EXHIBIT 6

Information in this record was deleted in accordance with the Freedom of Information Act, exemptions

FOIA- 2004 - 0191

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Case No. 1-2003-010

MLD52440

Exhibit 6

1	UNITED STATES OF AMERICA	
2	NUCLEAR REGULATORY COMMISSION	
3	+ + + +	
4	OFFICE OF INVESTIGATIONS	
5	INTERVIEW	
6	x	
7	IN THE MATTER OF: : Case No.	
8	INTERVIEW OF : 1-2003-010	
9	(CLOSED) NC:	
10	x	
11	Wednesday, February 5, 2003	
12		
13	Hilton Hotel	
14	Conference Room	
15	Wilmington, Delaware	
16		
17		
18	The above-entitled interview was conducted	
19	at 6:26 p.m.	
20	BEFORE:	
21	Special Agent Kristin Monroe	
22	ALSO PRESENT:	
23	Special Agent Bill Davis	
24	7C poetions	٠
25	TI = 2003 = 010 EXHIBIT 6 PAGE (S	
	NEAL R. GROSS PAGE / OF 69 PAGE (S	3)

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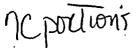
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p.m.

SPECIAL AGENT MONROE: On the record. Today is Wednesday, February 5, 2003. The time is 6:26 p.m. My name is Kristin Monroe. I'm a Special Agent with the NRC Office of Investigations in King of Prussia, Pennsylvania. Also present is Bill Davis, a from the same office. Special Agent We are interviewing who is employed by Public Service Electric and Gas Company in the Hope Creek Nuclear Generating Station in Hancock's Bridge, New Jersey.

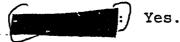
the last approximately 55 minutes or so, we have been explaining to the process on what is required to go out and investigate an allegation of discrimination in that it's necessary for us to disclose identity. Was looking for some assurances that we could indicate to that had a compelling story or that it looked like there was some substance to it.

Both Bill and I indicated that we were unable to do that. We don't have the authority to do that. You do understand that's the process. We're not going to come back to you and sit down and



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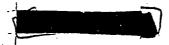
tell you that you have a compelling story. Do you understand that?



SPECIAL AGENT MONROE: We went over the NRC advisement on identity protection. You signed it and initialed the specific bullets on the form. The interview will be conducted under oath. Do you have any objection to being interviewed under oath?

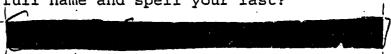


SPECIAL AGENT MONROE: Would you raise your right hand?
WHEREUPON,



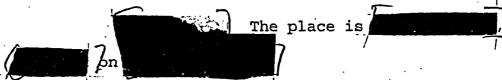
was called as a witness and, having been first duly sworn, was examined and testified as follows:

SPECIAL AGENT MONROE: Could you please state your full name and spell your last?



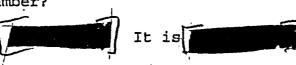
SPECIAL AGENT MONROE: What is your date

and place of birth?



SPECIAL AGENT MONROE: What is your social

security number?



SPECIAL AGENT MONROE: What is your 1 current home mailing address? 2 3 It is 4 5 SPECIAL AGENT MONROE: on your driver's license. Is that just the 6 7 development? Yes, it's the name of the 8 development. 9 SPECIAL AGENT MONROE: And your zip code. 10 11 12 SPECIAL AGENT MONROE: What is your home telephone number, 13 14 That's a long hike 15 SPECIAL AGENT DAVIS: to the plant from Isn't it? 16 17 Yes. SPECIAL AGENT MONROE: About how long is 18 it? 19 If there 20 About is traffic, it could be worse. 21 SPECIAL AGENT MONROE: You are employed by 22 23 PSE&G. 24 Yes I am. 25 SPECIAL AGENT MONROE: What is your title,

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Senior Engineer.

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SPECIAL AGENT MONROE: What particular department or function does that fall under?



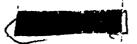
Under Reliability Programs.

SPECIAL AGENT MONROE: Is that in a particular department or division?



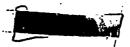
That is a department.

SPECIAL AGENT MONROE: How long have you been employed by PSE&G?



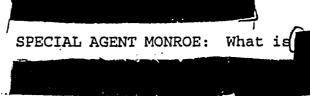
Twelve years.

SPECIAL AGENT MONROE: How long have you been a Senior Engineer?

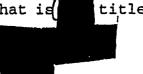


Six years.

SPECIAL AGENT MONROE: Who do you report to directly? Who is your immediate supervisor?

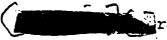


SPECIAL AGENT MONROE:



reports to

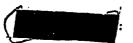
who?



reports to Steve Rabinsky.

SPECIAL AGENT MONROE: At the time of the events that we are talking about, July and August timeframe, was still reporting to Steve Rabinsky?

now?



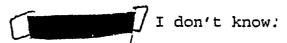
No, it was

SPECIAL AGENT MONROE: Where is

What is a doing now?

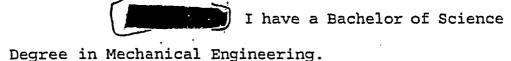


SPECIAL AGENT MONROE: Was demoted as a result of any of the issues we're talking about this evening?

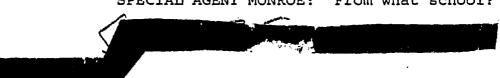


SPECIAL AGENT MONROE: What is your

educational background?



SPECIAL AGENT MONROE: From what school?



SPECIAL AGENT MONROE: Is that in the city or is that in the burbs?

It's both. There are three campuses.

SPECIAL AGENT MONROE: Where did you go?

I went to the campus in --

of a accent. Have you been here too long?

