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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

2003 MAR 11 AM 11:43  
OFFICE OF THE SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

- - - - -x  
In the Matter of: :  
INTERVIEW OF :  
RONALD O. GROVER :  
(CLOSED) :  
- - - - -x

Tennessee Valley Authority  
Lookout Place Building  
12th & Chestnut Street  
Chattanooga, TN

Friday, December 18, 1998

The above-entitled matter came on for interview,  
pursuant to notice.

BEFORE:  
DIANE BENSON, Special Agent

ANN RILEY & ASSOCIATES, LTD.  
Court Reporters  
1025 Connecticut Avenue, NW, Suite 1014  
Washington, D.C. 20036  
(202) 842-0034

SECY-02  
EXHIBIT 8  
PAGE 1 OF 75 PAGE(S)

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9-1408-013

NUCLEAR REGULATORY COMMISSION

Exhibit No. 50-390 Official Exh. No. Staff 53

In the matter of TVA

Staff ✓ IDENTIFIED ✓

Applicant        RECEIVED ✓

Intervenor        REJECTED       

Other        WITHDRAWN       

DATE 6/17/62 Witness       

Clerk BHM

RECEIVED  
JUN 20 1962  
U.S. NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20540

## C O N T E N T S

WITNESS EXAMINATION

RONALD O. GROVER

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

(11:06 a.m.)

MS. BENSON: For the record today's date is  
December 18, 1998.

The time now is 11:07.

I'm Special Agent Diana S. Benson of the Nuclear  
Regulatory Commission Office of Investigations, Atlanta,  
Georgia and I'll be conducting this interview.

During this proceeding which is being recorded for  
transcription NRC Office of Investigations will conduct an  
interview of Mr. Ronald O. Grover. The spelling of Mr.  
Grover's last name is G-r-o-v-e-r. This interview pertains  
to OI Investigation No. 2-1998-013. The location of this  
interview is TVA Lookout Place Building, Chattanooga,  
Tennessee.  
Whereupon,

RONALD OTIS GROVER

the Interviewee, was called for examination and, having been  
first duly sworn was examined and testified as follows.

MS. BENSON: Mr. Easley, I ask - I'm sorry - Mr.  
Grover, I asked you to read over Section 1001 of Title 18 of  
the U.S. Code. Did you read over that?

MR. GROVER: Yes.

MS. BENSON: And do you understand that?

MR. GROVER: Yes.

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Washington, D.C. 20036  
(202) 842-0034

1 MS. BENSON: Okay, and I also presented to you my  
2 credentials earlier identifying who I am. Do you recall  
3 that I did present those to you?

4 MR. GROVER: Yes.

5 MS. BENSON: Okay.

6 EXAMINATION

7 BY MS. BENSON:

8 Q Mr. Grover, can you please state for the record  
9 your full name including your middle name?

10 A Ronald Otis Grover.

11 Q Can you spell your middle name, please?

12 A O-t-i-s.

13 Q And your date of birth?

14 A [REDACTED].

15 Q And your social security number?

16 A [REDACTED].

17 Q And prior to the interview I indicated that we  
18 were going to discussing the 1996 Department of Labor  
19 complaint filed by Mr. Gary Fiser concerning alleged  
20 discrimination by TVA against him. This concerned the  
21 reorganization that was going on the Nuclear organization.  
22 In particular the Corporate Chemistry Division here in  
23 Chattanooga in which one of the positions, the Chemistry  
24 position, was eliminated and the other two were posted.

25 Mr. Fiser was subsequently not selected for that

1 position. His initial complaint was that he felt that the  
2 position shouldn't be you know posted but also that he was  
3 not selected for that position. Okay.

4 Can you please provide me with the history of your  
5 employment with TVA including the positions you've held and  
6 the responsibilities you had in those positions?

7 A Okay. I was hired in February 28th of 1994 as the  
8 Corporate Chemistry Manager for the Nuclear Group supporting  
9 the nuclear sites that TVA currently owns and operates.  
10 That included at the time the operating units. Well the  
11 active sites were Watts Bar, Browns Ferry, and Sequoyah.

12 I had responsibility for at the time there were  
13 four positions in - let me correct that. There were - well  
14 there were three positions reporting to my particular  
15 position. Two of the positions were currently filled and  
16 there was a vacant position which was at the same level PGA  
17 as the other two positions that were currently filled.

18 Shortly thereafter once I was here I guess about a  
19 month, a month and a half it was explained to me that Mr.  
20 Fiser at the time he wasn't actively in the organization  
21 would be coming to our - back to our organization and  
22 filling that position.

23 Q And that was in regards to his settlement of his  
24 1993 DOL complaint?

25 A Correct, as I understand. I wasn't involved in

1 that at all because I wasn't here at the time when that  
2 transpired, so when Mr. Fiser came on board he filled that  
3 position and we basically had a complete group at that time  
4 based on the number of positions in the organization. About  
5 July of that same year we went through another  
6 reorganization.

7 Q In '94?

8 A In 1994.

9 Q Okay.

10 A And the objective there that affected us  
11 immediately was to combine the Chemistry Organization and  
12 the Environmental Protection Organization. Environmental  
13 Protection Organization had five positions as I recall so  
14 went through a process again.

15 I guess the big picture objective was we had to  
16 reduce staffing, budget considerations, that sort of thing  
17 so combining functions is generally one way you know you  
18 look at to accomplish that end. At the time we were - was  
19 given direction to look at combining the two organizations.

20 They had a manager that was in place of that group  
21 so we had to combine the two functions into one group, and  
22 the total number that was decided upon was five individuals  
23 including the manager.

24 So you took three total people from Chemistry and  
25 I believe it was five people from Environmental and combined

1       them into one group with one manager. At the time based on  
2       the policy we basically had to rewrite the job descriptions  
3       and combine them into one job description. Vacated the  
4       positions including my position.

5               All these positions were vacated and everyone had  
6       to interview for the vacant positions including the  
7       managers. Okay, so we went through that --

8           Q     What position did you end up with as a result of  
9       that reorganization?

10          A     I was selected for the manager's position which  
11       was the manager of Chemistry - Corporate Chemistry and  
12       Environmental Protection.

13          Q     Were there any other managers at the time?

14          A     That applied for the position?

15          Q     No, there was just one manager position?

16          A     One manager position but you had two managers you  
17       had to combined into one position. Well other things  
18       transpired as well at the same time because at the time I  
19       reported directly to Wilson McArthur who was manager of  
20       Technical Support which had other sub-groups reporting to  
21       him.

22               Well that was split out. That group was split up,  
23       and so we ended up in our immediate realm of RADCON  
24       Organization having one manager and Chemistry and  
25       Environmental having one manager.



1 Q Okay.

2 A And those positions were made to set up at the  
3 same level.

4 Q Okay, so Mr. McArthur held the RADCON?

5 A Right.

6 Q And you were the RADCHEM?

7 A Chem Environmental. I was Chem Environmental.

8 Wilson McArthur was RADCON.

9 Q Okay, and were those equal positions?

10 A Yes, they were made equal positions.

11 Q Okay.

12 A And the other groups that he had were split out.  
13 He had emergency preparedness and fire protection so those  
14 were split out and put under different organizations.

15 Q And that was in July of '94 that reorganization?

16 A Yes, we initiated July of '94 and I think it was  
17 finalized in August or - I can't remember. It was between  
18 August and September is when it was all done. It all took  
19 place.

20 Q Did you have to apply for that position?

21 A Yes.

22 Q Do you know whether Mr. McArthur had to apply for  
23 his position?

24 A Yes, everything was - all positions were vacated.  
25 Everyone had to reapply and other applicants -- for those

1 positions.

2 Q Okay, so was there a new job description that was  
3 written for you as a result of that --

4 A Yes.

5 Q And was there a new job description that was  
6 written for Mr. McArthur?

7 A As I recall, yes.

8 Q Okay.

9 A Because you changed - there was a major change in  
10 the function and responsibilities. You know there were new  
11 job descriptions written for all the positions reporting  
12 too.

13 Q But to the best of your recollection Mr. McArthur  
14 did have to bid for that position?

15 A As far as I know he did now because he was in a  
16 different capacity.

17 Q Did you ever see the job description that was  
18 written or posted as a vacant position that Mr. McArthur  
19 subsequently filled? Was that advertised throughout the  
20 Agency?

21 A I believe it was. I can't you know say for sure  
22 but it would seem if I recall correctly it was advertised.

23 Q Okay.

24 A As well as --

25 Q Who was handling that reorganization as far as

1 from the Human Resources perspective?

2 A Ben Easley was the main contact and he worked  
3 closely with the General Manager at the time which was John  
4 Majeskie and they worked pretty close together to make sure  
5 we were following what the proper procedure was and so  
6 forth.

7 Q Okay. I guess what I was asking you know you saw  
8 your own vacancy announcement and applied for that position.  
9 Were you interviewed for that?

10 A Yes.

11 Q And who interviewed you?

12 A John Majeskie.

13 Q And were there any other candidates that had  
14 applied for your position?

15 A Yes, there were at least two to three. I know  
16 there were at least two to three others.

17 Q And what about the position that Mr. McArthur was  
18 bidding for do you know whether anybody else applied for  
19 that?

20 A I don't know for sure. I'm pretty sure he had the  
21 interview but I don't know whether there were others that  
22 applied. I'm sure that HR would have that information.  
23 They should.

24 Q Okay. So anyway you were selected for the new  
25 position as the RADCHEM Environmental --

1 A Chem Environmental, right.

2 Q Chem Environmental Manager and that was like August  
3 time frame of 1994?

4 A Yes, July to September. That window there.

5 Q And Mr. Fiser was also - bid for and was selected  
6 for one of the positions. Did he have to interview for his  
7 position also?

8 A Yes.

9 Q And basically in those Chemistry positions the  
10 functions of the Environmental functions were just combined  
11 and I note you talked in depth in your deposition about you  
12 know the percentage that was being done.

