

# EXHIBIT 18

Information in this record was deleted  
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Act, exemptions b1  
FOIA- 2004-091

B/17

Case No. 1-2003-010

Exhibit 18

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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OFFICE OF INVESTIGATIONS

INTERVIEW

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IN THE MATTER OF:	:	
INTERVIEW OF	:	Docket No.
JAMES A. MELCHIONNA	:	1-2003-010
(CLOSED)	:	

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Monday, May 5, 2003

Salem Hope Creek Generating

Station

Artificial Island, NJ

The above-entitled interview was conducted

at 11:10 a.m.

BEFORE:

Special Agent Kristin Monroe

*NC portions*

**NY 2003-010**

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EXHIBIT 18

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On Behalf of the Witness, [REDACTED]:

JEFFRIE KEENAN, ESQ.

Assistant General Solicitor

PSE&G Corporation Nuclear-N21

P.O. Box 236

Hancocks Bridge, NJ 08038

1-800-232-0244

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

11:10 a.m.

1  
2  
3 SPECIAL AGENT MONROE: Today is Monday,  
4 May 5, 2003 and the time is now approximately 11:10  
5 a.m.

6 The interview this morning is with [REDACTED]  
7 [REDACTED] who is a senior engineer, employed by PSE&G  
8 Corporation and the Salem Hope Creek Generating  
9 Station, Artificial Island in New Jersey.

10 [REDACTED] you want to pronounce properly --

11 [REDACTED]: [REDACTED]

12 SPECIAL AGENT MONROE: Melchionna.

13 MR. [REDACTED]: Yes.

14 SPECIAL AGENT MONROE: My name is Kristin  
15 Monroe. I'm a Special Agent with the NRC, Office of  
16 Investigations in King of Prussia, Pennsylvania.

17 Also present this morning is Jeff Keenan,  
18 Assistant General Solicitor for PSE&G Corporation.  
19 Jeff is here to represent [REDACTED] personally for the  
20 purposes of this morning's interview.

21 And the subject of the interview concerns  
22 an allegation that [REDACTED] who's also a senior  
23 engineer at the Salem Hope Creek was discriminated  
24 against for raising a safety concern. Specifically,  
25 [REDACTED] believes that because [REDACTED] raised a concern on [REDACTED]

1 [REDACTED] regarding procedural noncompliance with the  
2 TARP procedure, with [REDACTED] non-qualifications to be on  
3 that team, [REDACTED] was relieved of duty and removed from  
4 plant access from [REDACTED] to August 19, 2002.

5 [REDACTED] also believes that [REDACTED] received threats  
6 of a poor performance appraisal and/or termination of  
7 employment, also on August 19, 2002.

8 The potential violations would be 10 CFR  
9 50.5 which is entitled Deliberate Misconduct and 10  
10 CFR 50.7 which is entitled Employee Protection.

11 And before we turned on the tape recorder,  
12 I indicated that you're just a factual witness here  
13 for the purposes of today's interview.

14 I conduct the interviews under oath. Do  
15 you have any objection to being interviewed under  
16 oath?

17 [REDACTED]: No.

18 SPECIAL AGENT MONROE: Please raise  
19 your right hand?

20 Do you solemnly swear that the information  
21 you're about the provide is true and complete to the  
22 best of your knowledge and beliefs, so help you God?

23 [REDACTED] I do.

24 SPECIAL AGENT MONROE: [REDACTED] if you would  
25 state your full name and spell your last?

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[REDACTED]

[REDACTED]

SPECIAL AGENT MONROE: And is Jeff representing you personally for the purposes of this morning's interview?

[REDACTED] Yes, as I understand it.

SPECIAL AGENT MONROE: And how did you come to select Jeff to represent you?

MR. MELCHIONNA: Actually, Jeff, as I know the attorney for the company at the site and called me and asked me that you wanted to interview me and he recommended that I can either be represented or not and I didn't have any disagreement either way.

SPECIAL AGENT MONROE: And just your purpose here today?

