

EXHIBIT 2

Information in this record was deleted
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Act, exemptions b7c
FOIA- 2004-321

Case No. 3-2001-055

G-2

Exhibit 2

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APPEARANCES:

On Behalf of Oscar Shirani

MICHAEL MCDERMOTT, ESQ.

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

(9:20 a. m.)

SPECIAL AGENT LANGAN: Okay. For the record, this is an interview of Oscar Shirani. Mr. Shirani, can you spell your last name for the record, please.

MR. SHIRANI: S-h-i-r-a-n-i.

SPECIAL AGENT LANGAN: Today's date is Tuesday, the 18th of December, 2001, the time is approximately 9:20 a. m. Mr. Shirani has been sworn. The location is the United States Nuclear Regulatory Commission Office, the Region Three Office, particularly, 801 Warrenville Road, Lisle, Illinois, 60532, second floor conference room.

Present at the interview are myself, Scott Langan, a special agent with the United States Nuclear Regulatory Commission, the Office of Investigations, Region Three. Also present is Mr. Shirani's legal counsel, Mr. Michael McDermott. Mr. McDermott, could you spell your name for the record, please.

MR. MC DERMOTT: M-c D-e-r-m-o-t-t.

SPECIAL AGENT LANGAN: As agreed, this interview is being recorded by a court reporter Pat Clancy. The subject matter of this interview is in regard to the employment discrimination complaint that

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1 Mr. Shirani filed with the NRC against Exelon Corp.,
2 spelled E-x-e-l-o-n, which is an NRC licensee, for
3 laying off Mr. Shirani in retaliation for reporting
4 previous discrimination concerns to the NRC.

5 Mr. Shirani, is Mr. McDermott your
6 personal legal counsel?

7 MR. SHIRANI: Yes.

8 SPECIAL AGENT LANGAN: Mr. McDermott, do
9 you represent Exelon in this matter?

10 MR. MC DERMOTT: No, I do not.

11 SPECIAL AGENT LANGAN: Do you represent
12 only Mr. Shirani in this matter?

13 MR. MC DERMOTT: He's my only client with
14 regard to this matter.

15 SPECIAL AGENT LANGAN: Mr. Shirani, who is
16 paying your legal counsel's legal fees today?

17 MR. SHIRANI: Myself.

18 SPECIAL AGENT LANGAN: Do you still want
19 Mr. McDermott as your legal counsel?

20 MR. SHIRANI: Yes, sir.

21 SPECIAL AGENT LANGAN: A couple of
22 background questions. Your date of birth?

23 MR. SHIRANI: 

24 SPECIAL AGENT LANGAN: Your Social
25 Security number? 7c

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MR. SHIRANI: [REDACTED]

TC

SPECIAL AGENT LANGAN: What is your current residence?

MR. SHIRANI: [REDACTED]

TC

SPECIAL AGENT LANGAN: Your street address?

MR. SHIRANI: [REDACTED]

SPECIAL AGENT LANGAN: A phone number to reach you at your residence?

MR. SHIRANI: [REDACTED] That's home

TC

phone number. And the cell phone number is [REDACTED]

[REDACTED]

SPECIAL AGENT LANGAN: Let's talk a little bit and build a time line of your educational background.

MR. SHIRANI: I have my master's degree from George Washington University in civil structural engineering, 1980. And I have my bachelor of science degree from West Virginia Institute of Technology which has now changed to West Virginia University in

[REDACTED]

TC

SPECIAL AGENT LANGAN: What was the first job you had after you got your master's?

MR. SHIRANI: I got a job at Stone & Webster Engineering Corporation, Boston,

1 Massachusetts. SPECIAL AGENT LANGAN: When did you
2 start with them, approximately?

3 MR. SHIRANI: Approximately 1980, '81
4 time frame.

5 SPECIAL AGENT LANGAN: How long did you
6 work for them?

7 MR. SHIRANI: Approximately ten years,
8 nine and some years.

9 SPECIAL AGENT LANGAN: And what was your
10 job?

11 MR. SHIRANI: I was the structural
12 engineer, and headquarter Boston, but I traveled to
13 five, six different nuclear power plants within the
14 nine-, ten- year period.

15 SPECIAL AGENT LANGAN: So you worked in
16 the nuclear industry?

17 MR. SHIRANI: Yes.

18 SPECIAL AGENT LANGAN: After you worked
19 for that company, who did you work for? MR.

20 SHIRANI: I shortly worked for Westinghouse
21 Corporation, as a contract person at Ridgeland,
22 Washington, for a few months. Then in 1990, I started
23 with the Commonwealth Edison at that time, which later
24 changed to ComEd, now changed to Exelon after merger.

25 SPECIAL AGENT LANGAN: When you were with

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1 Westinghouse, was that also nuclear?

2 MR. SHIRANI: Yes.

3 SPECIAL AGENT LANGAN: As an engineer?

4 MR. SHIRANI: Yes. I was a structural
5 analyst for the Westinghouse Corporation in Ridgeland,
6 Washington.

7 SPECIAL AGENT LANGAN: When you came to
8 Commonwealth Edison, what was your first job?

9 MR. SHIRANI: My first job was a
10 structural engineer.

11 SPECIAL AGENT LANGAN: Not an auditor?

12 MR. SHIRANI: Not an auditor.

13 SPECIAL AGENT LANGAN: And you did this in
14 the nuclear group?

15 MR. SHIRANI: Yes.

16 SPECIAL AGENT LANGAN: For how long did
17 you do that?

18 MR. SHIRANI: I have been in nuclear 20
19 years out of my 21 years of service at the nuclear
20 industry. 20 years, I served with the nuclear
21 industry.

22 SPECIAL AGENT LANGAN: When you came to
23 Commonwealth Edison, how long were you in the job you
24 were in before it changed?

25 MR. SHIRANI: The first four years, I was

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1 in engineering. The last six years, I was in quality
2 assurance, nuclear oversight or quality assurance
3 department.

4 SPECIAL AGENT LANGAN: Did you use your
5 engineering background in that role?

6 MR. SHIRANI: That was one of reasons
7 they hired me in the QA organization because I served
8 them as a technical expert once I was performing
9 audits. They were recruiting any services for their
10 audits even prior to 1994 when I joined QA
11 organization.

12 SPECIAL AGENT LANGAN: When you do this,
13 you are doing this audits from an engineering
14 perspective?

15 MR. SHIRANI: Yes, sir.

16 SPECIAL AGENT LANGAN: When you worked for
17 what would eventually be Exelon, were you with the
18 corporation or were you assigned to a specific site?

19 MR. SHIRANI: I was with the corporation
20 but serving all the nuclear sites as a technical
21 expert. I was served in many of audits and many
22 technical engineering assessments, in many of the
23 engineering assessments that they had to even defend
24 operability of plants with the NRC.

25 SPECIAL AGENT LANGAN: And you would do

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1 these audits all year?

2 MR. SHIRANI: Yes. All year.

3 SPECIAL AGENT LANGAN: Tell me about the
4 situation in 1997 regarding the GE audits.

5 MR. SHIRANI: 1997, prior to 1997, I had
6 approximately more than 30, approximately 40 audits
7 that I was leading or participating, so I was very
8 aware of my responsibility of going to organizations
9 like a GE because NRC was questioning ComEd's
10 integrity on the qualification of the vendors because
11 there was a pump issue came up at Dresden Quad Cities,
12 and they found out Sargent & Lundy had used the wrong
13 pump curve.

14 So ComEd committed to the NRC that they
15 are going to do certian of the activities, and quality
16 assurance department also committed part of that
17 commitment that they wouldn't support more technical
18 audits, in addition to the NUPIC audits.

19 NUPIC was the Nuclear Users Procurement
20 Issues Committee, which are 54 utilities world wide.
21 46 are in the United States. They do cover all the QA
22 program, all the 18 criteria. But traditionally,
23 NUPIC has not been very strong in the technical design
24 section and the software section.

25 So because NUPIC did not identify a lot of

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1 these issues and it was more problematic, ComEd
2 figured if we go and do a bunch of technical audits,
3 it will give more reasonable assurance to the NRC that
4 we know what we are doing and we are in control of our
5 suppliers.

6 SPECIAL AGENT LANGAN: Let me stop you
7 there. What was your title?

8 MR. SHIRANI: I was the lead auditor of
9 the GE.

10 SPECIAL AGENT LANGAN: Since 1994, you
11 were an auditor.

12 MR. SHIRANI: From November 1994, I
13 joined ComEd program QA program from engineering. And
14 all I was doing prior to that, I was serving in
15 ComEd's suppliers or internal audit as a technical
16 specialist but I was still serving engineering
17 corporation.

18 From 1994, November on, I was fully
19 staffed and paid by the QA department of the company.

20 SPECIAL AGENT LANGAN: And you were the
21 lead auditor for the GE.

22 MR. SHIRANI: For the GE, yes.

23 SPECIAL AGENT LANGAN: What were the
24 findings from your GE audit?

25 MR. SHIRANI: There was twelve to

1 thirteen findings that put shutdown or put a stop work
2 order on GE Nuclear Services, which we call it GENE as
3 a short, which resulted in a stop work order, twelve
4 findings.

5 The major overall, all the technical
6 findings summed up to GENE does not have an adequate
7 control on the design of the safety-related
8 calculation and softwares, that they were supporting
9 the operability and design of the plant components at
10 the BWRs, which is Boiling Water Reactors.

11 SPECIAL AGENT LANGAN: Which plants for
12 ComEd did that effect?

13 MR. SHIRANI: Dresden, Quad Cities and
14 LaSalle stations.

15 SPECIAL AGENT LANGAN: So when you raised
16 this, you were part of a team that did this?

17 MR. SHIRANI: Yes, I was the lead
18 auditor. I had five technical experts that I prepared
19 two, three months in advance of this audit.

20 SPECIAL AGENT LANGAN: Did they agree with
21 the findings?

22 MR. SHIRANI: Yes.

23 SPECIAL AGENT LANGAN: So you have these
24 findings. Who did you give the findings to?

25 MR. SHIRANI: I brought the findings --

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1 I had as a QA lead auditor, I had the freedom to put
2 the "stop work while at the exit at the GE, but I still
3 wanted to make sure that Exelon or ComEd management
4 was in full support of my decision. I still, as a QA
5 lead auditor, I had that freedom but I did not
6 exercise that freedom. I brought the issues right back
7 to our management.

8 SPECIAL AGENT LANGAN: Who was?

9 MR. SHIRANI: Which was Mr. Ed Netzel, who
10 was the QA manager, or they called it nuclear
11 oversight supplier evaluation services manager.

12 Because there were a few words used for
13 that the department; NO, which is nuclear oversight,
14 or QA, which is quality assurance. And part of that
15 nuclear oversight was the Supplier Evaluation
16 Services, SES group, which I was functioning; and the
17 responsibility was supplier wide.

18 I was responsible for between, different
19 times, between 50 to 70 vendors. And most of those
20 vendors assigned to me, they were most architect
21 engineering and Triple S suppliers like GE.

22 SPECIAL AGENT LANGAN: Let's get back
23 first to -- so you shared it with Ed.

24 MR. SHIRANI: I shared it with Ed Netzel,
25 and he shared it with Mr. Waldinger, who was Ed

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1 Netzel's boss. And he was the nuclear oversight
2 manager.

3 SPECIAL AGENT LANGAN: How did they react
4 to it?

5 MR. SHIRANI: Immediately, Mr. Waldinger,
6 we had a meeting the Monday morning after the exit on
7 August 25. And once he heard the issues, I summarized
8 the major findings for him.

9 And he turned to Mr. Netzel and says, "The
10 ~~thing is in your court now, and these are issues which~~
11 are significant. I will support his stop work."

12 SPECIAL AGENT LANGAN: So did you go back
13 and tell GE about the stop work?

14 MR. SHIRANI: Actually, I was making
15 myself very clear at the exit meeting, which I have
16 the notes of what went on at the exit meeting, the
17 lengthy discussions. ~~_____~~ who was the

18 ~~_____~~
19 ~~_____~~ at that time, he was at the exit meeting; and
20 he accused me that I was very inflexible and tough and
21 did not want to negotiate those findings.

22 And I go to the length in my document that
23 I was telling him that this is not a management
24 negotiation; these are the code violations. All the
25 findings was based on the violations of the ASME, ANSI

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1 N45.2.11, which their QA program was committed to.
2 And our QA, quality assurance contracts, purchase
3 orders to the GE was invoking our QA program invoking
4 GENE quality assurance program, which those QA
5 programs invoked ASME, ANSI N45.2.11 for the design.

6 SPECIAL AGENT LANGAN: Now, in your
7 dealings with [REDACTED] at this exit meeting, were
8 you professional with him?

9 MR. SHIRANI: I was very professional,
10 and I also have documented the feedback that I
11 received from my five technical specialists.

12 SPECIAL AGENT LANGAN: Were they also
13 present for this?

14 MR. SHIRANI: They were present, also.
15 We were approximately 25 people at the exit meeting.
16 And [REDACTED] several times, he got upset, he got up
17 and he almost wanted to leave. And I restated my
18 mission for that assignment. And I said, "The reason
19 I am here because NRC is questioning ComEd's integrity
20 and support and control of its suppliers. So this
21 audit will be served as ComEd's defense to the
22 regulators that we know how to do audits."

23 SPECIAL AGENT LANGAN: So you raised to
24 him -- he gets upset.

25 MR. SHIRANI: He gets upset.

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1 SPECIAL AGENT LANGAN: What happens next?

2 MR. SHIRANI: So we had, you know, I
3 raised the ANSI N45.2.11, and we explained to him that
4 we have given upward to his engineers for the five
5 days, consecutive days we were there, and it was not
6 opinion of one engineer versus the other; we had given
7 them enough opportunity. And once we knew that the
8 calculation had to be revised, then we sited the
9 issues.

10 So 54 calculations were cited -- was
11 reviewed, and all 54 calculations were failed design
12 verification, design validation, software verification
13 validation, design input, design output. And
14 basically, my whole message from that was design
15 control at the GENE is completely lost; and this is a
16 breakdown of their QA program in their design and
17 software control.

18 SPECIAL AGENT LANGAN: Did you ever have
19 an opportunity to go back to GE to see if they made
20 those changes?

21 MR. SHIRANI: That was part of my struggle
22 with Exelon for almost two years. Maybe shorter than
23 two years; maybe about 21, 21 months, because we
24 conducted the audit at August 1997, and the followup
25 visit we did was on May, 1999.

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1 And our QA program, ComEd program and
2 procedures requires that if you come up with any
3 findings, you have to follow up the issues within 30
4 days. And if there is enough evidence that the GE or
5 audit -- the auditee has made progress, then series of
6 reports come to you. You evaluate to see if the
7 progress is acceptable, and then you grant them
8 another 30 days extension.

9 SPECIAL AGENT LANGAN: Did this happen in
10 your case?

11 MR. SHIRANI: No, did not happen in my
12 case. And in reality, almost one year passed, I was
13 still reminding our managers that this is a negative
14 reflection of our QA program. And I told them that
15 NRC and NRR, they have made several phone calls once
16 we put stop work on the GE; and I made the commitment
17 that I expeditiously will follow up on these issues
18 until closure.

19 SPECIAL AGENT LANGAN: Let me stop you
20 there. Who did you tell in your management?

21 MR. SHIRANI: My manager after Ed Netzel
22 -- after arrived -- oh, before.

23 I told this one to Mr. Ed Netzel. X

24 SPECIAL AGENT LANGAN: Okay. And how did
25 he react to you?

1 MR. SHIRANI: Let's go back. Sorry.
2 What was the question again?

3 SPECIAL AGENT LANGAN: Okay. You get the
4 findings, you have your exit meeting with the company,
5 and you were discussing how usually within a certain
6 period of time, you had have followup to see if they
7 have made the changes they need to make.

8 MR. SHIRANI: Yes.

9 SPECIAL AGENT LANGAN: In this situation,
10 do I understand correctly it did not occur that way? NK

11 MR. SHIRANI: Did not occur that way
12 because once [REDACTED] arrived at ComEd, which was
13 immediately after we lifted the stop work --

14 SPECIAL AGENT LANGAN: When did you lift
15 the stop work?

16 MR. SHIRANI: The stop work was lifted in
17 November 1997. That was like three months after we
18 put the stop work.

19 SPECIAL AGENT LANGAN: Who lifted the stop
20 work?

21 MR. SHIRANI: ~~Mr. Netzel, Mr. Kombiz~~

22 ~~Salehi~~

23 ~~Kombiz is K-o-m-b-i-z~~ The last name is

24 ~~S-a-l-e-h-i.~~

25 SPECIAL AGENT LANGAN: Why was it --

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1 MR. SHIRANI: He and also, the other
2 person, Jack Bruner.

3 Three of these gentlemen were assigned to
4 go to GE once I was on vacation. I told Mr. Netzel,
5 "Please do not go to GE on my behalf. This is my
6 audit. I was the lead auditor." So once I was coming
7 back Monday from my vacation, Friday, three days
8 before my return, they were given assignment by ComEd
9 management to go to GE and try to work out a win-win
10 strategy to resolve these issues.

11 And Mr. Salehi, he is going to be the
12 witness that he also documented his interaction with
13 [REDACTED] And basically, [REDACTED] has
14 admitted in that meeting --

15 MR. MC DERMOTT: What's the question? I
16 don't mean to interrupt. You are going off -- you are
17 not answering the question, and you are losing the
18 time line for the questioner. At least I believe you
19 are.

20 SPECIAL AGENT LANGAN: Yes, let's get
21 back. When you -- these three individuals go out?

22 MR. SHIRANI: These three individuals go
23 out and --

24 SPECIAL AGENT LANGAN: What did they come
25 up with?

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1 MR. SHIRANI: They came up with a plan
2 that ComEd and GE are going to work together to lift
3 the stop work, and based on some promises from the GE
4 that they will send me reports of their activities
5 within the next six months to give us the assurance
6 that GE is actively pursuing.

7 SPECIAL AGENT LANGAN: Did you get those
8 reports? MR. SHIRANI: I was getting the reports,
9 but I was not really happy with those reports because
10 they were charts and data and everything. What I was
11 expecting to see is what exactly they have done as a
12 corrective actions to the cited issues, and also what
13 actions they are taking to prevent recurrence.
14 Because I knew once the stop work is lifted, QA
15 program of GE becomes active again, and everything has
16 to be under their program. So I did not have any
17 confidence that the actions they have taken was
18 comprehensive enough to give me that.

19 SPECIAL AGENT LANGAN: Did you contact GE
20 and tell them that you wanted to see more?

21 MR. SHIRANI: I have contacted GE on a
22 couple of occasions that I have not even received
23 those reports.

24 SPECIAL AGENT LANGAN: When did [REDACTED]
25 go from GE to [REDACTED]

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1 MR. SHIRANI: December 1997, immediately
2 after, a month later we lifted the stop work.

3 SPECIAL AGENT LANGAN: Do you know how he
4 would get his job at ComEd? MR. SHIRANI: Well,
5 usually, the way that I got my job, I had to be
6 waiting almost two, three months to do all the
7 background check and everything else. They took like
8 almost three months for me.

9 So if he is hired in December 1997, there
10 must be some negotiation within that time frame to do
11 background check before he's hired at another nuclear
12 utility.

13 So the same time that the stop work was in
14 place, NUPIC and lot of utilities, they were nervous
15 about the stop work. And also I have on the record
16 that NRC had a bunch of conversation with us to see if
17 they also should have gone and reviewed the GE
18 calculations to make sure they are safe.

19 SPECIAL AGENT LANGAN: Now, when he comes
20 on board with ComEd, what is his title?

21 MR. SHIRANI: He was the [REDACTED]
22 [REDACTED] under
23 Mr. Oliver Kingsley.

24 SPECIAL AGENT LANGAN: [REDACTED]

25 MR. SHIRANI: [REDACTED]

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1 [REDACTED]
2 SPECIAL AGENT LANGAN: So he would be
3 higher than you on the chain of command.

4 MR. SHIRANI: Of course.

5 SPECIAL AGENT LANGAN: This is December
6 '97?

7 MR. SHIRANI: December 1997.

8 SPECIAL AGENT LANGAN: So what are your
9 safety issues then? The issues you raised in the GE
10 audit; am I correct?

11 MR. SHIRANI: Yes, sir. 10

12 SPECIAL AGENT LANGAN: What happens next?
13 [REDACTED] is there. What happens next regarding you and

14 [REDACTED]
15 MR. SHIRANI: After [REDACTED] arrived,
16 Mr. Waldinger, the nuclear oversight manager, he was
17 out.

18 SPECIAL AGENT LANGAN: Out meaning what?

19 MR. SHIRANI: Out of the company.

20 SPECIAL AGENT LANGAN: He left the
21 company?

22 MR. SHIRANI: Left the company. And he
23 was the first one who supported the stop work.

24 Mr. Edward Netzel, within two or three
25 months, he got early retirement. He was with the

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1 company for 28 years, very good manager. He also gave
2 another opportunity to GE within four days before he
3 issued the stop work, request for additional
4 information to see if his judgment is correct for the
5 stop work.