13 A Right.

14 Q And you know basically my interview with Mr.  
15 Easley he indicated that he was the one that had done the  
16 comparison of the position and that he felt that that job  
17 should have been posted because there was a change in the  
18 job description.

19 Do you recall anything different about you know  
20 the position that Mr. Easley took at that time?

21 A No. I mean there was consistent - I mean it was  
22 consistent with you know as I understand it the HR policy  
23 that was established. If you - they used an arbitrary  
24 percentage like if the job function changes by more than I  
25 think it was fifteen percent - I think it's fifteen percent

1 then you're required to rewrite it and post it.

2 Basically, it was explained to us it two  
3 approaches. If you don't change a job you're going into a  
4 staff reduction if you don't change your jobs. Then you  
5 basically go on seniority. You know how long you've been  
6 here verses the other people.

7 Okay, other than that so it's either that avenue  
8 or if there is a significant change in your job you rewrite  
9 the job position description and vacate all the positions  
10 and everyone vying for them on equal basis.

11 Q Okay.

12 A So this particular situation fit you know the  
13 second avenue which was you had to make - you're combing two  
14 major functions into one so it's a significant change that  
15 that was you know the course that was taken.

16 Q I guess in your past interviews you had indicated  
17 that you didn't really have any long discussions with Mr.  
18 Fiser about his being placed into that one Chemistry  
19 position right after you first came on with the organization  
20 and that you know you just felt that that was separate.

21 You wanted to develop your own opinion of him and  
22 it appears that basically when he worked with you what was  
23 your evaluation of his abilities?

24 A Overall I felt he was a very good engineer,  
25 support engineer, for the sites. When he returned to TVA I

1 had just met him. I never - I didn't know him before hand.  
2 He didn't come back with you know a chip on his shoulder or  
3 he was upset with somebody.

4 He just came back and went to work, rolled up his  
5 sleeves and got in with the rest of us and we established  
6 some goals and objectives, what we wanted to do at the  
7 sites, and even his major focus was Watts Bar. We were  
8 really in a situation where they had a lot of issues they  
9 needed to get resolved to get it on track for start up.

10 He came in and was very instrumental in the  
11 Chemistry and Environmental areas of helping get Watts Bar  
12 started up. I think if you talk with them they would echo  
13 the same sentiments but a good individual as far as  
14 attitude, a lot of Plant experience. You know from his you  
15 understood he was at Sequoyah --. Sequoyah's as the  
16 Chemistry Manager but his main - I would say his strong suit  
17 was his Plant experience on site. More of a hands on type  
18 work. Interacted very well with the people. No problems  
19 with him getting along or not being able to work with this  
20 individual, that sort of thing. They all would continually  
21 call me and tell me you know how good of a job he is doing.  
22 He's here. He's supporting us. He stays and he works long  
23 hours. What we need he is there to provide that for us.

24 You know we're a Corporate but we kind of had a  
25 different role but we were more support oriented. You know

1 you had Corporate function. You've got - part of what you  
2 have to do is over site and part of what you have to do is  
3 support.

4 We were more of support oriented probably 70/30  
5 split with 70 percent being more support and try to work out  
6 a good mix you know balance with the sites, but very good.  
7 Always focused on how to solve the problem instead of  
8 creating a problem.

9 Q Un-hum.

10 A So he worked out you know very well while we were  
11 here together.

12 Q Okay. All right, I kindly jumped ahead actually  
13 of myself. I know what we were looking at was you know your  
14 positions going back really to the beginning.

15 A Un-hum.

16 Q And in 1994 as a result of that one organization  
17 you posted for them or selected for the subsequent manager  
18 position there and how long - can you tell me what your  
19 procession was after that?

20 A Right, that stayed in tact until - basically that  
21 stayed in tact until 1996 when we had the second - during my  
22 tenure the second major reorganization that took place  
23 starting in I believe it was about April of 1996 - March or  
24 April of 1996 is when it started to take place.

25 Q Okay, and what positions did you hold as a result

1 of that - I mean afterwards?

2 A Well in that reorganization the decision was made  
3 to combine again more staff reduction, how we're going to  
4 combine RADCON, Chemistry/Environmental into one  
5 organization.

6 Reduced the head count and the number of people in  
7 the organization from current levels down to essentially  
8 four reports to a single manager, so my position and Wilson  
9 McArthur's position was combined into one position. You had  
10 four reports reporting to that manager.

11 Essentially we're going to delete all of the  
12 Environmental support functions. You were going to -  
13 basically what they did they just took one RADCON position  
14 and added some Environmental responsibilities to that one  
15 RADCON position.

16 Q Okay, and what did you end up with after that?

17 A Well the decision was made by the General Manager  
18 at the time to select --

19 Q And who was the General Manager?

20 A Tom McGrath.

21 Q And can you spell Mr. McGrath's last name, please?

22 A Oh, let's see I think it's M-c-G-r-a-t-h.

23 Q Okay, go ahead.

24 A The decision - he made the decision to select  
25 Wilson McArthur for that Manager's position. You know



1 that's what he decided to do. I did express to him all  
2 through the reorganization I was interested in interviewing  
3 for the position, but it was between him and HR. He made  
4 the decision to select Wilson McArthur.

5 Q And I'm going to examine that a little bit more  
6 closely but we'll come back to that.

7 A Okay.

8 Q I do have some specific questions to ask you about  
9 that, but anyway so Wilson McArthur was selected for this  
10 new position with RADCON, Chemistry & Environmental and what  
11 did you get? What were you selected for?

12 A Nothing. No position.

13 Q What happened to you at that point?

14 A Well what happened I looked at - started looking  
15 you know at some other possible options. I continued to  
16 work along with Wilson and with the organization you know to  
17 help out as much as I could, plus I was still in support of  
18 the Plants in the Chemistry organization.

19 I initiated a request to INPO, Institute of  
20 Nuclear Power Operations, to go there for tour as a Company  
21 representative because we have like the equivalent of two  
22 and a half slots, or basically three slots there with INPO  
23 that we companies - I'm sure you're familiar with it -  
24 rotate company employees service so I initiated that  
25 request. Efforts were made to move along for me to --

1 Q Who did you initiate that request to?

2 A Well I initiated the request to Tom McGrath.

3 Q Okay.

4 A I mean that was the procedure was to write a  
5 letter to him. I don't remember whether it went above - I  
6 know it went above him but I mean I can't - I don't recall  
7 the initial but I think I wrote it to him or I wrote it to  
8 Ike - or Tom McGrath. I can't remember exactly what - I  
9 probably have a copy of it but I don't remember exactly who  
10 it was addressed to.

11 Q Okay, so you filled the TVA slot at INPO from what  
12 time - what time period are we talking about?

13 A Well I finally ended up starting there September  
14 30th of 1996, and I ended that tour December 31st of 1997.

15 Q And where did you go after that?

16 A After I came back?

17 Q After you went to INPO - yeah, once you returned  
18 from INPO?

19 A Oh, returned. Well it's - I'm sort of in  
20 transition. I don't know how to categorize that but we're -  
21 we're trying to work out where do we go from here. Before I  
22 went I worked with the organization. Worked with HR and I  
23 was put in a developmental status and had -- developmental  
24 status with the objective of getting experience in INPO,  
25 coming back, laying out a career path, and proceeding from

1 there.

2 Okay, and that included going to SRO certification  
3 class and then work. You know going from there but we would  
4 sit down - being assigned a mentor - Vice President mentor,  
5 Vice President level mentor, but for some reason or other it  
6 didn't all transpire like it was initially laid out.

7 I've been - you know I'm just being honest with  
8 you I've been - I've been very patient with the organization  
9 and we're trying to work with HR to work this out.

10 I've done a couple of special projects. That's  
11 the work down at Brown's Ferry but what I did was I  
12 initiated several options, career options, and put them on a  
13 table. I think you know they have them and we're - you know  
14 I don't want to get off on a tangent but --

15 Q No, no.

16 A But we're trying to work that out.

17 Q Yeah.

18 A I mean that's to be --

19 Q Who in Human Resources are you working with on  
20 that?

21 A Ed Boyles. He's the point of contact and  
22 organizationally I report to Jack Bailey. I'm on his staff  
23 reporting to him.

24 Q Jack Bailey?

25 A Jack Bailey, who is the VP of - Vice President of

1 Engineering.

2 Q Okay. That brings us up to today and it really  
3 kind of right now sounds like since you've been back from  
4 INPO that you might be given work in projects and so forth  
5 but right now you don't really have a job is what it amounts  
6 to?

7 A Correct.

8 Q Okay, and prior to coming to TVA what were you  
9 doing?

10 A I was the Corporate Chemistry Manager at the New  
11 York Power Authority, and I was there for eleven years.  
12 Prior to that I worked for the DuPont Company at a  
13 production plant in Seaford, Delaware for about two and a  
14 half years, and prior to that was in the Navy for five  
15 years.

16 Q What did you do in the Navy?

17 A In the Navy I was a nuclear engineer.

18 Q Okay.

19 A So I qualified as a Certified Engineer in the Navy  
20 of the Nuclear Power Program. I served aboard the aircraft  
21 carrier USS Enterprise, and that's pretty much the stint of  
22 it.

23 Q I think they interviewed the CO the other day on  
24 the Enterprise if I'm not mistaken.

25 A Oh, is that right during this --

1 Q Yeah, on CNN during this --

2 A Yeah, I didn't see that.

3 Q Okay, so basically you had eleven years with New  
4 York Power or Electric as Corporate Chemistry Manager and so  
5 you did have a pretty good Chemistry background prior to  
6 coming to TVA?

7 A Correct, and most of my operation background is  
8 with the Navy.

9 Q Un-hum.

10 A I did work in operations and did Chemistry RADCON,  
11 Environmental with the Navy. I was the Officer directly  
12 responsible for that for you know the whole program.

13 In addition, it qualifies in the operations to -  
14 it's equivalent to the SRO so basically you had to qualify -  
15 well you had to qualify - I'm trying to make it equivalent  
16 to you know civilian RO but the additional qualification was  
17 basically the SRO qualifications.