MR. KEENAN: My name is Jeff Keenan. I'm an attorney for PSE&G Services. Today, I'm representing PSE&G Nuclear and [REDACTED] in a dual capacity. I have reviewed the substance of this general issue through our Employee Concern Programs and I don't believe there's a conflict at this point with representing [REDACTED]. Should a conflict arise, we'll take a break and figure out how to best handle it.

SPECIAL AGENT MONROE: Okay.

MR. KEENAN: We would also like to be able

1 to review the transcript when that's available.

2 SPECIAL AGENT MONROE: Okay, and we can  
3 make that happen.

4 [REDACTED], you do understand that Jeff's going  
5 to represent both you and the company?

6 [REDACTED] Correct.

7 SPECIAL AGENT MONROE: Will his presence  
8 in any way hinder what you have to provide as  
9 testimony this morning?

10 [REDACTED] No.

11 SPECIAL AGENT MONROE: [REDACTED] what's your  
12 date and place of birth?

13 [REDACTED] [REDACTED]  
14 [REDACTED]

15 SPECIAL AGENT MONROE: What's your Social  
16 Security Number?

17 [REDACTED] [REDACTED]

18 SPECIAL AGENT MONROE: What's your current  
19 home mailing address?

20 [REDACTED] [REDACTED]  
21 [REDACTED]

22 SPECIAL AGENT MONROE: And your home phone  
23 number?

24 [REDACTED] [REDACTED]

25 SPECIAL AGENT MONROE: What's your

1 educational background?

2 [REDACTED]: High school, Bachelor of  
3 Science degree, majored in Engineering Technology.

4 SPECIAL AGENT MONROE: From what school or  
5 university did you receive your B.S. degree?

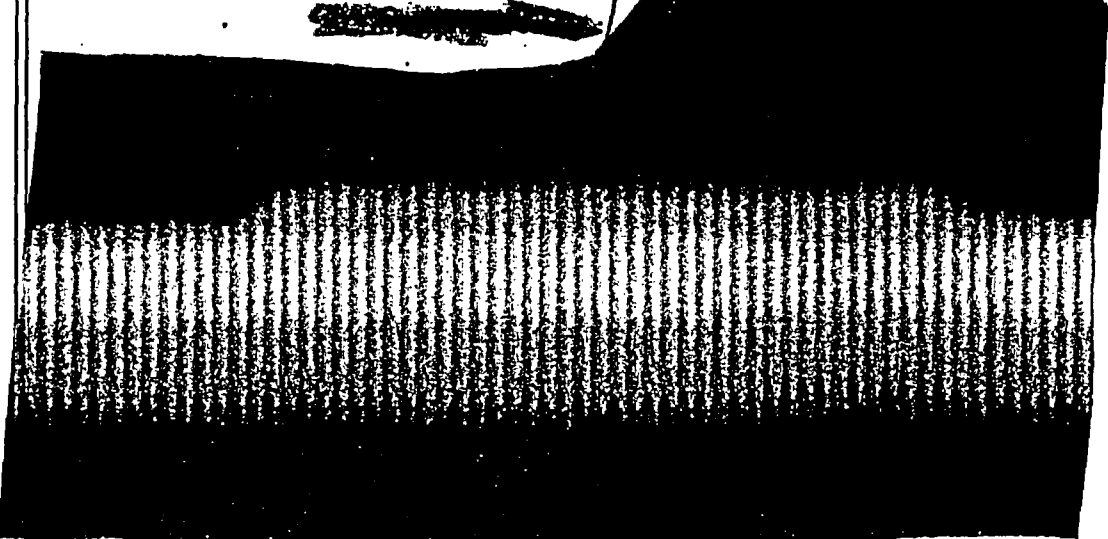
6 [REDACTED]: Edison.

7 SPECIAL AGENT MONROE: Thomas Edison?

8 [REDACTED]: Yes.

9 SPECIAL AGENT MONROE: Any military  
10 service?

11 [REDACTED]



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19 SPECIAL AGENT MONROE: [REDACTED] do you hold  
20 any certifications or licenses, an NRC license or an  
21 SRO license?