6 SPECIAL AGENT LANGAN: Did Mr. Waldinger
7 or Mr. Netzel get forced out?

8 MR. SHIRANI: On Waldinger, I don't know
9 the details of how Mr. Waldinger got out. I don't
10 have no claim on that one. But Mr. Netzel and I had
11 many lengthy conversations that he did not want to
12 raise any issue. He says, "I got a good package. I'm
13 happy, and I want to work in the nuclear industry."

14 SPECIAL AGENT LANGAN: Who is your
15 immediate supervisor then?

16 MR. SHIRANI: After Mr. Ed Netzel left,
17 Mr. Netzel's job was given to [REDACTED]
18 [REDACTED] (sic) And [REDACTED] was also serving
19 under Mr. Netzel for a few months before he departed.

20 SPECIAL AGENT LANGAN: Did your duties
21 change when [REDACTED] became your boss?

22 MR. SHIRANI: No, my duties did not
23 change, but what happened is they transferred the SES
24 Group.

25 SPECIAL AGENT LANGAN: Which is what you

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1 were in?

2 MR. SHIRANI: Yes. SES was part of the
3 quality assurance, in charge of the suppliers quality
4 assurance audit.

5 SPECIAL AGENT LANGAN: Who did they
6 transfer to? 7C

7 MR. SHIRANI: They transferred to the
8 supplier organization under [REDACTED], which [REDACTED]
9 reported to [REDACTED]. So they cut that part of the
10 QA supply organization, put it under production
11 department. And they were working on the QA manual
12 revision. And you know, as you know, the quality
13 assurance manual revisions has to be approved by the
14 NRC.

15 Within the months that the quality
16 assurance manual was not revised, we still were
17 reporting to supply organization which is outside of
18 the QA responsibility. And then once they sent the
19 revision, that's one of my charges, that they made the
20 changes under organization change.

21 SPECIAL AGENT LANGAN: Okay.

22 MR. SHIRANI: And I guess NRC -- I'm not
23 sure to what NRC was aware of it or not, but NRC
24 approved that. And I was very hopeful that NRC would
25 detect that and would not approve that QA manual

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1 revision. But unfortunately, it did happen.

2 SPECIAL AGENT LANGAN: Now, describe your
3 relationship at the beginning with [REDACTED] TC

4 MR. SHIRANI: [REDACTED] I'm not
5 condemning education or lack of education or anything,
6 he was only a high school graduate. He did not
7 understand the meaning of the safety concerns in the
8 design area. He did not understand.

9 Because I strongly believe that the QA
10 program, 18 criteria, the heart of it is the design.
11 If you miss on the design, you could adversely impact
12 the rest of QA organization. So all the software or
13 design changes, he did not have adequate training or
14 background or knowledge to really support or lack of
15 support.

16 SPECIAL AGENT LANGAN: Who promoted him?

17 MR. SHIRANI: I believe Mr. Ed Netzel! I
18 don't know, on his own will or whoever.

19 SPECIAL AGENT LANGAN: When you started
20 reporting to [REDACTED] how did he treat you
21 personally? C

22 MR. SHIRANI: I have several instances on
23 my report which I am going to submit to you, on
24 several occasions that I felt intimidated, I felt
25 pressured. I felt embarrassed. I mean harassed.

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1 SPECIAL AGENT LANGAN: Now, when you say
2 pressured or harassed, define for me what you mean by
3 that.

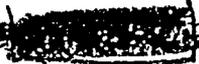
4 Just tell me; you can tell me.

5 MR. SHIRANI: Basically, he was mostly
6 like a preaching, like an evangelist I call it, that
7 we have to be very careful to be a team player with
8 the suppliers because they are on our side, and we
9 have to be very cooperative with the suppliers and
10 making sure that we do everything based on the cost.

11 So he was more like a manager like
12 production rather than manager of the quality
13 assurance. Once I brought up to his attention and
14 other managers' attention that the Supplier Evaluation
15 Services should have not been apart from the QA, their
16 response to me was, "We still have a dotted line to
17 the QA organization."

18 And I also have several instances that I
19 tried to exercise that dotted line and the way that I
20 was treated. And basically, they did not want to, you
21 know, me to raise another issue like GE.

22 SPECIAL AGENT LANGAN: Was he aware of the
23 issues you raised with GE?

24 MR. SHIRANI: Well, he was the one that,
25 once Ed Netzel was in charge of group  was

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1. part of the group. And he was the one told Mr. Netzel
2 that Oscar deserves a good rating this year for
3 raising those issues. So part of the group, he was
4 supporting it. But once he became the manager, he
5 violated our QA program and procedure requirements.

6 What I mean by violation is, he never asked me for
7 monthly updates. And every time I was reminding him,
8 he was saying, "I don't have any budget."

9 It came to the point that I was pressured
10 by a triangle. What I mean, one side of the triangle
11 was, my own supplier services manager says if I don't
12 follow up of these issues in 1998, December 1998 time
13 frame, he would not have a budget for me in 1999.

14 Several phone calls, conversation with the
15 GE, they were keep postponing the followup to October
16 1998. October 1998 passed; they committed to November;
17 they committed to December. Finally, they wrote in
18 November that "December, we cannot have a time for
19 your audit, and it has to be 1999." ne

20 So from the GE they say, we cannot
21 entertain your audit in 1998, followup; it has to be
22 1999. My ~~XXXXXXXXXXXXXXXXXXXX~~ says, "If it goes
23 1999, I'm not going to be able to have support for
24 you." And from Roger Gavankar, which was the head of
25 engineering, it was so much denial that he does not

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1 have support of engineering to go with me to San Jose
2 to do this issue. And all these gentlemen, by the way,
3 they were reporting to ~~██████████~~ organization. So
4 I felt like I don't have nobody to go to.

5 So it came to around February 1999; I came
6 to work. And my conscience was bothering me that I
7 have been danced around enough. I came, and I went on
8 my e-mail; and I wrote an e-mail to all the executives
9 of the ComEd, especially the BWR vice-presidents.

10 The Boiling Water Reactors -- Dresden,
11 Quad Cities and LaSalle Station -- impacted stations
12 by the stop work order.

13 SPECIAL AGENT LANGAN: How did they
14 respond? What did you put in the e-mail?

15 MR. SHIRANI: I put on the e-mail that
16 these issues are prolonged too long, too much.

17 SPECIAL AGENT LANGAN: These issues being
18 the GE issues.

19 MR. SHIRANI: GE issues. And this is
20 going to be a negative reflection of our QA program
21 implementation. Because we have obligation to the
22 NRC, and they are aware that the issues exist. On top
23 of it, I said I would not let my name to be ruined
24 because I was a lead auditor; and I have an
25 obligation. And I have a very high moral standard for

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1 myself to do the followup.

2 SPECIAL AGENT LANGAN: Let me stop you
3 there. Do you have a copy of your e-mail?

4 MR. SHIRANI: The copy of these e-mails
5 was on my personal files, which ComEd kept the last
6 day; and they went to my boxes on my personal files,
7 not this one alone, with a bunch of other ones that I
8 kept, including Zion Station Part 21 that I raised in
9 1995 time frame.

10 SPECIAL AGENT LANGAN: Did you get a
11 response to your e-mail?

12 MR. SHIRANI: The response was the next
13 morning, Mike from GE -- I don't know his last name.
14 We can find out later. He was the liaison between GE
15 and Commonwealth Edison. And I was told he was friend
16 of [REDACTED] He was at my desk 7:00 in the morning
17 before I even arrived. And I arrived about 7:15, and
18 he was there and says, "Oscar, you are going to go,
19 but give us some more time."

20 So I said, "18 months is not enough time?"
21 I said, "We lifted the stop work based on promises
22 from you. You guys gave us a lot of promises that you
23 are going to do everything in six months. It's now 18
24 months, and I don't have no corrective action, nothing
25 -- action to prevent recurrence, no confidence."

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1 He says, "well, you are going to go, but
2 give us more time."

3 And I said, "Mike, let me share some
4 opinions." I said, "I am under pressure from my
5 managers here. After that GE audit, instead of
6 supporting me, I feel like they are pressuring me to
7 leave."

8 And then he says, well -- and I said, "Is
9 that possible that you talked to [REDACTED] that I
10 need to talk to him, to discuss some of these issues,
11 some of this pressure?"

12 He says, "Oscar, you know, once these
13 findings are closed, you are going to have a better
14 opportunity to talk to [REDACTED]"

15 SPECIAL AGENT LANGAN: And that's how that
16 was left? MR. SHIRANI: That's how it was left.
17 So I was getting ready for a GE audit within a couple
18 months later. I was leading another audit in Boston
19 Massachusetts, part of the NUPIC.

20 I was at the exit meeting having my
21 presentation with that supplier, and I see all of a
22 sudden I am paged two or three times. I
23 didn't recognize the number, but I knew it was
24 Illinois, 815 area. I excused myself from the exit,
25 and I went on the phone; and it was Mr. Dale St.

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1 Clair. S-t. C-l-a-i-r. It's all in my report.

2 SPECIAL AGENT LANGAN: And for the record,
3 the report he is referring to is a document he created
4 called Nuclear Safety Alert.

5 MR. SHIRANI: So Mr. St. Clair said what
6 -- I think he either said "What the hell" or "What the
7 heck are you going to GE this time?" And I said, "Mr.
8 Clair" -- because he was one of the managers that
9 wanted to hire me to Byron station before I go to QA.
10 They wanted to hire me to go to Byron because of my
11 technical expertise, and I chose QA. So previously,
12 I knew him.

13 He says, "What the heck you going to do in
14 GE?" I explained my commitment; it's so long, we have
15 to close those issues. He says, "You know what, we
16 are running a power upgrade project for LaSalle. And
17 I don't want to" -- I'm sorry about the language --
18 "piss off my managers that you go and put another
19 issue and delay this project."

20 I said "Mr. Clair, LaSalle was one of the
21 nuclear plants which was affected by those audits.
22 What I can do is, I make a commitment, since power
23 upgrade project is still in the preparation stage and
24 is not reviewed and approved yet, I would not touch
25 those calculations because I'm only interested in the

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1 calculations which are final, prepared, reviewed and
2 approved."

3 SPECIAL AGENT LANGAN: How did he respond
4 to you?

5 MR. SHIRANI: He said fine. So he was
6 very happy and says thank you.

7 I went to the GE on my May or April 1999
8 followup at GE at the entrance meeting. I told GE
9 that I would not look at power upgrade project from
10 LaSalle because I don't want to delay their project.

11 And as soon as I came back from Boston,
12 [REDACTED] came and said, "Oscar, we -- you know,
13 I'm really nervous. [REDACTED] is very
14 nervous. Remember, we have obligations to our family.
15 Try to work with the vendors. Try to make sure that"
16 -- you know, he said, "I'm not telling you don't raise
17 issues, you know, but I'm telling you we got to know
18 what's best for ComEd; and you know, you know, your
19 obligations."

20 So it was indirect hint that, be careful
21 this time. And every day at the GE follow up, I was
22 calling him, giving him updates of what's going on.

23 SPECIAL AGENT LANGAN: Did he ask you to
24 do that, or did you do that on your own?

25 MR. SHIRANI: Because as my manager, I

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1 knew that I'm supposed to report to him, part of my
2 obligations to the company. But if I, within two,
3 three hours I didn't call, he was paging me or calling
4 me. And I have the letter that he wrote to [REDACTED]
5 the day that I told him that all the issues are
6 closed. And I raised two or three other minor issues
7 and findings which are not detrimental to our QA
8 program.

9 And I also reported to him that the GENE
10 QA managers and Mr. Jim Klapproth, I think, who was
11 the replacement of [REDACTED] or maybe one level
12 lower than his replacement, at the GENE exit meeting,
13 he was very emotional. And he was saying that that
14 was his best day at GE ever.

15 SPECIAL AGENT LANGAN: Positive emotion.

16 MR. SHIRANI: Positive.

17 SPECIAL AGENT LANGAN: So how was that
18 received by your boss?

19 MR. SHIRANI: He was very boasted about
20 that, and he put it in a report that GENE called this
21 audit as a wakeup call for the GE.

22 And then he says, "Oscar, this is the
23 biggest moment." Mr. Klapproth of GE. "This is the
24 biggest moment in my life at the GE that Oscar Shirani
25 come here and tell us that we have improved." He say

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1 he gave us a presentation, two or three of their top
2 managers, officers; and they put the charts, the
3 progress that he made. 600 engineers were trained.
4 More than 750 procedures and --

5 SPECIAL AGENT LANGAN: Let me stop you
6 here. Did they satisfy what you were looking for?

7 MR. SHIRANI: Yes. But that was almost
8 like two years.

9 SPECIAL AGENT LANGAN: So after that, what
10 happens to you next at Exelon?

11 MR. SHIRANI: After that, I came back;
12 and I was doing my duties.

13 SPECIAL AGENT LANGAN: Same job?

14 MR. SHIRANI: Same job.

15 SPECIAL AGENT LANGAN: Keep going.

16 MR. SHIRANI: And I was also doing some
17 more audits and so forth. I did the lead audit of
18 many audits; Sargent Lundy, Bechtel, GE. And also
19 NRC, as a result of that mission that I went through
20 these audits, NRC shared with Mr. Netzel, and Mr.
21 Netzel shared with me that NRC is very pleased with
22 the way that ComEd did improvement in the nuclear
23 oversight of the suppliers.

24 SPECIAL AGENT LANGAN: When did your
25 career at Exelon change next?

1 MR. SHIRANI: In July 2000, I was called
2 by Mr. Jim Gill, which was from Wisconsin Electric.

3 He was acting or he was the chairman of Dry Cask
4 Storage Quality Group. They called it DSQG.

5 SPECIAL AGENT LANGAN: Okay.

6 MR. SHIRANI: He mentioned that we have
7 issues with the Holtec and U. S Tool & Die. And also,
8 since I had the monthly meeting at Dresden, because I
9 was in charge of DSQG for our company.

10 SPECIAL AGENT LANGAN: You're saying Dry
11 Cask.

12 MR. SHIRANI: Dry Cask. I was appointed
13 as the quality person for the Dry Cask Storage and all
14 the suppliers working on the Dry Cask Storage,
15 including Holtec and U. S Tool & Die. They were my
16 vendors.

17 SPECIAL AGENT LANGAN: For the record,
18 Dry Cask is c-a-s-k.

19 What did he want you to do?

20 MR. SHIRANI: Because after the GE,
21 NUPIC, I think, had a nickname for me, "Shut Them Down
22 Shirani." That's what they were calling me. An
23 many times was telling me that NUPIC, they want
24 me in a lot of audits after that stop work. So I
25 build a reputation outside of company, but I was

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1 hammered within the company.

2 After Jim requested, then I went to talk
3 to Dick Tutken, who was the director of the Dry Cask
4 projects. And I told him that all these issues about
5 Dry Cask. And also I want to add that Joe Reiss and
6 Nate Leech, they are the managers of the Dry Cask at
7 Dresden. They were very concerned about Holtec design
8 and U. S Tool & Die fabrications.

9 They knew that DSQG and under NUPIC is
10 letting me to lead this audit. They said, "Oscar, I
11 think we have a lot of problems at Holtec, so this
12 audit is going to add a lot of value."

13 SPECIAL AGENT LANGAN: Did you do the
14 audit?

15 MR. SHIRANI: Yes.

16 SPECIAL AGENT LANGAN: What did you find?

17 MR. SHIRANI: Let me add one thing. I
18 asked Mr. Tutken to give me two best welding experts
19 they have; and they gave me. I went there, and I came
20 up with nine findings. In the audit summary of the
21 report, there is executive summary, that they say if
22 there are any pending issues from the industry, from
23 either previous NUPIC audit or NRC inspections.

24 In that summary, I wrote that NRC visited
25 U. S Tool & Die six months prior to this audit, and I

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1 put the date, and they did not come up with any
2 issues. And I also said that NUPIC was there end of
3 1998 time frame, and they also did not come up -- 1999
4 time frame, and also did not come up with any finding.

5 These issues was not shared with the NRC
6 until November 30, 2000. I was -- we were invited,
7 utilities, almost 20-some utilities were invited at
8 the Downers Grove Doubletree Hotel. And the host was
9 Holtec International. And they brought all these
10 utilities to boast about their design and basically
11 was a commercial advertisement for Holtec.

12 SPECIAL AGENT LANGAN: Okay.

13 MR. SHIRANI: Mr. Ross Landsman of the US
14 NRC in charge of Dry Cask Storage Project also was
15 invited.

16 Joe Reiss and Nate Leech, they were very
17 harsh on Dr. Chris Singh, who was the owner and the
18 president, the CEO and president of Holtec that "We
19 had a lot of problems with your design; we have a lot
20 of problems throughout the whole year. We actually
21 have to be there doing your oversight for you." And
22 the discussion was heated up.

23 Then I shared with the Holtec -- and U. S
24 Tool & Die was also on the speaker phone -- that all
25 this claim that your QA program is enhanced and

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1 everything, I disagree because my findings are still
2 open. The findings were issued in July 2000; and in
3 November 30, that NRC became aware of that, the
4 finding was still open.

5 SPECIAL AGENT LANGAN: How did NRC become
6 aware? At that conference?

7 MR. SHIRANI: At the conference, Mr. Russ
8 Landsman pulled me on the side at the break. And he
9 says, "Oscar, those are significant issues." And he
10 complimented me, that he said, "You did a good job.
11 And I want a copy of that audit report."

12 SPECIAL AGENT LANGAN: Did you give him a
13 copy?

14 MR. SHIRANI: I went and told my manager,
15  First reaction is, "What were you doing
16 at that symposium?"

17 I said, "Didn't you appoint me to be the
18 Dry Cask quality person?" I was invited to that.

19 He says, "Okay. You need to talk to
20 licensing."

21 I went and talked to Mr. Ken Ainger.
22 A-i-n-g-e-r. I think he was the manager or director
23 of the licensing at Downers Grove.

24 Mr. Ken Ainger, as I expected him to be my
25 ally because he's the licensing person; and usually,

1 licensing person knows their obligations to the NRC
2 and so forth. He said, "What were you doing over
3 there? How did you share the information with NRC?"

4 I says, "Well, issues were popped up, and
5 Holtec and U. S. Tool & Die they were boasting about
6 their program. And Joe Reiss and Nate Leech brought
7 up a lot of issues; other utilities brought up issues.
8 And I was the lead auditor of the U. S. Tool & Die.
9 I was leading the DSQG and NUPIC audit in July 2000."
10 And I said, "We had to share." And I said, "I don't
11 think that is to our best interest to hide these
12 things from the NRC."

13 SPECIAL AGENT LANGAN: How did he respond
14 to that? MR. SHIRANI: He said, "You know, I
15 don't trust NRC compliments because they come and
16 compliment you, but they are going to go after Holtec
17 and they are going to go after U. S. Tool & Die. And
18 what's going to happen? Who is going to lose?"

19 SPECIAL AGENT LANGAN: So what happens
20 next?

21 MR. SHIRANI: So Mr. Russ Landsman called
22 me two, three days later, says, "Did you send me the
23 audit report?" I said, "Mr. Landsman, honestly I'm
24 trying; but I cannot send you the audit report
25 directly. The licensing is going to" --

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1 So, I told him that "I will do my best of
2 my abilities to send you the audit report but now it's
3 in the hands of Ken Ainger."

4 SPECIAL AGENT LANGAN: Did he get that?

5 MR. SHIRANI: Finally, I guess a week or
6 two weeks later he received the audit report. And
7 then he called me on January 19, 2001. On my phone,
8 it says I am out of the nuclear, and I am in the
9 financial audits, and this is my new phone number.

10 So Mr. Russ Landsman called me, and he
11 says, "Oscar, you are a good guy. You kept them
12 honest, and I read your audit reports, and I agree
13 with you. And I was surprised that you didn't put the
14 stop work on the U. S. Tool & Die because they were
15 significant issues."

16 So, and I said, "Mr. Landsman, I can't
17 really talk." He says, "I understand. You cannot
18 answer me, you don't have to answer me."

19 SPECIAL AGENT LANGAN: Why didn't you put
20 a stop work on them?

21 MR. SHIRANI: I told Mr. Landsman that I
22 have a very good confidence on the new U. S. Tool &
23 Die QA manager that they have hired, Mr. Marty
24 Edwards.

25 SPECIAL AGENT LANGAN: So you had a

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1 legitimate business reason.

2 MR. SHIRANI: Yes, legitimate business
3 reason because of my interaction with him. He
4 endorsed all the nine findings. And at the USQG
5 meeting, I guess it was towards the third quarter of
6 2000, at the DSQG meeting, he got up and he said,
7 "Oscar found a lot of holes in our QA program, and we
8 deserved it. But I'm going to do everything to fix
9 it." And then he says, "All I have is a high respect
10 for Mr. Shirani."

11 SPECIAL AGENT LANGAN: Let me stop you
12 there. When did you go from -- when did you end up
13 doing the financial work? When did you transfer?

14 MR. MC DERMOTT: Excuse me. Could we take
15 a break?

16 SPECIAL AGENT LANGAN: Yes, why don't we
17 go off the record.

18 (Following a recess, the
19 interview was continued as
20 follows:)

21 SPECIAL AGENT LANGAN: Back on the
22 record. It's approximately 10:15 a. m. We were
23 talking about how you ended up in the financial area.

24 MR. SHIRANI: Yes. Immediately after
25 NRC's awareness of those issues on November 30 of

1 2000, less than two weeks later, I was called by [REDACTED].