18 Q Just for the record I don't know if he mentioned  
19 to you what the acronym SRO stands for, did he?

20 A Senior Reactor Operator.

21 Q And RO would be Reactor Operator?

22 A Right.

23 Q I'm going to go back now that we've established  
24 you know your background. During the time period of 1996  
25 according to what I've seen so far or heard or read --

1 A Un-hum.

2 Q I guess when they posted the position, the  
3 Chemistry positions, there one of them that Mr. Fiser had  
4 been holding at some point and time you were over at  
5 Sequoyah from what I read in your deposition and you were  
6 approached by Charles Kent and Gordon Rich.

7 In your deposition you indicated that it says  
8 Howard in your deposition but I don't know if that's Gordon  
9 Rich or Charles Kent - indicated that they wanted to  
10 transfer Sam Harvey's and Harvey is H-a-r-v-e-y position to  
11 Sequoyah because they had a vacancy when someone had left  
12 the year before. Do you recall this?

13 A Yes.

14 Q Okay, do you remember who specifically talked to  
15 you about transferring Mr. Harvey out there?

16 A Well both Charles and Gordon.

17 Q Okay.

18 A I was out there we were meeting or it was some - I  
19 can't remember what I was out there for something related to  
20 - work related. I didn't go specifically for that and then  
21 of course all this - when all this started to transpire you  
22 know the guys told me and you know my objective was anytime  
23 you go through organization staff reduction my objective is  
24 I like to see everybody have a job after it's over whether  
25 it's in our organization or somewhere.

1           One of the things I try to do is work aggressively  
2 to see whether we can get - if there is any employment  
3 opportunities that it works out for people, that's what they  
4 want I try to do all I can to promote that and make that  
5 happen.

6           I say that because I told the whole staff look,  
7 we'll talk to you at the respective sites. Tell them what's  
8 going on. Also, tell them to somehow feed back response,  
9 feedback any response you know if you're doing a good job  
10 and they feel you're doing a job you need to feed that back  
11 to the organization because that's what counts.

12           If there is any other opportunities I'll be more  
13 than happy to support you in that, so anyway we were out  
14 there for some work and they approached me both Charles and  
15 Gordon about the possibility of transferring Sam.

16           Sequoyah was his Plant and he supported you know  
17 the most. The way we were lined up where each individual  
18 had one site that they primarily - they were the primary  
19 contact. Not saying they didn't work in other areas which  
20 we did. We crossed over and that sort of thing as we needed  
21 to but they approached me and said that we'd like very much  
22 to try to move his position out to Sequoyah.

23           Either transfer him into the vacant position or  
24 move his current position from Corporate and have him  
25 transfer over. I said you know I told them I said you know

1 it was constructive. It was positive and I said well that's  
2 - I wouldn't have any problems with that. I would support  
3 that.

4 I said I want to go to Sam first and talk to him.  
5 If that's what he wants to do, fine because there is nothing  
6 - I don't want anyone to feel like we're trying to force  
7 someone out of the organization, this thing and the other.

8 I went to Sam and I talked to Sam and I said look,  
9 this is your call. If you want me to try to help make this  
10 happen if I can I will. If you don't, if you want to stay  
11 in Corporate it's up to you. You know it's your decision.  
12 See we work very closely. I mean I work very closely with  
13 the guys of course.

14 It wasn't like I felt uncomfortable. They felt  
15 uncomfortable talking to me about it you know so it wasn't  
16 like it was confidential or this, that, and the other in  
17 that respect.

18 Q Okay.

19 A We had discussion and I talked with Sam, and Sam  
20 said yes, I'd be interested in doing that since it looks  
21 like we're going to be losing at least one Chemistry  
22 position potentially so I said fine.

23 I went and talked to Ben because they wanted to  
24 try to move this thing on and Charles asked me to go talk to  
25 - I got the message through Wilson that Charles wanted to go



1 ahead and initiate this so I went and talked to Ben to find  
2 out what the process was you know.

3 Q Just to interrupt you right there --

4 A Yes.

5 Q When you mentioned Wilson that's Wilson McArthur?

6 A I'm sorry. Wilson McArthur and Ben Easley.

7 Q At that point was Mr. McArthur in agreement with  
8 this?

9 A Well he was more relaying - you know he had  
10 stopped me and said that at the time well they're waiting.  
11 Has anything been done to transfer Sam out there you know  
12 because Charles asked me about it you know. They talked to  
13 him about it and I said well, no I was thinking since it was  
14 their position they would you know - see if they had a  
15 position they wanted to bring me they would send out a  
16 request letter down to our organization requesting that that  
17 be considered.

18 Now if we're transferring our position out to them  
19 then you know so based on how you're doing it, based on who  
20 initiated - it would depend on who initiated it. Anyway, I  
21 said well let me go and talk to HR and find out what the  
22 option, what is the process.

23 Ben said back to me that I needed to talk with Tom  
24 McGrath about it and I started with him because I didn't  
25 know if he was aware of it or if they had mentioned it to

1 him, or just what so that's when I went in and talked with  
2 Tom about it to try to get it initiated if that's what they  
3 wanted to do.

4 I certainly - it sounded like a good option to me  
5 and I didn't have any problem with it. That's what the site  
6 expressed they wanted and that's what Sam expressed that  
7 they wanted so I wanted to try to do what I could to support  
8 that.

9 Q Okay, and basically in your deposition you  
10 indicated that Mr. McGrath's response was not in support of  
11 either filling that vacancy or the transfer of Harvey down  
12 there?

13 A That's correct. He expressed he wasn't - hadn't  
14 heard anything about it, wasn't aware of it. Then I went  
15 back and I tried to fill him in on what had happened and  
16 that they had expressed interest. They asked me to initiate  
17 - to get the ball rolling if you will.

18 You know he was pretty adamant. He wanted to keep  
19 Sam here at the Corporate and he really looked upon him as  
20 the PWR guy and wanted to keep that expertise here. I  
21 didn't you know we didn't - it wasn't a confrontational  
22 exchange or anything. I said well that's - if that's your  
23 decision that's fine. If you want to keep him down here  
24 because he knew we had two positions there.

25 You know I fed that back to the sites and said

1 well that's what I was told you know.

2 Q Was there ever any suggestion by anyone that maybe  
3 Mr. Fiser could go down there in that position?

4 A No.

5 Q Okay.

6 A And I wouldn't - I didn't - I wouldn't expect that  
7 just based on my experience because -- line each site would  
8 want the guy that they had been working with to establish a  
9 relationship.

10 Q Right.

11 A Gary did work it. He did good work at Sequoyah.  
12 We weren't in -- contact but he did good work at Sequoyah.  
13 He did various things. We had - they first gave me Sequoyah  
14 it had a lot of problems you know. The Chemistry Program  
15 was kindly -- and you get a lot of tension. We didn't have  
16 a good - we just had a new -- evaluation and had some  
17 significant things come up.

18 We tried to pool a lot of - you know we pooled our  
19 resources and our objective was to get it turned around you  
20 know so we worked closely with Gordon Rich and his staff out  
21 there. We would do that. We would pool our resources and  
22 Gary added a good piece to that you know that say Sam didn't  
23 have. We packaged it you know and --

24 Q Okay.

25 A And -- the other individual he did some things

1 there so --

2 Q Prior to the posting of the Corporate Chemistry  
3 positions that Harvey and Fiser bid on and I'm talking about  
4 the PWR.

5 A Right.

6 Q The Pressure Water React - that's --

7 A Yes, Pressurized Water React.

8 Q Position not the other one the boiling water one  
9 but the pressurized one. Did Mr. Harvey work down at  
10 Sequoyah on a temporary basis? Physically go down there and  
11 temporarily assigned down there prior to the posting of this  
12 other position?

13 A He wasn't transfer there permanently. I'm trying  
14 to remember the time. You know the way we kindly set up and  
15 operated one of our exhortations was that the individuals  
16 would spend the majority of time at the site Sequoyah and  
17 the sites based on what we've already worked out and what  
18 they had to accomplish.

19 Now I can't remember - there were a couple of  
20 stints there where he was supporting steam - cleaning  
21 evolutions. I can't time wise we were doing the steam  
22 generator cleaning and on that basis he was kindly assigned  
23 on a temporary basis with the steam generator group. He was  
24 providing the Chemistry function for that.

25 I can't remember. It may have been we were doing

1 a cleaning and he was spending quite a few days during that  
2 time frame. Yes, he was. Let me back up because he was  
3 because when we did all - when we were going through the  
4 position descriptions I had to get - take copies out and we  
5 had to get his input. Yes, he was. He was working on a  
6 steam generator cleaning project at the time.

7 Q Okay, and that was before these other positions  
8 had been posted?

9 A Correct, correct.

10 Q Do you remember about how long he was down there?

11 A It could have been at least two to four months I  
12 would imagine. I can't remember because usually they start  
13 before the project. You have to stage up, bring your  
14 equipment. You know it's a major evolution.

15 Q Okay, and I'm going to jump over to the  
16 conversation that you had with Mr. Voeller who is Watts Bar.  
17 Is that correct?

18 A Correct.

19 Q And that's the site that Mr. Fiser had been  
20 supporting in which Mr. Voeller contacted you I guess on the  
21 phone, telephone and had told you about a conversation he  
22 had with Sam Harvey regarding his working with Watts Bar a  
23 lot i the future. Do you remember that phone conversation?

24 A Yes, and how it transpired Gary had called me.  
25 Gary Fiser called me.

1 Q Okay.

2 A It on a trip on my way back from Brown's Ferry and  
3 he had called me while we were driving and stated that what  
4 he was told - what he told me was Dave Voeller had called  
5 him up and asked him about the position whether the decision  
6 was made and Sam was selected to go in the position and Gary  
7 said no, I don't know anything that has happened. As far as  
8 I know it hasn't and so he in turn called me.

9 Then I said well no, no one has told me anything  
10 and so I in turn called Dave Voeller and that's when I found  
11 out what Sam had - the conversation he had with Sam.