I guess so. NO NOTIONS

the

I do

SPECIAL AGENT MONROE: Any graduate 1 2 degrees? No. 3 SPECIAL AGENT MONROE: 4 Any military service? 5 6 No. SPECIAL AGENT MONROE: Briefly describe 7 8 what your function is as Senior Engineer. What kinds 9 of programs do you work on? 10 I'm the maintenance rule 11 program manager, SO I'm responsible for 12 implementation of 10 CFR 50.65. I run the expert 13 panel, and I run the computer software to generate 14 trend data for performance within the maintenance 15 I produce the ROP data for the corner stone rule. 16 safety systems. Again, this is all just data 17 acquisition for safety system performance. outages and some other miscellaneous tasks. 18 19 SPECIAL AGENT MONROE: That's quite a bit 20 on your plate. SPECIAL AGENT DAVIS: Can you just explain 21 22 a couple of terms? Maintenance rule. 23 That's 10 CFR 50.65. 24 SPECIAL AGENT DAVIS: And the expert

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panel?

The expert panel is just a panel that helps us implement the rule. It's experts in maintenance, PSA, and engineering. I'm the chairman for that panel.

SPECIAL AGENT DAVIS: What is ROP data?

Reactor Oversight Process.

SPECIAL AGENT MONROE: We're going to talk about something called the Transient Assessment Response Plan, TARP. What is the TARP?

The TARP is a first response team that's active zero to eight hours after plant transient. Because they are a first responder, they disappear after eight hours. They become a forced outage team, a root cause team, or an emergency plan team.

SPECIAL AGENT MONROE: Is that something where you have to be on a beeper?

: Yes. There's all kinds of procedurals requirements for duty and response time. It's very similar to the emergency plan. At least procedurally, they are supposed to be links to the emergency plan. None of this, by the way, I knew about when I was assigned to it. This is all part of my learning about my --

SPECIAL AGENT MONROE: Let's start out on



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I became

fourth week. And I was the engineering rep.

What

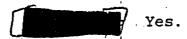
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the engineering representative for D Tarp. 1 SPECIAL AGENT MONROE: Were you asked to 2 3 do this or were you just put on the list? I was just put on. 4 5 SPECIAL AGENT MONROE: Did you volunteer? 6 SPECIAL AGENT MONROE: 7 Go ahead. 8 happened then? Walk us through that. The first thing I did was to 9 read the procedure. 10 11 SPECIAL AGENT MONROE: Did you bring that with you tonight? 12 13 Yes. So I read the procedure 14 on TARP. I felt I wasn't qualified because I had no emergency plan qualifications 15 event orclassification training. If you go through the 16 procedure like I did, it's heavily weighted toward the 17 E plan. 18 In fact, the TARP team becomes the E plan 19 under certain circumstances. If you enter an 20 emergency classification, you are superseded by the 21 emergency plan. These are first responders. 22 23 analyze the plant status, confer with operations, and make that we're in the 24 sure classification.

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So in other words, they should be saying we're not in an emergency which I have no background, no idea how event classifications are made. But the TARP team does that. They help make sure we haven't entered an emergency classification.

SPECIAL AGENT MONROE: Let me back up. Would there be a specific member on the TARP team that would make that evaluation? You are on there in an engineering capacity.



SPECIAL AGENT MONROE: In an engineering capacity, would you be expected to make that assessment?

Engineering is a significant TARP member. When I looked at the D Tarp team, out of the main responders, the only people I could find qualified was on the op staff. So there were 24 named individuals. I did a quick review of the E plan and could only find two individuals that actually were qualified for the emergency plan out of 24. Engineering, I personally felt, was a key player in a transient and should be qualified for the things the procedure wants the team to do.

SPECIAL AGENT MONROE: I haven't had the



1 time to look at the procedure. There's a breakdown. 2 The procedure lists the team members. Does it have a 3 specific function for what the engineering 4 responsibility would be? Does it outline what you do 5 as an engineer? That I don't recall. 6 7 word searches on team, for example, like TARP team. 8 Here's a good example. SPECIAL AGENT MONROE: For the record, we're looking six of 32. Right. TARP team members all after the fact ECG which is Event Classification Guide to ensure the station is not in an emergency situation as well as the circumstances concerning why after the fact classifications were made. EP TARP team members -- This is specific to the EP TARP team members. Then D, there were only two identified people. They were really part of the op staff. SPECIAL AGENT MONROE: Are you part of the op staff? I am not. SPECIAL AGENT MONROE: Okay. If you go through, I tried to

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highlight what the TARP team does. Again, the review

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of a TARP team should review all after the fact ECG classifications.

SPECIAL AGENT MONROE: Right. You are saying "TARP team," but there could be something in this procedure that designates a specific member of the team to do that. Is that right?

Yes, I guess that could be, but again, with only two out of 24 members. And again, these were just concerns I was raising. I was concerned about my qualifications to do what the procedure wanted me to do.

SPECIAL AGENT DAVIS: Who did you raise those concerns with?

Basically, reply was don't worry about it. You come in any make some calls. You get some P&IDs. You can do it. I asked if read the procedure because I felt based on that response that didn't read the procedure.

I did. said he did. said don't worry about it.

You are good. I have my qualifications here to show you I have no qualifications in the event classification or the E plan. said I'm saying you are okay to do it. I said I didn't feel that I was.

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So therefore I escalated it up my chain of command because we couldn't agree on what should be done here. Again, I felt they could have sent me to emergency plan training. It was not a big issue I felt. But didn't want to hear about it.

SPECIAL AGENT DAVIS: Is it possible they could have put you on a team and then sent you to the training?

I don't know. There was no interest in sending me to emergency plan training.

SPECIAL AGENT MONROE: Did you ask to go?

I said I wasn't qualified for

X and Y. There were other issues beyond that. They

just weren't too interested in providing or allowing

me time to get the training.

SPECIAL AGENT MONROE: What were the other issues beyond that?