2 [REDACTED] [REDACTED] 10

3 [REDACTED]

4 [REDACTED] was also serving as th [REDACTED]

5 [REDACTED]

6 Me and [REDACTED], we had good relationship for

7 almost a year, which I was the president of the Asian

8 American. And I asked [REDACTED] to [REDACTED] me, and [REDACTED] 10

9 accepted it; and we had several [REDACTED] sessions.

10 So [REDACTED] called me and said, "Oscar, right

11 up, almost 6.2, 7 percent increase in the salary; and

12 you are going to be the principal auditor in the

13 group." And I told [REDACTED] I had already interviewed for

14 the diversity manager position in nuclear.

15 And [REDACTED] said, "Well, Oscar, I know nuclear

16 is going to pay you more; but you remember, you had a

17 lot of issues with the NUPIC" -- I'm sorry -- "with

18 the nuclear. You already on a hot seat."

19 SPECIAL AGENT LANGAN: Was [REDACTED] aware of

20 your GE audit?

21 MR. SHIRANI: Yes, as [REDACTED] [REDACTED] knew

22 everything.

23 SPECIAL AGENT LANGAN: [REDACTED]

24 during this time.

25 MR. SHIRANI: Through the year 2000. I

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1 was not only communicating with [REDACTED]

2 [REDACTED]

3 [REDACTED] also I had, on my [REDACTED]

4 [REDACTED] we get right to the bones of the issue. :

5 SPECIAL AGENT LANGAN: So [REDACTED] was very
6 aware of it.

7 MR. SHIRANI: Very aware. I was
8 explaining about some of this pressure that I have put
9 on me, especially from [REDACTED] In one incident
10 I explained to [REDACTED] that [REDACTED] denied my request for the
11 manager position. And the company gave me opportunity
12 to apply for the manager, once the merger came. r

13 SPECIAL AGENT LANGAN: Why did he deny it?

14 MR. SHIRANI: Well, we had four positions
15 that we could nominate ourself for, and the company
16 also asked that we could ask our supervisors to
17 nominate for two other positions. Didn't say any with
18 restrictions or anything. You could ask your
19 supervisor, and your supervisor should nominate you
20 per your request for two additional positions.

21 I have the e-mail evidence that I had
22 asked him, and he declined to nominate me for the
23 positions. And I have a followup e-mail that I asked
24 him, "The deadline was passed, and I would like to
25 know why you ignored my rights. This is the company

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1 rights gave to individual, and you denied me."

2 SPECIAL AGENT LANGAN: Did he ever respond
3 to you?

4 MR. SHIRANI: He never respond to me until
5 we had in a closed-door conversation. And I reminded
6 him, I said, "I know." I said, "If you think I'm
7 blind that I don't know why all this pressure on me,
8 it's because you want to serve your bosses."

9 SPECIAL AGENT LANGAN: When you say
10 pressure, you are referring to the GE audit and to the
11 U. S. Tool & Die situation.

12 MR. SHIRANI: , Tool & Die, with all this.

13 SPECIAL AGENT LANGAN: And those were the
14 safety concerns.

15 MR. SHIRANI: Right, and many other
16 things that I will get to details later of so many
17 other examples, so many other incidents.

18 So ~~████████████████████~~ knew that this may put
19 ComEd into a problem. ~~(████████)~~ said, "Oscar, I think for
20 that incident you need to report this to HR, nuclear
21 HR, to see what they are going to do."

22 SPECIAL AGENT LANGAN: Did you?

23 MR. SHIRANI: Yes, I did. I went and sat
24 down with Ms. Stephanie Hickman on about four or five
25 different occasions, and each time we spent about two

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1 or three hours. And I gave them so many documents
2 about the harassment, about the pressure. And Ms.
3 Hickman didn't do nothing. She just documented
4 everything else, and I never heard nothing.

5 SPECIAL AGENT LANGAN: You never got a
6 letter back, an e-mail?

7 MR. SHIRANI: Nothing.

8 SPECIAL AGENT LANGAN: Phone call?

9 MR. SHIRANI: And also, I had another
10 argument with [REDACTED] later; and he said, "If you
11 think that I harassed you and put pressure on you, and
12 you went to HR and complain about me, how come I never
13 were reprimanded or noticed by HR that my actions are
14 inappropriate?"

15 SPECIAL AGENT LANGAN: How did he know you
16 went to HR?

17 MR. SHIRANI: I told him that.

18 SPECIAL AGENT LANGAN: Okay, so he knew
19 you went there.

20 MR. SHIRANI: Yes. Yes.

21 SPECIAL AGENT LANGAN: In this
22 conversation with you, was he threatening you then?
23 How would you describe his tone?

24 MR. SHIRANI: Well, we had several, you
25 know, arguments different time of the year. And he

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1 was, you know, he was telling me that "I don't think
2 my behavior is inappropriate. If it was inappropriate
3 and you went and complained to HR, they should have at
4 least reprimand me or give me some notice that I
5 should stop harassing you." He says, "I am not
6 harassing you."

7 SPECIAL AGENT LANGAN: So with going to
8 the finance position [REDACTED] offered it to you.

9 MR. SHIRANI: Offer in writing. And
10 says, "Oscar, you remember a couple of months ago you
11 asked me that you want to work for me?"

12 Because I did ask [REDACTED]. I said, [REDACTED]
13 maybe you are right. I got to leave all that pressure
14 behind me, look for some other things in the company." nc

15 [REDACTED] said, "Oscar, you have worked very hard for AACES
16 group. You have worked hard, and what's best for
17 Oscar? You should consider what's best for Oscar."

18 SPECIAL AGENT LANGAN: So you took the
19 job?

20 MR. SHIRANI: I didn't accept it right
21 away. And I said, "Let me think about it."

22 [REDACTED] said, "Oscar," a couple days later,
23 [REDACTED] called me and says, "I'm going on [REDACTED], and I
24 don't want to accept no e-mail, no voice mail from
25 anybody in the company. This is the only [REDACTED] I'm

1 taking."

2 So two days later in [REDACTED] ^{MC}
3 [REDACTED] calls my home and says, "Have
4 you accepted it yet?" I said, "Well, I'm still
5 debating, should I take the manager position in
6 nuclear or this one."

7 [REDACTED] said, "Oscar, you are a kind-hearted
8 person; you wanted to help everyone. You don't have
9 too many allies in nuclear, in management. From one
10 end you want to help the minorities; from the other
11 end, you don't have support to help you with that.
12 And you are already on a hot seat. You are going to
13 put yourself in the line of fire if you stay in
14 nuclear."

15 So I said, "Well, you are right. You are
16 my [REDACTED]; you are [REDACTED] ^C
17 And I was saying, you know, maybe this is an
18 opportunity for me.

19 So [REDACTED] says, "You know what? Call HR,
20 Richard Landy, the vice-president of the HR, and turn
21 that job down."

22 SPECIAL AGENT LANGAN: Turn that job,
23 being the manager's -- ^C

24 MR. SHIRANI: The manager of the nuclear
25 diversity. Because I told [REDACTED] that I had interviewed

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1 with Ms. Hickman, director, and also Mr. Mark Relcon
2 from the PECO side. And they were both very impressed
3 with my knowledge of EEOC and affirmative actions and
4 all the requirements of job, and they were very
5 pleased; and they were nominating me for the position.
6 I only have to go and sign the paper with Mr. Landy.

7 So [REDACTED] called my home and says, "Call Mr.
8 Landy and turn that job down."

9 SPECIAL AGENT LANGAN: Did you?

10 MR. SHIRANI: I called Mr. Landy and
11 Ms. Hickman. They transferred me to Ms. Hickman. And
12 Ms. Hickman said, "Oscar, you made the right decision.
13 I think [REDACTED] is right. She is the [REDACTED] of
14 the company; she wants your goodness, maybe. Maybe
15 this is better transfer."

16 SPECIAL AGENT LANGAN: Did you accept [REDACTED]
17 position?

18 MR. SHIRANI: I did accept the position.

19 SPECIAL AGENT LANGAN: What was your new
20 title?

21 MR. SHIRANI: Principal auditor, as a
22 Level E4. Then I received an e-mail right away. [REDACTED]
23 hasn't even come back from the [REDACTED] I received
24 the e-mail on December 20 -- I have all that records
25 -- from John Rowe, CEO of the company,

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1 "Congratulations."

2 So I was very, you know, very pleased. I
3 said, "Mr. Rowe, thank you very much. This gives me
4 good confidence to also do my best in nuclear to be
5 also reached my maximum potential and serve our
6 company the best it deserves."

7 So he sent me another e-mail within less
8 than 20 minutes later, Mr. John Rowe. And it says,
9 "Oscar, now you have a fresh opportunity to work with
10 the people that they want to recognize your talent.
11 Work very hard on your personal relationship that we
12 are all going to have a happy new year in that regard.
13 And congratulations again."

14 Half an hour later, I receive another
15 e-mail from Mr. Rowe. This was a response to my
16 e-mail that I sent to the Latino organizations which
17 they -- I sent a message that you are the new
18 officers, and we have to work on recognize the
19 individuals who are unrecognized and cherish the
20 technical people within the company, promote them and
21 everything else.

22 So Mr. Rowe's message was, "Very classy,
23 Oscar." So I was so hyped, so in the moon that day.
24 I said this is the best Christmas I have, not knowing
25 that this is all conspiracy.

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1 SPECIAL AGENT LANGAN: What do you mean by
2 conspiracy?

3 MR. SHIRANI: Because they took me to the
4 financial audit group, and then a few months later
5 they hired a new [REDACTED] And [REDACTED]
6 take me for lunch. The first meeting we had, [REDACTED]
7 tells me that "You are an engineer. What are you
8 doing in the financial group?"

9 SPECIAL AGENT LANGAN: Did [REDACTED] replace
10 [REDACTED]

11 MR. SHIRANI: No, [REDACTED] reports to [REDACTED]
12 And then [REDACTED] says, "Oscar, I have \$3.4 million
13 project, and you are making this much money. I have
14 to hire 30 people, and I don't know really how to
15 afford your salary."

16 I said, "Well, [REDACTED] knew I'm an
17 engineer, and [REDACTED] brought me here to give me some
18 diversity background and, you know, I have a fresh
19 opportunity to move up." And I reminded [REDACTED] I said,
20 "I even asked [REDACTED] in my car, one time
21 I was giving [REDACTED] a ride, would I have an opportunity
22 to be a director and vice-president of this company,
23 because I don't want to be auditor rest of my life."

24 SPECIAL AGENT LANGAN: Right.

25 MR. SHIRANI: I said, [REDACTED] told me,

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1 'Of course, with your talent, with your credential, of
2 course.' "

3 SPECIAL AGENT LANGAN: And [redacted] knew you
4 are not a CPA.

5 MR. SHIRANI: [redacted] knew I'm not a CPA, [redacted]
6 knew I don't have no financial background.

7 SPECIAL AGENT LANGAN: Was a CPA required
8 for your position?

9 MR. SHIRANI: That was the position that
10 [redacted] gave me. The group was not even formed. [redacted] took
11 me as a principal auditor in a group that the job was
12 with Arthur Andersen. Arthur Andersen was the
13 contractor doing all the internal audits.

14 SPECIAL AGENT LANGAN: Were you like a
15 liaison, then?

16 MR. SHIRANI: I thought that I am going
17 over there. I thought I'm going to be managing Arthur
18 Andersen; because in the first three months we had a
19 new director in the financial audit, which was a
20 director who was kind of retiring by end of March.
21 His name was George Hertz. I was reporting to George
22 Hertz, who was retiring internal audit director. He
23 left the company, end of March.

24 And I also was reporting to Tim Makras,
25 who was one of the managers of Arthur Andersen. The

1 instruction they got from (b) "Give Oscar
2 a broad picture, not too deep." TC

3 SPECIAL AGENT LANGAN: Did you perform any
4 work in this group?

5 MR. SHIRANI: Yes, I was supposed to be
6 trained by Arthur Andersen for one week training and
7 two weeks training, which never happened. And I was
8 always skeptical about that message that she has given
9 them, "Don't get him too deep into the audits; just
10 give him a broad picture."

11 One message I was looking at that maybe
12 they want to give me a high position. My optimism.
13 But from the other side of it, I was saying that, why
14 they don't want me to get too deep in the audits?

15 And I do have so many examples later. One
16 of the audits that I was supposed to lead, which was
17 the Exelon travel and entertainment of the officers
18 and the board of directors. And as soon as I start
19 preparing for that audit, they removed me as the lead
20 auditor of that.

21 And (b) tell me that "You have to be very
22 sensitive about these things." And I said, "Well,
23 this is SEC required." (b) said, "Yes, but the Exelon
24 officers, they don't want to be -- their travel and
25 entertainment records, some of the expenses, they

TC

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1 don't want anybody to look at their records."

2 And then I said, this is another
3 compromise. And I said, maybe that's why they don't
4 want me to get too deep into the audits.

5 SPECIAL AGENT LANGAN: When did your job
6 change in that group, then?

7 MR. SHIRANI: My job, actually, the first
8 two months, three months I was there, I was reviewing
9 some of Arthur Andersen.

10 SPECIAL AGENT LANGAN: You never did get
11 the training from Arthur Andersen?

12 MR. SHIRANI: Never got the training.

13 SPECIAL AGENT LANGAN: Did anybody tell
14 you why you didn't get it?

15 MR. SHIRANI: No. I was talking to
16 George Hertz; and George Hertz said, "Right now you
17 are going to go through a bunch of training before we
18 start you on audits."

19 SPECIAL AGENT LANGAN: So you go through
20 that couple months.

21 MR. SHIRANI: Go two, three months; and
22 all I'm given is the reports that Arthur Andersen
23 wrote previous years to familiarize myself, just like
24 I'm a new auditor.

25 They call it internal audit, and call it

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1 probably report to financial audit. But more than 90
2 percent of those are process and management audits
3 which, in nuclear, once you do a NUPIC audit or
4 nuclear audit, you review process, you review
5 procedure, you review management processes. And the
6 regulations, of course, those are under different
7 regulations.

8 So I was not a rookie. But you know,
9 since they told me you are going to go through the
10 training, I was waiting. [REDACTED] was hired. I
11 reminded [REDACTED] that I needed to go through the training.
12 And [REDACTED] says, "Oscar, their training is too
13 expensive," and just keep postponing.

14 SPECIAL AGENT LANGAN: Were they hiring
15 other people for this group?

16 MR. SHIRANI: I was the only one in the
17 group. Actually, that position that -- they asked me
18 to reapply for my position.

19 SPECIAL AGENT LANGAN: When?

20 MR. SHIRANI: In early October.

21 SPECIAL AGENT LANGAN: Of this year?

22 MR. SHIRANI: This year.

23 SPECIAL AGENT LANGAN: 2001.

24 MR. SHIRANI: Yes. Before it gets to
25 October, I have to remind you of something. [REDACTED]

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1 [REDACTED] on the first day, basically, told me that,
2 indirectly, that there is no room for me. Says, "I'm
3 sorry, I don't want to disappoint you. You are not
4 going to report to me. You are going to report to
5 Arthur Andersen."

6 [REDACTED] says, "I know your reputation in
7 NUPIC. I know your reputation in nuclear, but none of
8 that stuff mean anything to me. You are going to
9 start from zero, and you have prove yourself to me."
10 Fine:

11 Then they hire -- I mean, two weeks later
12 [REDACTED] comes and says to me they want to hire a minority
13 student from the university, that you train her. I
14 said fine. They gave me a resume that the name
15 appears to be -- I believe it was an American person.
16 I believe that it was African American.

17 I didn't receive any response, no phone
18 call. So I asked [REDACTED] "Did [REDACTED] call?" [REDACTED]
19 says, "No, forget it." I said, "Who are the other two
20 candidates?" And then [REDACTED] says, "Well, their names
21 sound like [REDACTED] and you know that they don't know
22 how to read and write, so I don't want you to sit
23 there the whole day and read and write to them."

24 And then, a week before that, we had a
25 conversation together that [REDACTED] told me that "You don't

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1 have financial experience; and with your position with
 2 your salary, I require eight to 15 years of financial
 3 background." And I said -- "And you may need to step
 4 down to lower level."

5 And I said, you know, "I think you and me
 6 need to talk to [REDACTED]. Because [REDACTED]
 7 knew that I don't have eight to 15 years experience,
 8 didn't require all these things. I came here with a
 9 good hope. "

10 SPECIAL AGENT LANGAN: Did you guys ever
 11 meet with [REDACTED]

12 MR. SHIRANI: Yes, I had an emergency
 13 call to [REDACTED] office. We sat down, and I said, [REDACTED]
 14 [REDACTED] the first day, [REDACTED] tells me that once [REDACTED] was
 15 working for Price Water Cooper House in Tennessee.
 16 They handed [REDACTED] job over to a diverse candidate,
 17 [REDACTED] person. 'They took my job as the [REDACTED]
 18 [REDACTED] and handed over to a [REDACTED] person.' "

19 SPECIAL AGENT LANGAN: This is [REDACTED]
 20 talking.

21 MR. SHIRANI: [REDACTED]
 22 I say, "Two weeks later, you told [REDACTED] to
 23 hire a minority student. Not only [REDACTED] didn't hire but
 24 also [REDACTED] had this remark against the [REDACTED]. [REDACTED]
 25 never talked to them. They could have been born here.

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1 "I'm not even privileged enough to call
 2 [REDACTED] is a racist or prejudiced. I would never say
 3 that. But if the outsiders come and hear that remark
 4 that [REDACTED] don't know how to read and write and [REDACTED]
 5 judge them by their last name, this is going to be a
 6 very negative impact on ComEd that they are advocating
 7 for diversity. And [REDACTED] is making a good salary, a
 8 good leader position; it is going to hurt ComEd."

9 SPECIAL AGENT LANGAN: How did [REDACTED]
 10 respond?

11 MR. SHIRANI: [REDACTED] said, "Oscar, these
 12 are serious charges. I said, "Charges? I didn't make
 13 it up. [REDACTED] is sitting right in front of you." And
 14 [REDACTED] says, well --

15 SPECIAL AGENT LANGAN: Did [REDACTED] respond?

16 MR. SHIRANI: [REDACTED] said, "I didn't resent
 17 that Hispanic guy. I was living in [REDACTED] for a few
 18 years. How could I be anti-Hispanic? And who is my

19 [REDACTED] I said, "Well, she is a

20 [REDACTED]" She said, "That tells you that I am not

21 [REDACTED]"

22 And then I said, "Your remarks about those
 23 [REDACTED] students, you deprive their rights for the
 24 summer. They could have made some money."

25 [REDACTED] said, "Well, I didn't mean anything by

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1 it. And if you took it that way, I apologize." I
2 said, "You don't need to apologize to me. You need to
3 apologize to those students."

4 And I was representing [REDACTED] I
5 was their president. Apparently, when they brought
6 [REDACTED] here to cut me off, they didn't give [REDACTED] enough
7 training not to be -- be careful not to say what in
8 front of me.

9 So [REDACTED] tried to make me smile
10 and said, "Oscar, you are not Oscar the creator today.
11 You always come out with different ideas and
12 everything." I said, "[REDACTED] you think I'm a
13 destructor today?" [REDACTED] said, "I think so." [REDACTED] said,
14 "Well, [REDACTED] is paying your ASME conference fees.
15 Remember, your last boss didn't want to support your
16 ASME? [REDACTED] pays for two of your trips. You should be
17 happy with [REDACTED]"

18 So we shook hands and smile. And I wrote
19 couple of e-mail messages to [REDACTED] And I said,
20 "You know, I think we should, instead of having a
21 negative energy, we should turn this to a positive
22 synergy. I bring a lot of quality assurance training
23 and background; you bring the financial. I think we
24 can explore and be a very good team in this. I want
25 to be on your side."

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1 SPECIAL AGENT LANGAN: How did [REDACTED]
2 respond?

3 MR. SHIRANI: [REDACTED] said, "Oscar, I don't
4 have any problem with you. You are very nice guy,
5 always ask me about my [REDACTED]. That was
6 nice of you."

7 But after three days, four days, [REDACTED]
8 didn't even talk to me anymore. I was sitting
9 watching the Lake Michigan like most of time that I
10 didn't have anything to do. I was begging Arthur
11 Andersen to put me on some audits. [REDACTED] also took my
12 travel and entertainment of the officers audit away
13 from me.

14 So they put me on the energy delivery
15 audit, which was project management audit. And I had
16 project management experience before. And in that
17 audit, I really scored. Arthur Andersen said I have
18 made recommendation, highlighted issues that they
19 would never find. And throughout the year, Arthur
20 Andersen was very happy with this "rookie auditor" in
21 the financial audit. I brought up issues that they
22 didn't find out.

23 And I also have another issue which is
24 outside of this NRC jurisdiction which I will talk to
25 later about that.

1 SPECIAL AGENT LANGAN: So when did your
2 position change again?

3 MR. SHIRANI: Oh. In that meeting with
4 [REDACTED] I said, [REDACTED] tells me that
5 I need eight to 15 years financial experience." [REDACTED]
6 [REDACTED] says, [REDACTED] did we discuss that?" [REDACTED] says,
7 "No."

8 I said, [REDACTED] also tells me I need to go to
9 a lower position; I'm an E4 and I need to go to E3
10 position." [REDACTED] looks at [REDACTED] and says, [REDACTED]
11 did we discuss that?" And then [REDACTED] said, "No."

