 A Yes.

13 Q Manager in '96 were additional duties added on to  
14 that job description?

15 A This is my current position?

16 Q Right.

17 A Yes.

18 Q When exactly were you selected for that position?  
19 Do you remember the date?

20 A No.

21 Q And who wrote the job description for that?

22 A I did.

23 Q And has that been revised?

24 A No.

25 Q Okay, have you added responsibilities on since you

1 initially wrote that description?

2 A I think it was a point and time that Management  
3 said they wanted - I'm also responsible - I didn't mention  
4 this either. I'm responsible for Ermi\* which is a  
5 laboratories for calibrating, repairing TVA instruments and  
6 Management told us to go out and seek business outside of  
7 TVA for the Ermi Facility. At that point and time I recall  
8 making a little change to the position description. That's  
9 the only one I know of.

10 Q Since 1996 that's the only change you're aware of?

11 A That I can think of.

12 Q And you don't know exactly what day you were  
13 selected for that?

14 A No.

15 Q During the time that you was selected for that  
16 position in '96 and I'm looking at the summer time of 1996  
17 what position was Ron Grover selected for?

18 A Chemistry Manager.

19 Q In '96?

20 A Yeah, when I was selected as the RADCON Manager he  
21 was selected as --

22 MR. MARQUAND: No, we're talking '96 not '94.

23 THE INTERVIEWEE: Oh, okay. Then I was selected  
24 as Radiological Control and Chemistry Services. Somewhere  
25 along there he went to Empo.

1 BY MS. BENSON:

2 Q Okay.

3 A And that's what - I don't know if he had a  
4 position here or not as such but I know he went to Empo  
5 right around that point and time.

6 Q When you were selected for that position did you  
7 have - was that position advertised?

8 A No.

9 Q Did you have to interview for that position?

10 A I don't remember a specific interview, no.

11 Q Okay.

12 A I think they went back to the original Technical  
13 Programs position. In fact I was under the impression it  
14 was going to be advertised and Human Resources made a  
15 decision not to advertise the position. That's what I  
16 understand the case was.

17 Q And prior to being transferred into that position  
18 or selected for that position what pay grade level were you?

19 A Well Technical Programs I was a PG Senior. Until  
20 I was a RADCON Manager I was a PG 11, and then when it come  
21 to this - back to this position I was PG Senior.

22 Q And you don't recall the approximate date that you  
23 started fulfilling the duties of the new position of RADCON  
24 Chem Manager in 1996?

25 A No.

1 Q Time frame at all?

2 A I've never been good --

3 Q Okay.

4 A At that kind of things.

5 MR. MARQUAND: Maybe it would help if you could -  
6 if you need to put it in context of some events he might be  
7 able to do that.

8 MS. BENSON: Well you know you can always look at  
9 - it's not that important because we know --

10 MR. MARQUAND: Okay.

11 MS. BENSON: We know ourselves.

12 BY MS. BENSON:

13 Q I'm just trying to see if you have that  
14 recollection yourself.

15 A Okay.

16 Q In your new responsibilities were you made  
17 responsible for selecting members to be on the Board,  
18 screening panel for the other positions that were going to  
19 be advertised?

20 A Yes, all positions.

21 Q All positions?

22 A All positions were going to be advertised in the  
23 new organization.

24 Q And who made you responsible for selecting the  
25 Board members?

1 A Tom McGrath.

2 Q And who did you contact to be on this Board?

3 A Well first of all I wanted to have Chemistry  
4 Managers from each site and I checked with the RADCON  
5 Chemistry Manager due to schedules that was an  
6 impossibility, and so at one of our RADCON peer group  
7 meetings RADCON Chemistry Manager said well, you know, might  
8 as well use the RADCON Chemistry Managers because we're the  
9 people that you're providing us support to. So it was going  
10 to be John Cory from Brown's Ferry. Charles Kent from  
11 Sequoyah and Jack Cox from Watts Bar. That was the plan.

12 Then Jack Cox was unable to be a member. I know  
13 those were the three people we selected. Was unable to be a  
14 member for some kind of schedule reasons. We tried to find  
15 an alternate from Watts Bar. We talked to the Assistant  
16 Plant Manager and he was unable to attend on this particular  
17 day.

18 Then in talking with Tom McGrath and with Human  
19 Resources they felt that Rick Rogers who knew Gary they had  
20 worked together at Sequoyah would be a good member to put on  
21 the Board so we would have no - not very much knowledge of  
22 the other guys who thought that was a fair thing to do.

23 Q So you contacted each one of the site Chemistry  
24 Managers and no one was able to -- date?

25 A I didn't contact the Chemistry Manager. I talked

1 to the RADCON Chemistry Manager and they were telling me  
2 that that would work. I think a couple of outages were  
3 coming up and it was just impossible that the core of those  
4 people leave.

5 Q So it was decided that during one of the peer  
6 group meetings because everybody is getting together anyway  
7 we'll go ahead and hold the interviews during that time?

8 A They were going to hold them after our next RADCON  
9 Chemistry peer group meeting. We would have a meeting in  
10 the morning and do the interviews in the afternoon.