I had a concern about the response time. Procedurally, you have to get to the plant in 90 minutes. I'm out and if you add time to wake up, get dressed or if I'm getting groceries, so I would have to get home and then come in. I was concerned about whether or not it was reasonable for me to get there in a 90 minute timeframe because you are a first

that. Twelve years ago when I came on, there was no signed agreement that you had to be within X amount of distance from the plant. We have brought engineers from Newark, New Jersey. A lot of them are an hour and a half away. So it's not unusual to be 70, 80, 90 minutes out.

SPECIAL AGENT MONROE: Getting back, you said you reviewed the procedure. You raised it to felt that you are qualified, don't worry about it, you just have to come in and pull some P&IDs. What are P&IDs?

Plant & Instrumentation -- He downplayed any of the actual procedural requirements.

I felt and my conclusion was that didn't understand what the procedure actually states.

had been TARP team leads. That's who I went to speak

SPECIAL AGENT DAVIS: Was he on a team?

to. and I could not come to an agreement, so I asked

outlined for many aspects of the TARP procedure that you were not meeting. Are those the ones that you tabbed in the procedure?



Again, I talked to



team

said don't worry about it. Again, I got the come on 1 in and make some calls. 2 We like you. You have 3 leadership skills. You'll be okay. I asked if he read the procedure because again --4 SPECIAL AGENT DAVIS: the 5 Wouldn't you expect that had? 6 leader. You would expect it. 7 I've led about 20 TARPs. Again, I have the procedure 8 in my hand. I've never seen anyone with this 9 procedure in their hand but me through this whole 10 11 incident. So I went through it with line by line. 12 SPECIAL AGENT MONROE: That must have been 13 tedious. I get to three of twelve 14 bullet four, "The TARP team reviews all after the 15 event emergency guide classifications." (said we're 16 not doing that. 17 surprised. said we don't do said why don't you write a notification that 18 that. we're not doing that last aspect of this procedure. 19 I've read TARP reports, a lot of them. 20 21 I've never seen them address emergency 22 classification. They learn about other things to get 23 the plant started. I think that's their goal, to figure out what happened and get the plant going. But 24 25 they never talk about the event classification.

said why

The key element is that I said why don't we follow the procedure. I refused to revise the procedure based on this verbal interaction with my manager. Said why don't you write a notification saying we're not doing all this stuff. My part of the notification is I'm complaining about the qualifications of the 24 TARP members where virtually no one had classification quals.

was saying they weren't doing it. I read it. I have never seen them talk about this. So again, it leads to me to believe that they are saying do this. I said I don't think I'm qualified. Then they say don't worry. I believe they read it so long ago they don't remember what it says and they are just saying what they know they do. I believe they have all read it, but over time this is what we really do.

SPECIAL AGENT MONROE: We just do it by practice and not procedure.



SPECIAL AGENT DAVIS: So you initiate the corrective action.

The only key element is takes me off TARP. In that meeting, takes me off TARP and said we have a new volunteer, (PH). You are off. You had some concerns. was

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said you are off.

SPECIAL AGENT MONROE: So you are off.



Right.

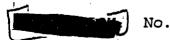
bottom line, to get off the TARP? Was that your goal?

Absolutely not. This all could have been resolved probably in three months.

Again, could have kept me on TARP as long as they were patient to wait to get the training in. The other thing is too we have this huge performance improvement process where if they want you to do things it becomes a goal.

If they wanted me on TARP, they could have made it a goal. They could have tried tracked it to completion. If they wanted me on TARP, they could have done it that way or even informally. They could have said why don't you sign up for EP training? But they had to have me on TARP now. That was the bottom line.

SPECIAL AGENT MONROE: So you weren't raising these issues as a way to get off of it.

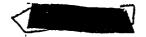


SPECIAL AGENT MONROE: You put the corrective action notification in that incorporates

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request along with yours with respect to the qualifications.



Yes.

SPECIAL AGENT MONROE: What happened next?

Takes you off TARP.

Right. I was concerned about my quals, but they took me off so my personal issue is resolved. The bigger issue of the quals following it are in the corrective action program.

SPECIAL AGENT MONROE: Where they should be.

wanted to revise it. I said let's follow this procedure as written. So in my mind, I'm done.

SPECIAL AGENT MONROE: August 5.

For some of this, I did research to figure out what I didn't know. On August 5, my manager completes the notification and gets two other managers to sign off. I don't know this at the time. Then on

SPECIAL AGENT DAVIS: Who were the other managers?

wrote. Here I am, the initiator. It's called TARP procedure noncompliance, This is the

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10 polition's

1 2 3 4 5 He's another manager. 6 that seemed really unusual to me. 7 8 9 and everything is great. 10 11 August 5. 12 SPECIAL AGENT MONROE: SPECIAL AGENT DAVIS: 13 14 relatively quickly. 15 16 17 So now on 18 19 20 gives me a hard copy of this. SPECIAL AGENT MONROE: 21 Right. 22 23 24 25 I need your decision,

date I wrote it. Then there's a disposition. my manager's electronic signature. Ken Moore, he's a manager of op support and then Steve I don't know what Steve was doing at the Again, although I'm sure it's not proper, I've never seen three managers corroborating. They conclude there were no issues. The bottom line says we looked at it They completed that on That's a Monday. Ιt was done Yes, it was quick. SPECIAL AGENT MONROE: That's a Monday. approached me at approximately 9:00 a.m. Of 🦠 Again, it's very I normally never get hard copies of any notifications. said we need to talk at 12:00 and nc postions

was vaque.

was vague about. 1 The decision. 2 make a decision on TARP, make a decision on the 3 evaluation. 4 Did you ask 5 SPECIAL AGENT MONROE: No I didn't. 6 7 SPECIAL AGENT DAVIS: said "make a decision." Go over that conversation. What did 8 threw the thing on your desk? tell you when 9 said I need to see you. 10 We need to talk at 12:00 and I need a decision. 11 SPECIAL AGENT DAVIS: Were you working on 12 a project at the time? 13 Absolutely. 14 15 SPECIAL AGENT DAVIS: What was the project 16 you were working on? The Reactor Oversight Process 17 data was due at noon that day and knew that. 18 19 SPECIAL AGENT DAVIS: Was there a decision due on the Reactor Oversight data? 20 There was a deadline. 21 22 due at noon to licensing. They get submitted to the NRC. 23 24 SPECIAL AGENT DAVIS: Is it possible that was referring to dealt with that 25 the decision that