12 I said, "You see, [REDACTED], it's very
13 clear is that [REDACTED] doesn't have no good mind to keep me
14 here."

15 So that's why after that meeting [REDACTED] was
16 trying to be nice to me and everything. Three months
17 later, in October, [REDACTED] comes back and says, "Oscar,
18 you need to reapply for your job." [REDACTED] sent an e-mail
19 to me and about five auditors in Philadelphia, because
20 now Exelon is between Chicago and Philadelphia. There
21 were five people reporting to [REDACTED] in Philadelphia
22 office, and I was the only one reporting here.

23 SPECIAL AGENT LANGAN: All of you had the
24 same position?

25 MR. SHIRANI: No, not all of us had the

1 same position. I don't know what was their position.

2 SPECIAL AGENT LANGAN: Did they have CPAs?

3 MR. SHIRANI: I think I talked to one of
4 them, and one of them had the CPA. I didn't know
5 about the others.

6 SPECIAL AGENT LANGAN: Did you reapply?

7 MR. SHIRANI: I called, and they said the
8 description of the job is you need to have a CPA, CIA,
9 CISA, minimum eight years of the financial experience,
10 supervisory experience in the financial audit is
11 required. So I knew that all that word that [REDACTED]
12 [REDACTED] told me that we haven't decided is now in
13 writing. And it said, "You can call me for any
14 question, or you can call Martha Garza from HR."

15 SPECIAL AGENT LANGAN: Did [REDACTED] say why you
16 had to rebid?

17 MR. SHIRANI: Yes. [REDACTED] said, "I have
18 done a market analysis, and now E4 is considered a
19 manager." And they said principal/manager-audit. That
20 was the title.

21 SPECIAL AGENT LANGAN: Now, at any time
22 throughout all your dealings with [REDACTED] and all these
23 others, did they say that these changes occurred
24 because you raised those safety issues?

25 MR. SHIRANI: I was not talking to [REDACTED]

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1 [REDACTED] regarding the safety issues. But on the first
2 day I shared all my experience because [REDACTED] told me,
3 tell me about everything. So I shared all the GE
4 audit; I shared --

5 SPECIAL AGENT LANGAN: You educated [REDACTED]

6 MR. SHIRANI: I educated [REDACTED] on
7 everything, and that was my mistake. I think I should
8 have not. But I'm sure if I didn't educate [REDACTED], [REDACTED]
9 [REDACTED] or others would have. But I was always
10 honest.

11 SPECIAL AGENT LANGAN: So [REDACTED] knew about
12 the safety issues.

13 MR. SHIRANI: [REDACTED] knew about the safety
14 issues. And [REDACTED] says, "I don't know, if you are not
15 happy with this company, why don't you leave, like I
16 left? Why you are staying here and give yourself a
17 headache?"

18 And I said, "Well, [REDACTED] I didn't come
19 here to leave the company. This is my future. I came
20 -- I left Westinghouse." I said, "Westinghouse was
21 giving me more than double my salary. I came here
22 because I wanted to stay in one place to stay with my
23 family."

24 SPECIAL AGENT LANGAN: Now, this rebidding
25 for the job thing comes up.

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1 MR. SHIRANI: So I call HR. And I said,
2 "I cannot apply for this position because I am not
3 qualified."

4 She says -- Martha Garza, she says,
5 "Oscar, you have to apply, because if you don't apply
6 you are going to lose your job. You have other
7 qualifications which I'm sure she is going to waive
8 that."

9 Two hours later, two of the executives of
10 the company are paging me. I was driving, so I pull
11 on the side of Chicago in the gas station; and I
12 called them. That was Mr. Assir Dasilva,
13 D-a-s-i-l-v-a. He was the senior vice-president or
14 vice-president of diversity. And the other one was
15 Eliecer Palacio. E-l-i-e-c-e-r, P-a-l-a-c-i-o. He is
16 the director of the ethics office.

17 After my conversation with [REDACTED] and
18 [REDACTED], I also reported this incident to ethics
19 office to make sure that also the ethics officers know
20 about [REDACTED] remarks. If [REDACTED] doesn't do
21 nothing, at least they may do some sort of reprimand.

22 So these two gentlemen call me, and they
23 want to take me to lunch or breakfast. So we made an
24 appointment for the next day. That was early October.
25 Telling me that if I don't apply for the job, I lose

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1 my job and "Oscar, we know your issues and everything
2 else."

3 And I said -- Assir says, "Oscar, you
4 called Oliver Kingsley. You sent him an e-mail last
5 month. And you asked him to -- that you want to come
6 back."

7 Because immediately after [REDACTED]
8 and [REDACTED], I knew that this is not a place for
9 me. I said maybe before they cut me, maybe go back to
10 nuclear. I wrote the e-mail to Oliver Kingsley.
11 "Oliver, you know my qualification; you know what I
12 have done in nuclear. I have written so many papers
13 for ComEd industry. You know my qualifications. I
14 want to come back and serve the company to the best.
15 I'm not as efficient over here as I could be at the
16 nuclear."

17 He forward the e-mail to HR, and HR and
18 the director of HR both send e-mail that, "Oscar, the
19 position that you took at the -- you didn't take at
20 nuclear, it's already taken. Your group, from 11, has
21 been reduced to seven, and we really don't have any
22 openings for you."

23 I called the vice-president of the supply
24 organization, now is Kevin Jessier, who is the boss of
25 Tom Joyce. And I said, "Kevin, you remember I shared

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1 with you that the NRC called me January and they were
2 suspicious about my removal? I want to come back."
3 I said, "I had the best record in engineering and QA.
4 It should be some room for me."

5 SPECIAL AGENT LANGAN: What did he say?

6 MR. SHIRANI: He said, "Oscar, there is
7 nothing I have for you. I said, "Engineering. Why
8 engineering?" He said, "We are reducing."

9 And then I said, "You know what, Kevin,
10 something that I never wanted to do. I should have
11 gone and talked to the NRC once they were suspicious
12 about it. But I never wanted to be a whistle blower.
13 I wanted to always help this company. And now I think
14 that they are planning all these things for me to get
15 out of this company. Why nuclear doesn't have any
16 opening for me? I did engineering; I did QA; I did
17 supply."

18 SPECIAL AGENT LANGAN: And none of these
19 have openings for you.

20 MR. SHIRANI: Yeah. And now I have all
21 this from the day that I left up to now, all these
22 positions in the nuclear, in the whole energy
23 delivery, all the qualifications; I have kept those
24 records. I have asked people to save those job
25 openings for me.

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1 Three weeks ago I called QA manager of the
2 U. S. Tool & Die, Mr. Marty Edwards. He said, "Oscar,
3 they will -- Dale Senate from Northwest University,
4 Washington State told him, told Marty Edwards that
5 ~~XXXXXXXXXX~~ is looking for a QA auditor, and if they
6 know anybody to introduce."

7 Not only they had an opening in QA
8 engineering, energy delivery, because I highlighted a
9 lot of issues in energy delivery. I had opportunity
10 to even go to that department.

11 SPECIAL AGENT LANGAN: This is three
12 weeks ago from now?

13 MR. SHIRANI: Yes.

14 SPECIAL AGENT LANGAN: Stop one second.
15 Did you bid for that new job?

16 MR. SHIRANI: For which job?

17 SPECIAL AGENT LANGAN: When they told you
18 that you were going to have to reapply?

19 MR. SHIRANI: So, yes, Assir Dasilva, and
20 then they basically called me to apply for the job.

21 SPECIAL AGENT LANGAN: Did you do that?

22 MR. SHIRANI: Then I did apply for the
23 job. I said, "I will oblige because I consider both of
24 you my friends; and if you are telling me that if I
25 don't apply I'll lose my job, okay."

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1 SPECIAL AGENT LANGAN: Did you get the
2 job?

3 MR. SHIRANI: No.

4 SPECIAL AGENT LANGAN: What happened?

5 MR. SHIRANI: I did the interview. I did
6 a very well interview, too. And then ~~()~~ said, two
7 days later, "Oscar, I'm sorry. You are not selected."

8 SPECIAL AGENT LANGAN: You interviewed
9 with ~~()~~ NC

10 MR. SHIRANI: ~~()~~

11 SPECIAL AGENT LANGAN: So you didn't get
12 selected, so what happened to you next?

13 MR. SHIRANI: Then I am supposed, by the
14 company standards, to stay in the company for 60 days
15 to apply for other positions.

16 SPECIAL AGENT LANGAN: When did that 60
17 days start?

18 MR. SHIRANI: October 26, until December
19 26. So I'm actually paid by the company until December
20 26; but on October 30, they came and forced me out.

21 SPECIAL AGENT LANGAN: What do you mean by
22 that?

23 MR. SHIRANI: I sent an e-mail, which I
24 submitted on the last meeting with Mr. Jim Heller. I
25 wrote the e-mail to John Rowe, Corbin MacNeal, the two

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1 CEOs, and the vice-presidents, Assir Dasilva, Eliecer
2 Palacio, and also Pam Stroble, who is in charge of the
3 energy delivery, head of now. K

4 Because later, from the nuclear,
5 they gave him another promotion to energy delivery.
6 And also, b.c.c. to Asian American Community for
7 Exelon, to know what happened to their president of
8 last year; and I was there on their executive council.

9 If you read that letter, there is no tone
10 of any harsh words against the company. I still said,
11 "I'm committed to the company's excellence, and I have
12 done so much to this company. I have defended the
13 operability of the valves. I have written so many
14 papers for the company. And basically, I have served
15 my company. And you, as a CEO of the company, should
16 know what's going on.

17 "And I kept your e-mail message."
18 Remember I said Mr. John Rowe sent me two or three
19 e-mail messages that now you have a fresh opportunity
20 with this group? I forward the same e-mail message
21 from a year before.

22 And I said, "This is the way that they
23 recognized my talent. They laid me off today, and
24 they also are not planning to keep me for the next 60
25 days. They are telling me that I have to leave

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1 tomorrow." That was supposed to be tomorrow.

2 As soon as I click that, five minutes
3 later, [REDACTED] and Martha Garza from a HR, calling
4 me to the office. Exactly five minutes after I sent
5 the e-mail to two executives, that we need company
6 properties from you, the computer badge and everything
7 else, and you need to leave.

8 I said, "By company standards, I am
9 entitled to stay within the company and apply for the
10 jobs."

11 They said, "You could have access through
12 these contractors that we have assigned for the people
13 who are severed by the company. You could have access
14 to those jobs."

15 And then, I asked Martha Garza, I said,
16 "You are an HR person. You are supposed to be fair.
17 Why [REDACTED] is applying a double standards on me? Why I
18 have to leave the company? I want to stay two more
19 months." [REDACTED] says, "Well, [REDACTED]
20 could use [REDACTED] discretion to discharge you."

21 SPECIAL AGENT LANGAN: And that's what they
22 did.

23 MR. SHIRANI: And that's what they did.
24 I said, "Well, I do not trust [REDACTED] manager discretion.
25 Because [REDACTED] made that resentment about Hispanic, and

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1 ~~_____~~ retaliated against me because I brought up the
2 diversity issues again 'Asian Americans to ~~_____~~ boss."

3 So at this moment, ~~_____~~ get up and
4 pick up the phone and call the security. "Stop that
5 garbage."

6 So security comes by my desk, and then
7 they forcing me to -- I said, "Okay, I'll do
8 whatever." So they finally say, "Well, it looks like
9 you have a lot of stuff, so we'll come back in two
10 hours." As soon as they were leaving, ~~_____~~
11 brought them back again. ~~_____~~ said, "You stay until he
12 packs everything to go."

13 I am putting everything together; and then
14 I said to ~~_____~~ "Could you come and inspect
15 everything before I close the boxes, because if I seal
16 the boxes I don't want anybody to touch it."

17 ~~_____~~ asked the security guards, "Did you
18 guys watch him?" They said, "All the time, the whole
19 time we were watching him." ~~_____~~ says, "Okay, tape it
20 up." As soon as I tape everything up, I forgot my hole
21 puncher. Maybe God wanted me to forget that hole
22 puncher. So the security says, "We send the hole
23 puncher along with the three boxes for you
24 separately."

25 So the next morning I call my secretary,

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1 and I send her e-mail that I want to see my boxes on
2 the first floor. I'll come and pick it up. As soon
3 as I go through the rotating door in the Bank One
4 building, the two security guards come right toward me
5 and say, "Hey, you. Out of the building."

6 And now about 20, 30 people in the
7 building are standing and watching. And I said, wow,
8 now I have a dark hair from [REDACTED] Probably
9 they think they caught a terrorist. I was really
10 offended.

11 And I look back and I said, "Are you
12 talking to me?" They said, "Yeah." I said, How do
13 you guys know me?" They said, "Your manager showed
14 your picture last night and said he is not entering
15 the building.

16 I said, "Sir, this is a public building,
17 and that's security line. I don't have badge; I'm not
18 going to go through the security line. But this is
19 also a bank. I could be a customer for the bank. I
20 could be using these ATM machines like 20, 30 other
21 people standing here.

22 And they said, "Sir, we don't want any
23 trouble. Please leave the building." I obliged. I
24 follow, and I went outside.

25 SPECIAL AGENT LANGAN: You didn't get your

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1 boxes?

2 MR. SHIRANI: No, the boxes still are
3 waiting for the secretary; secretary hasn't arrived
4 downstairs yet.

5 I go by my car, and I see two police
6 officers, city police officers standing by my car.
7 And they said, "Sir, is this your car?" "Yes." "So
8 what's the problem?"

9 I said, "I brought up some diversity
10 issues on my management, and some safety issues on my
11 last management. And look at the way that they treat
12 me."

13 And then one police officer look at the
14 other police officer says, "He doesn't look to be
15 harmful, does he? He looks professional." And then
16 says, "Let's go."

17 So the police officer comes back in ten
18 seconds; and I'm sorry about the language that I use,
19 but that's quote unquote from the officer. He came
20 and said, "Go and F-ing sue these M-F people, because
21 you don't deserve this."

22 SPECIAL AGENT LANGAN: What police
23 department was this?

24 MR. SHIRANI: That was the city police.

25 SPECIAL AGENT LANGAN: City for Chicago?

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1 MR. SHIRANI: Chicago. And he comes
2 backs in less than a minute later, says, "Do you
3 remember what I told you? You don't deserve this. Go
4 and sue them."

5 Then my secretary arrives. Our secretary
6 was a [REDACTED]. And because of this emotional that I
7 go through and everything, I wrote an e-mail to her.
8 And I'm revealing my negatives, too. I sent her an
9 e-mail, and I said, "You are [REDACTED], and be careful.
10 Watch your back, because even [REDACTED] wants to give you a
11 promotion or whatever, this is all fake because [REDACTED]
12 wants to dilute what [REDACTED] told me."

13 Because she was telling me before that she
14 is going to get another promotion after three months
15 after she was hired. After that incident, she is
16 going to get another promotion. And I said, "As a
17 friend I'm telling you to watch your back. [REDACTED] is not
18 a person to be trustworthy; and if [REDACTED] gives you a
19 promotion, just be careful. And please don't share is
20 this e-mail, and delete it right away."

21 She came back with the boxes; and she
22 said, "Oscar, I'm sorry. I wanted to delete that
23 message; and [REDACTED] was checking my messages and
24 knew that it was from you. I send you this message,
25 that if you do not stop sending e-mails to people and

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1 harassing me or other officers of the company, she is
2 going to sue me. And so you better watch out."

3 At this time, I was going through that
4 emotion of security treating me that way. And she
5 comes back with that message.

6 And I said, "You know, tell ~~her~~ that I
7 know that ComEd has more than 50 lawyers. But they
8 probably need more than one 1,000 more lawyers because
9 this is not 1960s anymore, to treat the ~~employees~~
10 like dirt. And tell her that you go and hire as many
11 lawyers as you want. I will not settle with this
12 company until you resign."

13 And I was so upset, and I know that some
14 of these things that I maybe should have not said.
15 But what I'm telling you, I'm not only saying the
16 negative side of their side, I'm also sharing the
17 negative things that I have shared with you.

18 SPECIAL AGENT LANGAN: During this last 60
19 days, which is not up yet, have you become aware of
20 jobs being available in the nuclear groups?

21 MR. SHIRANI: Yes, I have made a copy of
22 all of them on a diskette for you.

23 SPECIAL AGENT LANGAN: Did you try to
24 apply for them?

25 MR. SHIRANI: On November 2, I received a

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1 letter from their lawyers --

2 SPECIAL AGENT LANGAN: Their lawyers
3 being?

4 MR. SHIRANI: ComEd lawyers -- basically
5 telling me, you cannot contact any employee, managers
6 or nothing. I have made disparaging remarks. I don't
7 know, sharing my information with the officers,
8 telling John Rowe about what happened. That was
9 disparaging information. Or maybe [REDACTED] is referring to
10 my e-mail to my secretary regarding [REDACTED]. I
11 don't know. Basically, they are telling me that you
12 cannot call anybody within the company except those
13 people that are in charge of nuclear safety concerns
14 or whatever.

15 And what I figure that if I even apply for
16 the job, I know I'm not going to get it. But second,
17 they may dismiss me for cause. Because they say if
18 you contact anybody within the company, they are going
19 to dismiss me for cause.

20 SPECIAL AGENT LANGAN: Are you not
21 applying because you feel you are being discriminated
22 against for the safety issues or for the EEO issues?

23 MR. SHIRANI: Well, I guess it's mostly,
24 the seeds of all these things were planted from the
25 [REDACTED] arrival, that immediately he discharged

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1 three of the managers who supported my audit, and then
2 he also made clear remarks to my managers.

3 [REDACTED] on
4 July 22, 1998, he calls me in his office, and I have
5 it on the record, that "The big boy," means [REDACTED]
6 [REDACTED] "he still resents you." And he says, "God, I
7 cannot believe this is one year past that audit and he
8 still remembers you." And he says he did not agree
9 with the way I handled myself at the GE.

10 He said to me that "I introduced myself as
11 [REDACTED]"

12 He said, "I was not even finished with my sentence
13 that he says, "Oscar Shirani works for you?" He says,
14 "Yeah." He says, "You know what? I did not be like
15 the way he handled himself on the GE, and he should
16 know what's best for ComEd."

17 Later, [REDACTED], throughout a lot of my
18 dispute with him, he regretted that he ever shared
19 that information with me.

20 SPECIAL AGENT LANGAN: With your transfer
21 into the finance thing regarding [REDACTED] and [REDACTED] role
22 in it, do you think that [REDACTED] was legitimately looking
23 for your interest, or do you thing [REDACTED] was playing a
24 role with you?

25 MR. SHIRANI: I think [REDACTED] was serving

1 John Rowe; () was serving Oliver Kingsley; () was
2 serving ()

3 SPECIAL AGENT LANGAN: Do you think ()
4 had anything to do with it?

5 MR. SHIRANI: () at that time that
6 () was transferring me, he was at the energy
7 delivery. But the stages, the setups, everything that
8 he did for me and the nuclear, it was very clear. I
9 met () finally, one on one. And I have a
10 record what he told me.

11 SPECIAL AGENT LANGAN: What did he tell
12 you?

13 MR. SHIRANI: He told me that the old
14 management in ComEd, "Yeah, I remember that you and me
15 had the clash at the GENE and we had the dispute
16 because you didn't want to change your position."
17 Then he says, "The previous managers in ComEd, they
18 had their own ways; and look where they are. We are
19 the new managers, new management system, and we want
20 to change all that."

21 And I said, () () is
22 reporting to you; and they have perception that you
23 still don't like me from that GE audit." He says,
24 "Oscar, I don't have anything against you, but I
25 cannot change people's perception." At this time, the

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1 telephone rang and he had to get on the phone; and I
2 just left.

3 A couple other times I sent him an e-mail
4 message. And I said, "You know, before I quit this
5 company, I would like to know why I have such a
6 reputation in ASME and the NUPIC, and outsiders all
7 respect me; they want me to lead major audits. But in
8 this company, which I served the most and I served
9 best here, why my managers don't want to see me? And
10 I want you to mentor me to tell me what I am missing
11 here."

12 He never responded to those e-mails. And
13 I said, Mr. Reedy from Westinghouse in ASME told me,
14 "Go and ask [REDACTED] for help. He's going to forget
15 about the past; he's going to help you." And he gave
16 me a book to give to [REDACTED]. And [REDACTED] said, "I
17 have read that book. You don't need to give it to
18 me."

19 SPECIAL AGENT LANGAN: Do you think [REDACTED]
20 was behind you being terminated from the company?

21 MR. SHIRANI: Of course. I met Mr.
22 Kingsley one time. I went to see him on two different
23 things. I said, "The first issue is because I'm the
24 president of Asians, I need to discuss the Asian
25 messages that they call my home, and they are very

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1 disappointed about there is no managers of Asians in
2 the company. And the second one, I have a personal
3 issue."

4 As soon as I said I have a personal issue,
5 he said "Oscar, I talked to [REDACTED] six months ago
6 to see if he has any grudges against you."

7 I said, "So you knew?" He said, "Oh,
8 yeah, I knew." He said, "He told me that he doesn't
9 have anything against you." I said, "You know, I want
10 to put that behind me, too."