11 Q And can you explain why again Mr. Cox was not  
12 selected to be on the Board?

13 A He was selected.

14 Q And why he was not - ended up --

15 A I can't respond to that because he just said I  
16 won't be available.

17 Q Do you ever remember having a discussion with Mr.  
18 McGrath wherein it was discussed that he should not be on  
19 the Board because he had indicated he was in favor of Mr.  
20 Fiser because of the support Fiser had provided?

21 A That's correct.

22 Q And that because of this time constraint thing and  
23 his favoring Fiser that he shouldn't - would not be able to  
24 biased or unbiased?

25 A The way I understand it we were having a little of



1 coffee break after a RADCON Chemistry peer group meeting.  
2 We were standing outside and at that point and time I knew  
3 that Jack wasn't going to be available but he made the  
4 further comment.

5 He said that well I don't need to be a member  
6 anyway. You guys already know what my vote is. I would  
7 vote for Gary Fiser and I mentioned this to Tom, and Tom  
8 said well that would exclude him from the Board. The Human  
9 Resources said the same thing you know.

10 Q Who in Human Resources said that?

11 A I'm sure it would be Ben Easley. Again, I don't  
12 remember specifically who it was.

13 Q Un-hum.

14 A He was my contact for Human Resources.

15 Q So did you notify Mr. Cox that he wouldn't be  
16 needed on the Board?

17 A Oh, yeah. Well we knew he wouldn't be there but  
18 we would rather have had him on the Board. That was the  
19 first preference but due to his own schedule or whatever he  
20 was unable to be a part of it.

21 Q Were you ever told that you shouldn't hold the  
22 Board without Mr. Cox being there?

23 A No. I talked with my boss about this on a number  
24 of - I was sensitive to the fact we wanted to do this thing  
25 right, and from my standpoint having Rick Rogers on board

1 was very fair. It was a very fair Board.

2 Q And why do you consider that made it a fair Board?

3 A Knowing Rick Rogers is a very professional  
4 individual. I have a lot of respect for him. I thought he  
5 would be a fair evaluator.

6 Q And the other two members on the Board were  
7 Charles Kent and --

8 A And John Cory.

9 Q John Cory, and they were - Charles Kent was from  
10 Sequoyah?

11 A Right.

12 Q And Mr. Harvey provided support to Charles Kent  
13 and his organization?

14 A Actually, he provided support to all three sites  
15 but much more of his time was spent at Sequoyah.

16 Q And John Cory was it Watts - not Watts Bar --

17 A Brown's Ferry.

18 Q Brown's Ferry and Chandra had provided him  
19 support?

20 A That's correct.

21 Q Chandrasekaren.

22 A Right.

23 Q So that leaves us Watts Bar?

24 A Right.

25 Q And that's where Mr. Fiser had been providing

1 support?

2 A That's correct.

3 Q Was there ever any consideration of having Mr.  
4 Voeller\* stand in for Mr. Cox?

5 A I don't remember that.

6 Q What kind of Chemistry background does Mr. Rogers  
7 have?

8 A It's more of an engineering background. I can't  
9 really state to you what his Chemistry background is. He  
10 was at that point and time he was a support to Operations so  
11 Chemistry would be involved in his day to day work, but as  
12 far as his degrees and that kind of thing I don't know.

13 Q And what kind of support did any one of these  
14 candidates, Chandra, Harvey, and Fiser, provide to Mr.  
15 Rogers in the past?

16 A All I can tell you is they - it was a day to day  
17 function site operations. The Chemistry worked together  
18 very closely so from my side I can't sit here and tell you  
19 that Rick Rogers and Gary communicated every day but I'm  
20 sure they had to have communications to work with each  
21 other.

22 Q Okay.

23 A And he had a pretty high opinion of Gary.

24 Q Un-hum.

25 A I knew that.

1 Q Un-hum. Who was responsible for rewriting these  
2 job descriptions for the Chemistry positions?

3 A This is the new Chemistry Environmental positions?

4 Q Un-hum.

5 A Ron Grover.

6 Q Well not - this is when Environmental was taken  
7 away.

8 A Oh, okay, you're going back to the RADCON.

9 Q No, let's see we were taking away - in '96 prior  
10 to the reorganization you had Chemistry and Environmental  
11 together?

12 A Right.

13 Q And then as a result of this reorganization they  
14 took Environmental away?

15 A Okay.

16 Q And do you recall who --

17 A This is my current position we're talking about?

18 Q Exactly.

19 A Yeah.

20 Q Do you recall who wrote the other position  
21 descriptions for the other Chemistry positions?

22 A They were under my direction.

23 Q So did you write them or someone else?

24 A No, individuals would write them and then I would  
25 review them, change them, discuss them, that kind of thing

1 and then finalize them.

2 Q Was Ron Grover participating in this - rewriting  
3 of those job descriptions?

4 A He probably was. My direct answer is I don't  
5 know.

6 Q Okay.

7 A But I'm sure I had enough confidence in Ron I  
8 would expect him to be involved because he knew the people  
9 much better than I did.

10 Q Un-hum.

11 A And had been very much involved in the current  
12 problems in the Chemistry areas.

13 Q And what about Ben Easley was he involved in  
14 rewriting the job descriptions?

15 A No.

16 Q Nobody consulted with him?

17 A Not that I recall. I don't see what kind of value  
18 he had he would have provided.

19 Q Does - well that's a Human Resources question  
20 anyway.

21 A Basically broken it down in two positions. The  
22 Chemistry is a PWR Chemistry person and a BWR Chemistry  
23 person.