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1	project and not the notification?
2	No, again,) was vague.
3	SPECIAL AGENT DAVIS: My question was is
4	it possible.
5	Yes it's possible.
6	SPECIAL AGENT DAVIS: You did not ask
7	to be more specific.
8	No I didn't.
9	SPECIAL AGENT MONROE: You asked your
10	supervisor for time to review the evaluation.
11	Yes.
12	SPECIAL AGENT MONROE: What was
13	response to that? You are talking about the
14	notification now.
15	Right. I got the data out.
16	Ther came to me and said I need your decision.
17	Then I asked what decision. said about TARP.
18	I said did you talk to this has been
19	resolved. ()said yes. I was surprised. We're back
20	to square one basically. I said I need time to read
21	the disposition.
22	SPECIAL AGENT MONROE: You mean what they
23	filed.
24	Yes, what says in
25	the eval. Said no, you need to answer now. I said
	De post Land

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the TARP assignment. I was surprised because again I thought it was resolved. I said have you talked to said yes. So I understood that and I was very surprised. So I still hadn't read the eval. The whole point is I never read the eval. I understood what wants now, so now I really wanted to read the eval. Isaid no, you need to make the decision now.

SPECIAL AGENT MONROE: Are you on or off?

I was sitting at my desk. I have the eval because gave me a hard copy. I was reading it. said you have to make the decision now. I said I'm going to read this. said you are being insubordinate, you are relieved of duty, and you need to leave the site.

SPECIAL AGENT DAVIS: Just like that.

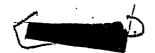
Just like that. There is a witness to that.

what is going to tell us?

I don't know.

SPECIAL AGENT DAVIS: Do you have any

idea?



The only thing I could

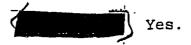


1	exact dates.
2	SPECIAL AGENT DAVIS: No. Here's the
3	point.
4	At that meeting, I didn't ask
5	for QA because it happened so quick.
6	SPECIAL AGENT MONROE: That's fine.
7	SPECIAL AGENT DAVIS: That's what I'm
8	talking about.
9	At that meeting, there was no
10	request for QA.
11	SPECIAL AGENT MONROE: You characterized
12	it as a low volume verbal confrontation.
13	Yes.
14	SPECIAL AGENT MONROE:
15	informed you that overheard your conversation. Did
16	elaborate on what part had heard?
17	I said did you know that I
18	was relieved of duty. said yes because was two
19	cubes down. Then offered that this was in his
20	opinion pretty outrageous. said you did nothing.
21	SPECIAL AGENT MONROE: Once you were told
22	you were told by you were relieved of duty,
23	walk through in a concise, sequential sequence what
24	happens next. You were relieved of duty. What
25	happens? NEAL R. GROSS
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It was outrageous that I got

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1	walked off. That's very unusual behavior.
2	SPECIAL AGENT DAVIS: What took place
3	during this low volume verbal confrontation? Do you
4	have any F bombs being dropped here?
5	No, there's no cursing.
6	There's no threatening. It was me saying I'm reading
7	this. said I want a decision. That's literally
8	how it was.
9	SPECIAL AGENT DAVIS: At the same time,
10	you have something due at 12:00.
11	SPECIAL AGENT MONROE: The ROP.
12	The ROP was due at 12:00. I
13	was working with We got it out at
14	1:00.
15	SPECIAL AGENT MONROE: This is after.
16	Right after we got it out, my
17	supervisor is in my cube. (said what is your
18	decision.
19	SPECIAL AGENT DAVIS: Was ticked at you
20	for getting this ROP out at 1:15?
21	SPECIAL AGENT MONROE: What time did the
22	ROP go out?
23	It was 1:00.
24	SPECIAL AGENT DAVIS: So it's due at 12:00
25	and it went out at 1:00.
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SPECIAL AGENT DAVIS: Was any of this conversation that took place with about the fact that the ROP goes out late?

It was not about the ROP. If we didn't get it out by the end of the day, then they would have been concerned.

SPECIAL AGENT MONROE: Thank you for clarifying that.

SPECIAL AGENT DAVIS: Continuing.

SPECIAL AGENT MONROE: On you do stress you were out sick the week of That's what one document says. The other document says you were suspended. Could you clarify that for me? What is happening the

Again, I was suspended or administratively removed from service.

SPECIAL AGENT MONROE: Let me back up. On did you call into work and say you weren't coming in?



Yes.

SPECIAL AGENT MONROE: Who did you call?

I left a message with

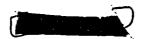
SPECIAL AGENT MONROE: What were the



reasons for not coming in? 1 2 It was related. SPECIAL AGENT MONROE: Did you call in 3 4 every day that week? 5 Yes. 6 SPECIAL AGENT MONROE: 7 Yes. SPECIAL AGENT MONROE: Did you speak to 8 9 personally during that time? 10 No I didn't. 11 SPECIAL AGENT MONROE: Did you asky call you back? 12 13 No. SPECIAL AGENT MONROE: So you were out the 14 15 related. Yes. 16 17 SPECIAL AGENT MONROE: When you came back, what happened on August 19? 18 SPECIAL AGENT DAVIS: Let's go back to the 19 20 thing. 21 SPECIAL AGENT MONROE: Okay. 22 SPECIAL AGENT DAVIS: You said you were on 23 asked you before we started if you went to a doctor. 24 nc partions 25