11 SPECIAL AGENT LANGAN: So why did you
12 think [REDACTED] was so bent on getting rid of you?

13 MR. SHIRANI: Because, you know, the same
14 message he gave me at the exit hearing, that he says,
15 "Why are you so inflexible and tough, Mr. Shirani?"
16 He brought up the same messages to my managers. And
17 that's the perception they have, that I'm so tough and
18 inflexible.

19 The same remarks he made about Mr. Kombiz
20 Salehi. He was the ex-NRC. ComEd went and recruited
21 him from the industry because Mr. Salehi, he was one
22 of the inspectors of the NRC Region Three and NRR. He
23 was only with the company ten months, that he was

24 [REDACTED]

25 He was the supervisor of a group of twelve

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1 to 14 people. And most of the findings that I gave to
2 ComEd after I came from GE, I gave the Level One
3 findings to ComEd. That was the first time that all
4 the engineering and the sites, they received the level
5 findings from anybody internally. And they were so
6 upset, and Mr. Salehi worked six months to put
7 procedures together to get rid of that finding.

8 Now they have procedures -- that is one of
9 my allegations which I haven't written yet and, I am
10 thinking about, that ComEd hasn't even implemented
11 that procedure yet.

12 SPECIAL AGENT LANGAN: Did you have an
13 exit interview at ComEd?

14 MR. SHIRANI: I had the exit interview on
15 October 30, with those humiliations.

16 SPECIAL AGENT LANGAN: What was the
17 official reason given for your termination?

18 MR. SHIRANI: They said, "You don't have
19 the qualification for that manager position," which I
20 applied for. And then I said, "Why E4 is a manager?
21 Usually E5 is a manager." She says, "Well, I am the
22 manager, I am the director, and I have done market
23 analysis. And with that salary, the E4 should be now
24 considered manager; and you don't have enough
25 experience in the financial area."

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1 SPECIAL AGENT LANGAN: And you think that
2 the root cause of you being terminated goes back to
3 the safety issues you raised during the GE audits.

4 MR. SHIRANI: GE, and also the U. S. Tool
5 & Die.

6 You see, what they were afraid of that.
7 Not only Ken Ainger from the licensing made the remark
8 that, you know, "Now the NRC compliments you, and they
9 are going to come after us and U. S. Tool & Die."
10 Also Paul Planning. He was in charge of the Dresden
11 Dry Cask.

12 And as soon as I went and saw him, he
13 said, "You know what's going to happen to my project
14 now? We send you over there to look at U. S. Tool &
15 Die issues. Now you made all the good job and NRC
16 endorse you; but what's going to happen to my project?
17 They are going to go and shut down U. S. Tool & Die,
18 and my project is going to be delayed."

19 So it's not only from Ken Ainger; was also
20 from Paul Planning, and also my supervisor, "What the
21 hell are you doing at that conference?"

22 So basically, they were scared of my
23 penmanship. The time I was helping ComEd to help them
24 with the regulators, I wrote codes; I wrote -- I
25 authored papers in ASME. I defended operability of

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1 the valves on the manager of the MOV. Nobody came and
2 give me a gold medal for that; but as soon as I raised
3 issues that they know I'm raising the bar for the NRC,
4 that's why they were scared. They don't want no
5 exposure to NRC. I strongly believe that.

6 It was very nice conspiracy. And as you
7 see through my 22-page documents, which we didn't have
8 the luxury to go through the detail, I would like to
9 put that in your hand to go through all the details
10 that we did not have the opportunity to go through,
11 that you be the judge of all those instances.

12 What I did, I got the pamphlet from the
13 NRC the last time I went there.

14 SPECIAL AGENT LANGAN: And for the record,
15 he's referring to the Reporting Safety Concerns to the
16 NRC, September 98.

17 MR. SHIRANI: It's a NUREG BRO340,
18 Revision I, September 1998.

19 Once I came here and reported this, I had
20 unorganized stories, you know, the whole -- it was all
21 the truth, but it was unorganized. So I read this,
22 and code on code, on my first concerns, which I call
23 it allegations.

24 It may be -- may not be a word, allegation
25 may not be appropriate word, but the concerns that I

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1 brought is that U. S. Regulatory Commission says,
2 "Acts of discrimination by a licensee, contractor or
3 subcontractor taken against a worker for bringing
4 safety concerns to the attention of the licensee
5 management or the NRC are against the law. Specific
6 examples of discrimination includes firing, reduction
7 in pay, poor performance appraisals, and reassignment
8 to a lower position jobs."

9 For every single issue here, I have many
10 examples.

11 SPECIAL AGENT LANGAN: And you included
12 them in there.

13 MR. SHIRANI: My 22-page report.

14 SPECIAL AGENT LANGAN: They never did
15 offer you another job after that?

16 MR. SHIRANI: They never, no.

17 SPECIAL AGENT LANGAN: Did they ever try
18 to place you in a job after that?

19 MR. SHIRANI: No.

20 SPECIAL AGENT LANGAN: Tell me about your
21 performance appraisals, specifically. How was your
22 performance appraisals prior to ~~the~~ coming
23 over?

24 MR. SHIRANI: My performance appraisals
25 is on the first page of this one. As soon as I joined

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1 ComEd, the first three months that I was with ComEd,
2 I had been nominated for outstanding achievement
3 award. I wrote the first Dresden Quad Cities
4 Structural Design Criteria Revision Zero, which saved
5 the company \$370,000, which Sargent Lundy or other
6 ones could have done. I did that, so I was praised.
7 It was from the manager of engineering to that.

8 So the first year I had meet expectation
9 plus. It reached to excellence. From 1993, 1994, I
10 had excellent. And I was the top five engineer in the
11 company for my ratings.

12 SPECIAL AGENT LANGAN: Okay.

13 MR. SHIRANI: And prior to Mr. [REDACTED]

14 [REDACTED] my performance was 1A at the nuclear
15 oversight. 1A represents outstanding. One is for
16 result oriented; A is for leadership. RC

17 And then from 1998, 1999, 2000, all the
18 three years, my rating from A slipped to B. Even I
19 had the first meeting with [REDACTED] and he gave me
20 the 1A. Once it went to [REDACTED] which reports to
21 [REDACTED], was reduced to B. RC

22 SPECIAL AGENT LANGAN: What reason was
23 given for that?

24 MR. SHIRANI: I don't know. Oh, he was
25 telling me that I need to walk on water in order to

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1 deserve A.

2 SPECIAL AGENT LANGAN: Did he give you any
3 other reason than that?

4 MR. SHIRANI: He says, "You remember your
5 trip to Germany? You spent \$1800. That was the only
6 reason. That you went to Germany, you spent \$1800 and
7 my budget was \$1300."

8 I said, "Do you remember I traveled Friday
9 night and I stayed in the cheapest hotel; and I even
10 didn't charge more than \$35 for food." I was spending
11 more than \$50. And I had the documents that I spent
12 more than \$50, but I only charged \$35. And I said,
13 "How humanly possible I could have spent less than
14 \$1300 if the ticket was \$950?"

15 He says, "Well, you know, I don't claim
16 that I deserve A. You do claim that you deserve A, so
17 you need to have" --

18 And I said, last time, Patty
19 Weiger in the group went to Germany for the KSB valve
20 audit for the same length of time for the same trip,
21 spent \$6800. Now, I spent \$1800." And then I said,
22 "Overall 1998, my budget for all the trips was
23 \$22,000, and I spent only \$17,000. I still am \$5,000
24 below budget."

25 He says, "I mean each trip should be less

1 than \$1300."

2 So I asked Frank Krowzak, who was the
3 other member in the group; I asked Stan Mitchell, the
4 other member in the group. I said, "Did you guys have
5 any trips more than \$1300?" They said, "Oh, yeah."

6 But they knew about my issues with him.
7 I mean, everybody in the company, even Sargent Lundy
8 partners knew about [REDACTED] issues with me.

9 SPECIAL AGENT LANGAN: It was commonly
10 known?

11 MR. SHIRANI: Commonly known.

12 SPECIAL AGENT LANGAN: Did [REDACTED] ever
13 indicate to you he wanted to get rid of you?

14 MR. SHIRANI: No. Not directly.

15 SPECIAL AGENT LANGAN: Not directly? In
16 what way indirectly?

17 MR. SHIRANI: Well, all these managers
18 that I was reporting to, with lowering my grade, it
19 means lowering my salary increases.

20 And also in one incident in 1999, one of
21 the directors -- he's still with the company; his name
22 is Mr. Walter Hahn. H-a-h-n, Hahn. He was in a
23 meeting because he was one of direct reports to [REDACTED]
24 [REDACTED]. Same as my boss, [REDACTED] he was also
25 direct report to --

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1 He shared with me that one time [REDACTED]
2 [REDACTED] came and said, "He is my best performer. I
3 have to give him a better rating." [REDACTED]
4 said, [REDACTED] do you think [REDACTED] is going to let
5 you?"

6 I saw Mr. Walter Hahn a couple days ago in
7 Chicago; and I said, "I'm using your name as a
8 witness. You remember you shared that information?"
9 He says, "Yeah. Whoever wants to tell me, I'm not
10 going to lie."

11 SPECIAL AGENT LANGAN: Do you have a
12 severance package?

13 MR. SHIRANI: Yes, I do have a severance
14 package. It offers like for every [REDACTED]
15 [REDACTED] For each
16 [REDACTED] which I'm
17 not going to accept.

18 SPECIAL AGENT LANGAN: You are not going
19 to accept it.

20 MR. SHIRANI: No. The reason is, usually
21 the layoffs are for one or two or maybe three reasons,
22 to my mind. It's either they have to reduce the staff
23 because they have excess, which is not this case,
24 because I was the only one in Chicago; and they have
25 to hire who 18 people, and up to this moment as we

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1 speak they haven't even filled any of those 18
2 positions.

3 Number two is, two months before this, I
4 met [REDACTED] and [REDACTED] had my
5 media review in [REDACTED] hand. And I have a copy of it,
6 everything on target. And on the bottom it says,
7 "Oscar works very diligent in his work."

8 So it came to the point that [REDACTED] was
9 telling me that "Oscar, you should be very happy. I
10 was expecting at least one or two areas that you need
11 to be off track to need improvement. I'm very
12 impressed; within few months, you are right on track.
13 You should be happy with [REDACTED] gave you all good
14 remarks."

15 So it's not performance issue because she
16 gave me diligent work remarks, on target. It's not
17 the size of the group issue. So what else it could
18 be?

19 SPECIAL AGENT LANGAN: What do you think
20 it is?

21 MR. SHIRANI: Of course, it is a political
22 issue and also safety concern issue.

23 SPECIAL AGENT LANGAN: Relating back to
24 who?

25 MR. SHIRANI: Relating back to 1997 and

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1 the year 2000, audits of the GENE and audit of U. S.
2 Tool & Die.

3 SPECIAL AGENT LANGAN: You are referring
4 to [REDACTED]

5 MR. SHIRANI: [REDACTED] 7

6 SPECIAL AGENT LANGAN: Do you think [REDACTED]
7 was involved in your transfer to finance?

8 MR. SHIRANI: Not directly.

9 SPECIAL AGENT LANGAN: Do you have any
10 proof of him operating behind the scenes?

11 MR. SHIRANI: Well, the remarks that I
12 heard from Mr. Hahn about [REDACTED] told [REDACTED]
13 that "Do you think he's going to let you give him a
14 promotion?" 7C

15 And also, the other one is, do you
16 remember after I said I came from the GE, I gave a
17 Level One finding to ComEd. First, the first reaction
18 of the vice-president of the engineering on that Level
19 One finding on top here, it says, "Bullshit." That
20 was the way that I was treated, trying to fix their
21 program.

22 They were in violation of the Criterion 7
23 of the QA program. Criterion 7 of the QA program,
24 which is mandated by the NRC, and also is the
25 regulation Criterion 7 of 10CFR50 Appendix B, which

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1 dictates that it says, "Control of the purchased
2 items, components and services." And what it means
3 that if you receive items and components, you do
4 receive inspection, per Military Standard 105E or
5 other standards.

6 Services means nontangible items like
7 Sargent Lundy or Bechtel or GE calculations, design
8 analysis, because they are nontangible. You cannot do
9 receipt inspection. Therefore, what you have to do,
10 you have to randomly check to provide a reasonable
11 assurance as an owner to make sure that those
12 calculations are correct.

13 They didn't have -- ComEd did not have any
14 procedure for reviewing those calculations. That's
15 why I cited them for it. And that's why NRC goes to
16 Dresden and come up with a pump curve issue. Because
17 ComEd given the control to Sargent Lundy. They given
18 the control to GE. And I went and found a lot of
19 holes in the GE QA program and design control.

20 So if the contractors are breaking their
21 QA program and ComEd doesn't have a procedure to cover
22 and review those, what is going to be public safety
23 and reasonable assurance for public safety? That's
24 why I am bringing all these issues.

25 So the Level One finding was put there;

1 and I went, and I told my manager that I need you to
2 support me. I have all the evidence, and I went
3 through my dotted line.

4 And I took it to Mr. Hosmer,
5 vice-president of engineering, brought all his chief
6 engineers, including some of the contractors like
7 Sargent Lundy and their groups in a room, about more
8 than 20, 30 people. And Kombiz Salehi was also on
9 their side, because configuration supervisor. I
10 didn't have no notes or nothing, but I spoke about 15
11 minutes off of my mind, because I know all the codes
12 from the head. I know all the 18 criteria, all the
13 codes in my mind. And I told them, these are the
14 reasons that this is the finding and is going to
15 stand.

16 My previous managers, chief engineers,
17 they were thinking that I'm reading too much to the
18 codes. So they look at Mr. Salehi, and they said, "Mr.
19 Salehi, you served NRC. Don't you think Oscar is too
20 harsh on us? Don't you think he reads too much into
21 the codes?"

22 Mr. Salehi got up and said, "Well, now I'm
23 going to put my NRC hat. You guys asked me, and I am
24 supposed to be on your side. But I agree with
25 everything he said. We are, as an owner, responsible

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1 for public safety. We are responsible for
2 implementation of our QA program, and we are in a
3 clear violation of the Criterion 7 as he stated."

4 The chief engineers said they accept the
5 findings, and Mr. Kombiz Salehi was assigned to take
6 care of that issue. He wrote many procedures, one of
7 them I guess was the TIDMS13, that they put procedures
8 and bunch of supplement procedures that mandates to
9 ComEd have to review calculations performed by outside
10 architect engineers and suppliers.

11 SPECIAL AGENT LANGAN: That being GE.

12 MR. SHIRANI: GE.

13 In the meantime, I will go through the
14 allegations that I wanted to. The 22-page document
15 will support my first allegation and also will provide
16 some background information about other allegations.

17 The first allegation is basically I'm
18 saying ComEd has been in violation.

19 MR. MC DERMOTT: That can be appended to
20 the deposition.

21 SPECIAL AGENT LANGAN: Yes, you can submit
22 that.

23 MR. SHIRANI: I could submit that.

24 SPECIAL AGENT LANGAN: You've already read
25 it; that's fine.

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1 MR. SHIRANI: Okay. Number 2, ComEd has
2 been in -- this is my second allegation. ComEd has
3 been in violation of 10CFR50 Appendix B Quality
4 Assurance Program for Nuclear Power Plants from August
5 1997 -- which the stop work order against GENE nuclear
6 energy, San Jose, California. And I say, see ComEd
7 letter, SES-97-261, dated August 29, 1997 -- to
8 November 1997, which was lifting of the stop work of
9 the GE.

10 And I also refer to the letter, SES97-339,
11 dated November 1997 for the following reasons: For
12 three months we have been in violation of our QA
13 program and outside of our QA program. GENE QA
14 program was suspect because my stop work says we don't
15 have no assurance that their QA program is reliable in
16 the design.

17 Now, therefore, what it has to do, we have
18 to put, per our procedures, they have to put a
19 procurement plan. Procurement plan, it becomes like
20 a quality assurance interim procedure to look at all
21 the activities that the GE does, review the
22 calculations by ComEd engineers or their
23 subcontractors, and also be oversight activities done
24 by QA organization, to make sure in that interim
25 period, the public safety concerns is assured.

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1 SPECIAL AGENT LANGAN: Okay.

2 MR. SHIRANI: Now, Mr. William Betourne,
3 he is also available to --

4 Betourne is B-e-t-o-u-r-n-e.

5 He was the ComEd procurement manager,
6 wrote approximately 17 procurement plans while the
7 stop work was in place against GENE from August to
8 November 1997. At his departure with ComEd in 1998,
9 Mr. Betourne confessed to Oscar Shirani that ComEd
10 management is even worse than GENE and ignored all the
11 quality assurance 17 procurement plans, and he never
12 had a chance to review or see any implementation of
13 the plans.

14 I was trying to get ahold of Mr. Betourne.
15 Finally, I found him. He is the QC manager of one of
16 the suppliers here; and he told me he still have a
17 copy of those 17 procurement plans. He has kept it.
18 After ComEd, he went and worked for Sargent Lundy. At
19 Sargent Lundy, also they laid him off. And later on
20 I I will have charges against Sargent Lundy.

21 MR. MC DERMOTT: Let him ask a question.
22 You don't have read the speech because they can go
23 into the record.

24 SPECIAL AGENT LANGAN: Yes, we are going
25 to attach that to the record. Let me -- what level of

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1 management made the decision for your termination?

2 Who told you first?

3 MR. SHIRANI: [REDACTED] 7c

4 SPECIAL AGENT LANGAN: Where were you when
5 [REDACTED] told you?

6 MR. SHIRANI: In [REDACTED] office. [REDACTED] call
7 me [REDACTED] call me at AT&T building, which we had a
8 meeting right after that, which HR told me that we
9 don't advise you to go to that meeting because [REDACTED]
10 [REDACTED] was sponsoring that meeting. October 26.

11 SPECIAL AGENT LANGAN: Who was present at
12 the meeting?

13 MR. SHIRANI: [REDACTED] invited all
14 the financial people in east and west --

15 SPECIAL AGENT LANGAN: I'm sorry; I'm
16 confusing you. Who was present when you were told you
17 were going to be terminated?

18 MR. SHIRANI: Me and [REDACTED] and
19 Martha Garza from HR. She was the manager of HR.

20 SPECIAL AGENT LANGAN: Did [REDACTED] tell you
21 that it was [REDACTED] decision, or did [REDACTED] tell you it was
22 somebody else's?

23 MR. SHIRANI: No, [REDACTED] said, "You don't
24 meet the requirements on the job which I described."

25 SPECIAL AGENT LANGAN: Did [REDACTED] say that

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1 [REDACTED] had to go higher to get approval for this?

2 MR. SHIRANI: [REDACTED] didn't tell me. I 7C
3 didn't ask [REDACTED] I said -- I knew that it is coming.

4 SPECIAL AGENT LANGAN: Did [REDACTED] give you a
5 letter or anything to go with it?

6 MR. SHIRANI: Well, the package that,
7 once you are severed by the company, they give you a
8 package. They say this is your package; you have 60
9 days; you have waiver to sign that you are not going
10 to sue the company. You have 60 days to do that.

11 SPECIAL AGENT LANGAN: Did you make any
12 attempts to get a job outside of Exelon?

13 MR. SHIRANI: Yes, I tried to get ahold
14 of Sargent Lundy on October 31 -- I mean November 1.
15 I was here, meeting Mr. Jim Heller and Bruce
16 Jorgensen.

17 That day, I think the meeting lasted over
18 three hours, and I was late with my meeting at Sargent
19 Lundy because they were taking me to Italian Village
20 for lunch for the job offer.

21 The reason was, two months prior to my
22 layoff, I talked to Sargent Lundy. And I know all
23 their partners, because I was leading the NUPIC audit
24 for two years; and they told me that any time I want
25 to come to Sargent Lundy with an open arm they are

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1 going to accept me.

2 [REDACTED] who had a meeting
3 with me that day, I called him from here. I left a
4 message that "You remember we said if we don't make
5 Thursday, we make tomorrow, Friday, as alternative
6 day? So I cannot make it."

7 In the afternoon of the November 1, I call
8 [REDACTED] again and left another message to
9 reiterate our lunch tomorrow.

10 Friday morning, November 2, I call back
11 again, left another message. He never call me back.
12 So I said, "I'm now going to waste my time, go
13 downtown Chicago."

14 So I called Monday again, and I paged him.
15 He said, "Oscar, I'm sorry that I couldn't get ahold
16 of you. Can't we make it this coming Thursday," which
17 was November 8.

18 So I left my home from Glen Ellyn, and I
19 went, waited for [REDACTED] of Sargent Lundy at
20 Italian Village. And I had a meeting with my lawyer
21 in the same morning.

22 And as soon as I got to Italian Village,
23 waited for about 15 minutes and didn't hear anything
24 from [REDACTED] of Sargent Lundy. I picked up my
25 cell, and I called him. Was voice mail, so I paged

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1 him.

2 Pat Shephard, who was reporting to him, he
3 picked up the page and says, "Oscar, he's in a
4 meeting; but he knew that he's going to take you to
5 the Italian Village. So what I am going to do is,
6 give me your cell and he is going to call you within
7 two minutes."

8 So I waited, not only two minutes. I
9 waited ten, 15 more minutes, and he didn't call or
10 nothing. He didn't show up, stood me up.