22 [REDACTED]: No.

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

25 [REDACTED]: Eleven years.



1 SPECIAL AGENT MONROE: And who is your  
2 current supervisor?

3

4 SPECIAL AGENT MONROE: And who does  
5 report to?

6

7 (Phonetic).

8 SPECIAL AGENT MONROE: And obviously, you  
9 know

10 Correct.

11 SPECIAL AGENT MONROE: How would you  
12 describe your association with Is it  
13 professional, personal?

14 It's a little bit of  
15 both, but as a co-worker and as a friendly  
16 acquaintance.

17 SPECIAL AGENT MONROE: What we're here to  
18 discuss is that was on the TARP team. are  
19 you currently a member of the TARP team?

20 Yes, I am.

21 SPECIAL AGENT MONROE: And how long have  
22 you been on that?

23 Probably close to a year  
24 now.

25 SPECIAL AGENT MONROE: And are you on A,

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1 B, C or D team?

2 [REDACTED] Delta team.

3 SPECIAL AGENT MONROE: Okay, and briefly  
4 what is the TARP team, what is it supposed to do and  
5 its function?

6 [REDACTED] It's a Transient Response  
7 Team that gets called out whenever a transient, in  
8 accordance to the guidelines of the TARP are  
9 activated, so there's a transient at the plant, the  
10 TARP team leader gets called and he calls individuals  
11 out who he feels need to support the team. Not  
12 everybody always supports the team. It's whatever his  
13 discretion is and he makes phone calls and you report  
14 and support as necessary.

15 SPECIAL AGENT MONROE: And you as a senior  
16 engineer, what is your -- how do you interact or what  
17 do you on the TARP team? -

18 [REDACTED] Usually, I act like an  
19 engineering coordinator, so he'll ask -- the TARP team  
20 leader usually will ask me to coordinate engineers or  
21 coordinate actions that are within the engineering  
22 realm. I haven't seen any special clause for the  
23 TARP. It's just a matter -- and he'll gauge his usage  
24 of an individual based on his judgment of what they  
25 can bring to the table, so to speak. So he won't ask

1 you to do things that are reasonable, if you tell him,  
2 let's put it that way.

3 SPECIAL AGENT MONROE: So if you didn't  
4 feel comfortable with doing something --

5 [REDACTED]: You could probably tell  
6 him and say I'm not comfortable with doing that and  
7 can we get somebody else to do that?

8 SPECIAL AGENT MONROE: Okay. And who is  
9 the leader of the --

10 [REDACTED]: Pat Walsh, there's two  
11 leads. Pat Walsh is one leader and Jim Reed is the  
12 other lead.

13 SPECIAL AGENT MONROE: Do you have to have  
14 any training on emergency response to be a member of  
15 the TARP?

16 [REDACTED]: Not that I'm aware of.

17 SPECIAL AGENT MONROE: Are you on the  
18 emergency response team as well?

19 [REDACTED]: No, I am not.

20 SPECIAL AGENT MONROE: What's your  
21 understanding of how you came to be selected to be a  
22 TARP member?

23 [REDACTED] walked up to me one  
24 day last year and sat down in my office and said we're  
25 looking for another member of the TARP team, delta

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1 team and said it would probably be good for your  
2 resume or good for your future potential in the  
3 company to take on a role like that. And it's a one  
4 year rotational assignment, would you want to do it  
5 and think about it and let me know.

6 I thought about it for about a minute and  
7 told [REDACTED] sure, that wouldn't be a problem. [REDACTED]  
8 explained it. It's a one-year rotation. It's on a  
9 specific team. Once every four weeks, your duty  
10 weeks, you're not allowed to -- you kind of obey the  
11 same rules as an ERO responder would so you don't --  
12 you have to be within a certain range of the plant.  
13 It's recommended. You try to mimic the ERO  
14 responsibilities, but they don't hold hard and fast to  
15 them, so --

16 SPECIAL AGENT MONROE: Okay.

17 [REDACTED] So that was how that  
18 went.