12 Q Do you remember specifically what he told you?

13 A Well as far as I recall he had basically told me  
14 that Sam had stopped up at the site - either stopped up or  
15 called him on the phone and told Dave that well it looks  
16 like he was going to be working with him a lot closer in the  
17 future in supporting Watts Bar which was told out of  
18 character because he hadn't done that in the past. We just  
19 assigned his primary Plant was Sequoyah.

20 He wants to get up there and talk with the guys  
21 and - I'm kindly paraphrasing so don't you know I don't  
22 remember it word for word but basically he was going to be  
23 going up. He was going to work closely with Dave Voeller  
24 and his staff and he will be coming up there and getting  
25 more involved with that, and this, that, and the other like

1 this is going to start right away you know.

2 You know Dave was kindly taken back. He had taken  
3 that as well I guess the decision has been made that you're  
4 going to be filling that position, and I said no, as far as  
5 I know I'll check when I get back to the office but we have  
6 to go through you know a selection process.

7 It's got to be posted, and it's got to be you know  
8 interviewed for it and everything, so I was kindly taken  
9 back by it all. Gary was very upset and I told him don't  
10 worry about it. Don't blow up. Just hold your peace and  
11 we're going to - you know I'll talk to HR and make sure  
12 we'll still on track. I'll talk to Ben and made sure and  
13 just follow the process. That's what we have to - we want  
14 to do what we're supposed to do based on the process.

15 Q Un-hum.

16 A You know so and that's what - you know that's what  
17 he did you know follow the process. You can't take that and  
18 you know - we don't want to take that and go around with it.  
19 Just do what you're supposed to do.

20 Q Did you - after you had your phone call with Dave  
21 Voeller and the spelling of Mr. Voeller's last name is  
22 V-o-e-l-l-e-r.

23 A Correct.

24 Q After you had that conversation with him did you  
25 talk to Sam Harvey about this?

1           A     I recall I initially didn't say anything to him.  
2     We probably ended up talking about it at some time later  
3     after you know the fact. I don't recall how it transpired  
4     but we ended up talking about it. Whether he came in or I  
5     asked him because we were in a meeting or something but you  
6     know the feed back I got was well you know it's all Dave has  
7     misunderstood what I was saying. I mean to say that if -  
8     something to the effect that I meant to say well if I get  
9     the position I'll be working more closely with you. Well --

10          Q     Un-hum.

11          A     You really don't - there's no need to say anything  
12     until you're in the position you know. I think that was to  
13     that to that effect. I mean he said something to that  
14     effect but I didn't immediately approach him about that. I  
15     mean that was kindly - I wasn't even a party of that as far  
16     as him and --.

17                 I told all the people look, we've got to follow  
18     the process. Here is where the policy and here is what the  
19     process is supposed to - how it's supposed to work. You  
20     know I think all of us should follow the process. Now if  
21     something is done indirectly it will be addressed but we  
22     have to follow the process you know. Through the end you  
23     follow the process. You don't go make a big problem.  
24     Follow the process.

25          Q     Okay.



1           A     They're going to interview and they said they was  
2 going to follow through with it. Okay, let's follow the  
3 process.

4           Q     Okay. Did you ever talk to anyone else about this  
5 such as Mr. McArthur?

6           A     About Sam's conversation?

7           Q     Un-hum.

8           A     No.

9           Q     Okay.

10          A     No.

11          Q     Going back to the selection of Mr. McArthur as the  
12 new manager, the combined manager of RADCOM Chem Section.

13          A     Un-hum.

14          Q     When was he actually selected for that? Do you  
15 remember?

16          A     It seems like it was back in June. June 15th. We  
17 had a big staff meeting. Tom McGrath called a big staff  
18 meeting. He made the formal announcement in the staff  
19 meeting. I believe it was like the middle of June,  
20 mid-June, 15th, something like that.

21          Q     Un-hum.

22          A     If I recall correctly.

23          Q     And so that's when he started working in that  
24 capacity sometime in June?

25          A     Yes.

1 Q So that would have been before - was it before the  
2 posting of those --

3 A Oh, yes, yes, it was way before the posting.

4 Q Okay.

5 A Quite a bit of time compared to the process.

6 Q Before he was selected for this position how did  
7 you find out that this position was going to be combined?

8 A At the - Tom McGrath called a series of meetings  
9 up front to talk about well we've got a reorganization,  
10 reorganize. He laid out some criteria initially here is  
11 what I'm looking at and the way -- functions, this, that,  
12 and the other.

13 One of the things - one of his criteria was that we  
14 were going to combine these two groups and come up and then  
15 just have one manager for those two groups. That was known  
16 up front at one of his - put out with from one of his  
17 meetings.

18 Q And when did you indicate to Mr. McGrath that you  
19 were interested in applying for that position?

20 A It must have been shortly after he had mentioned  
21 that. We were - I had met with him for some other things I  
22 thing and you know I did mention to him that I would be  
23 interested. Since it was only one position obviously I  
24 would be interested in applying for the position and  
25 interviewing for it.

1 Q Okay, and what did Mr. McGrath tell you when you  
2 indicated you were interested in applying for that position?

3 A He didn't really provide any - I mean there was -  
4 he may have said fine, and that was it. I mean there was no  
5 --

6 Q Okay, I guess maybe --

7 A Specific acknowledgement okay, you know, I want  
8 to make sure this - it wasn't - you know we didn't really  
9 have a lengthy discussion about it. I just mentioned it.  
10 You know I just stated it to him that I was interested and  
11 he may have said okay, that's fine and that was it.

12 Q When did you find out they were not going to post  
13 the position I guess would be more accurate and that you  
14 couldn't bid on the position?

15 A When he made the announcement at the meeting.

16 Q That's the first time you had been told anything?

17 A Right, correct.

18 Q About that?

19 A Right.

20 Q And did you speak to Mr. McGrath about this  
21 afterwards?

22 A No, I didn't discuss it. I mean you know Tom -  
23 Tom seemed to - you know he impressed me as an individual.  
24 When he makes a decision and that was his decision so he  
25 made the decision and there was no well let's talk about

1 this, or let's discuss it. He made his decision and that's  
2 what he wanted to do so there was no - I didn't see any need  
3 to go and talk and say well why don't we look at this again  
4 and this, that, and the other. I mean --

5 Q Well he had already made the decision?\

6 A Yeah.

7 Q And he --

8 A Made the decision, made the announcement, put out  
9 that information. It was a formal --

10 Q But he did not discuss it with you prior to that?

11 A No.

12 Q Okay, and who did you speak to about this?

13 A (No response.)

14 Q Did you consult with anybody regarding them not  
15 posting that position?

16 A Yes, and let me preface it too - just for the  
17 record. One thing I've tried to do throughout this whole  
18 process is I don't want to - and I don't want to give an  
19 impression but I try not to bring my situation and tie it in  
20 with someone else's situation.

21 I know you have to ask the question but I'm just  
22 letting you know up front and I don't want because this is  
23 for the record and whoever gets this I want to make sure  
24 it's clear and I've tried to state this all along my  
25 situation is separate from Gary Fiser's situation.

1 I'm trying to deal with my situation in a separate  
2 manner and I don't want the impression to be given that well  
3 I'm trying to tie in my own situation with Gary Fiser's  
4 situation.

5 Q Exactly.

6 A And I'm not saying this to say that I want to  
7 answer all your questions truthfully and fully. I just want  
8 to make sure people understand that up front that it's not -  
9 there is no vendetta on my part because I'm just loaded up  
10 in this and that's not the case.

11 Q Well you're just answering questions.

12 A That's what I want to --

13 Q That are presented to you right now.

14 A Yeah.

15 Q And what you're really telling me from what I'm  
16 hearing is that you're not filing a complaint yourself about  
17 the way that was handled and that's fine. What I'm trying  
18 to do they are separate, very separate situations.

19 A That's right, and I'm not you know opposed to  
20 what you're asking but I just want for the record so that if  
21 whoever gets the transcripts and reads this I don't want  
22 them to get the wrong impression. I want it on the record  
23 that I'll answer your questions, all your questions, this,  
24 that, and the other but I did - I did follow through and I  
25 initiated discussions with HR.

1 Q Un-hum, and who did you --

2 A Ed Boyles.

3 Q Ed Boyles?

4 A Ed Boyles and Phil Reynolds.

5 Q Okay.

6 A Okay, I started with Ed - well actually I started  
7 with Phil Reynolds and we brought Ed Boyles in.

8 Q Okay, and what were you told by these gentlemen?

9 A Well we had several meetings and I basically  
10 expressed to them that I just didn't feel that based on  
11 current established practices of HR, hiring practices, --

12 Q Policy?

13 A And policies and that this wasn't done right.  
14 You know I was put in a situation where I wasn't allowed an  
15 opportunity to interview for a job which I would have met  
16 the qualifications for, nor was allowed to you know was kind  
17 of left out in the cold so to speak. I just felt as far as  
18 the position that it should have been handled as far as  
19 policy was concerned.

20 Q Did you ever talk to Ben Easley about this?

21 A Yes.

22 Q And what did Mr. Easley tell you?

23 A Well he acknowledged that you know as far as  
24 policy is concerned his impression was that - his  
25 interpretation was it should have been posted and so forth,

1 but you know he probably had some discussions with Ed and  
2 this and the other, whatever they made the decision.

3 He didn't you know - he worked - he directed - he was  
4 the - he reported directly to Ed Boyles. Ed Boyles reported  
5 to Phil so Ben could only express based on his understanding  
6 and experience with the policy to his direct report in  
7 telling well I think we should do this.

8 My recommendation is we should do this, or handle it  
9 this way. If Ed decides to do something different, or he  
10 turns around and gives it to Phil Phil's -- are different  
11 then you know they override that and they decide to handle  
12 it this way.

13 Q Okay.

14 A So Ben - I just say that Ben didn't have the  
15 final --

16 Q I understand that.

17 A Decision on this but he was you know I mean he  
18 was consistent with the way I thought about it.

19 Q Okay, did Mr. Easley indicate to you that he made  
20 this recommendation to Boyles and to Reynolds that this  
21 position should have been posted?