24 Q Un-hum, okay. Do you ever recall being told that  
25 these - that Mr. Fiser should be allowed to roll over into

1 that new position, or any complaint from Mr. Fiser that it  
2 was not fair for TVA to advertise that position?

3 A Gary never came to me directly with that comment  
4 that I can recall. I probably heard - I'm not sure exactly  
5 when I heard that was the case but, again, it was one of  
6 these things that wasn't factual. It might have been Human  
7 Resources that said something to me.

8 Q Prior to holding this Board who in Human Resources  
9 was working with you on preparing the selection Board  
10 packages and packages for the selection Board?

11 A Ben Easley.

12 Q Okay, Ben Easley. In my understanding of this and  
13 I could be wrong because you know I'm not an HR person is  
14 that when the - after the positions are advertised a package  
15 is put together on that candidate and it's given to the  
16 Manager of the position whoever the position falls under.

17 Do you know who - do you remember receiving  
18 individual packages on applicants for all those?

19 A Yes.

20 Q And can you recall what was inside those packages?

21 A Let's see there was a resume and, of course, the  
22 announcement. A resume and job history. Information like  
23 that. That's all I can recall on that.

24 Q Do you recall there being any evaluation in those  
25 individual packages not on the Board selection packages but

1 the individual packages put together on each applicant?

2 A An evaluation. You mean like - I'm not sure what

3 --

4 Q Performance evaluations?

5 A I'm really not sure.

6 Q Okay.

7 A Sometimes I've been on Boards before where we do  
8 have evaluation forms but I don't remember them being a part  
9 of this.

10 Q Who was responsible from Management's standpoint  
11 of compiling the notebooks used by the Board?

12 A Human Resources.

13 Q Do they assist you in that or --

14 A They put them together.

15 Q Okay.

16 A They first of all bring up a sheet of all the  
17 people that have applied.

18 Q Un-hum.

19 A And we would go down - I with Human Resources  
20 would go down I'd say well this guy doesn't have the degree  
21 and then so we would eliminate some names.

22 Q Un-hum.

23 A Right off the bat and then the remaining people  
24 were the ones that we would interview for the position.

25 Q Now when they put together these - the packages

1 that are given to the Board so each Board member gets an  
2 individual notebook?

3 A Yes.

4 Q Of all the applicants?

5 A Correct.

6 Q And the questions that are used during the  
7 interview?

8 A Yes.

9 Q And the vacancy announcement and whatever else in  
10 there. Who - you're saying Human Resources prepared those  
11 packages?

12 A That's right.

13 Q For this Board?

14 A That's correct.

15 Q And who did they give those to?

16 A They gave them to me and I handed them out to the  
17 Board members.

18 Q And did you remove anything that was contained in  
19 those notebooks before giving them to the Board members?

20 A I wouldn't do that.

21 Q I'm not saying in violation of policy --

22 A No, just don't do that.

23 Q Do you recall those evaluations ever being in  
24 those packages?

25 A No.



1 Q Do you recall --

2 A I wouldn't be surprised if we didn't have some but  
3 I really do not remember whether they were or not.

4 Q Do you recall instructing anybody in Human  
5 Resources not to include evaluations in the packages going  
6 to the Board members?

7 A No.

8 Q And you don't recall ever removing evaluations  
9 from a Board package?

10 A I didn't remove them. Okay.

11 Q Okay. Do you know whether anyone else removed  
12 them?

13 A No.

14 Q Evaluations?

15 A No.

16 Q Did anyone else have access to either the notebook  
17 on each - package on each applicant or the notebook given to  
18 the Board member?

19 A I had them in my office but you know I can't --

20 Q Did you ever give those to Mr. McGrath?

21 A I don't think so.

22 Q Okay.

23 A He normally - the general policy in TVA is I was  
24 handled it in my level and other people very seldom - I  
25 would keep Tom aware of what we were doing and who was on

1 the selection Board and that was the reason that we made  
2 that when Jack couldn't be on there he was involved in  
3 helping me find somebody that could fill that position.

4 In fact he's the one that asked me to call the  
5 Assistant Plant Manager at Watts Bar and we couldn't -- that  
6 one out, but he was very - very little. He didn't come to  
7 the hearing Board or anything so it was very little  
8 involvement on his part.

9 Q Do you know whether he looked - reviewed any of  
10 these packages or the Board notebooks?

11 A I have no knowledge. I would be very surprised if  
12 he did.

13 Q Un-hum.

14 A I know he didn't come to me.

15 Q But you don't know?

16 A I don't know.

17 Q And you're saying that you never gave them to him?

18 A No.

19 Q For review?

20 A No, that was not common practice to do that.

21 Q Un-hum, and he never asked to see those?

22 A Not that I can recall.

23 Q Now you mentioned just a second ago about was it  
24 Cox because he wasn't able to be on the Board. You know I'm  
25 not quite sure what you were saying.

1 A He had some schedule conflict.

2 Q Un-hum.

3 A I don't - I can't remember if Watts Bar was in an  
4 outage then or not which is really tough to get people away  
5 from the sites during outages, but he had some specific  
6 reason that he wanted to leave by 1:00.

7 We had the peer group meeting in the morning and  
8 then about 1:00 we were going to start the interviews and he  
9 just wasn't able to stay for the interviews.