11 You will be surprised who I saw coming and
12 walk into the Italian Village. ~~XXXXXXXXXXXXXXXXXXXX~~ is a
13 looking at me and smiling and stopping and grinning
14 ~~XXXXXXXXXX~~ face and walk into the Italian Village. I knew
15 that they have already spread the word. That's why I
16 knew that Sargent Lundy not showing up.

17 I walked to Sargent Lundy. I'm not going
18 to let them play with my life like this. I went there
19 and sat down for one and a half hours in front of his
20 office, and his people were coming back and forth
21 seeing me and telling me he's still here. He has to
22 come to his office to leave. So I stood there.

23 He came back and, "Oh, I'm sorry, Oscar.
24 Let's go. We are going to talk in a meeting." He was
25 all nervous and apologetic. I said, "I do understand,

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1 clients, you know. You never know."

2 So he says, "Let me be very brutal honest
3 with you. I cannot offer you more than [REDACTED] maximum
4 [REDACTED] and I know my budget for 2001 does not allow
5 me. 2002 budget is coming soon, and I cannot give you
6 [REDACTED] or maximum 80; and I know you are making more than
7 that at ComEd."

8 I said, "You remember, [REDACTED] you told me
9 that 'Even if Sargent Lundy does not have an opening,
10 we would not let an asset like you to slip out of my
11 hand.' You guys were telling me that you were framing
12 the good words of NUPIC audits for the last two years
13 and showing to your clients. I had a very good
14 rapport with Sargent Lundy."

15 He says, "Oscar, I'm not dispute. I know
16 you deserve more than that. [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 MR. MC DERMOTT: Could I interrupt? You
20 are answering far more than the question that's asked.
21 He asked you if you --

22 MR. SHIRANI: I think what I want to do

23 --

24 MR. MC DERMOTT: I know what you want to
25 do. He needs something more cumulative, not 100

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1 percent of the conversation. He needs the next time
2 you go and look for a job and what happens. The next
3 time you go.

4 SPECIAL AGENT LANGAN: Did he offer you a
5 job?

6 MR. SHIRANI: He verbally offered me.

7 SPECIAL AGENT LANGAN: How much lower was
8 the pay from what you were getting?

9 MR. SHIRANI: I told him I am making
10 [REDACTED] this year. 7C

11 He said, "I only can give you [REDACTED]"

12 SPECIAL AGENT LANGAN: Did you take the
13 job?

14 MR. SHIRANI: I said, "I'm not rejecting
15 the job, but I'm exploring opportunity." He says,
16 "Okay, Oscar, let me look at budget for 2002, and I
17 will call you during the Thanksgiving holidays to firm
18 up."

19 Thanksgiving holidays pass by. [REDACTED]
20 [REDACTED] still is negotiable; and with all the benefits,
21 I'll negotiate.

22 SPECIAL AGENT LANGAN: Did you get a
23 response?

24 MR. SHIRANI: Two days later, from HR,
25 Sargent Lundy says, "You had the misunderstanding. We

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1 don't have any opening in the QA." So I left a
2 message for [REDACTED] I said, "I'm puzzled with
3 the response that you gave me, with the response
4 received from your HR. Please let me know what's
5 going on." 7C

6 He never called me back. So I called
7 another message, two or three messages; and he never
8 called me back.

9 SPECIAL AGENT LANGAN: Did you apply
10 anywhere else?

11 MR. SHIRANI: No, but I called Sargent
12 Lundy partner, a couple days ago, Mr. Larry Jock. And
13 I explained to him, whatever is between me and ComEd
14 should not have any reflection on my abilities and my
15 -- with respect with Sargent Lundy. I don't want
16 Sargent Lundy to get into this. But I read from the
17 code from the NRC.

18 Then he said, "Discrimination is not only
19 against licensee; it could also extend to the
20 contractors and subcontractor. Apparently, we are
21 already in it." I said, "Well, I'm not, I'm telling
22 you as partner; we are friends. I'm telling you that
23 [REDACTED] is going to" -- 7C

24 He said, [REDACTED] is Sargent Lundy.
25 Oscar, let me tell you one this thing." He pretended

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1 that he didn't know. He says, "You know, you were
2 very forward. You went and came and talked to Paul
3 Wattler, our most senior partner."

4 And I said, "I did not impose. I was
5 waiting for [REDACTED]; he was not there. I asked
6 the secretary if he can get a time with me and Mr.
7 Paul Wattler. And the secretary called, and Mr. Paul
8 said, 'Sure, let him in.'"

9 Paul Wattler and I had lengthy discussions
10 with Paul. I said to Paul, I said "Paul, [REDACTED] and I
11 have been talking for the last two months. He thinks
12 that I can be an asset for this company." And then he
13 says, "Oh, that's good." "I also am writing tutorial
14 sessions for ASME 2003; and I think [REDACTED] feels this
15 is a good thing for Sargent Lundy to put their name on
16 it." Okay. As soon as I was talking to Mr. Paul
17 Wattler, [REDACTED] walked in and said, "Oscar, let's
18 meet next week for the lunch."

19 (Following a recess, the
20 deposition was continued as
21 follows:)

22 SPECIAL AGENT LANGAN: Back on the record
23 at 11:45 a. m.

24 Have you filed with the DOL yet,
25 Department of Labor?

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1 MR. SHIRANI: I called them, and they said
2 this is not the right department, no. So they asked
3 me to apply to Department of Human Rights or EEOC.

4 SPECIAL AGENT LANGAN: I will get you the
5 proper information for contacting the Department of
6 Labor prior to departing today.

7 Have you ever been denied a promotion
8 while at Exelon/all the precursor names?

9 MR. SHIRANI: Yes, in that meeting that I
10 issued the Level One finding with the presence of all
11 my managers, one of the directors, her name was Myra
12 Burgess. She came right out of the meeting and shook
13 my hand and congratulated me that I won that case and
14 said, "You handled yourself very well under pressure."
15 And she said, "Would you like to consider a manager or
16 director position working for me?"

17 And she was the one who was replaced later
18 by ~~_____~~ by the way. And I said, "Well, of
19 course, I'm always looking for opportunity." And then
20 she says, "come and see me this Friday. And call
21 Laura Rodriguez my secretary to set up the time."

22 So I called Laura, and then I was supposed
23 to be there Monday morning. I was suited up, and she
24 was half an hour late. She takes me to the room and
25 closed the door and say, "I'm sorry, Oscar; that I

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1 raise your hopes. My manager disagrees with my
2 decision.

3 SPECIAL AGENT LANGAN: Who was her
4 manager?

5 MR. SHIRANI: [REDACTED] TC

6 SPECIAL AGENT LANGAN: Did she say why he
7 disagreed?

8 MR. SHIRANI: No, just I cannot support
9 that. I have to run it by my managers.

10 So later on, I think I told you her job
11 was given to [REDACTED]

12 SPECIAL AGENT LANGAN: Did you ever have
13 a time where your grade was lowered? E

14 MR. SHIRANI: Yes. 1998, 1999, and 2000,
15 all three years right after [REDACTED] arrived.

16 SPECIAL AGENT LANGAN: What was the reason
17 given for the lower grade?

18 MR. SHIRANI: The first year was my trip
19 to Germany was the main thing, I guess. And that's on
20 his report. I have a copy of his report.

21 SPECIAL AGENT LANGAN: How about the next
22 two years?

23 MR. SHIRANI: The next two years, I need
24 to walk on water to deserve A, basically.

25 I have the report, also, that he was

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1 boasting about my job on the Dry Cask Storage. And I
2 guess NRC, with the staff, came to Dresden; and they
3 wrote very good remarks about my performance that I
4 have raised issues that no other quality people
5 brought up concerns.

6 And so he was putting that on 1997 SES
7 group assessment to get credit from his managers. And
8 also, the wakeup call from the GE managers. So he was
9 getting a lot of credit that SES has been recognized
10 by the NUPIC industry, all through my credit. So he
11 was giving me all that words; but once it gets to my
12 performance appraisal, comes back with B. No specific
13 reasons why.

14 SPECIAL AGENT LANGAN: Let's --

15 MR. SHIRANI: And that was most of my
16 disagreement with ~~XXXXXXXXXX~~ I was very mad that I
17 did not get what I deserved. r

18 SPECIAL AGENT LANGAN: Let's go off the
19 record. It's about 11:50.

20 (There followed a discussion
21 off the record.)

22 SPECIAL AGENT LANGAN: Back on the record
23 about 11:51.

24 The question was: Have you ever had a
25 time when your grade was lowered?

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1 MR: SHIRANI: The first three months that
2 I was in finance group, I met a guy from HR. He was
3 a [REDACTED] person. His name was [REDACTED] I don't
4 remember his last name. Once we were acquainted, one
5 time I said, "You know, once [REDACTED] promoted
6 me to this job, [REDACTED] give me E4 level and my level
7 should have been E4 to begin with."

8 He says, "Oscar I'm going to share
9 something with you, but you can not tell you that I
10 shared this, because this is only belong to HR people;
11 otherwise, they are going to fire me." I said,
12 "Fine."

13 He went and says, "They put abbreviation
14 R or something, R or A in front of the name. These
15 are the people who are demoted.

16 So end of 1999 to the early 2000, they
17 demoted my position which was Level 9, converted to
18 the alphabetical numbers, to Roman numeral numbers;
19 and in that conversion, they graded my salary to E3
20 level.

21 So in other words, the promotion that [REDACTED]
22 [REDACTED] wanted to give me would put me from E4 to
23 E5 level, which is a key management position with a
24 stock option and all the other benefits with a lot
25 more bonuses. So for the whole year of 2000 or

1 probably toward the end of 1999 to the end, to this
2 point, I was getting the salary of E3 instead of E4.
3 And the promotions went to E4, it was really became
4 adjustment to my salary which I had from 1996 time
5 frame.

6 SPECIAL AGENT LANGAN: So did you actually
7 ever get a promotion?

8 MR. SHIRANI: No, I got just a salary
9 increase of close to \$7,000. Once I raised this to
10 [REDACTED] says, "Oscar, what
11 difference does it make, E3 or E4? You are getting
12 more money for it?" And then I said, [REDACTED] but
13 it was not right. You would have given me a key
14 management position if you wanted to give me
15 promotion." [REDACTED] says, "Oscar, does it help you if
16 apologize on behalf of nuclear? I don't know why they
17 demoted you. I don't know."

18 SPECIAL AGENT LANGAN: This is done before
19 you came to [REDACTED]

20 MR. SHIRANI: This is just like middle of
21 2001, in one of my [REDACTED] sessions with [REDACTED]

22 [REDACTED]
23 SPECIAL AGENT LANGAN: 2001. You were
24 already working for [REDACTED]

25 MR. SHIRANI: I was working for [REDACTED] I

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1 said, "I found this information from HR," and I didn't
 2 give who. And I said, "I found out that I was demoted
 3 in the early 2000, in nuclear."

4 And [REDACTED] said, "Oscar, I cannot speak for
 5 nuclear. If they demoted you, I'm sorry. All I did,
 6 I brought you here with another increase in salary."
 7 Not knowing that I was, almost a year before, I was
 8 demoted without my prior knowledge.

9 SPECIAL AGENT LANGAN: In light of
 10 everything, how do you view [REDACTED] now?

11 MR. SHIRANI: I thought [REDACTED] was my [REDACTED] 7C
 12 and friend, but I think [REDACTED] did the most damage to my
 13 career.

14 SPECIAL AGENT LANGAN: Why do you think
 15 that?

16 MR. SHIRANI: [REDACTED] brought me to this
 17 group, and [REDACTED] didn't support me. [REDACTED] knew that I am
 18 not a financial person. [REDACTED] gave me a golden picture;
 19 and [REDACTED] even, once I asked [REDACTED] that would I have the
 20 opportunity to be director or vice-president, [REDACTED]
 21 said, "Yes, of course, with your credentials, yes."

22 But [REDACTED] never stood with those things, because [REDACTED]
 23 [REDACTED] was still reporting to [REDACTED]

24 SPECIAL AGENT LANGAN: Do you think [REDACTED]
 25 had an ulterior motive behind you coming to [REDACTED] group?

1 MR. SHIRANI: Yes.

2 SPECIAL AGENT LANGAN: What do you think
3 that motive was?

4 MR. SHIRANI: I think they just wanted to
5 get me out of the nuclear, because I was exposed to
6 NRC; I was bringing up issues to ComEd licensing. And
7 the Dresden managers, they were saying that, "Yeah,
8 NRC compliments you with these things, but they are
9 going to go after U. S. Tool & Die."

10 SPECIAL AGENT LANGAN: When you say they,
11 who do you mean?

12 MR. SHIRANI: Means NRC is going to go
13 after U. S. Tool & Die.

14 SPECIAL AGENT LANGAN: I'm sorry. When
15 you say "they" in your management, you had said they
16 just wanted to get you out of nuclear, who is they?

17 MR. SHIRANI: My managers, the nuclear

18 ~~_____~~, ~~_____~~
19 ~~_____~~ and ultimately ~~_____~~ C

20 SPECIAL AGENT LANGAN: Let's go off the
21 record.

22 (Following a recess, the
23 interview was continued as
24 follows:)

25 SPECIAL AGENT LANGAN: Back on the record

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1 at 12:20.

2 Mr. Shirani, can you tell me in detail
3 about the 17 procurement plans in relation to the GE
4 audit.

5 MR. SHIRANI: Since the stop work order
6 put a shutdown on the quality assurance program on the
7 GE as a suspect, the intent of each procurement plan
8 is for any activity that the GE performs for ComEd, it
9 has to be umbrella'd under an acceptable quality
10 assurance program, which this procurement plan served
11 as. It means it has the quality and technical
12 requirements that has to be met.

13 It means that their engineering
14 calculations has to be reviewed by ComEd engineering,
15 and also the oversight activity has to be performed by
16 ComEd supply management --

17 SPECIAL AGENT LANGAN: Procurement.

18 MR. SHIRANI: For each procurement plan,
19 right. Because each procurement plan is related to
20 safety related analysis that GE is performing at that
21 time that the stop work is in order.

22 SPECIAL AGENT LANGAN: Okay.

23 MR. SHIRANI: So the person who wrote the
24 17 procurement plan, he was the manager of the
25 procurement plan, Bill Betourne, he never even saw any

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1 of his role. Because after Bill Betourne left, I
2 became the procurement manager. I was writing
3 procurement plan. So it goes step by step that the
4 calculation has to be reviewed, supplier or QA has to
5 look at the evaluation to be sure they are in
6 compliance with the QA program or so forth. So if
7 they don't implement the procurement plans, means they
8 are in violation of the QA program.

9 SPECIAL AGENT LANGAN: Now, do you give a
10 copy of this to GE; or is this something you have
11 internally and then whatever departments are needed to
12 implement the procurement?

13 MR. SHIRANI: I did not write the
14 procurement plans. The procurement manager, Bill
15 Betourne, wrote it. And then they are given to GE and
16 ComEd engineering to make sure that the ComEd
17 engineering reviews the GE-produced calculations. And
18 then also, ComEd QA has to be involved in the
19 reviewing of any quality concerns.

20 SPECIAL AGENT LANGAN: So let's say
21 hypothetically that procurement is issued. What is --
22 how do you know if that procurement has been
23 satisfied?

24 MR. SHIRANI: You see, procurement plan,
25 it becomes a kind of a semi or mini procedure that has

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1 to be followed.

2 SPECIAL AGENT LANGAN: As part of this
3 whole stop work.

4 MR. SHIRANI: Right. The procurement
5 plans become the governing quality assurance document
6 to make sure that if there is any activities from GE
7 being performed in the meantime that the stop work
8 order is there, it has to meet all the requirements in
9 the procurement plan. And the procurement plan is
10 like a summary of the procedures, summary of the
11 quality and technical assessments.

12 SPECIAL AGENT LANGAN: Now, a procurement
13 plan could come out of the findings of the audit.

14 MR. SHIRANI: Procurement plans is created
15 due to lack of confidence on the QA program of GENE.

16 SPECIAL AGENT LANGAN: Which is the audit
17 you were involved with.

18 MR. SHIRANI: It means that brings all the
19 quality assurance, all the activities of the GE under
20 ComEd's QA program. So if they say whose QA program
21 is invoked, it is ComEd's for three months because GE
22 has been stopped. This procurement plan mandates that
23 ComEd QA program has to stand up and cover the
24 activities.

25 SPECIAL AGENT LANGAN: Did that occur?

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1 MR. SHIRANI: No. It was written; but the
2 QA manager, Bill Betourne, he never saw any evidence
3 of the implementation of those procurement plans. So
4 in other words, it's like a breakdown of the QA
5 program if the procurement plan is not adequately --

6 SPECIAL AGENT LANGAN: Who would have
7 given them -- would have been different ComEd
8 departments would have given them the feedback? Or
9 would it have been a combination of ComEd GE?

10 MR. SHIRANI: You see, once the
11 engineering organizations or engineering within ComEd,
12 they do any activities, the QA has the responsibility
13 to go and audit or assess to see if those activities
14 are covered per quality. So if the engineers, let's
15 say, for example, even ComEd's engineers review those,
16 if their quality is not into it, to review to see if
17 the ComEd engineering adequately reviewing and making
18 documentation. And in other words, the QA is out of
19 the picture.

20 SPECIAL AGENT LANGAN: Was QA out of the
21 picture in this situation?

22 MR. SHIRANI: Right. Procurement plans,
23 if it was not implemented, it means that business was
24 as usual. It means the GE's QA program still working;
25 it goes through ComEd, and ComEd's QA program is

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1 absent.

2 SPECIAL AGENT LANGAN: So correct me if
3 I'm wrong. If I understand you, what you are saying
4 is that they did not follow, in this situation with
5 the 17 procurement plans, they did not follow the
6 standard operating procedure that ComEd has in regards
7 to involving quality assurance.

8 MR. SHIRANI: Right.

9 SPECIAL AGENT LANGAN: Did you ever see
10 any of the procurement plans fully implemented?

11 MR. SHIRANI: No, I was absolutely out of
12 picture as soon as I brought the stop work issue.
13 Even the stop work order was not even given, no copy
14 was given to me, or I was not on the distribution for
15 the c.c.

16 SPECIAL AGENT LANGAN: Should you have
17 been?

18 MR. SHIRANI: Yes, I should have. I even
19 told my manager at that time, Ed Netzel, that I am
20 disappointed that my name is not even on the
21 distribution. Because it says if you have any
22 questions or comments about the stop work order,
23 either contact himself, Mr. Netzel, or Paul Zurawski.

24 Paul Zurawski was the supervisor under Ed
25 Netzel at that time, and I was looking at the bottom

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1 if my name is on the c.c. They completely took me out
2 of the picture.

3 SPECIAL AGENT LANGAN: Now, for an audit
4 such as the one you are talking about, is it standard
5 procedure where the individuals involved with the
6 audit in your role would have been at least c.c.'d?

7 MR. SHIRANI: Right. Because I am the
8 lead auditor. I am supposed to close every issue.
9 Every issue that I came up to the closure is my
10 responsibility as a lead auditor.

11 SPECIAL AGENT LANGAN: What is your
12 responsibility in relation to the procurement plans?

13 MR. SHIRANI: The procurement plan at that
14 time had their own manager. Sometimes procurement
15 plan was done by the QA supplier group, which I was
16 part of. And I did prepare a lot of procurement plans
17 for the stations for different scenarios, different
18 incidents. But in this case, I was not part of any of
19 the procurement plans.

20 SPECIAL AGENT LANGAN: Were you c.c.'d
21 with it?

22 MR. SHIRANI: No.

23 SPECIAL AGENT LANGAN: Were you asked for
24 any advice or counsel during the implementation?

25 MR. SHIRANI: No. Actually, I was also

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1 disappointed that they even changed some of the
2 headlines of my findings. For example, one of the
3 calculations I reviewed from 54 calculations, like
4 more than 25 to 30 pages, consecutive pages, was not
5 even legible. And these are design input,
6 verification of assumptions. If you couldn't read it,
7 and we were struggling with the GE engineers for three
8 and a half hours over the microfiche to see if they
9 understood it, and it was done by the people who
10 already left the GE.

11 So what I did question that the structural
12 integrity of these components under this calculation
13 is indeterminate. The headline of that change was
14 that there were numerous administrative changes such
15 as the calculations were not legible. And as you see,
16 I have more than 30 pages of the findings.

17 SPECIAL AGENT LANGAN: Who made the
18 changes?

19 MR. SHIRANI: Mr. Netzel, which of course
20 I assume that he must have been working with the
21 licensing department or so forth.

22 SPECIAL AGENT LANGAN: Is it common for a
23 manager to change titles?

24 MR. SHIRANI: Well, they could, if they
25 review it, they could say, "Well, we don't like the

1 wording. Maybe we should" --

2 SPECIAL AGENT LANGAN: Do they go back to
3 the lead auditor and ask for concurrence with those
4 changes?

5 MR. SHIRANI: Not necessarily, because if
6 he is approving it, he doesn't have to ask. He's your
7 supervisor. He can make the determination.

8 But even though with the massaging of the
9 words and everything, the issues was in detail on the
10 bottom of the calculation showing all of the issues.
11 But I have to bring it up that the ComEd lawyers told
12 Ed Netzel through the GENE lawyers that Oscar cannot
13 share the details of these findings with NUPIC.