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1	on medication for
2	doing that. So procedurally I reported it to my
3	supervisor,
4	SPECIAL AGENT MONROE: But on August 19.
5	On August 19. I was already
6	back in at that point.
7	SPECIAL AGENT MONROE: Can I move on?
8	SPECIAL AGENT DAVIS: I just took you to
9	August 19. There's a whole week that we discussed.
10	SPECIAL AGENT MONROE: We're on August 19.
11	SPECIAL AGENT DAVIS: What day is that?
12	SPECIAL AGENT MONROE: It's a Monday. You
13	go to the site and take your badge. Walk me through
14	that.
15	I did call I asked
16	what my status was. indicated that there was
17	nothing wrong. set up the meeting for Monday. It
18	was missed, so I just came in the next Monday. I have
19	no appointment to see I I came in to my normal
20	work time. I go to security and I can't get into the
21	facility. Then I told security. They told me I was
22	on administrative hold and I couldn't get into the
23	site until I talked to my supervisor.
24	SPECIAL AGENT MONROE: Whose security was
25	that?
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It was just people.

SPECIAL AGENT MONROE: One of the guards.

One of the guards, right.

SPECIAL AGENT MONROE: So they could pull up on the computer what your status was.

agitated because they responded to the fact that I was alarmed.

SPECIAL AGENT MONROE: It could be a little embarrassing.



Right. Exactly.

SPECIAL AGENT MONROE: A little more





Right.

SPECIAL AGENT MONROE: On August 19, you met with who?



I met with



Bob Settle. They are both supervisors.

SPECIAL AGENT MONROE: Is that shortly after you tried to get in?

Yes. I tried to get in.

They said your supervisor has to clear you. You need to have a meeting with you. I called said meet me over at TB-2 at 10:00. I met and Bob Settle were there. Bob Settle was there I

believe as a witness. 1 It's really the first time, ironically, 2 that I had a witness. I'm really glad 3 was there based on how the meeting went through. Also, when I 4 5 I specifically asked for QA to be at the meeting on Monday which I didn't 6 7 go to and then I came back. Why would you ask 8 SPECIAL AGENT MONROE: 9 for QA to be at a meeting on Monday, August 19? Because of the threats that 10 I felt were associated with the type of activities. 11 12 SPECIAL AGENT MONROE: What threat was 13 that? 14 The specific threat was I 15 would receive a poor for partnership. SPECIAL AGENT MONROE: Now I'm losing the 16 17 On the property of the conversation asking context. what your status is for 18 says come back in. 19 20 Yes. SPECIAL AGENT MONROE: You are out the 21 22 23 Yes. SPECIAL AGENT MONROE: 24

are asking for QA to come to a meeting on Monday.

.39		
This was a repeated request.		
made this request probably five or six times. (
was having conversations with me that I felt were		
threatening. I told that they were threatening.		
SPECIAL AGENT MONROE: I'm missing that.		
have heard a conversation on where you were		
escorted off. Were there conversations prior to that?		
Yes.		
SPECIAL AGENT DAVIS: Why don't we take a		
oreak? What we are going to do is a little bit of		
back tracking.		
Yes. It's hard. These are		
ittle detail things.		
SPECIAL AGENT DAVIS: Let me set the		
stage. You are coming into this meeting on 8/19. You		

me set the s 18/19. You have a witness there. His name is Bob Settle. You are happy there is going to be a witness there.



SPECIAL AGENT DAVIS: I made a little note here myself, and you are there to discuss performance, that this seemed planned. Did you know what the discussion was going to be when you came in?

SPECIAL AGENT MONROE: On August 19.



SPECIAL AGENT DAVIS: Then why were you

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asking for somebody from QA if you thought there were going to be threats?

It was a pattern of behavior.

Already established a pattern with me. Anytime we met, got threatening. This was a specific meeting that I documented.

SPECIAL AGENT MONROE: What is the date on it?

It's 7/12/02. We met with the PSA group. Showed up at this meeting inexplicably. Waited until after the meeting was over and then had a conversation about the TARP assignment. Again, I felt like I was a broken record. I reiterated the same concern about going to and why don't we just resolve this. That was the first time got threatening at that meeting. told me specifically I would get a poor performance partnership.

I'm following you. On July 1, you are put on the team. Then on July 12, is asking you about what your status is going to be on the TARP because you have already raised these concerns that you are not qualified to be on it.



Right.

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It was just 1 leave. and me. We were in a closed 2 room. started going after the TARP thing. 3 told about my concerns and talking to Then 4 started giving specific examples of retaliation. 5 Poor performance partnership was specific on that day. 6 7 I really felt that was inappropriate. I told that. I said whenever we meet on this issue I want QA 8 9 to be there. From that point on, I felt it was out of control. 10 SPECIAL AGENT MONROE: After the twelfth. 11 After the twelfth. 12 SPECIAL AGENT MONROE: Now you come in on 13 August 19. You meet in TB-2 with and Settle. 14 Yes. 15 SPECIAL AGENT MONROE: Concisely describe 16 17 what that meeting was about and what was said. At the meeting, 18 19 what is your decision about TARP. I believe I again requested QA to be present. said no. 20 specifically said no to that request. /was asking 21 me specific questions. I said can I have QA here 22 before it goes any further. said no, Bob Settle is 23 here and is taking notes. 24 SPECIAL AGENT MONROE: So Bob was taking 25

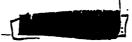
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11 pochons

written notes.

was the scribe from management. I went on and said I really think we missed something here. I have safety concerns. I raised them. It goes through the corrective action program. Then they used to retaliate against me and suspend me. I tried to say this is really out of control.

SPECIAL AGENT MONROE: So what you are saying is that you are on sick leave and what they have actually done is suspend your access.



Exactly.

SPECIAL AGENT MONROE: You are thinking they suspended you because you raised these issues on TARP.

Right. At this meeting, I think it was more than TARP. It was really surprising some of the things they had put on the table as a condition of employment.