10 MS. BENSON: Excuse me for a minute.

11 [Pause.]

12 Q After Mr. Cox told you and I don't recall whether  
13 you indicated this to me because I know we've jumped around  
14 quite a bit on different issues, but after Mr. Cox indicated  
15 to you that he had something else planned and wasn't going  
16 to be able to be there on the Board do you remember stating  
17 to anyone that you would have to talk to McGrath about this  
18 before you all made a decision on you know who was going to  
19 be a Board member?

20 A I don't remember if I did that but I did talk to  
21 Jack - to Tom about it because you know I figured we needed  
22 to find somebody else to fill that position and we were  
23 under the gun to get it done in a fairly short period of  
24 time, so I did talk to Tom but I don't know if I mentioned  
25 it to anybody else or not.

1 Q And I know I asked you this earlier but did  
2 anybody recommend to you from Human Resources or from any  
3 other organization even your own that you really should have  
4 Mr. Cox there?

5 A No.

6 Q You don't recall that - anyone recommending that  
7 to you?

8 A No.

9 Q Ron Grover?

10 A No, not that I recall.

11 Q Did you ever tell Mr. McGrath that this  
12 recommendation was made to you?

13 A I didn't know anything about a recommendation.

14 Q How soon before the Board met or before that last  
15 peer group meeting when the interviews were held that  
16 afternoon and I may have asked you this earlier but you know  
17 when did you say Cox indicated that he was going to be busy?

18 A It was sometime before - we had a RADCON peer  
19 group meeting. The next following meeting we were going to  
20 have the peer group meeting and have the interviews in the  
21 afternoon.

22 Q Un-hum.

23 A Somewhere along that time frame he just said I  
24 won't be available that afternoon.

25 Q Un-hum.

1 A He told this to all the RADCON Chemistry Managers  
2 and myself and the ones from the other sites.

3 Q Okay, and he told you this during that first peer  
4 group meeting?

5 A I believe that's the case.

6 Q When you all were deciding to hold the next -  
7 interviews during the next peer group meeting?

8 A That's right.

9 Q He stated at that meeting and everyone heard?

10 A Yes.

11 Q That he wouldn't be able to make it at that time?

12 A Well I can't guarantee everybody heard but I heard  
13 it.

14 Q And he also stated at that time that you know he  
15 would vote for Fiser and --

16 A Yeah, somehow - I don't know. I can't give you  
17 the exact time frame but somewhere along in that period of  
18 time he made that comment.

19 Q And at no time at all did you ask Mr. Voeller to  
20 represent Watts Bar on that Board?

21 A It's a possibility. I don't remember that. The  
22 RADCON Chemistry Managers basically said in the peer group  
23 meeting it makes sense the three of us to do it.

24 Q Un-hum.

25 A You know because we're the customer.

1 Q Right.

2 A We're the primary first customer.

3 Q In the --

4 A Remember I said in the very beginning that we did  
5 try to get the Chemistry Managers at one time and Voeller  
6 was one of those.

7 Q Un-hum.

8 A And the RADCON Chemistry Managers just said they  
9 weren't available so that would make it seem kindly strange  
10 for me to go to Voeller separately and independently of  
11 their --

12 Q Did you ask Mr. Cox whether Voeller could  
13 represent him?

14 A Again, I don't remember that specifically but that  
15 would have been common for me to have done.

16 Q Un-hum, that would make sense but you don't recall  
17 asking him that?

18 A No. No, wait - man, I'm really trying to dig back  
19 in my memory. I don't - I just don't recall it, but it  
20 could have been a possibility.

21 Q And when did you ask Rick Rogers again to be on  
22 the panel?

23 A After going to Tom McGrath and telling him that I  
24 had a problem that Jack Cox was not going to participate and  
25 that's when he told me he said well let's get somebody from

1 Watts Bar so I called the Assistant Plant Manager and his  
2 secretary said his schedule was filled that day.

3 I came back to - I know it was Tom McGrath. I'm  
4 not sure if Ben Easley was there or not, and Tom recommended  
5 Rick Rogers. I think - I believe he was temporarily  
6 assigned to Corporate at that point and time.

7 Q Un-hum.

8 A He recommended Rick and you know I had worked with  
9 Rick on several occasions. Had a lot of respect for him so  
10 I thought that would be a fair way to handle it.

11 Q Who was the Assistant Plant Manager out at Watts  
12 Bar?

13 A Gosh, I can't remember his name.

14 MR. MARQUAND: I believe it was Dennis Kohl.

15 THE INTERVIEWEE: I believe that's right. It was  
16 Dennis Kohl, K-o-h-l. I never talked to him. I talked to  
17 his secretary and she said he would not be available.

18 Q And so when did you notify or ask Rick - so this  
19 was - when did you go to Tom McGrath and tell him about your  
20 problem?

21 A I don't know specifically but during that time  
22 frame I went to him and told him that --

23 Q And how much notice was Mr. Rogers given regarding  
24 his being on the Board?

25 A I know I sent a package to him so it had to be

1 some few days. I really don't know the answer to that.

2 Q A Board package like for him specifically?

3 A Yes, so he could read the resumes of all the  
4 people that were applying. There were multi positions.  
5 Several in - two in Chemistry. Two in RADCON. One in  
6 RADWASTE and - well RADWASTE and Environmental together.

