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OFFICE OF THE SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Name: Ronald O. Grover
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Chattanooga, Tennessee
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Grover was contacted at his office, advised of the identity of the interviewing agent, and interviewed concerning a Department of Labor (DOL) complaint filed by Gary L. Fiser. In Fiser's DOL complaint, he alleges that TVA recently posted the job they offered him as settlement for a previous DOL complaint in 1994. Fiser said he had reason to believe they posted his position with malice, and the posting was a smoke screen designed to hide their true intentions—the preselection of another candidate. Grover was interviewed and furnished the following information.

Grover is a manager for Chemistry and Environmental Protection, TVA Nuclear, at Chattanooga. He is Fiser's direct supervisor. Grover has been in his current position since July 1994. Grover came on board with TVA in February 1994. Grover recalled Fiser going through a settlement process with TVA in April 1994. Fiser was given a PG-8 position as Program Manager in Chemistry. During this time period, the Chemistry and Environmental Protection groups were separate groups in the RADCON organization. Both groups were under the Technical Support program under the supervision of William McArthur.

In July 1994, the Operations Support group reorganized and combined the Chemistry and Environmental programs into one group. TVA downsized Operations Support and eliminated approximately three people from the organization. They went from nine people to six people.

(Continued)

Investigation On: July 11, 1996

At: Chattanooga, Tennessee

By: SSA David V. VanBockern:JCH

File: 2D-169-6

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SECY-02

CLEAR REGULATORY COMMISSION

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In the matter of TVA

Staff ☒ IDENTIFIED ☒

Applicant ☐ RECEIVED ☒

Intervenor ☐ REJECTED ☐

Other ☐ WITHDRAWN ☐

DATE 6/17/62 Witness ☐

Clerk BHM

During the reorganization and downsizing process, the job descriptions for the managers of the Chemistry/Environmental Protection groups were rewritten to combine the functions. During the reorganization process, they had four PG-8 managers in the Chemistry/Environmental group. There was one PG-7 manager.

During the reorganization, Fiser had to reapply for one of the PG-8 positions. He was selected to fill one of the four positions. It was during this reorganization that the two functions--Chemistry/Environmental--were married.

Grover said none of the managers in the organization were adept to both functions. The objective of combining the two groups was so the organization could cross-train and cross-fertilize both positions so the managers could handle multiple functions.

At the present time, Operations Support is going through another reorganization and plans are made to split the Environmental/Chemistry functions. The business plan calls for reduction in the number of people in Chemistry. Grover stated they plan on keeping two chemistry positions and re-write the job descriptions to specifically detail the job. The two jobs they plan on advertising are for a manager in Chemistry--BWR (boiling water reactor) and a PWR (pressure water reactor).

The BWR job would be for Browns Ferry Nuclear Plant, and the PWR would handle both Sequoyah and Watts Bar Nuclear Plants.

Grover said there are two specific job descriptions, and they wanted a position description written for both the BWR and the PWR specialist. This doesn't mean that once they are placed in either position, they will only handle the functions of that plant. Both managers will have to be trained to handle both the BWR and PWR functions. The new job description is a little different from the old one; however, it does not change the basic function that the managers have performed in the past at the different nuclear plants. What they have done is eliminate the environmental work function from the position description.

In comparing the old position description to the new position description, the functions performed by the managers didn't change a great deal. The Corporate Human Resource Office made the call and wanted to advertise the positions so that everyone would have an equal chance to compete for the vacant positions. They knew they were going to downsize from three positions to two with three capable individuals in the three positions; therefore, they wanted all parties to have an equal chance to compete. The job function would remain basically the same; however, they were removing the environmental portion from the position description.

Going back to 1994 when they reorganized, they combined the two distinct functions--chemistry and environmental--and put them in one organization. It was during that time they had to rewrite the position descriptions and also post all positions. Fiser did not raise

any issue or complain when he had to apply for that new position that was being offered in 1994. We are doing basically the same thing as the reorganization in 1994 when they combined the two positions; however, now they are splitting the two positions and readvertising.

In March 1996, the budget process was kicked off. Based on information provided by the manager of Operation Support, Tom McGrath, we are planning to reduce our staff size and budget by 15 to 17 percent. McGrath encouraged managers to reduce more if they could justify it; however, they had to prove to him they could justify a higher reduction. McGrath challenged every manager to come up with a first cut plan.

After the budget meeting, Grover attended another meeting at Sequoyah Nuclear Plant (SQN). He met with Charles Kent, the RADCON manager, and Gordon Rich, the Chemical manager, at SQN. Kent and Rich approached him and said they understood what was going on at the Corporate level and reductions were in the planning. Kent and Rich expressed a desire to transfer Sam Harvey who was presently assigned to Corporate to SQN because Harvey spent most of his time working and assisting at SQN. Rich expressed they had an opening at SQN, and they wanted to inquire about transferring Harvey from Corporate to SQN. Grover explained that Harvey's lead plant and responsibility were at SQN. Fiser was responsible for Watts Bar Nuclear Plant (WBN), and the third manager, E. S. Chandraskaran, was responsible for Browns Ferry Nuclear Plant.