SPECIAL AGENT MONROE: That's important but before we get to that --

SPECIAL AGENT DAVIS: Excuse me. Do you have the timeline to help me keep track?

SPECIAL AGENT MONROE: You have it I

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explanation?

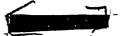
So again, I asked if () had talked to This is all done. Why are we still here? said yes. I said is this you. Are you out of control? said no. This goes all the way to the top implying that the VP, human resources, this is all legitimate.

what did say that the reason was that your access was suspended? What was stated reason for that suspension? You think you are on sick leave.



Right.

SPECIAL AGENT MONROE: Now when you find out you were suspended it's because you were raising a safety concern. Did you ask why?



No, I never asked

SPECIAL AGENT MONROE: Did

offer any



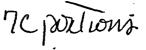
No.

SPECIAL AGENT DAVIS: And the security guard just said it was an administrative hold.

Yes. I'm trying to remember the exact phrase. Then I went to an offsite building and I had no access to computers. I was totally out.

SPECIAL AGENT DAVIS: From your experience

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my safety spiel and at the end I said I'll do whatever 1 I said the bottom line is I'll do whatever 2 3 you want. 4 For whatever reason, and I'm very glad Bob 5 Settle was there, said you are suspended and you need to leave the building. (said that to me. 6 7 stood up and said what are you talking about. 8 said okay, fine, you can't rail about the performance 9 indicators, safety indicators, and you can't be complaining about management. 10 11 SPECIAL AGENT MONROE: Had you been complaining about management? 12 13 I don't know. I'm going to say maybe. 14 s not making it 15 SPECIAL AGENT MONROE: specific. 16 17 There's nothing specific. SPECIAL AGENT DAVIS: Back up. Either you 18 are complaining about management or you are not. 19 Believe me, you are taking it from an expert here. . 20 There are a lot of 21 No. 22 things that happened. We'll discuss some issues in 23 the plant. It may be construed that I'm slamming management when I'm concerned about plant performance. 24 25 So I don't know.

SPECIAL AGENT DAVIS: Let me ask it this 1 If I go and pull five people out of the group 2 where you work and I ask them does 3 management or does walk around with a smile on 4 face all day long, what are they doing to respond? 5 6 They are going to say the 7 smile. I don't know. Between the extremes, I'm not 8 sure. 9 SPECIAL AGENT MONROE: You said at some point they set up these things that you have to comply 10 with. What is that? 11 I said I'll be on TARP, 12 whatever you want. Then\ suspended me. 13 said okay, fine. 14 took it back. Then 15 fine, whatever you want. SPECIAL AGENT MONROE: Then what? 16 17 Then said okay, you can get back onsite in an hour. 18 SPECIAL AGENT MONROE: I thought you said 19 somewhere along the line they set up these things that 20 you had to comply with. That's the railing and all 21 that. 22 Right. 23 SPECIAL AGENT MONROE: I thought you were 24 going down a different path. 25

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25



No.

SPECIAL AGENT MONROE: You felt chilled.

Yes.

SPECIAL AGENT MONROE: What happens next when you go back to work?

It took a long time to get back on site.

SPECIAL AGENT MONROE: How long is "long?"



It was 2:00 or 3:00 that day.

SPECIAL AGENT MONROE: So you go back that

day.



I was trying to get through.

I can't get in. I had to talk to security. Eventually, I get back in.

Then I talked to Joe Schoppy, and Joe suggests going to QA, employee concerns. I go through all these groups and people. Then at the end of the day, I got a letter from employee concerns saying your supervisor didn't retaliate.

SPECIAL AGENT MONROE: Do you have that letter?

Yes I do. They don't address the work environment, the chilling effect. They focus really on the retaliation by my supervisor. It was

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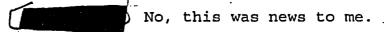
narrowly focused. Their conclusion is they didn't 1 2 retaliate. SPECIAL AGENT MONROE: Let's take a 3 Off the record. minute. 4 (Whereupon, the foregoing matter went off 5 the record and went back on the record.) 6 SPECIAL AGENT MONROE: 7 On the record. have a November 18, 2002 letter with the subject 8 Nuclear Safety Concern Number 737. It's from Tom 9 Lake. So you met with Tom Lake on August 27. 10 said that your supervisor retaliated against you. 11 Right. 12 SPECIAL AGENT MONROE: You said that they 13 were bringing up things that you didn't raise. 14 Details. They acknowledge 15 the fact that HR was involved which was news to me. 16 I had no idea they had been involved. They ended up 17 18 calling it a DML. SPECIAL AGENT MONROE: What is a DML? 19 A Decision Making-Lead which 20 is the first time I have ever heard that terminology. 21 Again, it made me a little concerned that they were 22 backfitting some of their decisions along with some of 23 their explanations. That's a term I had never heard 24 25 until I got this letter.

1.	SPECIAL AGENT MONROE: So what I'm getting
2	is bottom line you don't agree with ECP's conclusion
3	that you weren't retaliated against. Is that the
4	bottom line?
5	Yes, I disagree. And also
6	some of the facts I think aren't correct. Then they
7	bring new details. It was the first time I heard
8	about it.
9	SPECIAL AGENT DAVIS: Did you read this
10	thing from Tom Lake?
11	SPECIAL AGENT MONROE: Do you mean the
12	November 18 letter?
13	SPECIAL AGENT DAVIS: Did you read it?
14	Yes, I read it.
15	SPECIAL AGENT DAVIS: Let me read
16	something to you. This is in paragraph four. "Your
17	supervisor later presented you with the notifications
18	evaluation. The conclusion was that there was no
19	procedural problem with assigning you to a TARP team.
20	gave you a few hours to read the one-page
21	evaluation and inform of your decision of
22	accepting the assignment.
23	When sought you out later that day, you
24	did not accept the position, so placed you on
25	decision-making leave, a pay leave, to reflect on the

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decision you faced. Once again this decision was after had evaluated your concern." We have asked you three or four times tonight what this leave was about. It's right here in this letter which is dated November 18.