7 Q Okay, but you don't recall when you spoke to him  
8 about that or when you sent the package?

9 A No.

10 Q How much time did he have?

11 A I'm sure he had enough time to read through those  
12 but I got those out before we had the meeting.

13 Q Okay, I guess what I'm trying to ascertain is  
14 maybe the specific time that you contacted him. You're  
15 saying like - the peer group meetings are once a month. Is  
16 that correct?

17 A That's correct.

18 Q So your initial discussion about having these site  
19 RADCON Chem Managers being on the Board would have been a  
20 month prior to the actual interviews?

21 A Yeah, I do know I - I remember talking to him on  
22 the phone. He said well be sure I get a Board package  
23 because I want to be sure to read the resumes and be  
24 familiar with the people that we're interviewing.

25 Q But you don't recall how much time he had?



1 A No.

2 Q Do you recall having a conversation with Charles  
3 Kent prior to the screening panel indicating that - where  
4 Mr. Kent indicated that he didn't feel Jack Cox could be  
5 unbiased if he was a panel member?

6 A That he could be unbiased?

7 Q Yeah, where Charles Kent said that he didn't think  
8 Jack Cox could be unbiased towards --

9 A I don't remember that. The only thing I remember  
10 is you know Jack Cox saying this is the guy I would vote  
11 for.

12 Q But you don't remember Charles Kent ever saying  
13 Cox shouldn't be a Board member because he can't be  
14 unbiased?

15 A I can't honestly answer that because I don't  
16 recall.

17 Q And prior to the screening Board itself on that  
18 particular date do you recall ever telling Charles Kent that  
19 Mr. Fiser had filed a DOL complaint regarding the post of  
20 his Chemistry position?

21 A No.

22 Q You don't remember telling him that?

23 A No, Charles Kent said that.

24 Q Okay, Charles Kent told you?

25 A Yeah, he - we were in a group. Another one of

1 these little coffee break things. We were standing there  
2 and I don't remember the exact words but Charles said  
3 something along the line of are you guys aware of Gary's DOL  
4 thing and I said that's improper for us to talk about and it  
5 ended it right there. There was - nothing else was said.

6 Q Did anyone ask you not to be a voting member of  
7 this screening panel because of his 1996 - this immediate  
8 complaint?

9 A I don't remember that but I was not - I chose not  
10 to be a voting member. I chose to - I wrote the questions  
11 for the interviews and the Board selected so many - I maybe  
12 wrote sixty questions or something. I don't remember the  
13 number.

14 They picked the ones prior to the interviews the  
15 questions that we would ask everybody, and I know I was very  
16 specifically myself and I don't know if Human Resources  
17 recommended it or not but I did not want to be a voting  
18 member.

19 I would be the final decision. If they selected  
20 someone I thought was really haywire then I had the right to  
21 intervene but that didn't take place.

22 Q Un-hum, okay, but you don't recall specifically  
23 anyone recommending to you that since there was an ongoing  
24 DOL complaint that you should not be a voting member?

25 A It is possible that Human - I don't recall that

1 but it is possible that Human - that Ben Easley would have  
2 done that but I don't recall that.

3 Q What about Charles Kent do you recall him saying  
4 that?

5 A I don't remember.

6 Q Was there any attempt to postpone these interviews  
7 so that Mr. Cox could be present?

8 A No, we were very concerned about getting it done  
9 and moving on so no, there was no - I don't recall anybody  
10 saying why don't we just postpone it until next month.

11 Q Un-hum, and whose decision would that have been?

12 A That would have been my decision.

13 Q And that wasn't ever a consideration?

14 A No. I thought we had an adequate - when we put  
15 Rick Rogers in there I felt very strongly we had an adequate  
16 review Board.

17 Q At one time Mr. Fiser fell under your supervision.  
18 Is that correct?

19 A That sounds bad. Fell under. He reported to me,  
20 right.

21 Q Reported to you?

22 A Yeah, when I first came here - when he came down  
23 to Corporate from Sequoyah he reported to me as the Manager  
24 of Technical Programs. Then he reported to me again when we  
25 went through that last reorganization.

1 Q Okay, so anytime were you responsible for writing  
2 any of his performance evaluations?

3 A Yes.

4 Q Were you - did you ever change his evaluations and  
5 down grade them at anyone's request?

6 A No.

7 Q Did you ever tell him that you wanted to give him  
8 better evaluations but you were told not to?

9 A No, that never happened.

10 Q I'm not saying - I was just asking you whether  
11 that happened?

12 A No.

13 Q At one point and I'm going to go back again - jump  
14 back during the time frame of the 1993 DOL complaint. There  
15 was an attempt to place Mr. Fiser out at Sequoyah. Charles  
16 Kent was trying to fill a position at Sequoyah during 1993.  
17 Do you recall that?

18 A That I know very little about that. I knew that  
19 Charles was talking to Gary but that was about it.

20 Q Did Mr. Kent talk to you about this?

21 A I don't recall having any discussion about that.  
22 It's possible.

23 Q Do you recall ever calling anyone such as Mr.  
24 Bynum\* in asking what their thoughts were on transferring?

25 A Yeah, I got a call from Mr. Fenick. He was the -

1 I don't know whether he was a site VP or the Plant Manager  
2 at that point and time. He asked me what I thought about  
3 Gary and I said well Gary had been - was a good primary.