22 A It seems like in our conversation we talked about  
23 that and he expressed that you know to them.

24 Q Okay.

25 A Okay, because I talked with all of them a lot you

1 know and particularly Ben because I worked closely with him  
2 because he was direct support in our organization.

3 Q Exactly.

4 A And then it seemed like we had talked about that  
5 and he did make that recommendation that that position  
6 should be posted.

7 Q Okay, so initially --

8 A And he worked with Tom McGrath too so I think he  
9 pretty much expressed you know that.

10 Q To McGrath also?

11 A I can't give you a date and a time when all that  
12 transpired but I'm pretty sure my recollection is I recall  
13 he did that.

14 Q Okay, and so you had discussions with both Mr.  
15 Reynolds and Mr. Boyles and what were they saying to you?

16 A Well I think that - your reaction would say  
17 initially well we don't think it was done - well first we  
18 started out and I may be stumbling a little bit on this  
19 because I've never gone through having to rehash this but  
20 basically we started out well we feel that nothing was done  
21 wrong and Ed said that it was his decision to do this.

22 I told him I didn't agree with that. I said I don't  
23 work for HR. You know I work for the General Manager Tom  
24 McGrath and it's his decision. See HR advises. They say  
25 well here - HR's function is here is the policy, here is our



1 recommendation. We would advise you to do this in handling  
2 this situation and so forth but the hiring manager or the  
3 manager in charge he makes the final call.

4 He makes the decision which way he wants to handle the  
5 situation so I told him I didn't agree. I didn't think that  
6 was the case. I said regardless that position - that person  
7 in that position is the manager and that manager will make  
8 the decision based on how he wants to handle it.

9 You advised and so forth and I can understand it.  
10 Well Ed said that he - and I told him I said well still I  
11 didn't - and then I got more feed back well we - well we  
12 decided to do it because we felt that if we had a posted it  
13 and interviewed and you weren't selected that you were going  
14 to file a complaint.

15 I said well you know I've been around here for a few  
16 years but I said why would I file a complaint if the policy  
17 was followed and I didn't get selected. I said we're all -  
18 you know I told them you know I said we're all big boys and  
19 I said I've worked for people - different companies before,  
20 different jobs and that's the way life is. Everything is  
21 not going to go your way and you have to pick up and move  
22 on. I said if I wasn't selected it was a fair process and I  
23 interviewed and I wasn't selected I wasn't selected. When I  
24 came here I was only here for six - for four or five months  
25 and I had to reinterview for a position. I said that's the

1 policy.

2 That's what you - when you agree to work for a company  
3 you agree to work under their rules and regulations,  
4 whatever the policy is. I said that it was done fairly. I  
5 said we did this back in '94 and you had not one complaint.  
6 People had - you know didn't selected to positions they  
7 retired, had to find another job, this, that, and the other  
8 but no one complained because they knowed this was coming.  
9 They just asked for fairness. Asked for fairness and it be  
10 done right, and everybody given a fair opportunity and  
11 that's all I said. That's all I would ask for. Just give  
12 me a fair - allow me a fair opportunity like you allow  
13 everyone else. You know don't arbitrarily change the rules  
14 because for whatever reason. I mean you've got something  
15 against a person or you like this person, or whatever the  
16 reason is but this should be a fair process.

17 Q Exactly.

18 A And so they - you know they took them to heart  
19 and then we went on from there and then we worked out well  
20 we want to work out you know a development plan for you and  
21 we want to try to work you in to a senior management level,  
22 and this, that, and the other so that's kindly how it got  
23 resolved.

24 I told them I said because you - you all just had -  
25 just a couple of years ago you just went through this. You

1 know TVA as a whole went through this. You know big  
2 situation where they didn't - where there wasn't an unfair  
3 hiring, you know, interviewing, and placement practices and  
4 that sort of thing.

5 Q Un-hum.

6 A And I said well you know let's do what's right  
7 you know. That's all I'm suggesting here.

8 Q So because of that - the last case they had they  
9 had new policy in place and basically in the situation with  
10 Mr. McArthur in that position they didn't follow up that  
11 policy that was implemented as a result of -- problems?

12 A As far as my understanding they didn't.

13 Q Un-hum.

14 A Now that's my understanding of it. You know this  
15 is written in black and white. It's written down. I mean  
16 it's not something that you have to depend on memory from.

17 Q Did they have any other explanation to you other  
18 than well we thought if you didn't get selected that you  
19 would file a complaint?

20 A Well he sort - another reason was well Wilson was  
21 in the capacity where he had those groups reported to him  
22 anyway before hand and this was taken away so we feel that  
23 it was okay to put him in that position.

24 Q Un-hum.

25 A And I told him I said why would I - what grounds

1 would I have for filing a complaint. If I'm being treated  
2 fairly - if you treat fairly there is no grounds for a  
3 complaint.

4 Q Un-hum.

5 A And you're following the policy and they agreed  
6 to those policies when they hired in what grounds would I  
7 have to file a complaint.

8 Q Okay.

9 A I wouldn't feel compelled to file a complaint. I  
10 mean that's what the process is fine, I'll go look for a job  
11 somewhere else. I had a job before I came to TVA. I'll  
12 have a job after I leave.

13 Q Okay, let me ask you after you talked to them and  
14 they told you you know their reasons for selecting Mr.  
15 McArthur did you inquire as to how you could file a  
16 complaint about really adverse action?

17 A No, you know, just being honest with you I told  
18 them look, I'd like to resolve this in house. I want to  
19 give this organization, the TVA organization, to let's  
20 resolve this. Okay, in my mind I felt that injustice was  
21 done. A mistake was made. Whatever you want to call it in  
22 my mind it wasn't done right.

23 Q Okay.

24 A So let's try to work it out.

25 Q And did they ever come up with a --

1           A       And I told them I didn't have any problems. If I  
2 needed to talk with Phil you know I told Phil if I needed to  
3 talk with Ike --, if I need to talk with Mr. Kingsley, or if  
4 I need to go talk with the Chairman of the Board I have no  
5 problems in doing that. Set up the interviews I'll go talk  
6 to them. If we need - if they need to hear my views on it,  
7 whatever because that's how strongly I felt about it.

8           Q       And what did Mr. Reynolds say about that?

9           A       Well let me talk with them and we'll work you  
10 know let's see if we can work something out. We worked out  
11 - he thought well what would you like - you know so the next  
12 step well what would like to get out of this thing you know.

13          Q       Did they come up with a written agreement for  
14 you?

15          A       Yes.

16          Q       Okay, and --

17          A       Because I told them I said I don't want - I want  
18 it in writing what we agree to. Well let me put it this  
19 way. It wasn't and I don't want the impression to be given  
20 like this was a formal suit filed and there was a  
21 settlement. We disagreed upon what's - where do you go from  
22 here.

23          Q       Right.

24          A       Okay, it was put in the letter well here is what  
25 we're going to - here is how we want to proceed with your

1 career.

2 Q Okay.

3 A And so it was done in that manner but I told them  
4 I said well I should be treated - I'm not asking for  
5 preferential treatment. Treat me like you treat everyone  
6 else.

7 Q Okay.

8 A Okay, that's what I told them.

9 Q Let me ask you two things. So your viewing is  
10 kind of a remedy. You know the offer that they made to you  
11 was remedy of that situation as far as you're not being  
12 allowed to post for that position, or compete for that  
13 position?

14 A Well you could - however you want to coin it. I  
15 mean I'm always the one let's try to work something else.

16 Q Okay, let me ask you something. If they had not  
17 been willing to do that and put you in the transition  
18 program what would you have done?

19 A Well I would have taken other action.

20 Q I know I'm putting you in --

21 A Using resources within the company, using  
22 resources without it because I felt strongly about it.

23 Q Okay.

24 A I felt that I - you know in my mind I felt that  
25 based on the policies and the way I functioned here at TVA

1 that it wasn't handled right, and I felt they should own up  
2 and do what's right.

3 Q Are you still at the same level that you were at  
4 before as far as pay grade?

5 A Well you mean when I was RAD Chem Manager?

6 Q Right.

7 A Well no, because when they combined the functions  
8 at that pay grade was PG myself, my position and Wilson  
9 McArthur's position was PG 11.

10 Q Un-hum.

11 A Okay, when they combined the functions and  
12 combined the manager position into one position they raised  
13 it one level to PG Senior.

14 Q Okay.

15 A Okay, and so --

16 Q So in effect it really was a newly created  
17 position because it did add on functions from the previous  
18 --

19 A Well right, right it was. I mean you combined -  
20 yes, you added functions together. Major functions, major  
21 groups together, major responsibilities together you add  
22 them into one position. Yeah, it was a new position based  
23 on the policy and the rules at the time that governed that.

24 Q Right.

25 A And so it was increased to PG Senior. Stepped up

1 from PG 11 to PG Senior. So throughout all this I told them  
2 - they said what would like to see. They said what would  
3 you like to get out of this. I said for one I want to be  
4 treated the same way as you treated Wilson McArthur. If you  
5 selected him and made him PG Senior then I want a comparable  
6 position.

7 Q Okay.

8 A That's for one. We talked about some other thing  
9 but that's --

10 Q Did they give that to you?

11 A Yes.

12 Q Un-hum.

13 A But it's a PG Senior Developmental - they didn't  
14 have a position. Obviously, they didn't have a created  
15 organizational block for that but they had - Phil said he  
16 had a Developmental - Senior Manager Developmental position  
17 in the organization we could use for that so that's what was  
18 done.

19 Q Anything else in that agreement?

20 A Well the fact that your developmental - it was  
21 kind of a mini-developmental plan. We're going to send you  
22 to INPO. Then we'll come back. We're going to send you,  
23 create various assignments such that you get - for  
24 Development Management purposes. SRO class is going to be  
25 included in that.



1           We're going to assign you a mentor so we won't -  
2           again, this was all what was laid out at this you know  
3           action plan based on this previous suit and that sort of  
4           thing but they tried to mimic that. I could see what they  
5           were trying to do. Well we're going to assign you a mentor  
6           that will work with you, a Senior Manager level mentor. One  
7           of the VP's at the sites.