It was a paid decision-making leave to reflect on the decision you faced. The decision as I see it is you are either on the team or you are out. This says gave you a few hours to read the one-page evaluation. I'm not jumping to any conclusions, but it took you an hour to make the decision as to whether to sign this form that was earlier on tonight. So here's a decision-making leave. Have you ever heard about that before?



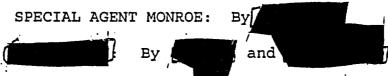
SPECIAL AGENT DAVIS: I can guarantee you that there's somewhere in your HR handbook for decision-making leave.

SPECIAL AGENT MONROE: Right. I think I asked you when you came back on August 19 were you told why your access was suspended. You said no.

Again, was vague. said you need to listen. didn't say you are on decision-making leave. didn't say anything like that. This was just news to me basically.

SPECIAL AGENT MONROE: When you called in on , did you know that you were requested to stay offsite and make a decision with respect to TARP?

No. Again, we have a performance improvement process. If they were really following a process, there's a way to do it. They never put anything in writing saying you need to accept this or you are going to have X, Y, Z. The other thing I can show you is that I am an excellent employee and it's well documented in my performance partnerships. In your binder, I put my last one in. I got the highest rating you can get.



If I can have that binder, has reviewed my performance. They are trying to use decision-making leave and we're following a process, but they didn't follow the process. Here's my performance partnership 2002.

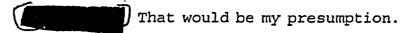
went into it seven times.

Never once has any of this ever been described, that

I need to be on TARP. This is the status of the
performance partnership review 2002. This been in
there seven times and never once has any performance
issue been raised. This is where it's supposed to go.

This is electronic signature. So been in there seven times in 2002. Never once was this mentioned. Never once did it say I was insubordinate or I need to be on TARP. It's totally undocumented except for that employee concerns letter.

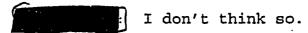
SPECIAL AGENT MONROE: If you had been insubordinate on your expected that it would have been reflected on your performance review process.



SPECIAL AGENT MONROE: Presumption, but you don't know that.



SPECIAL AGENT DAVIS: Maybe wasn't viewing you as being insubordinate. What they are saying here is that your supervisor in concert with HR viewed the potential for nonacceptance as a performance issue, thus the administering of the DML as suggested by HR and consequence discussions when you returned. Could not have been doing you a favor by not putting anything in your performance review?



SPECIAL AGENT DAVIS: If put something in your performance review indicating that I'm having

a conflict over this, that would be negative.

not putting anything in there.





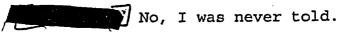
The whole thing --

SPECIAL AGENT DAVIS: Let me finish. Then you can talk. So not putting anything in your performance packet here that's negative. Then what happens is they are putting you on DML leave for a couple of days so that you can make a decision because they are realizing this guy has a decision to make. Lether on it or out and that could be a performance issue. Then they will address the performance issue later.

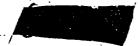
SPECIAL AGENT MONROE: I guess my question is --

it, that's highly escalated. They should start out with verbal, written, and then put it in this. I was so out of left field.

SPECIAL AGENT MONROE: We'll check the process for that. At any point, were you told by anyone that you were placed on decision-making leave?



SPECIAL AGENT MONROE: The first time that you learned about it was on November 18.



At the debrief, yes. I had

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1	no idea. I had never even heard the phrase before.
2	SPECIAL AGENT MONROE: So you thought you
3	were just out on sick leave.
4	I was removed from site. I
5	didn't know what that meant. Then I was out on sick
6	leave, right. If you go into my time sheet put
7	in that I was sick.
8	SPECIAL AGENT MONROE: So there's a
9	document that shows I was on sick leave.
10	Right.
11	SPECIAL AGENT MONROE: Then somehow this
12	DML comes out.
13	Yes. This is my 2001
14	performance partnership. I want to show you this.
15	and electronically signed it off this
16	year. Jis one of the best in my
.17	organization. consistently makes significant
18	contributions to the department. overall
19	performance exceeded all requirements necessary to
20	fill the duties, responsibilities, objectives of my
21	expectation for his position." So that's what they
22	are telling me.
23	SPECIAL AGENT MONROE: Then.
24	Then. When I went to

I said why don't we follow this procedure. We are

2 from the corrective action program identifying over 100 procedures that we had violated and that were 3 documented in the last year. 4 5 SPECIAL AGENT MONROE: Do you have a copy of that list? 6 Yes I do. It's in here. My 7 big picture is we're having all kinds of problems at 8 PSE&G Nuclear. I reviewed all the cases as part of my 9 Procedure compliance is just 10 11 nonexistent in the corrective action program and everywhere you turn. So I get this assignment. 12 read the procedure. I said I'm not qualified. 13 the manager. says by the way we're not doing it. 14 15 SPECIAL AGENT MONROE: So here's another example in your mind of where you are not --16 Exactly. 17 I took this to 18 procedure. SPECIAL AGENT MONROE: 19 Let me tab that with something. 20 This was just for one year. 21 This is just a summary. I didn't even try hard. 22 SPECIAL AGENT MONROE: Just so we can go 23 24 back and identify it, you are looking at "Procedure 25 Noncompliance 6.1 through 7.2." You gave that to

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totally out of control with procedures. I made a list

What did do with it?

okay. Again, other than wanting to revise the procedure to what was really going on, I felt was pretty amicable and wanted to resolve the concerns with the procedure and that they should do all the steps and that they have procedural compliance issues within the station.

SPECIAL AGENT DAVIS: What is the source for that?

That's our corrective action program.

SPECIAL AGENT MONROE: You pulled it off the computer.