19 SPECIAL AGENT MONROE: Were you replacing  
20 anybody on the team?

21 [REDACTED] I knew of an issue that  
22 [REDACTED] was either on the team or was -- [REDACTED] may be having  
23 difficulty accepting responsibility. I can't recall  
24 exactly what [REDACTED] was doing, but I knew -- I had some  
25 interest -- not interest, I had, some awareness, I

1 should say that there was a difficulty filling the  
2 spot or keeping it filled and that's why I was being  
3 asked to fill it. Let's put it that way.

4 SPECIAL AGENT MONROE: You were being  
5 asked. Could you have turned down the assignment?

6 [REDACTED] Yes.

7 SPECIAL AGENT MONROE: You could have  
8 refused it?

9 [REDACTED]: Yes.

10 SPECIAL AGENT MONROE: Without any adverse  
11 consequences?

12 [REDACTED] As far as I know, yeah.  
13 It was totally voluntary.

14 SPECIAL AGENT MONROE: And your assignment  
15 was just a one-year rotational?

16 [REDACTED] Yes, that's how it was  
17 presented to me.

18 SPECIAL AGENT MONROE: So you'll be  
19 rotating off of it?

20 [REDACTED] As I understand it  
21 because I was approached by [REDACTED] two or three weeks  
22 ago and [REDACTED] said yes, your time is coming to get off of  
23 it, so we'll be looking to replace you.

24 SPECIAL AGENT MONROE: Do all the members,  
25 is it a one-year rotational for all TARP team members

1 or is that just a decision your particular supervisor  
2 made?

3 [REDACTED]: I'm not totally sure if  
4 it's in granite, this is the way it shall be, but  
5 that's the way it was presented to me.

6 SPECIAL AGENT MONROE: Okay. And why did  
7 you accept the assignment, rather than turn it down?

8 [REDACTED] Probably based on what [REDACTED]  
9 said, based on the fact that it's an exposure tool for  
10 a person, plus it's exposure. You gain some  
11 experiences in things you're not used to. You do get  
12 put in a -- I'm not going to say awkward -- I'm going  
13 to say you get put in a situation where you have to  
14 adapt to change a little bit sometime and you need to  
15 learn things, so that's probably --

16 SPECIAL AGENT MONROE: You viewed it as a  
17 developmental assignment?

18 [REDACTED]: That's probably the  
19 better word to use, yes.

20 SPECIAL AGENT MONROE: How does it impact  
21 your personal life?

22 [REDACTED]: Lately, it hasn't. Over  
23 the course of the year it hasn't been too bad. I may  
24 have been called out three times.

25 SPECIAL AGENT MONROE: Over the course of

1 your --

2 [REDACTED] If that.

3 SPECIAL AGENT MONROE: Okay, that's not  
4 too bad then. How long doe sit take you to get down  
5 from [REDACTED]?

6 [REDACTED]: About an hour.

7 SPECIAL AGENT MONROE: So you're an hour  
8 out?

9 [REDACTED] I'm about [REDACTED] miles away.

10 SPECIAL AGENT MONROE: Before we went on,  
11 I elaborated to you what [REDACTED] issues were. Prior to  
12 being contacted by me for an interview, were you aware  
13 that [REDACTED] had raised any concerns with respect to  
14 number one, [REDACTED] personal qualifications to be on TARP  
15 and number two, that [REDACTED] had raised an issue with  
16 respect to noncompliance with the TARP procedure?

17 [REDACTED]: No, neither issue.

18 SPECIAL AGENT MONROE: As I explained and  
19 [REDACTED] point of view, [REDACTED] believes that [REDACTED] was  
20 suspended, [REDACTED] employment was suspended. [REDACTED] believes  
21 that [REDACTED] access was suspended and that [REDACTED] was  
22 threatened with a poor performance appraisal and/or  
23 termination because [REDACTED] raised these concerns.