8           We're going to really work with you because that's  
9           what you want to do. We're going to really work with you.  
10          We feel you know you've got potential as a manager, this,  
11          that, and the other so that's what was put on in words. Put  
12          down in words.

13          Q       Who was telling you this? Was it Mr. Reynolds?

14          A       Yes.

15          Q       Un-hum, okay. All right, and so basically who  
16          was the settlement signed by?

17          A       Ike --, Oliver Kingsley.

18          Q       And you're saying to me the other gentleman's  
19          name is Ike --

20          A       Ike Zerang.

21          Q       Can you spell that?

22          A       Oh, boy, I have a problem with that. We would  
23          have to probably get a -- because I can't - I couldn't give  
24          you a correct spelling of that.

25          Q       Serang?

1 A Zerang.

2 Q Zerang?

3 A It's Z - yeah, Z-e-r-r-i-o-g-u-i. We'll have to  
4 get that later.

5 Q Okay, that's fine.

6 A I've messed that up I'm pretty sure.

7 Q Kindly like -- name.

8 A Right.

9 Q It has to be very slow and delivered.

10 A Right.

11 Q Okay, I am going to get off of that topic  
12 concerning you and the reason obviously I'm not pursuing a  
13 separate investigation on that but what we look at is  
14 disparate treatment.

15 As far as - you know what I'm looking at is the  
16 position that Mr. Fiser was required to bid for they went  
17 down from three positions to two. They took away function.  
18 Not added function but they still posted that position, but  
19 in the position that you were not allowed to bid on I'm  
20 comparing the actions to see if there was disparate  
21 treatment in the different situations.

22 A I understand.

23 Q So that's why I'm exploring your situation. It's  
24 because they acted one way here but acted differently over  
25 here so you do have disparate treatment. You know it's

1 pretty - whatever the explanation they have you know it's up  
2 to them.

3 A Okay.

4 Q Also in your deposition going to the screening  
5 panel that was formed for the interviews for the Corporate's  
6 Chemistry positions and the other positions I guess do you  
7 know who was selected for the Board?

8 A This was for the Chemistry positions. Right?

9 Q Un-hum.

10 A Yes.

11 Q Okay, can you tell me --

12 A Oh, let's see Charles Kent. Originally, it was -  
13 let me back up and say one thing. Originally, it was  
14 supposed to be the RADCON Chemistry Managers - that's the  
15 three RADCON Chemistry Managers so Charles Kent - the  
16 Brown's Ferry RADCOM Manager --

17 Q Cox and Mr. --

18 A John --

19 Q I'm trying to remember.

20 A Wait a minute now.

21 Q Corey.

22 A Corey, John Corey, yeah.

23 Q Un-hum, C-o-r-e-y?

24 A Right, so John Corey, Charles Kent. But now Jack  
25 Cox didn't sit on the Board.

1 Q Okay.

2 A He was at the time at Watts Bar RADCOM Manager,  
3 and they picked an individual, an engineer here at  
4 Corporate. Let's see what was his name. Oh, gosh, I can't  
5 think of his name right off hand. I know it's in the  
6 deposition.

7 Q Was it Rodgers?

8 A Yes, yes, yes.

9 Q I think that's R-o-d-g-e-r-s maybe.

10 A Yeah, R-o-g-e-r-s, yeah.

11 Q Okay, when did you - in your deposition basically  
12 to go back to that you indicated that Mr. McArthur told you  
13 and Ben Easley he was going to be on the Board and that for  
14 some reason or that he was paneling this Board, and that for  
15 some reason he could not get Cox.

16 You indicated in the deposition that he, Mr. McArthur,  
17 had mentioned this to you while you were talking to Easley.  
18 Do you remember that conversation?

19 A Yes, in fact what happened was Wilson and my  
20 office were next to each other and Wilson does it quite  
21 often. He was there talking with Ben and he just - I just  
22 walked by the office and he called me, hey, come here we  
23 need to talk about something, this, that, and the other.

24 They were talking about I guess like setting up the  
25 Board and everything. He said well I can't - I'm not going

1 to be able to put - I can't get Jack Cox. I can't get him  
2 to be part of the Board and Ben and I looked at each other.

3 I said well you know you really should get - you know  
4 he should be on the Board if you want to have fairness on  
5 this because see because the people - each individual you  
6 interview has got you know at least one ally in there  
7 because they support and that's not - you would expect that  
8 because that individual the RADCON Manager obviously would  
9 support his guy that is supporting him on - he's his proper  
10 contact. You would expect that.

11 If he's doing a good job you're going to support your  
12 man you know. Not to say you don't think anything of - or  
13 you think less of the others but you're going to be  
14 supporting your guy you would naturally tend to support your  
15 guy.

16 From a fairness standpoint we thought well to balance  
17 it you should have - if you're going to have one RADCON  
18 Manager from site you should have all three so everybody has  
19 got - so you won't get accused of what I know bias on the  
20 Board you know. It's not - it was slanted. The deck is  
21 stacked against me.

22 You don't want any of that so you want to try to  
23 create a Board that's unbiased. Everybody gets a fair  
24 opportunity so you want to make sure the perception is there  
25 as well you know. We both look, you need to get Jack Cox on

1 that Board because that's going to make it look unbalanced.

2 Q Okay, and what did he say?

3 A If I recall he said something he had to talk with  
4 Tom McGrath about it. It was between him and Tom McGrath  
5 you know so he had to talk to Tom McGrath about it. We said  
6 - I told him that's my recommendation. I said I'm not  
7 involved but I said if you want to try to do this fairly and  
8 not have a lot of flag I mean you need to do that.

9 Q Did anyone ever tell you that Mr. Cox was not  
10 allowed or was asked to recuse himself from the Board  
11 because he was in favor or support of Mr. Fiser?

12 A No, the only thing I heard at that time was that  
13 - which was really puzzling to me was the fact that well  
14 Jack Cox doesn't want to be on the Board. He can't sit on  
15 it. He has got something else to do.

16 Q Un-hum.

17 A And that just was very peculiar to me because  
18 Jack always he was - he made a point. On a regular basis he  
19 would call me up you know - (phone rings) Do you need to get  
20 the phone?

21 Q No, go ahead.

22 A Nothing I initiated. He would call me up and say  
23 hey, you know, Ron, Gary has been up here. His support is  
24 on this problem. We want to let you know, provide you feed  
25 back so you know he was always supportive. He said you know

1 when we had this meeting - we had one meeting. He said Gary  
2 was the only guy that came up here and stayed with us and  
3 worked with us, this, that, and the other.

4 He said you need to really make sure you consider that  
5 when you're doing his reviews and this, that, and the other.  
6 I said well that's great I do that. You know I welcome that  
7 so it seemed awfully odd that all up until this time that  
8 all the staffing were supporting him.

9 Now when there was a need for him to come forward and  
10 you know make best selection, support his guy, whatever  
11 provide support not to say he's going to select him over the  
12 others but you know he would say well I can't do it, or I'm  
13 busy, or I don't want to do it, this, that, and the other.

14 Q Do you know how long you know at what point that  
15 was prior to the interviews that you were told by Mr.  
16 McArthur --

17 A It was like a couple of days before or whatever  
18 and I told John, I said listen, my recommendation is you  
19 should try to work it out and work out another date if you  
20 can make it happen with you. Work out when you can get them  
21 all there.

22 Q And what was his --

23 A Because that's too critical. That's too  
24 important. It's too sensitive. When you deal with people  
25 that lies you just don't handle that in just a casual

1 manner. I mean this is real life. You're dealing with  
2 somebody's future, his family, and everybody else so you  
3 don't want to just make them - you know you want to try to  
4 do everything right. That's my opinion on it.

5 Q And what did Mr. McArthur say about that?

6 A Well he was telling me you know he said he had to  
7 get with Tom McGrath and make a decision.

8 Q Okay.

9 A What they wanted to do. That's how it was left.

10 Q Okay. Did Mr. McArthur or anyone else ever tell  
11 you that Fiser had been secretly tape recording other people  
12 in TVA? Were you ever told that?

13 A He had mentioned that in conversation. You know  
14 he had mentioned that I guess during his last - when he was  
15 going through the prior case. He had sat in, had discussed  
16 it with some of the people I guess after he was terminated  
17 or moved over to the support group that he was taping  
18 people. You know I can't get - you know I - look, I can  
19 only go and I told everybody that. I told when I first  
20 hired here and I told the General Manager and I told Wilson  
21 look, I tell everybody that. Look I can only go on this man  
22 shows up to work. I can only go from here forward. I can't  
23 get tied into what happened in the past, this, that, and the  
24 other.

25 That's not fair to that individual. We're going to



1 start fresh. We're going to move forward. Now I'm not - I  
2 can't - I wasn't here. I don't have any involvement  
3 whatever happened to his past. I'm going to treat him as if  
4 we're starting fresh and we go forward from here.

5 I'm not going to hold anything against that I wasn't  
6 even around. It's just all talk. It's all hearsay you know  
7 and that's unfair to the individual.

8 Q Okay.

9 A So I don't - he has mentioned that. He said well  
10 we're afraid to - look, I can't - let's deal with facts. If  
11 we're going to deal with facts if there's something factual  
12 you've got to say that he's doing now that's affecting his  
13 performance or whatever, and he's not performance based or  
14 there's something that's factual then we can talk about it.

15 Q So you think he kindly indicated that he was  
16 afraid of discussing certain things around because of this  
17 past tape recording?

18 A He said stuff like that.

19 Q Yeah.

20 A You know Wilson has got - sometimes he jokes  
21 about it. To tell you the truth I didn't take it - I don't  
22 take - I didn't take it that seriously.

23 Q Okay.

24 A I mean that could have happened. What am I  
25 supposed to do about it.

1 Q Yeah.

2 A Am I not supposed to be his manager. What am I  
3 supposed to do about it. I'm supposed to write that up in  
4 his performance review that two years ago he taped. Ten  
5 years, five years ago he taped some individual's  
6 conversation that he had with you or something.