14 And ComEd being a NUPIC auditor, we have
15 obligation that if we come up with any issues, we
16 could share that with the NUPIC. And I did make it
17 very clear at my entrance meeting on August 18 that
18 this is ComEd's audit, design audit; but per request
19 of the NUPIC utilities, I could share the information
20 with the requested NUPIC utilities.

21 SPECIAL AGENT LANGAN: Why would the
22 lawyers say not to share it?

23 MR. SHIRANI: Because I think if I have
24 documented that some of the, in terms of engineering
25 language, if you say that the structural integrity of

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1 the component or reactor vessel or whatever we looked
2 at is indeterminate, NRC could come in and say, "Well,
3 you have to shut down your plant to tell me that it is
4 determinate."

5 So they wanted to make sure that there is
6 no word of suspicion is going to be put on the
7 headlines. So they have to massage it, and I only
8 could share the headlines which, you know, Finding No.
9 2 and No. 3 did very well in terms of verification and
10 validation of this calculation, was not done properly.

11 And there were more than a dozen of
12 safety- related softwares, control softwares which
13 they do calculations. They were changed. I would say
14 maybe the word of falsification of the records could
15 be very appropriate. Because the ASME and QA 2, which
16 is the governance code for the safety-related
17 software, used for safety-related applications, it
18 mandates that every version of the software has to be
19 verified and validated. They call it V and V for
20 short.

21 So many of the softwares were Revision 5,
22 6, 7 and so forth. And only revision zero was
23 validated. That was a clear violation of the codes.

24 SPECIAL AGENT LANGAN: Now, you wrote this
25 in the report and that was changed? What was changed

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1 in that?

2 MR. SHIRANI: No, some of that they could
3 not change; but specifically the first finding, the
4 headline of the first finding was, Numerous
5 Administrative Changes Such as Calculation Being
6 Nonlegible.

7 SPECIAL AGENT LANGAN: Would you consider
8 these changes to be substantive changes?

9 MR. SHIRANI: I would say that they want
10 to downplay the importance of it by changing the
11 headline, especially instructed you are not to share
12 the details.

13 SPECIAL AGENT LANGAN: Would they reduced
14 the safety significance of the findings?

15 MR. SHIRANI: The impact, yes. It's
16 underestimating the impact that it could potentially
17 have on the operability or the design of the
18 components.

19 SPECIAL AGENT LANGAN: And they knew this
20 report was going to go to NUPIC.

21 MR. SHIRANI: They knew that this report
22 could be reported, shared with the NUPIC or the NRC.

23 SPECIAL AGENT LANGAN: Did anybody ever
24 approach you regarding this?

25 MR. SHIRANI: NRC called from Region Three

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1 and NRR, two or three phone calls they made through
2 licensing, which I was part of that conversation. One
3 of the NRC experts at Washington, from GE expert, said
4 that, "Mr. Shirani, let me ask you one question. Do
5 you think these issues were significant that prompt
6 NRC to also put a stop work on the GE calculations
7 done for all the BWRs?"

8 And I said, "With all due respect, I
9 cannot tell you what to do or how to run your job."

10 SPECIAL AGENT LANGAN: This is the guy
11 from GE.

12 MR. SHIRANI: No, this is from NRC in the
13 phone call. And I said to NRC on the phone call that
14 "With all due respect, I'm not telling you what to do;
15 but I only looked at calculations that the GE did for
16 ComEd, so I don't know what kind of arrangements they
17 had with the other utilities."

18 And then I also said, "ComEd has dedicated
19 architect engineering firms like Sargent & Lundy as
20 additional layers, just in case something happened.
21 I don't know what's their arrangement with the other
22 utilities."

23 SPECIAL AGENT LANGAN: How did he respond
24 to you?

25 MR. SHIRANI: He said, "Thank you for

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1 your professional and honest answer."

2 SPECIAL AGENT LANGAN: Who was it that
3 called you from the NRC?

4 MR. SHIRANI: I don't remember the names,
5 but the licensing should have it on their records.

6 But from our end, one of my previous
7 managers, Mr. Bob Ryback, was on the phone call with
8 a couple of other licensing people, which I don't
9 remember their names. It should be on the records.

10 But I told NRC, I said, "I cannot call
11 operability evaluation. All I know that, under our QA
12 program, we have to give them opportunity to make a
13 corrective action; and we have to treat these findings
14 just like any other findings."

15 SPECIAL AGENT LANGAN: Are you aware, did
16 the NRC ever follow up after this phone call? Not
17 just with you but with ComEd or GE?

18 MR. SHIRANI: I don't believe so. I never
19 heard this. But three phone calls that NRC made, I
20 was part of. And basically, you know, ComEd was
21 preparing me in advance that you have to be very
22 careful with your words, because if you create a doubt
23 in the NRC's mind, the first plant they are going to
24 shut down is going to be our own plants.

25 SPECIAL AGENT LANGAN: Who from Region

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1 Three did you talk to?

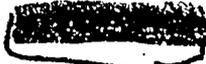
2 MR. SHIRANI: Regarding this? At that
3 time? I never came to a Region Three. They made a
4 phone call to our licensing; and our licensing brought
5 me and my supervisor, Mr. Ed Netzel --

6 SPECIAL AGENT LANGAN: So you talked to
7 licensing, and they related it back to NRC.

8 MR. SHIRANI: Yes, NRC phone calls to the
9 licensing; licensing invited me and my managers and
10 engineering. We were in that room, talking to NRC
11 over the speaker phone.

12 SPECIAL AGENT LANGAN: Okay.

13 MR. SHIRANI: Oh, the other thing is, I
14 wanted to bring to your attention that we didn't
15 discuss, once we entered the GE on August 18, 1997, we
16 had almost six hours wasting time before GE agreed to
17 show us the calculations. As soon as I introduced the
18 audit team -- and I brought the best experts that I
19 could get in Chicagoland, and they were seismic
20 experts, thermodynamic experts, even one of my
21 auditors, I told you that he was serving NRC before as
22 a consultant.

23 And he also said, "oscar, these are very
24 significant issues. And he --  tried to
25 intimidate you at the exit meeting, and that's why you

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1 kept your cool, you kept your professionalism."

2 Because I asked my team, and it is
3 reflected here, "How was my behavior? Did I go off
4 line?" And he said, "I have served on many NRC
5 audits, and you did very well. You stick with the
6 codes. You didn't let him intimidate you."

7 SPECIAL AGENT LANGAN: I want to get into
8 these other safety issues that you brought with you.

9 MR. SHIRANI: Yes.

10 SPECIAL AGENT LANGAN: You already talked
11 about the first two; am I correct?

12 MR. SHIRANI: The first two, and that's
13 the second one we were talking about 17 procurement
14 plans that Mr. Betourne was the person writing.

15 The same time Mr. Salehi, that you
16 remember him and Mr. Netzel and Bob -- Jack Bruner
17 went on my behalf to GE before I come back to from my
18 vacation. In their dealing with Mr. Helwig, he was
19 still GE manager. GE general manager, Mr. Helwig,
20 made a similar statement in the meeting with the GE
21 offices San Jose, California, September 1997, with the
22 ComEd's engineering configuration supervisor, Mr.
23 Salehi, that ComEd has done business as usual with the
24 GE and ignored the stop work order.

25 Once ComEd was trying to convince him that

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1 we have to work on a win-win situation, come up with
2 a strategy, he said, "There is no lose-lose situation.
3 If we were losing, ComEd would not do business, so
4 it's your own company ignore the stop work."

5 That matches exactly what Mr. Bill
6 Betourne told me about ignorance of his --

7 SPECIAL AGENT LANGAN: So he's saying
8 ComEd is the one that ignored ComEd's own policy.

9 MR. SHIRANI: Yes. And he still was a GE
10 person at that time. He was defending GE's position
11 that your own company, ComEd, has ignored the stop
12 work and has given us jobs as usual.

13 SPECIAL AGENT LANGAN: Who in ComEd -- is
14 there such a person in ComEd that gave the order to
15 just ignore it, then?

16 MR. SHIRANI: Well, the organization was
17 under Mr. Oliver Kingsley. And Mr. Oliver Kingsley is
18 the one that hired [REDACTED] And one of my
19 allegations is that I'm questioning his judgment of
20 being a manager, because now all the nuclear
21 oversight, QA functions, all ComEd nuclear or Exelon
22 nuclear is reporting directly to Mr. Oliver Kingsley.
23 So I'm questioning his judgment of hiring a person who
24 was disputing all the findings [REDACTED] at the GE.

25 And then I turn the table back to [REDACTED]

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1 [REDACTED] And I said, "You are apparently very upset
2 about these findings. If you were me, how would I
3 resolve it to make you happy?" He said, "You know
4 what? I'm not very proud of these calculations. Why
5 don't you issue the headlines as 'GE needs
6 improvement'?" "

7 I said --

8 SPECIAL AGENT LANGAN: This is [REDACTED]
9 speaking.

10 MR. SHIRANI: [REDACTED].

11 I said, [REDACTED] maybe it's okay under
12 your QA program to put a headline like that. Under my
13 QA program and my procedures, if we see a violation in
14 your calculations, we have to issue a finding until
15 you do a corrective action, action to prevent
16 recurrence. And this is the way we are closing the
17 findings. At that time, maybe I will be flexible.
18 But up until that time, you are no going to see any
19 flexibility on my part."

20 SPECIAL AGENT LANGAN: So you told him up
21 front what to expect.

22 MR. SHIRANI: That's right.

23 So third allegation --

24 SPECIAL AGENT LANGAN: Don't read it
25 unless you don't remember it. I'd like it from your

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1 memory.

2 MR. SHIRANI: Okay. My memory is that
3 Supplier Evaluation Services, which is SES group,
4 which was part of the QA before, as soon as [REDACTED]
5 came, he took that and transferred it to the supply
6 management organization under [REDACTED] which is a
7 production function. It's not a quality assurance
8 function.

9 Once I raised that question, they said we
10 have a dotted line to the QA, which they never
11 practiced. So what I'm saying that the oversight
12 activity should be independent and not be under the
13 pressure of the management.

14 SPECIAL AGENT LANGAN: There is no check
15 and balance.

16 MR. SHIRANI: Right.

17 SPECIAL AGENT LANGAN: Okay.

18 MR. SHIRANI: I said, SES should be
19 independent of the production pressure. SES was
20 transferred to supply management organization in 1998
21 time frame.

22 SPECIAL AGENT LANGAN: Who transferred the
23 program?

24 MR. SHIRANI: [REDACTED], under [REDACTED]
25 [REDACTED] who was directly reporting to him.

1 SPECIAL AGENT LANGAN: Did he give a
2 business reason or any reason why he was transferring
3 that department function?

4 MR. SHIRANI: No, but from the way [REDACTED]
5 [REDACTED] was sounding that we have to be friends with
6 the suppliers, we have to be sure that if we don't,
7 you know, we have to stay within the budget. And he
8 vividly told me one time, he says, "You know, it's so
9 easy; it's like a snap of the finger for [REDACTED] to
10 dismantle the whole supply organization. And SES is
11 only one part of it. So he can contract these jobs
12 with somebody else."

13 So it was very indirect hint that we are
14 at the mercy of [REDACTED]

15 SPECIAL AGENT LANGAN: Okay.

16 MR. SHIRANI: So, and I said that NRC --
17 okay. And the change went to the QA manual revision
18 under the organization change. And I said NRC had not
19 understood ComEd's intent. As a QA lead auditor of
20 the NUPIC audit, I am very familiar with the quality
21 assurance program requirements, and I contest this
22 action of ComEd is in violation of stated federal
23 codes, SES group code, basically concerned for his job
24 as manager and should not function as a person in
25 charge of this group to compromise quality.

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1C

1 SPECIAL AGENT LANGAN: What was the
2 response to that?

3 MR. SHIRANI: No, these are my
4 allegations. I said all the quality assurance audits
5 under ~~_____~~ and ~~_____~~ should be
6 investigated as a suspect for safety and quality
7 concerns. TC

8 All the ComEd internal and its NUPIC audit
9 findings issued since December 1997 should be
10 evaluated for their impact on the nuclear safety to
11 assure no compromise for public safety. That's my
12 allegation.

13 SPECIAL AGENT LANGAN: Okay.

14 MR. SHIRANI: Because under this
15 management, once I --

16 MR. MC DERMOTT: You are now reading it
17 again. And that isn't what he's asking you.

18 SPECIAL AGENT LANGAN: I want your memory.
19 I understand you put a document together, but I am
20 interviewing you.

21 MR. SHIRANI: Right.

22 SPECIAL AGENT LANGAN: Go ahead.

23 MR. SHIRANI: As soon as ~~_____~~
24 arrived to the company, he took my best defense out,
25 which was Mr. Ed Netzel, Mr. Waldinger, Mr. Salehi. TC

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1 So they brought Jeff Benjamin, who was the ex-friend
2 of Mr. Oliver Kingsley; and they made him the nuclear
3 oversight vice-president.

4 And you remember I told you I had 18
5 months of struggle to go for the followup of the GE?

6 SPECIAL AGENT LANGAN: Right.

7 MR. SHIRANI: And you remember I told you
8 that I wrote the e-mail after 18 months to all the
9 vice-presidents? I included him on every
10 correspondence. He never even came once to tell me at
11 least a moral support, to say "I'm behind you." On
12 the nuclear oversight, I'm supposed to be QA manager.
13 I was in this struggle all by myself. I was carrying
14 ComEd's QA program one handed.

15 SPECIAL AGENT LANGAN: Do you think when
16 Netzel and Waldinger started vanishing from the scene,
17 do you think that's [REDACTED] working his way towards
18 getting to you?

19 MR. SHIRANI: He wanted to make sure that
20 he has a quality oversight that he can manipulate.
21 Because Mr. Salehi, who was the ex-NRC, he was
22 reporting to Mr. Bob Renaurt. And Bob Renaurt shared
23 with me, he said [REDACTED] the first week he came to
24 the organization -- I'm sorry about the language -- he
25 said he chewed his ass for Mr. Kombiz Salehi and him

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INC

1 siding with the auditor.

2 And he said to Mr. Renuart -- [REDACTED]
3 said to Mr. Renuart that Kombiz Salehi should know
4 what is best for Com Ed and he's no longer working for
5 NRC. This is a similar remark that he made to [REDACTED] C
6 [REDACTED] regarding me on July 22, 1998, that I should
7 know what's best for ComEd and he did not approve the
8 way I handled myself at the GE. I believe these are
9 direct or indirect proof that this is not the place
10 for this guy.

11 SPECIAL AGENT LANGAN: What's your next
12 one?

13 MR. SHIRANI: The fourth item is, I
14 believe that the Exelon nuclear sites, quality
15 assurance department, that they are reporting to Mr.
16 Kingsley does not reveal their independence. I
17 suspect Mr. Kingsley's judgment and his independence
18 of production.

19 MR. MC DERMOTT: Leave it there.

20 SPECIAL AGENT LANGAN: Based on what you
21 have told me today, that's why you suspect such a
22 thing?

23 MR. SHIRANI: Yes.

24 SPECIAL AGENT LANGAN: Okay.

25 MR. SHIRANI: Mr. Rowe, CEO of the

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1 company.

2 MR. MC DERMOTT: Do you want to get to the
3 next one, or are you going to add to that? He can
4 read that, and that's going to be a document. He's
5 asking what are the safety issues. Don't read the
6 document.

7 MR. SHIRANI: Okay. I believe also that
8 Mr. Kingsley's organization retaliated against me for
9 Dry Cask Storage Containers issue in November 2000,
10 that after NRC was aware that I had issued those nine
11 findings -- and NRC was not aware of it for five
12 months -- and as soon as NRC, Mr. Russ Landsman was
13 aware of that, less than two weeks, I was promoted,
14 so-called promotion to the financial area.

15 SPECIAL AGENT LANGAN: But you actually
16 were not promoted.

17 MR. SHIRANI: Well, no, that's what I
18 said. A year before, I was demoted without my
19 knowledge. So they brought me back; and then they
20 said, "Well, what difference does it make between
21 levels? We give you \$7,000 more."

22 And I also have a charges against Dr.
23 Chris Singh, Holtec International president and CEO.
24 He tried to impede the justice. As soon as Mr.
25 Landsman pull me on the corner and said, "I want a

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1 copy of your audit report," he asked me, "What did he
2 say to you?" I said, "He wants the audit report."

3 He said that "I don't trust that guy. And
4 he is the one causing the Palisades shutdown for the
5 same Dry Cask issues. If you send him the copy of the
6 report he's going to put us and your company in
7 trouble. So don't listen to him; just ignore him." I
8 said, "Well, he's the NRC. How can I ignore him?"

9 And then remember I said Russ Landsman,
10 two or three days later called me and says, "Where is
11 my report?"

12 SPECIAL AGENT LANGAN: Was there any
13 witness to that conversation with Dr. Singh?

14 MR. SHIRANI: Yes. I said, Dr. Singh --

15 MR. MC DERMOTT: Did you hear the
16 question?

17 SPECIAL AGENT LANGAN: Was there any
18 witness to that conversation with Dr. Singh?

19 MR. SHIRANI: Mr. Joe Reiss and Nate
20 Leech, who was in that meeting, they were the project
21 managers. They were aware that NRC cornered me.

22 SPECIAL AGENT LANGAN: Okay, not NRC.

23 MR. SHIRANI: About Dr. Singh?

24 SPECIAL AGENT LANGAN: Yes.

25 MR. SHIRANI: No, just me and him.

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1 SPECIAL AGENT LANGAN: So my charges is I
2 think Dr. Singh and Exelon cooperated --

3 MR. MC DERMOTT: Enough.

4 MR. SHIRANI: No. 6, I also suspect the
5 structural integrity of all the dry cask storage
6 containers designed by Holtec International and
7 fabricated by U. S. Tool & Die for utilities such as
8 ComEd and many other utilities.

9 The reason is that I have audited many
10 times U. S. Tool & Die program and Holtec. U. S. Tool
11 & Die's QA program says that they don't have the
12 design capability. They are not approved designer for
13 the Dry Cask; they are only the fabricator. Holtec is
14 the designer. There are many nonconformance reports
15 that are issued by quality control in their
16 fabrication. Nonconformance reports, dispositions
17 which are "used as is," or disposition was "used as is
18 and repair," by the codes are design change.

19 So how is U. S. Tool & Die, fabricating
20 facility that doesn't have design capability could
21 disposition numerous disposition of nonconformance,
22 use as is and design change?

23 SPECIAL AGENT LANGAN: Are we saying here
24 when you talk about this, are we saying that they
25 actually put a product out under that kind of a

1 guideline?

2 MR. SHIRANI: Correct.

3 SPECIAL AGENT LANGAN: And actually
4 delivered it to certain ComEd facilities?

5 MR. SHIRANI: Yes, sir.

6 SPECIAL AGENT LANGAN: A safety question
7 here. Do you know which facilities may have received
8 that kind of stuff?

9 MR. SHIRANI: I believe ComEd Exelon,
10 Southern Nuclear Operating Company, New York Power
11 Authority, Wisconsin Electric.

12 SPECIAL AGENT LANGAN: Do you know which
13 ComEd plants?

14 MR. SHIRANI: Well, Dresden, because these
15 are dry cask storage is our Dresden station.

16 SPECIAL AGENT LANGAN: They are still
17 putting it together now; am I correct?

18 MR. SHIRANI: Dry Cask, actually, is
19 important to safety classification.

20 SPECIAL AGENT LANGAN: Okay. Here's the
21 question. Did you put them on notice that these
22 things were wrong?

23 MR. SHIRANI: I gave a finding to Holtec.
24 And Holtec QA manager, Mark Solder, disputed the
25 findings. And then I said the finding stands because

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1 this is my reason.

2 And a week later, he calls me and said, "I
3 disagree with your finding because I found NCA3800,
4 which is the ASME product. ASME NCA3800 is for
5 fabrication and also ASME NCA4000 is for manufacturing
6 and design."

7 And I said, "Which section is disputing my
8 finding?" He says, "Go to definition section." I
9 went to the definition section. He says, "It says
10 definition of repair is same as rework."

11 I said, "No, it doesn't mean they are the
12 same. It says for the definition of repair, refer to
13 the rework section. That doesn't mean repair and
14 rework are the same."

15 And he said, "Well, that's misleading."

16 SPECIAL AGENT LANGAN: How did you leave
17 it with him?

18 MR. SHIRANI: I wrote a letter to ASME,
19 and I have the letter. And I said, "Some
20 manufacturing, they are taking advantage of this, and
21 you guys have to change the code."

22 This year, in July this year, I was with
23 the ASME because I was the technical program
24 representative for ASME pressure vessel piping; and I
25 have been doing that activity for the last ten years.

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1 That was a symposium of the NRC and ASME.

2 And I told them this year, I said, "I
3 wrote the letter to ASME last year, and you guys have
4 not changed the code." And I brought it to their
5 attention that there are manufacturing facilities that
6 they are confused between repair and rework.

7 And I explain that is a very clear
8 distinction between repair and rework, but the
9 industry may have used it to their disadvantage or
10 advantage. So they said, "We have to work on that to
11 change it."

12 SPECIAL AGENT LANGAN: With this stuff
13 with cold cask, is Tool & Die aware of the fact that
14 there could be problems with the design?