24 Had you been aware that [REDACTED] had these  
25 adverse actions, what [REDACTED] perceives to be adverse

1 actions taken against [REDACTED]? Have you heard anything  
2 like this before?

3 [REDACTED]: No, not at all.

4 SPECIAL AGENT MONROE: [REDACTED] -- you work in  
5 the same organization as [REDACTED]

6 [REDACTED]: Same organization, but  
7 different locations.

8 SPECIAL AGENT MONROE: Okay.

9 [REDACTED]: Totally different  
10 locations.

11 SPECIAL AGENT MONROE: Where is [REDACTED]  
12 location?

13 [REDACTED]: [REDACTED] is at the material  
14 center which is near the river and my location is in  
15 the B building which is probably a quarter to a half  
16 a mile away.

17 SPECIAL AGENT MONROE: Okay, so how  
18 frequently would you see [REDACTED]

19 [REDACTED]: No very.

20 SPECIAL AGENT MONROE: No very. So have  
21 you had any discussions with [REDACTED] about [REDACTED] -- the  
22 discrimination concern? Were you aware [REDACTED] had even  
23 come to the NRC prior to my contacting [REDACTED]

24 [REDACTED]: I had no idea this was  
25 even happening.



1 SPECIAL AGENT MONROE: Okay. [REDACTED] also  
2 threw out something and I'll just get your reaction to  
3 it. This is a statement that [REDACTED] provided the NRC.  
4 "PSE&G Nuclear has created a hostile work environment  
5 in which nuclear safety issues cannot be properly  
6 resolved."

7 What would be your reaction or response to  
8 that statement of [REDACTED]?

9 [REDACTED]: Just read it one more  
10 time.

11 SPECIAL AGENT MONROE: "PSE&G Nuclear has  
12 created a hostile work environment in which nuclear  
13 safety issues cannot be properly resolved." Meaning,  
14 [REDACTED] uses the word resolve.

15 My take on that would be, you know, you  
16 can't raise a safety concern because there's a hostile  
17 work environment here. Have you encountered a hostile  
18 work environment?

19 [REDACTED] No, not the way [REDACTED]  
20 presenting it, no.

21 SPECIAL AGENT MONROE: The way [REDACTED]  
22 presenting it, have you encountered it in any kind of  
23 a way?

24 [REDACTED] Me, personally, I have  
25 never felt that I couldn't say what I wanted to say.

1           SPECIAL AGENT MONROE: Okay, so you feel free to  
2 raise a safety concern then. And you also indicated  
3 that management has a lack of sensitivity to nuclear  
4 safety and that they have an excessive focus on short-  
5 term production goals. Any response or reaction to  
6 that?

7           ██████████: That's a pretty heavy  
8 statement from an individual who's far removed from  
9 the mainstream process, so I feel, I think ██████'s kind  
10 of -- it's kind of heavy handed because ██████'s a staff  
11 position member, so I don't know what ██████'s basis for --  
12 that's odd. I think that's odd.

13           SPECIAL AGENT MONROE: Okay. Do you have  
14 any reason to believe or any knowledge that ██████ has  
15 suffered any kind of discriminatory act because you  
16 raised a safety concern?

17           ██████████: No. None whatsoever.

18           SPECIAL AGENT MONROE: Do you all need  
19 some time?

20           MR. KEENAN: Yes, we could take a break  
21 from the record.

22           (Off the record.)

23           SPECIAL AGENT MONROE: We're on the record  
24 at 11:36 a.m. and ██████ just had -- we were talking and  
25 you indicated that there was a call you made to ██████

1 [REDACTED] to request [REDACTED] help support the outage last  
2 fall, leading up to the outage and what was [REDACTED]  
3 response to you when you requested [REDACTED] assistance?