Harvey spent most of his time working at SQN, and both Rich and Kent expressed their desire to keep his expertise at that plant. They asked Grover to see what he could do to initiate a transfer of Harvey from Corporate to SQN.

Grover said he had no problem with the transfer of Harvey to SQN. He told Rich he wanted to contact Harvey and talk with him to determine if he wanted a permanent transfer for SQN. Grover said Harvey would be retained in the chemistry family even though he would be assigned to SQN.

Grover said he talked with Harvey and explained the request made by the SQN managers. Harvey liked the idea and had no problems with being transferred to SQN. Grover said it was Harvey's call, and he would do whatever Harvey requested. Grover asked Harvey to think about it and Grover would talk with the HR organization downtown to see what could be done.

Grover then talked to Ben Easley, the Human Resource Officer for Corporate, to see what needed to be done to effect the transfer. Easley explained the transfer process and said SQN needed to initiate a request to Tom McGrath, the head of Operations Support, for Harvey to be transferred. It was not quite clear to Grover at that time whether they had a position open at that time or they needed the position to be transferred from Corporate to SQN. In talking with the human resource personnel, Grover talked to Kent and Rich and explained the process and said he would contact McGrath with the request.

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Grover contacted McGrath and explained the request and the process. McGrath told Grover he was not aware of any request or desire to have Harvey transferred to SQN. Grover explained to McGrath from ground zero how this whole idea evolved and the request to have Harvey transferred from Corporate to SQN. Grover said McGrath expressed opposition to him against the idea of transferring Harvey to SQN. McGrath believed Harvey needed to stay in his position with Corporate, and he wanted to keep Harvey's expertise in the Corporate organization. McGrath did not agree at all with the transfer of Harvey to SQN and nixed the idea right away.

Grover accepted McGrath's decision, and he immediately contacted Kent and Rich and related McGrath's decision to them. Grover believed the transfer move was dead and told Harvey that McGrath had made the decision, and if Harvey wanted to proceed further, he needed to contact Kent and Rich to see if they would readdress the issue.

McGrath was aware that they were planning a reorganization, and there would be a new PWR position which would open up. Grover said McGrath wanted to keep Harvey in the Corporate organization because Harvey would be qualified for the new PWR position. McGrath told Grover he wanted to keep Harvey's expertise in Corporate. McGrath did not say that Harvey was preselected for this PWR position; however, he wanted him available to compete for it.

Grover was not aware of who applied for the new advertised positions. If both Harvey and Fiser applied for the PWR position, they would be competing against one another. Grover did not know of any conspiracy on the part of any manager, including McGrath, of any favoritism in the preselection process for either of the manager positions to be filled.

During this new reorganization process, Wilson McArthur has been placed in charge of the Technical Support operation. McArthur will be in charge of the whole selection process. McArthur will select a selection board who will interview the applicants and make a determination of who should be selected to fill the positions. Grover did not think any decision had been made on people to be nominated for the selection board. Grover was not aware of any preselection going on by anyone in any organization.

Grover said his current position has been eliminated during the reorganization process. He is qualified but is not applying for either of the PG-8 positions because he does not want to have to compete against his own employees. Grover said he did not want to beat anyone out of a job.

Grover said McGrath made the decision to put McArthur in charge of the whole organization and eliminate Grover's position. There was no discussion about this change, and he was not allowed to apply for the position. McGrath basically combined McArthur's and Grover's positions into one manager position. Grover said he contacted the Human Resource office, and they told him McGrath did not have to advertise the position because

they consolidated two positions and transferred the functions into one position. It was a management decision and McGrath made the decision.

Grover was asked if he was aware of a conversation that took place between Dave Voeller and Sam Harvey concerning Harvey being selected for the PWR position. Grover said he received a telephone call from Fiser, and Fiser was upset because he learned that Harvey had called Voeller and told Voeller he was going to be working a lot closer with Voeller in the future, that his job at SQN was not working out. Grover said Fiser asked him if the position at SQN had already been filled and if Harvey had already been preselected. Fiser told Grover that Harvey was telling people that he was going to be working a lot closer with the people at WBN—meaning Voeller's group. Grover told Fiser he had no knowledge of any preselection or any decision being made regarding Harvey being selected for the PWR position.

The next day, Grover called Voeller at WBN and asked Voeller what he was saying and what was going on. Voeller proceeded to tell Grover that Harvey had called him out of the blue and told him he would be working a lot closer with Voeller. Grover's understanding was that Harvey related to Voeller that he was going to get the position; however, TVA would have to go through the normal process of posting, interviewing, and selecting the candidates. Harvey indicated to Voeller that he would probably be the one that was selected. Grover told Voeller that nothing had transpired in regard to the selection of the person to fill this position.

This was totally out of the ordinary, and he could understand why Fiser was upset because of some of the comments made. Grover felt there might be a perception on some people's part that a preselection had been made; however, he contacted Easley, and Easley reassured him that nothing has been done and no selection has been made. Grover said he had a long talk with Fiser and tried to calm him down and wait for the selection process to run its course. Grover was not aware of any safety issues raised by Fiser or any preselection wrongdoing on the part of management.

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