Yes. Not only that, the TARP procedure in particular is highly violated. When I wrote my notification, I identified in the last six months, and it was a level two -- So this is my mindset. We have to follow our procedures. In here, I identify other relevant procedures.

SPECIAL AGENT MONROE: Is level one the highest?

Yes, level one is the highest. Level two is in there. Level three is still in the corrective action. So you get TARP team call

out problems, TARP contacts not made, dual 1 notifications, violations of TARP procedures, TARP 2 member mobilization. 3 4 SPECIAL AGENT MONROE: So these are the 5 ones you identified. Yes, as further examples of 6 not following TARP. Again, generically we have a huge 7 had the mindset of let's follow our 8 list. 9 procedures. Really, it spun so out of control. 10 All I felt I was looking for was time 11 using the performance partnership to get the training or even informally. We'll give you three months, 12 13 get the training and then you are on it. 14 still had issues though with response time. That was 15 still on the table. At the time, drive. 16 17 SPECIAL AGENT MONROE: So the bigger picture that you see is noncompliance with procedures. 18 19 Yes. 20 SPECIAL AGENT MONROE: You have personal 21 experience with the TARP. 22 Exactly. 23 SPECIAL AGENT MONROE: You feel raising this issue with the TARP --24 ne portions. 25

access

I wasn't

It never

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It's difficult for me to get back into the game and try to do my job at the level I want to do it and go after stuff and be able to say things.

For a while, I was very concerned about even being overheard by my supervisor saying anything derogatory about any of the indicators or saying anything off the cuff about management. I felt there was just no control and authority over or saying or so that was very stressful just saying anything.

SPECIAL AGENT MONROE: So you were concerned to raise anything.

Exactly. Even just to be overheard and doing my job, especially what I do. I need to say things that maybe makes them uncomfortable. Maybe we need to do better in performance on these indicators or these systems need to perform better or maybe management needs to do more and especially the corrective action program.

All this stuff goes in. We identify conditions adverse of quality. If you drill down, it's all these dead ends. Nothing gets done. I can't say that now. I just have no ability to raise any kinds of concern --

SPECIAL AGENT MONROE: Because of your

3

4

experience.

Because of mУ experience with this whole TARP thing.

SPECIAL AGENT DAVIS: Let me address two This goes directly to the adverse issues here. action. I'm looking at two documents. I'm looking at the one that was prepared by the NRC as a result of you speaking. There are some inconsistencies between one document and the other. The other is a report by Tom Lake on November 18. I'm just going to take them part by part. All right?



SPECIAL AGENT DAVIS: First on the document provided by Mr. Schoppy says "On the alleger's supervisor threw the completed desk." evaluation on

Yes.

SPECIAL AGENT DAVIS: Versus Tom Lake saying "The supervisor gave you the document." Which Did give it to you or did your desk?

I think --

SPECIAL AGENT MONROE: Can you demonstrate did? with a piece of paper what



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The

This

gave me the document at 9:00. (1) said we're going to meet at noon. I saw it and I --

SPECIAL AGENT DAVIS: I'm just asking some specific questions. Going back to what it says here, gave you a few hours to read the one-page evaluation and inform of your decision on accepting the assignment." Do you agree with that? This is from Tom Lake's letter. gave you a few hours to read the one-page evaluation and make a decision.

I had a noon deadline that my supervisor knew about.

SPECIAL AGENT DAVIS: We went over that.

I'm just trying to go over what is written here. When saw you out later that day, you still did not accept the position.

The detail is missing is I hadn't read the eval yet.

SPECIAL AGENT MONROE: What summary doesn't capture --

SPECIAL AGENT DAVIS: I understand that.



SPECIAL AGENT DAVIS: All I'm doing is asking you to comment on what's on here. Don't get

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1	mad at me. I'm just asking you to comment, and you
2	are commenting. That is what I want. All right?
3	Yes.
4	SPECIAL AGENT DAVIS: And placed you on
5	decision-making leave. Now didn't tell you that at
6	the time.
7	never used those
8	words.
9	SPECIAL AGENT DAVIS: placed you on
10	decision-making leave. You were placed on decision-
11	making leave on Right?
12	SPECIAL AGENT MONROE: According to that.
13	I don't know.
14	SPECIAL AGENT DAVIS: According to this.
15	According to that, right.
16	SPECIAL AGENT DAVIS: On (you called
17	in on sick leave.
18	Yes.
19	SPECIAL AGENT DAVIS: You were on sick
20	leave the whole week.
21	Yes.
22	SPECIAL AGENT MONROE: And that is
23	documented on time, sheet.
24	Yes.
25	SPECIAL AGENT DAVIS: So the decision-
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reaction to what was written on the paper basically. 2 Off the record. (Whereupon, the foregoing matter went off 3 the record and went back on the record.) 4 SPECIAL AGENT MONROE: On the record. We 5 6 have reached the end of the interview. I appreciate 7 your coming out and talking to us and raising your did you provide your testimony 8 concerns. 9 voluntarily this evening? Yes. 10 SPECIAL AGENT MONROE: Did Bill or I 11 threaten you for your testimony this evening? 12 13 No. SPECIAL AGENT MONROE: Did Bill or I offer 14 15 you a reward other than a glass of water for your testimony this evening? 16 17 No. 18 SPECIAL AGENT MONROE: These are questions that we are required to ask. If there is nothing more 19 20 to add to the record, I will go off at 7:49 p.m. By the way, I am permitted to return by FEDEX 21 of the TARP procedure. Off the record. 22 the above-entitled matter 23 . (Whereupon, concluded at 7:49 p.m.) 24 1 postions 25

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

1)C_

Docket Number:

1-2003-010

Location:

Wilmington, DE

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 as recorded on tape(s) provided by the NRC.

Anna-Marie Smith

Official Transcriber

Neal R. Gross & Co., Inc.