4 Just like I said before he was a good primary  
5 Chemistry guy not - was pretty weak in the secondary  
6 Chemistry area and was not an extremely good manager because  
7 I had had problems with him in the Corporate position when  
8 he came down as a Corporate Chemistry Manager. I passed  
9 that on to Fenick. That's all I can tell you about that.

10 Q Did you ever talk to Mr. Bynum about this  
11 transfer?

12 A I don't remember doing that. I think Mr. Fenick -  
13 as I recall Mr. Fenick is the only one that asked the  
14 question.

15 Q He's the only one that asked you?

16 A Yes.

17 Q Okay, did you ever discuss - did you ever call Mr.  
18 Bynum or have a conversation with him wherein you indicated  
19 Charles Kent was trying to get Fiser down there - transfer  
20 him down there?

21 A No, I don't recall that.

22 Q You don't recall any conversation like that with  
23 Mr. Bynum?

24 A No, the only thing I remember talking to him about  
25 was that I thought I had a solution to the situation that

1 Don Adams was going to go out to Sequoyah. He was the one  
2 that was going out to Sequoyah and if that was the case then  
3 I would have a vacant position.

4 Q For?

5 A For a Chemistry Manager - for a Chemistry person.

6 Q And that solution was for what?

7 A Keeping Gary Fiser in that position.

8 Q And this was discussed with Mr. Bynum?

9 A I recall that. I don't remember the details of  
10 the discussion but I remember making him aware of that.

11 Q Un-hum, and what was Mr. Bynum's response to that?

12 A Well very shortly after that I was told I did not  
13 have a head count.

14 Q And who told you that?

15 A Gosh, I don't know. I really don't know the  
16 answer. Somebody from Human Resources or my boss.

17 Q And your boss at that time was?

18 A Help me out.

19 MR. MARQUAND: Kiter.

20 THE INTERVIEWEE: Kiter - Dan Kiter.

21 BY MS. BENSON:

22 Q Okay. Explain to me one more time what the  
23 purpose was in having the site RADCHEM or -- Chem Managers  
24 on the Board. What was the purpose?

25 A Primary customer.

1 Q Okay.

2 A They're the guys that the -- person when we go to  
3 the sites the normal requirement I have is you check in with  
4 the RADCON Chemistry Manager although you may work for the  
5 RADCON Manager. When you get through you go back and inform  
6 him of what activities you're involved in.

7 Q Un-hum.

8 A And I also would ask each year from each one of  
9 the RADCON Managers their assessment of individuals.

10 Q Un-hum.

11 A In fact everybody in my department I would say  
12 well how does so and so perform. How have they performed  
13 for you this year, this kind of thing so they had some input  
14 to the review process on an annual basis.

15 Q Un-hum, so basically it was you know because they  
16 were the customer and they were most knowledgeable about  
17 that person's what kind of service they had provided and  
18 what kind of expertise that person had?

19 A They had the big picture.

20 Q Un-hum.

21 A Compared to a more narrow -- form from another  
22 position.

23 Q Okay, and do you not consider or what are your  
24 thoughts by removing - Cox not being present on that Board  
25 that his primary - the customer that he served was not there

1 to represent him?

2 A It really didn't bother me because I felt we had  
3 three fine people on the Board and they were very fair  
4 people.

5 Q But if that was the purpose of having those people  
6 there and he wasn't there you know --

7 A I cannot control the schedules of another  
8 individual.

9 Q Un-hum.

10 A An individual - if all three of them said they  
11 didn't want to be there I would have had to come up with  
12 another Board.

13 Q And I guess I'm just asking you you know what your  
14 thoughts are if that's what the purpose is of having those  
15 particular people there to present you know the different  
16 sites is that fair --

17 A Yes.

18 Q As far as representing all members that were  
19 applied for that?

20 A If you look at the evaluation you will see that  
21 all three of them came, ranked the people exactly the same.  
22 Even the points were fairly close. I was very surprised at  
23 that myself so I think it was very fair.

24 Q Did Mr. McGrath ever tell you that he wanted  
25 Harvey selected for that position?



1 A No.

2 Q Did Mr. McGrath ever indicate to you that he  
3 wanted Harvey's expertise in Chemistry at Corporate?

4 A No, not that I can recall. He thought Sam was a  
5 good Chemistry person. In fact he was by far the best PWR  
6 Chemistry guy we had. He just resigned just two weeks ago.

7 Q Did Mr. McGrath ever indicate to you that he  
8 wanted to get rid of Mr. Fiser?

9 A Absolutely not.

10 Q Regarding any of the information I've asked you  
11 about today, any of the questions would you be willing to  
12 take a polygraph examination?

13 A Absolutely.

14 MS. BENSON: Maybe we can move it together with  
15 you in arrangements. Today is the - because I know maybe  
16 that we're trying to work something else out at the same  
17 time. Are there any questions you would like to ask at this  
18 time?

19 MR. MARQUAND: Yeah, I do.

20 CROSS EXAMINATION

21 BY MR. MARQUAND:

22 Q With respect to the subject about having RADCON  
23 Chemistry Managers on the Board because they were the  
24 primary customers of Corporate Chemistry?

25 A Right.

1 Q Was there a purpose in considering the RADCON  
2 Chemistry Managers -- SRB because each of them was a  
3 proponent of a candidate?