7 Q Okay, so you were --

8 A Totally inappropriate.

9 Q To get to when you were the Manager there at  
10 Corporate Chemistry you had both Mr. Fiser and Harvey  
11 working for you?

12 A Correct.

13 Q So that was from '94 through '96?

14 A Correct.

15 Q Both of them worked for you during that time?

16 A Correct.

17 Q Did you write the evaluations for both of them?

18 A Correct.

19 Q And how - I guess Mr. Harvey was supporting  
20 Sequoyah. Mr. Fiser was supporting Watts Bar?

21 A Correct.

22 Q And I'm not even going into -- because it's a  
23 different type of work, support but how did you rate both of  
24 them?

25 A Both of them I mean they didn't have - I mean

1 they had good - basically good evaluations. I mean - I  
2 don't recall you know there was two years whether he got a  
3 3.2 or 3.4. I don't recall the numbers you know the  
4 numerical ratings associated with their -- but I mean they  
5 didn't have - neither one of them never had unsatisfactory  
6 performance reviews.

7 Q Okay.

8 A Now there were some you know - we've talked about  
9 it with all of them. There is always some things we could  
10 work on and this, that, and the other. If I was critical in  
11 one area of you and you didn't work up to expectations for  
12 some area or for some project or something I let them know  
13 that. We talked about it. I let them know that.

14 Q Okay.

15 A You know I didn't hold any balls back, this,  
16 that, and the other and so they had an opportunity to  
17 change, or if I had the wrong understanding or something and  
18 we weren't communicating so we tried to get on common ground  
19 so we both understood what the expectation was.

20 Q Un-hum.

21 A And so once we understood what the expectation  
22 was and then the expectation wasn't met then I provided that  
23 feed back. On conversely if the expectation was met or  
24 exceeded I provided that feed back so --

25 Q Did you have performance problems with either one

1 of them?

2 A No, no performance problems with Gary. We did  
3 have some things we had to work on with Mr. Harvey.

4 Q And what was that?

5 A It's just focus. Focus on getting things done.  
6 Becoming more task oriented. Delivering a product.  
7 Completing assignments. You know with the group in general  
8 I told them I said one of the things, one of our main  
9 objectives is to we're responsible for is figuring how to  
10 solve problems and closure. I said that's what we've got to  
11 focus on. When I came here we didn't do - that wasn't even  
12 addressed.

13 Well we have a lot of initiatives done. We'll start  
14 with this and then fill them out. We'll start - that's why  
15 we couldn't get anything done. You know that's why we  
16 couldn't - we couldn't see improvement to me in my opinion  
17 at the Plants. You know we were in a reactionary modes that  
18 are pro-actionary modes, and yet we've got this problem.

19 Okay, let's start all these initiatives. Write all  
20 this stuff up and write the papers up. We're going to do  
21 this, and this and we're going to write them and do an  
22 assessment and never followed through with it. Never get it  
23 done so you can't see the results.

24 You can't see any results that did improve so that was  
25 one thing it was the style the managers was approaching.

1 I'm not trying to bash Sam or anything like that but I think  
2 he had the hardest time of everyone in the group of  
3 accepting that you know.

4 When I came there they didn't have a manager. They  
5 just kind of did his own thing so I think he had a hard time  
6 and he had to adjust to my style and I had to try to adjust  
7 to the way he likes things. We tried and we got - I think  
8 we - we had some rough spots there for a while and you know  
9 toward the end I think he started to come around. I mean  
10 that's just part of nature's business. You know --

11 Q Did anyone ever tell you anything about Mr.  
12 Harvey writing up some kind of report that actually was  
13 saying that he had written this report but it actually  
14 wasn't his report during a shut down or something like that?

15 A Let me - yeah, let me - yes, I mean that - I  
16 recall someone mentioning that to me. I just you know what  
17 am I supposed to do about it. I mean it --

18 Q Okay, did you ever talk to Mr. Harvey about that?

19 A No, it was something that transpired before I was  
20 here.

21 Q Oh, okay.

22 A Yes, this wasn't --

23 Q That was prior to the '94/'96 time frame?

24 A Yeah, he may have just written it just when I got  
25 there but it was prior to - when I was here we made sure

1 what we put together was authentic and was by whoever signed  
2 that report.

3 Now they may have gotten - used other resources or  
4 other inputs, this, that, and the other but I tried to make  
5 sure what we put out was factual and what we you know --

6 Q Your own work?

7 A Our own work. Now if it wasn't our own work we  
8 would reference what was included. That's what I tried to  
9 impress upon the individuals to make sure that we did that  
10 because we're held accountable for it.

11 Now he may have done that. I've heard stories you  
12 know but --

13 Q It didn't happen --

14 A I tried to make sure it didn't happen during my  
15 watch, okay.

16 Q Okay.

17 A While I was involved.

18 Q And I guess the only other thing as far as Mr.  
19 Harvey's background would be whether he was ever involved in  
20 counseling for harassment of any kind. Are you aware of  
21 that?

22 A Yes. Well I'm not aware of him receiving any  
23 counseling. I'm aware there were a couple of issues we had  
24 to deal with in that area with him.

25 Q Okay, and what were those issues?

1           A       Well I think - let me see if I can figure out the  
2 best way to put this. Sam has always been very talkative  
3 and he doesn't - in my relation with him he doesn't always  
4 think through a lot of the things he says, and for some  
5 reason he has had several run ins with female employees.

6           The things he said, the way he has come across, and  
7 he's trying - they take it as being belittlement or you know  
8 I don't know what it is. I don't - because I chuckle it's  
9 not that I don't it as a serious matter because it is.  
10 Okay, and we treat it as a serious matter but for whatever  
11 reason he has had several run ins particularly with a couple  
12 with the sites Sequoyah and at Watts Bar.

13           We had a couple staff people here as students, female  
14 students, and I've had to talk to him several times. Look,  
15 Sam you've got to think of what you're - you know you need  
16 to think through what you say to people, and you need to  
17 understand and be sensitive how you're treating people.

18           You know female employees because they're in their  
19 group or you work with them that doesn't mean that because  
20 they're female they're subordinate to you. You know or  
21 you're supposed to be in charge of that. That's not what  
22 that - that's totally inappropriate and it shouldn't exist.

23           Q       When you were his manager how many complaints  
24 would you say you got against Mr. Harvey for matters such as  
25 that?

1 A Well probably three to four.

2 Q Did you ever get anything like that complaints  
3 against Mr. Fiser?

4 A No.

5 Q Did you ever have any performance problems with  
6 Mr. Fiser?

7 A No.

8 Q That you had to counsel him on?

9 A No.

10 Q I'm going to ask you a very subjective you know  
11 question right now regarding if you were in the position to  
12 be the one that had selected based on your two years of  
13 working as their manager if you had based on their prior  
14 backgrounds, their expertise, their performance, their  
15 attitude, if you had to select that person that was going to  
16 support Watts Bar in that position who would you have  
17 selected?

18 A If the decision was mine?

19 Q Yes.

20 A Well I would have to select Gary. I mean if he's  
21 Watts Bar - he's primary supporting Watts Bar and let me  
22 back up and say this. Maybe this is inappropriate or you  
23 can tell me if it's off base now - if I had to do it, if I  
24 had influence on it, this, that, and the other what I would  
25 have done okay, would have tried to make happen I would move



1 Sam out of Sequoyah and left those two positions, or that  
2 and then post position and let the people fairly interview  
3 for.

4 Either that or if it's too much controversy, you're  
5 not making enough change in the performance to position  
6 description just go on seniority.

7 Q Un-hum.

8 A Just say we're going to go on seniority. Whoever  
9 has got the most time that's what you're going to have to do  
10 but I would have tried to handle the situation a little bit  
11 different. If it was my decision, if it was my call, or for  
12 my nickel now I'm only one voice but that's - if I had the  
13 flexibility - if it was up to me and I had the flexibility  
14 to do it I would have done that.

15 I would have seized that opportunity just because we  
16 had environmental people. I had two people in environmental  
17 I had to you know essentially they did interview for one --.  
18 I mean one of them did but you know - so I looked around and  
19 tried to help them.

20 We got one of them a position up in Knoxville. We got  
21 another one a position in another group so my whole  
22 objective was let's look at other options and try to be  
23 aggressive and actively seek out where we can keep everybody  
24 employed.

25 If that's the wrong thing to do I'll take that you

1 know. Beat me up on that. Okay, admonish me for that but  
2 that was my whole feeling at the time.

3 Q Now I mean you're taking care of your people is  
4 what it sounds like, a good manager.

5 A Well that would have been to me the right way to  
6 go and you could - you had a spot there you could have did  
7 this.

8 Q But going back to the question as it was the way  
9 he did it --

10 A You said for Watts Bar. You said if we was  
11 selecting them for Watts Bar --

12 Q Or for that position and I realize now that --

13 A Well the position --

14 Q Was Watts Bar and Sequoyah.

15 A Right.

16 Q Okay, for the position that was there that they  
17 were bidding on, the one that was posted, going back the  
18 same way based on you know their expertise, their  
19 backgrounds, their experiences --

20 A Un-hum.

21 Q Your experience working with them, their  
22 performance underneath you, you know, which one would you  
23 have selected for that?

24 A Well and that's strictly based on performance -  
25 performance reviews and the contributions and you look at

1 the total picture. I would have had to select Gary and it  
2 will be - and that selection would be based on an objective  
3 decision and one of the main reasons why he would get the  
4 edge is because Gary was very interchangeable with all the  
5 sites.

6 He did work at all the sites, and while Sam had a good  
7 foot hold in Sequoyah and I'm not saying there's some things  
8 he didn't do well. I mean he had potential, okay, but he  
9 didn't sit as well with the other sites. Okay, he wasn't as  
10 interchangeable as Gary so I would have to look at from an  
11 objective standpoint I look at performance reviews and what  
12 they've done in the past and also look at it objectively how  
13 can the needs best be met.