15 MR. SHIRANI: U. S. Tool & Die was a
16 supplier which was not directly listed under ComEd's
17 approved bidder list.

18 SPECIAL AGENT LANGAN: Okay.

19 MR. SHIRANI: We had to accept their
20 product through the Holtec because Holtec was one of
21 my suppliers.

22 SPECIAL AGENT LANGAN: So Holtec is
23 responsible for the product.

24 MR. SHIRANI: Right. Finally, Mark Solder
25 agreed with the concept; he accepted the finding.

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1 What he did, he went and changed the form, the front
2 of the form and says Repair, Rework column.

3 My suspect is, they may have not gone and
4 do reconciliation to make sure all the products which
5 was fabricated at that time, designed and fabricated,
6 had implemented this.

7 SPECIAL AGENT LANGAN: So, are you saying
8 to me that the actual physical structure itself may
9 not be safe?

10 MR. SHIRANI: May not be safe.

11 SPECIAL AGENT LANGAN: Are you aware that
12 they ever went back and checked all those things?

13 MR. SHIRANI: I'm not aware. I know that
14 they changed the form; that's all. I'm not aware of
15 that.

16 SPECIAL AGENT LANGAN: Did you alert the
17 NRC to this?

18 MR. SHIRANI: No. The last time I talked
19 to Jim, but they said, "This is too technical. We
20 have to bring our technical people to discuss it with
21 you."

22 SPECIAL AGENT LANGAN: But you let your
23 management know through your audit findings that this
24 is a problem.

25 MR. SHIRANI: Yes.

1 SPECIAL AGENT LANGAN: Who in management
2 would have seen that report? K

3 MR. SHIRANI: Well, actually, [REDACTED]

4 [REDACTED]
5 SPECIAL AGENT LANGAN: Your [REDACTED]

6 [REDACTED]
7 MR. SHIRANI: [REDACTED] And,
8 you know --

9 SPECIAL AGENT LANGAN: How about above
10 him?

11 MR. SHIRANI: Whatever the communication
12 above him, he's responsible to report. But --

13 SPECIAL AGENT LANGAN: Go ahead to your
14 next one. I'm sorry.

15 MR. SHIRANI: So I also say I suspect
16 whether or not Mark Solder performed any design
17 reconciliation and documentation for all the dry cask
18 storage containers and associated parts impacted by
19 the disposition of "use as is," "repair and rework" at
20 U. S. Tool & Die, that they were already built and
21 delivered to nuclear plants. That's the summary of
22 what you wanted.

23 SPECIAL AGENT LANGAN: Okay. Next one?

24 MR. SHIRANI: Number 7, I brought up a
25 potential Part 21 issues to Zion Station. And I do

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1 have Attachment 15. With that document which I give
2 you, I have also 15 attachments.

3 Attachment No. 15, it will tell you that
4 they did agree that the work that I did at Zion was a
5 very good job and they thanked QA manager for me. And
6 they indicated that Oscar brought up a Part 21 issue
7 that we are going to investigate.

8 SPECIAL AGENT LANGAN: Was it
9 investigated?

10 MR. SHIRANI: Never investigated.

11 SPECIAL AGENT LANGAN: When did you bring
12 it up, first of all?

13 MR. SHIRANI: That was in 1995 time frame.

14 SPECIAL AGENT LANGAN: Okay.

15 MR. SHIRANI: And I brought this to
16 attention of Mr. Ed Netzel. And Ed Netzel says that
17 was a very good thing you raise it up. And then two,
18 three months later, I said to Mr. Netzel I have talked
19 to Mr. Al Newcomer was the QA lead auditor for that
20 audit. And he said that he will not give him a
21 finding; he would keep it up as an open item to
22 discuss it with engineering. And then if they don't
23 have any documentation, they are going to change it to
24 a finding.

25 SPECIAL AGENT LANGAN: Whatever happened

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1 with it?

2 MR. SHIRANI: Never happened. I called
3 six months in a row, and Al Newcomer finally left the
4 company. And I bought up to Mr. Ed Netzel. Mr. Ed
5 Netzel said, "Just tell him." I went and talked to
6 Mike Madigan, who was the QA manager at Zion Station.

7 Mike Madigan says, "Oscar, if we want to
8 raise this issue we are going to be -- QA is going to
9 be in a lot of trouble, because we have reviewed a lot
10 of these calculations and nobody ever raised that
11 issue."

12 SPECIAL AGENT LANGAN: So they missed it.
13 They didn't catch it.

14 MR. SHIRANI: Missed it. And there is a
15 potential safety concern. The same issues could apply
16 to the older vintage plants like Dresden and Quad
17 Cities. It could be at LaSalle, too.

18 SPECIAL AGENT LANGAN: Which are still
19 operating.

20 MR. SHIRANI: Right. The reason was, I
21 asked them to give me the calculations for minimum
22 wall thickness. They were repairing and modifying the
23 wall thickness of the valves, and I was the seismic
24 expert for the company, in charge of MOV. I was three
25 and a half years MOV valve manager, without pay of

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1 course; title.

2 And they were shaving off from the
3 pressure bonnet area, and they were saying .005 inches
4 and say removal from the pressure bonnet, from the
5 bonnet area is negligible, therefore is okay.

6 I requested for the copy of the
7 calculation to see what the minimum wall thickness is,
8 that if you remove this much it is not going to
9 jeopardize the integrity.

10 SPECIAL AGENT LANGAN: Okay.

11 MR. SHIRANI: The answer was, these valves
12 are bought 20 years ago as a commercial grade valve.
13 There is no calculations.

14 SPECIAL AGENT LANGAN: Who gave you the
15 answer?

16 MR. SHIRANI: Engineering.

17 SPECIAL AGENT LANGAN: Engineering from
18 the site?

19 MR. SHIRANI: For the site. And my
20 question was, the valve manufacturers send the valves.
21 They don't know what's the end use of that. You guys
22 upgraded the piping analysis to safety related; and
23 this valve is not part of the safety related. It's no
24 longer a commercial grade valve. You have to have a
25 calculation. Even though the vendor hasn't done the

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1 calculation, you have to have it.

2 SPECIAL AGENT LANGAN: Did ComEd do a
3 calculation?

4 MR. SHIRANI: ComEd didn't have that
5 calculation.

6 SPECIAL AGENT LANGAN: Is that something
7 that the NRC would have caught on to?

8 MR. SHIRANI: I don't know. Depends on if
9 the NRC bring technical experts to get into some of
10 these details.

11 SPECIAL AGENT LANGAN: NRC was never
12 alerted to this situation?

13 MR. SHIRANI: No.

14 SPECIAL AGENT LANGAN: Go ahead. Your
15 next one?

16 MR. SHIRANI: Number 8. As I mentioned to
17 you that I was the manager of the MOV for Generic
18 Letter 89-10 program.

19 Motor operated valve; it's called MOV.
20 NRC had the Generic Letter called 89-10 program that
21 forced all the utilities to revisit all their
22 safety-related valve analysis. ComEd had 1600 valves
23 that I was the manager of.

24 SPECIAL AGENT LANGAN: What year is this?

25 MR. SHIRANI: That was 1996 time frame.

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1 No, I'm sorry. I'm sorry, that was I was
2 in engineering. 1991 through 1994 time frame.

3 In that time frame, 89-10 program was run
4 by bunch of suppliers, Sargent Lundy, Bechtel, Vectra,
5 all these guys and bunch of manufacturers. I put all
6 those vendors out of business of the valve. I brought
7 everything under my control and hired seven best
8 experts in the industry to work under my work.

9 We created generic solutions. And we --
10 I instructed the team to validate that assumption that
11 the valve manufacturing claimed that the valves are
12 rigid. We found more than 80 valves were not rigid.

13 Rigid means you have to calculate the
14 frequency, and usually some plants have a cutoff
15 frequency of 33 hertz. If the valve frequency
16 analysis shows that the frequency is above 33 hertz,
17 then the valve manufacturing assumption that the valve
18 is rigid is verified and validated and you have
19 documentation.

20 SPECIAL AGENT LANGAN: So the valve is
21 good.

22 MR. SHIRANI: Good. If the valve is
23 proven that it is not rigid, then you need to validate
24 that; then you need to do analysis. Because if the
25 valve is not rigid and there is a resonance range

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1 below 33 hertz, you could impact the piping analysis;
2 you could impact the supports.

3 SPECIAL AGENT LANGAN: It's a safety
4 issue.

5 MR. SHIRANI: Safety issue. 74 -- was it
6 74-10 program or 74-12 or something that NRC had the
7 Generic Letter for all the as-built drawings that it
8 was not matching with the drawing? The industry spent
9 millions of dollars for many years to take care of
10 those issues.

11 SPECIAL AGENT LANGAN: Did the valves that
12 did not meet standard get replaced or fixed or
13 modified?

14 MR. SHIRANI: No. My question is I
15 suspect some of the ComEd design valve qualifications
16 and seismic analysis except the MOVs covered under NRC
17 Generic Letter 89-10 program in which I managed up
18 until November 1994. If there are Generic Letter
19 89-10 even after '94, I cannot contest to their
20 validity. But up until that time that I was managing,
21 I knew that we did calculate the frequency.

22 So their impact on the piping analysis and
23 structural supports on the older plants. And I say
24 the valve manufacturing assumes that the valves were
25 rigid. But the assumption should be validated by the

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1 licensee to calculate the natural frequencies of the
2 valves in connection to piping analysis.

3 As I say, at some of my audits of
4 engineering organizations who were working for Exelon
5 and ComEd, this area was found to be very ambiguous.
6 I was asking, let's say, Sargent Lundy or Duke
7 Engineering, "Have you validate the assumption of the
8 valve being rigid?" They said, "It's not part of our
9 scope." So if it's not part of their scope, then
10 ComEd should have done it, which I doubt ComEd has the
11 technical ability to do that.

12 I also gave that input to Dr. Yakub Patel.
13 He's still in SES group. He went to Byron Station,
14 and he raised that question in one of the audits that
15 he was a technical expert. One of their managers
16 called me and he says, "Now you are training other
17 guys to be tough like you? Didn't we calculate the
18 natural frequencies of the valves?"

19 I said, "Yes, I did for Generic Letter
20 89-10. We have MOVs; we have solenoid operated valves;
21 we have air operated valves. We have a lot of other
22 piping analysis which may not be covered under Generic
23 Letter 89-10 program."

24 That's Number 8 here. The one I want to
25 add to this, which I already kind of shortly alluded

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1 to, is that Level One finding that I wrote to ComEd
2 and Kombiz Salehi took months to fix the procedures.
3 I do not believe that ComEd is fully implementing
4 those procedures, which mandates to ComEd review
5 architect engineering and suppliers calculations.

6 SPECIAL AGENT LANGAN: The Level One, you
7 are referring to the GE matter?

8 MR. SHIRANI: No, this is the issue that
9 I gave to ComEd. After I gave the finding to GE, I
10 did a series of technical audits, including Sargent
11 Lundy, Bechtel, GE. And everyone had their own share
12 of the findings. But the finding of the GE was the
13 most severe.

14 SPECIAL AGENT LANGAN: All right. So this
15 Level One combines -- you are looking for a theme.

16 MR. SHIRANI: What I said to Com Ed, "You
17 gave the procurement to all these engineerings; and
18 you rely on their QA program to be okay. I went and
19 found out that they have a lot of problems with their
20 design. Therefore, you as a utility are ultimately
21 responsible to put a procedure or process in place
22 that if they make a mistake, you catch it."

23 SPECIAL AGENT LANGAN: Did they do that?

24 MR. SHIRANI: They have a procedure which
25 Kombiz Salehi put together. My question is, I would

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1 like NRC to investigate to see those if procedures are
2 implemented and practiced. Put it in a shelf that we
3 have the procedure, then using it and implementing it
4 is two different stories.

5 I haven't put that as my Number 9
6 allegation. But these are -- this is my document, and
7 supporting the first few of them, this is the 22
8 pages. And I also have 15 attachments that I would
9 like to give you, because I refer to attachments, and
10 these are all 15 attachments here.

11 SPECIAL AGENT LANGAN: Is there anything
12 else you would like to cover?

13 MR. MC DERMOTT: No.

14 SPECIAL AGENT LANGAN: You are currently
15 not, outside of your end time with Exelon, you are not
16 employed anywhere else?

17 MR. SHIRANI: Oh, the other question that
18 you asked me, have you applied for other jobs.

19 SPECIAL AGENT LANGAN: Right.

20 MR. MC DERMOTT: Did you answer the last
21 question?

22 SPECIAL AGENT LANGAN: Are you employed
23 anywhere else?

24 MR. SHIRANI: No, I'm not.

25 I did apply, after Sargent Lundy, I found

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1 out that Sargent Lundy is ignoring, I applied for KCI.

2 SPECIAL AGENT LANGAN: KCI?

3 MR. SHIRANI: Which is Karaman
4 Consultants, Incorporated. They are in Downers Grove.

5 SPECIAL AGENT LANGAN: And?

6 MR. SHIRANI: The two partners, Mr. Aham
7 Alsammarae, A-l-s-a-m-m-a-r-a-e, and Anup -- I don't
8 know his last name, but I know Anup.

9 SPECIAL AGENT LANGAN: He's one of the
10 partners.

11 MR. SHIRANI: One of the partners. They
12 have been telling me for the last few years,
13 especially Aham, that we would like you have you if
14 want to join us.

15 And I told them that one of my conditions
16 to join you if I come as a partner. So that didn't
17 fly, because Anup was the first owner; Aham was the
18 second. And they figured -- they had a lot of respect
19 for me.

20 Two months before I get laid off, I talked
21 to both of them; and then I said, what is the
22 possibility that we discuss the employment? Because
23 I'm debating should I join you guys or Sargent Lundy.

24 SPECIAL AGENT LANGAN: Okay. And their
25 response?

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1 MR. SHIRANI: And they said, why don't we
2 come to the office. And we sat down for one and a
3 half hours; we got on the board. They are electrical
4 engineering organization.

5 SPECIAL AGENT LANGAN: Okay. Nonnuclear.

6 MR. SHIRANI: Nonnuclear. And I have
7 helped them in writing a lot of their QA program.

8 SPECIAL AGENT LANGAN: You have a
9 relationship with them.

10 MR. SHIRANI: Relationship with them.
11 They have a lot of respect for me. They said, "Why
12 don't you join our company? When can you join?" I
13 said, "If I want to join it's going to be January,
14 2002."

15 They said, "We are going match your
16 salary; we are going to give you some more on top of
17 it, to keep you employed. And then within a year, if
18 you expand our business in a structural and mechanical
19 area that you are saying you will, then after one
20 year, we make you a partner. Is that fair?"

21 I said, "Yes, that's good. I want to show
22 you what I can do."

23 SPECIAL AGENT LANGAN: Okay.

24 MR. SHIRANI: After I got laid off with
25 ComEd, I went to their office. They saw me come in to

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1 the -- they heard my voice. They went right and hide
2 in the room. I went and knock on the door. And I
3 said, "I need to come and talk to you guys, because
4 right now, I think I'm losing my job. I want to
5 seriously think about it."

6 Says, "Okay, we are on a phone call with
7 Canada. Can you wait?" I waited for half hour in his
8 office. And then from the conference room, they
9 called their office to make sure I'm there. And then
10 they know I'm not leaving, so they ask, "Can we call
11 you tomorrow?"

12 They never called me. I made several
13 phone calls, e-mails. Nothing happened.

14 Last week, I took my daughter as a
15 witness, and I took my letter with my resume and a
16 letter; and I officially went and knocked on the door.
17 They both were there. I said, "This is officially, I
18 am requesting for a job."

19 They said, "Okay, we are working. The
20 Canadians are very happy with your performance.

21 SPECIAL AGENT LANGAN: Did you get the
22 job? Did they offer you a job?

23 MR. SHIRANI: No. Up to now, I am sending
24 e-mail and voice mail. I told them, whatever is
25 between me and my employer is not going to be

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1 affecting. I knew they were hiding. They were scared
2 if ComEd find out they gave me a job.

3 SPECIAL AGENT LANGAN: Did they do
4 business with ComEd?

5 MR. SHIRANI: Of course. Sargent Lundy,
6 KCI.

7 SPECIAL AGENT LANGAN: How do you know?
8 Are you aware that they know about your change in
9 relationship with ComEd?

10 MR. SHIRANI: I believe the letter that --
11 the e-mail that I sent to the executives, October 30,
12 that ended up security being on my desk, I believe
13 that message was communicated to many people on the
14 executive levels. And Sargent Lundy, a lot of their
15 past managers are the vice-president of engineering.
16 And Aham Alsammarae or Anup, these guys are well
17 connected within ComEd.

18 SPECIAL AGENT LANGAN: Do you have any
19 proof of this?

20 MR. SHIRANI: No, I don't.

21 SPECIAL AGENT LANGAN: Any conversations,
22 any witnesses?

23 MR. SHIRANI: No, but I'm saying that
24 these are the same people that with open arms they
25 wanted to make me a partner. Now they don't even

1 respond to my voice mails or e-mail.

2 SPECIAL AGENT LANGAN: And you notice a
3 change in demeanor?

4 MR. SHIRANI: And my family is very
5 concerned. They say, "These are the same guys they
6 want to offer you a job."

7 SPECIAL AGENT LANGAN: Any other instances
8 like this?

9 MR. SHIRANI: Well, the other company is
10 EMS, Engineering Management Specialist. Actually,
11 that company was formed based on my projects. The
12 [REDACTED] of that company is [REDACTED] 7C

13 SPECIAL AGENT LANGAN: Did you talk to [REDACTED]
14 about employment?

15 MR. SHIRANI: The last day I got out of
16 ComEd, [REDACTED] office is very close to mine. [REDACTED] says,
17 "Oscar." [REDACTED] knew that me and ComEd having a problem
18 and I'm not happy at the last job, the way I was
19 treated. I shared that. [REDACTED] says, "Oscar, don't
20 worry. I get you some jobs outside of the nuclear
21 that they wouldn't know."

22 SPECIAL AGENT LANGAN: Did [REDACTED] do that?

23 MR. SHIRANI: [REDACTED] says one of my auditor
24 was working -- no, [REDACTED] didn't do. [REDACTED] said one of my
25 auditor, working for train station -- I guess one of

1 these nonnuclear jobs at downtown Chicago. And "Don't
2 worry; he's busy, working a lot of overtime and
3 everything else. I'm sure we can find you something."

4 SPECIAL AGENT LANGAN: Did you go to [REDACTED]

5 MR. SHIRANI: I went two, three days later
6 and I said, "I think I want to start."

7 SPECIAL AGENT LANGAN: What did [REDACTED] say?

8 MR. SHIRANI: [REDACTED] said, "Oscar, I'm sorry.
9 You know, you better go sign that contract with ComEd
10 because right now it's going to be very tough. Nobody
11 is going to give a job because you are fighting with
12 ComEd. Think about your family. They give you [REDACTED]
13 [REDACTED] Sign it, and then it's going to be easy
14 for anybody to give you a job."

15 And then I said, "I didn't get laid off
16 for a right reason. If I was laid off because of
17 performance or because they were cutting people, then
18 it was different. In my conscience it's not going to,
19 is going to bother me that I cannot let them get away
20 with this."

21 So [REDACTED] says, "Well, Oscar, you have to
22 think about it. Nobody is going to hire you if they
23 know you have a problem with ComEd."

24 Oh, the other thing, a bunch of NUPIC
25 utilities that they were working with me on the

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1 previous audits, I have called them. I have send them
2 e-mail almost to every utility members serving with me
3 in the last six years in NUPIC. Only one or two of
4 them responded to mail or voice mail. Many of them
5 are not.

6 SPECIAL AGENT LANGAN: Asking for
7 employment?

8 MR. SHIRANI: Employment, to see if they
9 can find any oppportunity for me and everything else.
10 Because ComEd is a NUPIC, and [REDACTED] is a NUPIC
11 representative, and they meet two or three times a
12 year. It's just, I'm going to be blind if I don't
13 think that they communicate. But I'm not going to
14 make any charges because I don't know for fact.

15 But the evidence revealed that all these
16 people that had a lot of respect for me, working under
17 my leadership, I was working under their leadership,
18 good friendship, good cooperation, and people in the
19 industry respect and know what I can do.

20 SPECIAL AGENT LANGAN: Mr. Shirani, have
21 I threatened you in any manner or offered you any
22 rewards for your statement today?

23 MR. SHIRANI: No, sir.

24 SPECIAL AGENT LANGAN: Have you given any
25 statements freely and voluntarily?

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1 MR. SHIRANI: Yes, sir.

2 SPECIAL AGENT LANGAN: Is there anything
3 you want to add for the record?

4 MR. SHIRANI: I would like you to read my
5 22 pages with the attachments, and I think I have
6 covered almost everything in those reports.

7 SPECIAL AGENT LANGAN: And for the record,
8 before we go off the record, the reporting agency did
9 provide Carolyn Meternak's name and telephone number
10 at DOL as an alternative way to contact DOL?

11 MR. SHIRANI: Yes.

12 MR. SHIRANI: It is 1:18, and we are off
13 the record.

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CERTIFICATE

This is to certify that the attached proceedings before the United States Nuclear Regulatory Commission in the matter of:

Name of Proceeding: Interview of Oscar Shirani

Docket Number: 3-2001-055

Location: Lisle, IL

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and, thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings.



PAT CLANCY
Official Reporter
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EXHIBIT 2
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