4 A No.

5 Q Was the idea to have the selection review Board  
6 and these questions was it looking at past performance, or  
7 was it looking at technical competency?

8 A Technical competency.

9 Q Were any of the questions that were put to the  
10 candidates by the Board did they have anything to do with  
11 anything besides technical competency?

12 A There was maybe some Management questions but  
13 mostly technical --

14 Q Managerial competencies?

15 A That's correct.

16 Q Didn't have - as far - you know there was some  
17 discussion between you and Ms. Benson about whether or not  
18 previous service reviews were in the packages.

19 A Yeah, it's not uncommon but I just don't recall  
20 any being in there.

21 Q Well do you recall - I mean you've seen the  
22 selection package and you've seen how - or at least I assume  
23 you have you've seen the scoring of the candidates?

24 A Right.

25 Q Was any part of the scoring based upon past

1 service or service reviews or past performance?

2 A No.

3 Q Was it based in any way upon the experience that  
4 those individuals had had with those candidates?

5 A It was strictly a list of questions. We graded  
6 those specific questions.

7 Q Based on the answers at the review?

8 A Based on the answers that we were provided.

9 Q With respect to the question about postponing the  
10 interviews so that Cox could participate were there other  
11 interviews going on before the Selection Review Board that  
12 same day besides the program manager for Chemistry?

13 A There were a number of interviews that day. We  
14 spent all afternoon interviewing.

15 Q Other positions?

16 A Yes.

17 Q Like what other positions?

18 A RADCON positions, Environmental RADWASTE  
19 positions.

20 Q All right, and was there some importance to get  
21 the process completed?

22 A Yes, and another point of view I might throw in  
23 here it was not uncommon whenever we would have a RADCON  
24 Chemistry peer group meeting some of these meetings lasted  
25 until 6:00 or 7:00 in the evening.

1           It was normal for Jack not to attend after 1:00.  
2   Again, I can't relate to you what his reasons were but quite  
3   often he would be - he was normally the first one to leave.  
4   He would normally leave fairly early so to try to reschedule  
5   could have been very difficult.

6           Q    You could have had the same problem?

7           A    That's right.

8           MR. MARQUAND: I don't have anything else. That's  
9   all the questions I've got.

10          MS. BENSON: Okay.

11          REDIRECT EXAMINATION

12          BY MS. BENSON:

13          Q    Okay, the only thing I wanted to clarify with you  
14   was just at this time when this reorganization was going on  
15   and there was attempt by --

16          A    The new one, the recent one?

17          Q    Yeah, '96 and there was an attempt by Charles Kent  
18   and Gordon Rich from Sequoyah to get Harvey transferred out  
19   to Sequoyah. I mean it's obviously - I mean it would seem -  
20   appear obvious that they were in support of Harvey if they  
21   wanted him out there at their site?

22          A    Yes, they did.

23          Q    And later a conversation with Mr. McGrath where  
24   you indicated Mr. McGrath felt that Cox couldn't be unbiased  
25   on the Board because he was in support of Fiser. Do you see

1 a conflict there?

2 A No, because I didn't say that he was biased. I  
3 just told the direct statement that he made. That was  
4 whatever Tom's conclusion was from that. I just told him he  
5 made the comment.

6 Q Okay, but the comment was that Cox was in support  
7 of Fiser?

8 A His comment specifically was, I don't need to be  
9 on the Board. You guys know where I stand. I would support  
10 Gary Fiser.

11 Q Okay. Do you see a difference between that and  
12 there being a bias and unbiased and you know the attempts by  
13 Charles Kent to get Harvey transferred out there? Isn't he  
14 showing a bias there also?

15 A Well Brown's Ferry would like to have Chandra full  
16 time and so Watts Bar would probably have liked to had Gary  
17 Fiser full time.

18 Q Un-hum, but is that a reason not to have Cox on  
19 the Board though just because he made a statement like that?

20 A I would not make that determination - that was a  
21 Human Resources decision from my standpoint. I would not  
22 make that decision.

23 Q What was the Human Resources decision?

24 A I went to my boss and I said this comment was made  
25 by Gary Fiser which is my responsibility to do that. That's

1 when he made the comment that I don't think he qualifies for  
2 being on this Board because of that.

3 Q So that was Mr. McGrath's --

4 A Yes.

5 Q Comment?

6 A Yeah.

7 Q Okay.

8 A I know Human Resources was involved and they  
9 supported his position from what I recall.

10 Q Who at Human Resources --

11 A From Ben Easley again. Normally the guy we were  
12 doing with. I can't say that as a fact but Human Resources  
13 was involved. There's a guy that Ben reports to that quite  
14 often got involved in some of these discussions.

15 Q Okay, but you're not sure about that but you're -  
16 what you're saying is that he made the comment well then  
17 that disqualifies him from the Board?

18 A I didn't make that decision.

19 Q Okay, but you're saying he made that comment?

20 A Yes.

21 Q Okay. Now another thing that came up during a  
22 conversation that you had with Mr. McGrath was that you all  
23 were attempting to eliminate anybody from the Board that had  
24 any past knowledge of Fiser's past DOL complaint?

25 A I do not remember that ever happening. I don't

1 recall sitting down with Tom and saying well let's make sure  
2 - I just thought we would have a good fair Board. People,  
3 professionals and could do their job.