4 [REDACTED]: It was a full outage and  
5 we had put a roster out of who we wanted to support  
6 the outage and it came designated from supervisors.  
7 So [REDACTED] was very adamant about not working the outage  
8 because he had normal, regular duties to do and  
9 certain times of the month it's very busy and [REDACTED]  
10 rather not support the outage and I told [REDACTED]  
11 everybody should support the outage. It's on  
12 everybody's performance partnerships and [REDACTED] really  
13 wasn't supporting a team player type of attitude and  
14 [REDACTED] really -- [REDACTED] didn't want to hear that. [REDACTED] wanted  
15 to deal directly with [REDACTED]

16 SPECIAL AGENT MONROE: Okay. Did you  
17 ultimately -- did [REDACTED] ultimately --  
18 [REDACTED] ultimately did support  
19 the outage. I don't think it was as -- I did do a lot  
20 of -- I won't say team building, but I did do a lot of  
21 how do I say, almost coaching with [REDACTED] and making [REDACTED]  
22 giving [REDACTED] a warm, fuzzy as to what the job was and  
23 how [REDACTED] could help. [REDACTED] worked outages with me  
24 before, so I think I warmed [REDACTED] up to it and then that  
25 kind of got [REDACTED] on the team a little bit easier.

1 SPECIAL AGENT MONROE: Okay.

2 [REDACTED] So then [REDACTED] was okay. I  
3 think [REDACTED] was okay with it because I didn't see any  
4 issues after that.

5 SPECIAL AGENT MONROE: Does [REDACTED] have any  
6 more work that any other senior engineer in the  
7 reliability organization?

8 [REDACTED] That would have to be a  
9 question for [REDACTED]. If you asked [REDACTED] be  
10 able to tell you everyone's type of workload per se.

11 SPECIAL AGENT MONROE: Just your  
12 observation though, do you feel your work loads are  
13 equal or does it vary depending on the assignment or  
14 what's going on at the site?

15 [REDACTED]: I think my workload is a  
16 little bit higher than [REDACTED], but that's my opinion.

17 SPECIAL AGENT MONROE: Okay, yeah, sure.  
18 The TARP, did that become part of your performance  
19 partnership, your participation?

20 [REDACTED] TARP has impacted me the  
21 smallest of any additional or collateral duty I've  
22 ever had.

23 SPECIAL AGENT MONROE: Is that collateral  
24 duty part of your performance appraisal? Is it a  
25 bullet on there? Does it fall under --

1 [REDACTED] I believe it is. It's a  
2 generic performance partnership bullet, if you would  
3 say, to support outages, support TARP. It's like one  
4 of those catch-all type things.

5 SPECIAL AGENT MONROE: Okay.

6 [REDACTED] It's like an expectation  
7 I would say.

8 SPECIAL AGENT MONROE: Okay.

9 [REDACTED] No late work, no late  
10 corrective actions, no overdues. It falls --

11 SPECIAL AGENT MONROE: Sort of a  
12 miscellaneous kind of category.

13 [REDACTED] Miscellaneous, but  
14 important.

15 SPECIAL AGENT MONROE: Okay, great. [REDACTED]  
16 is there something I may not have asked you  
17 specifically that you'd like to add or clarify, the  
18 record at this time?

19 [REDACTED] No.

20 SPECIAL AGENT MONROE: There are three  
21 questions that I'm required to ask you. Did you  
22 provide your information voluntarily?

23 [REDACTED] Correct, yes, I did.

24 SPECIAL AGENT MONROE: Did I threatened  
25 you for you information?

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[REDACTED] No.

SPECIAL AGENT MONROE: Did I or anyone from the NRC offer you any reward for your information?

[REDACTED] No.

SPECIAL AGENT MONROE: And we'll go off the record at 11:40. Thanks.

(Whereupon, at 11:40 a.m., the interview was concluded.)

CERTIFICATE

This is to certify that the attached proceedings  
before the United States Nuclear Regulatory Commission  
in the matter of:

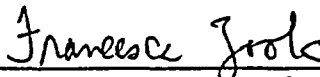
Name of Proceeding: Interview of



Docket Number: 1-2003-010

Location: Artificial Island, NJ

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.



---

Francesca Zook  
Official Transcriber  
Neal R. Gross & Co., Inc.