14 -- was interchangeable more you know interchangeable  
15 and Gary was interchangeable so you have to look at well  
16 when the dust settles where can we get the most bang for a  
17 buck and -- to say that but where can we get the most for  
18 what we had left.

19 Q Un-hum.

20 A And I told them that. I told Wilson that. I  
21 told Tom McGrath and I told John McJeskie. I said if you  
22 had to cut down and leave one person I told them from the -  
23 leave -- because he's the most - he's got the best - he's  
24 the most interchangeable. He's sound chemistry and RADCON  
25 wise so if you have to cut the guys you want to leave the

1 person that can best support the organization.

2 Q Right.

3 A That included myself. I told them I said if you  
4 leave one person that's the person and so it wasn't like I  
5 was - I looked at from a - I tried to look at it from an  
6 objective standpoint. Who is going to best serve the need.

7 Q When you indicated that to Mr. McArthur, Mr.  
8 McGrath, and whoever else you may have talked to about who  
9 you would have selected, or how you would have handled it  
10 did you tell them how you would have handled it?

11 A Well this was at a different time. Not during  
12 this time.

13 Q Oh --

14 A I just said I mentioned that before. I said we  
15 get in a situation and this wasn't during the time. I said  
16 we get in a situation where we get a mandate okay, we're  
17 only going to have one chemistry guy left here, one RADCON  
18 guy left here you know I just told them - I said if we ever  
19 get in that situation my recommendation is this is the  
20 person that you should have based on - and the reason why I  
21 did that here is what the contribution is - here is what  
22 this contribution this person has made.

23 A lot of times you get two, three levels up they don't  
24 get that and so I tried to communicate that up so people  
25 would know so we don't make the wrong decision. If I'm

1 gone, Wilson, everybody else is gone who is the best person  
2 to keep there.

3 Q Right.

4 A To meet the need. You know no need in keeping a  
5 man a -- manager he can't support the sites. He doesn't go  
6 to the sites. He can't provide what they need.

7 Q Un-hum.

8 A So it was an effort to try to feed that up. A  
9 lot of times at performance reviews they may not review the  
10 performance. They don't know what type of performance you  
11 know and I spent a lot of time - well a considerable amount  
12 of that time I try to communicate that. I said look, here  
13 is what these guys are doing. Here is the type of  
14 performance we get. Call the sites. If you don't believe  
15 me, don't take my word. Please don't take my word. Call  
16 the sites.

17 Q Did you ever get the feeling that Mr. McGrath  
18 just didn't like Fiser?

19 A Well that's the sense I had. Now I'm not saying  
20 that's the correct sense, this, that, and the other but  
21 that's the sense I had.

22 Q Okay.

23 A That he didn't really have a liking toward Gary  
24 but --

25 Q And what about Mr. McArthur how do you think he

1 felt about Mr. Fiser? What was your sense?

2 A (Chuckles)

3 Q You said he was in counseling for earlier --

4 A I didn't know what the sense was. Well Wilson I  
5 guess from me it appeared to me that he could along with  
6 Gary. He liked Gary as a person. Okay, but I mean I'm  
7 being honest with you. I didn't know where Wilson was  
8 coming from. I mean you know one minute he says one minute.  
9 One the next minute he says he didn't. This guy is taking  
10 me. I can't trust him. This guy did that.

11 Q Right.

12 A One minute he said well I can't trust him, and  
13 this, that, and the other, and then the other minute he said  
14 well you know I really like Gary. Gary needs a shot. You  
15 know he's coming back and he really got - you know he really  
16 was done wrong, but then on the other hand well yeah, I  
17 can't really trust him and this, that, and the other. I  
18 really think he's - I just try to base it on facts. My  
19 position of facts and performance. Let's be performance  
20 based.

21 Q You mentioned something and I've heard this  
22 before about the comment about him having been done wrong.  
23 Are you talking about that 1993 situation, or --

24 A Right, when we was coming back I didn't know you  
25 know I was - first I was directed by Wilson let's start

1 looking around because we need to get a person for that  
2 position. Then one day well don't do anything with that  
3 position because we've got an employee coming back who is  
4 going to fill that position.

5 Then he proceeded to tell me about Gary Fiser and how  
6 Gary was done wrong, and this, that, and the other. He's a  
7 real good guy and this - you know everybody told me before  
8 he got here hey, this is a real good guy. He just got mis -  
9 you know just was done wrong. That's all I got. I didn't  
10 get anything negative about Gary.

11 Q Okay.

12 A You know and you know I was told well but you  
13 know just watch him and make sure to see how things go and  
14 this, that, and the other. I am well I am. Just treat him  
15 like everybody else. Let's start and let's go to work.

16 Q Okay.

17 A And you know we don't - we never talked about  
18 what happened in the past. Never once did I talk to him  
19 about what happened. When he started working I never talked  
20 to him once about what happened in the past, this, that, and  
21 the other. Hi, I'm Ron Grover and here is what we're trying  
22 to - you know we talked a while. Here is what we're trying  
23 to do. Just like that and we moved forward.

24 Q Okay, good and that's what it appears to just --

25 A Yeah, Wilson was a very -- opponent. Oh, man,

1 this guy is a good guy. He was done wrong. He really needs  
2 - he really deserves a good shot, this, that, and the other  
3 you know.

4 Okay, I'll work with him. Who you know - that's all  
5 the feed back I got. Some of his peers that worked with him  
6 they said the same thing. Plants said the same thing so  
7 okay, well fine let's get him here. Let's see how it works  
8 out you know.

9 Q Did you talk to Gary after the screening panel  
10 for the 1996 posting of the position? Did he ever talk to  
11 you - come talk to you about his non-selection for that  
12 position?

13 A You mean after the interviews?

14 Q Un-hum.

15 A Were held and he wasn't selected?

16 Q Un-hum.

17 A Yeah, we talked. I tried to suggest to him - you  
18 just want to know what we talked about?

19 Q Well basically what was his feeling at the time?

20 A Well I mean he was disappointed. He was  
21 disappointed in the process. He felt the process wasn't  
22 totally fair and I think the one thing he - one thing that  
23 really stuck out that he was really disappointed about was  
24 the fact that Jack Cox wasn't on the selection Board.

25 You know after all he did, all the support he provided



1 and the Plant that he really supported wasn't represented on  
2 the Board. You know they couldn't get Jack Cox. They  
3 couldn't get anybody.

4 They couldn't get one - they didn't get one  
5 representative from the Plant to set the Board and I think  
6 that really is what stuck with him and that he was really  
7 the most disappointed in.

8 Q Did you ever talk to Cox about that afterwards  
9 yourself?

10 A No.

11 Q Did you talk to McArthur any further about Gary's  
12 non-selection or anything else?

13 A No, didn't - I really intentionally just stayed  
14 out of the process. He asked me to work with the position  
15 description and I coordinated that. I got with Sam and I  
16 tried to get everybody's - Sam was --. Went out got his  
17 input, tried to get - I tried to help facilitate.

18 I always tried to help facilitate the process to go  
19 through but I did not try to interfere or stop and throw a  
20 wrench in anything. If he asked me my advice - he come to  
21 me all the time. He asked my advice. I gave it to him. I  
22 said that's my advice you know. You asked my opinion that's  
23 what my opinion is but I did not try to impede or interfere  
24 in any way with the process.

25 Q All right, do you have any questions that you

1 want to ask me, or is there anything else that you think I  
2 need to know about?

3 A No, I think - you know I've expressed that to you  
4 that I just - I think throughout the whole process we were  
5 just looking for fairness.

6 Q Un-hum.

7 A In following the policy.

8 Q Do you have any suggestions on who else I might  
9 speak to that had - might have knowledge of certain  
10 decisions that were made you know by upper management  
11 concerning the posting of the position, or any desire on  
12 somebody's part not to have Gary in that position?

13 A I don't know who you've spoken with or who you  
14 have a list of people to speak to so far.

15 Q Well who would you suggest that?

16 A Well you've talked with HR representatives, Ben  
17 Easley, Wilson McArthur, any - you know I imagine you've  
18 talked to everybody involved. I mean you -- you spoke with  
19 him or Sam. You know just get everybody that's kind of  
20 directly involved I guess in some way or another indirectly  
21 to get their - you know you talked with the Environmental  
22 people that were involved that didn't get selected. Talk to  
23 them.

24 Deidre Nida you know she's over the lab now. You know  
25 I'm just throwing that - putting out those names because

1 they were in the group and he went through all this together  
2 so they may know something, or may offer some - Trish Lander  
3 she's over our building over here in an environmental group.  
4 You know those are the only people that I know because they  
5 were mainly you know there when this all transpired so they  
6 would have more - if I forgot something or left something  
7 out maybe they can fill in the blanks.

8 Q Okay, anything else at all?

9 A No.

10 MS. BENSON: Well I appreciate all your time today. I  
11 didn't really expect it would take quite as long as we did  
12 but you've been very helpful.

13 MR. GROVER: Okay.

14 MS. BENSON: Very forthright. Like I said I kindly  
15 detected that when I read the other interviews too and if  
16 you need anything at all I'm going to give you a card. You  
17 can give me a call.

18 MR. GROVER: Sure.

19 MS. BENSON: Okay.

20 MR. GROVER: I appreciate it.

21 MS. BENSON: And thank you for your help today.

22 MR. GROVER: Okay.

23 MS. BENSON: The time now is approximately 12:50.

24 (Whereupon, at 12:50 p.m., the interview was  
25 concluded.)

PROOFREADER'S CERTIFICATE

In the Matter of: INTERVIEW OF RONALD O. GROVER

Witness: RONALD O. GROVER

File Number:

Date: DECEMBER 18, 1998

Location: CHATTANOOGA, TENNESSEE

This is to certify that I, Bob Addington, do hereby swear and affirm that the attached proceedings before the U.S. Nuclear Regulatory Commission were held according to the record and that this is the original, complete, true and accurate transcript that has been compared to the reporting or recording accomplished at the hearing.

*Bob Addington*

Date: DECEMBER 22, 1998