4 I don't - it could have happened but I don't  
5 remember having a discussion with Tom to say let's make sure  
6 we don't have anybody on there that's knowledgeable - on the  
7 Board that's knowledgeable of this DOL. I wasn't aware of  
8 it enough. I didn't know enough about it.

9 Q You were aware of it?

10 A Was aware is probably the right word.

11 Q I'm just asking you whether that discussion took  
12 place with Mr. McGrath --

13 A I do not recall that.

14 Q As far as you getting together with Human  
15 Resources to see whether any of the Board members, panel  
16 members, had been involved in his prior DOL complaint -  
17 complaint or complaints?

18 A I do not recall that.

19 Q You don't recall that conversation?

20 A No, no.

21 Q With Mr. McGrath?

22 A No.

23 Q Okay. It's possible that conversation took place.  
24 You just don't recall it?

25 A It could have, yeah.

1 Q Okay.

2 MR. MARQUAND: Let me ask you some more.

3 RECROSS EXAMINATION

4 BY MR. MARQUAND:

5 Q With respect to Mr. Kent indicating a desire to  
6 move Sam Harvey to Sequoyah and that obviously showed that  
7 he had some respect for Mr. Harvey's abilities?

8 A Yes.

9 Q When you discussed with these gentlemen the fact  
10 that they were going to be on the Selection Review Board or  
11 you wanted them to be on the Selection Review Board did Mr.  
12 Kent ever indicate to you that he could not or would not put  
13 his personal opinions about Sam Harvey aside when he sat as  
14 a member on the Selection Review Board?

15 A I said that at the beginning of the Board. I said  
16 what you need to do is listen to the questions. Listen to  
17 the answers and don't have any other considerations as you  
18 hear these people speak so at that point I know that took  
19 place. I don't remember anything specific with Charles.

20 Q Well did he ever tell you he couldn't set aside  
21 his personal opinions?

22 A No, no, he did not.

23 BY MS. BENSON:

24 Q Do you have any questions today yourself?

25 A No.



1 Q Or any comments that you would like to add?

2 A No. Anything I would say would be - I just don't  
3 understand what's going on here. It seemed so obvious to me  
4 that everything that could possibly be done and done right  
5 was done.

6 I look at this kind of thing and I say how in the  
7 world did we get ourselves - I mean any individual has a  
8 right if something has been done wrong to seek you know  
9 clarifying whatever situation is.

10 In this situation we can go back and you can look  
11 at second guessing and all those kind of things. It's just  
12 beyond me if we can have a case like this it's like me  
13 looking at you and saying you committed a robbery out at  
14 Hamilton Mall. Okay, and then somebody says well did you  
15 see her do it. No, I didn't see her but I have the feeling  
16 that she did that.

17 Q Un-hum.

18 A And I look at this and I say how in the world - we  
19 have hundreds of cases like this come up that are foolish.  
20 You know and I'm not saying - Gary was a good man. I  
21 respected Gary and Gary did a good job when he was here but  
22 when it comes down to the point where you've got to pick two  
23 out of three somebody is not going to have a job.

24 Now if everybody in the Company decides if I don't  
25 get the job I can now go try to get relief then gosh, we

1 never will be able to manage here.

2 Q Okay. I appreciate what you've said.

3 MS. BENSON: Do you have anything else, Mr.  
4 Marquand?

5 MR. MARQUAND: No.

6 MS. BENSON: I don't think I have anything  
7 further. I appreciate your time. I know it was a long  
8 interview. I will get with Mr. Marquand regarding a  
9 polygraph. There are a couple of questions.

10 THE INTERVIEWEE: Okay. Does this mean that a  
11 number of people are going to be polygraphed, or is it just  
12 me in particular?

13 MS. BENSON: Well --

14 THE INTERVIEWEE: I don't mind doing it at all but

15 --

16 MS. BENSON: The decision makers --

17 THE INTERVIEWEE: You've got some too, okay.

18 MS. BENSON: No, no, I mean - well we would look  
19 at the decision makers.

20 THE INTERVIEWEE: Yeah, that would be fine with  
21 me.

22 MS. BENSON: Okay, I appreciate that. I know it's  
23 been a long interview. I know you were probably wishing it  
24 was a little shorter but if there's nothing more that Mr.  
25 Marquand has I'd like to close it out by asking you if all

1 the information you've provided today was provided  
2 voluntarily and without threat by any employee of the NRC?

3 THE INTERVIEWEE: Everything was - I answered the  
4 best, as honestly that I could.

5 MS. BENSON: Okay, I appreciate it. Thank you.  
6 The time now is 12:11 p.m..

7 [Whereupon, at 12:11 p.m., the interview was  
8 concluded.]

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UNITED STATES NUCLEAR REGULATORY

COMMISSION

REPORTER'S CERTIFICATE

I, J.B. SHELTON, reporter, hereby certify that the foregoing transcript consisting of pages is a complete, true, and accurate transcript of the testimony indicated, held on April 20, 1999 in Chattanooga, Tennessee in the Matter of the interview of WILSON COOPER McARTHUR.

I further certify that this proceeding was recorded by me, and the foregoing transcript has been prepared under my direction.

Date: APRIL 23, 1999

J. B. Shelton

Official Reporter

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