

EXHIBIT 19

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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.
RONALD KEVIN FISHER : 1-2003-010
(CLOSED) :

-----X

Monday, May 5, 2003

Salem/Hope Creek Generating
Station

Artificial Island, NJ

The above-entitled interview was conducted
at 11:56 a.m.

BEFORE:

Special Agent Kristin Monroe

NC portions
2003-010

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EXHIBIT

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On Behalf of the Witness, Ronald Kevin Fisher:

JEFFRIE KEENAN, ESQ.

Assistant General Solicitor

PSE&G Corporation Nuclear-N21

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P R O C E E D I N G S

11:55 a.m.

SPECIAL AGENT MONROE: Today is Monday,
May 5, 2003 and the time is now approximately 11:55
a.m.

The interview this morning is with Ron
Fisher who is an access authorization supervisor,
employed by PSE&G Corporation and the Salem Hope Creek
Generating Station, Artificial Island in New Jersey.

My name is Kristin Monroe. I'm
a Special Agent with the NRC, Office of Investigations
in King of Prussia, Pennsylvania.

Also present for the interview is Jeff
Keenan, Assistant General Solicitor for PSE&G
Corporation.

The subject of the interview concerns an
allegation that [REDACTED] who's a senior
engineer at the Salem Hope Creek was discriminated
against for raising a safety concern. Specifically,
[REDACTED] believes that because [REDACTED] raised a concern on [REDACTED]
[REDACTED] regarding procedural noncompliance with the
Transient Assessment Response Plan, which we'll refer
to as TARP, and with [REDACTED] own qualifications to be on
that team, [REDACTED] was relieved of duty and employment was
suspended and [REDACTED] was removed from plant access from

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1 August 9 to August 19, 2002.

2 [REDACTED] also believes that [REDACTED] received threats
3 of a poor performance appraisal and/or termination of
4 employment, also on August 19,

5 These are potential violations of 10 CFR
6 50.5 which is entitled Deliberate Misconduct and 10
7 CFR 50.7 which is entitled Employee Protection. Those
8 are just the violations I'm investigating under.

9 And as I indicated before we started the
10 tape that you're a fact witness here, just to walk
11 through what the process is with respect to how access
12 is given and taken back and what specifically happen
13 in [REDACTED] case.

14 The interview is conducted under oath. Do
15 you have any objection to being interviewed under
16 oath?

17 MR. FISHER: No.

18 SPECIAL AGENT MONROE: Could you please
19 raise your right hand?

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

23 MR. FISHER: Yes, I do.

24 SPECIAL AGENT MONROE: Please state your
25 full name and spell your last.

1 MR. FISHER: Ronald Kevin Fisher, F-I-S-H-
2 E-R.

3 SPECIAL AGENT MONROE: And Ron, is Jeff
4 here representing you personally for purposes of
5 today's interview?

6 MR. FISHER: Yes.

7 SPECIAL AGENT MONROE: And how did you
8 happen to suggest or request Jeff to represent you?

9 MR. FISHER: Well, Jeff had contacted me
10 to verify the time of my appointment today and at that
11 time we discussed him representing me.

12 SPECIAL AGENT MONROE: And Jeff, just a
13 brief --

14 MR. KEENAN: Yes. My name is Jeff Keenan,
15 I'm counsel of PSE&G Nuclear and Ron Fisher today in
16 a joint capacity. I have reviewed the ECP files on
17 this matter and do not believe there's a conflict of
18 interest. Should one arise, we'll take a break and
19 figure out how to best handle that. We would also
20 like a chance to review the transcript when that's
21 available.

22 SPECIAL AGENT MONROE: Sure. And again,
23 Ron, you understand that Jeff represents both you and
24 the company?

25 MR. FISHER: Yes, I do.

1 SPECIAL AGENT MONROE: And will the
2 presence of Jeff hinder your testimony here today?

3 MR. FISHER: In no way.

4 SPECIAL AGENT MONROE: And you understand
5 that if you wanted to meet with me privately, you
6 could do so?

7 MR. FISHER: I understand.

8 SPECIAL AGENT MONROE: All right. What's
9 your date and place of birth?

10 MR. FISHER: [REDACTED]
11 [REDACTED]

12 SPECIAL AGENT MONROE: And what's your
13 Social Security Number?

14 MR. FISHER: [REDACTED]

15 SPECIAL AGENT MONROE: What's your home
16 mailing address?

17 MR. FISHER: [REDACTED]
18 [REDACTED]

19 SPECIAL AGENT MONROE: And your home
20 telephone number.

21 MR. FISHER: [REDACTED]

22 SPECIAL AGENT MONROE: And your work
23 number?

24 MR. FISHER: [REDACTED]

25 SPECIAL AGENT MONROE: And what's your

1 educational background?

2 MR. FISHER: I have a bachelor's degree in
3 operations management.

4 SPECIAL AGENT MONROE: From what
5 university or institution?

6 MR. FISHER: Thomas Edison.

7 SPECIAL AGENT MONROE: And do you have any
8 military experience?

9 MR. FISHER:



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17 SPECIAL AGENT MONROE: So you've been in
18 the security field for a while, quite a while in some
19 capacity.

20 MR. FISHER: Yes.

21 SPECIAL AGENT MONROE: And how long have
22 you been employed by PSE&G?

23 MR. FISHER: 1986 was my date of hire.

24 SPECIAL AGENT MONROE: And how long have
25 you been an access authorization supervisor?

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1 MR. FISHER: December of 1988.

2 SPECIAL AGENT MONROE: Quite a while.

3 MR. FISHER: Yes.

4 SPECIAL AGENT MONROE: What were you doing
5 when you first came to work for PSE&G?

6 MR. FISHER: I was actually -- I had
7 started work on the Island with a contractor in 1978,
8 when I came out of the [REDACTED]

9 SPECIAL AGENT MONROE: What contractor was
10 that?

11 MR. FISHER: Yoh Security.

12 SPECIAL AGENT MONROE: Y-O-H.

13 MR. FISHER: Yes, Y-O-H.

14 SPECIAL AGENT MONROE: Are they still --

15 MR. FISHER: Not under that name.

16 SPECIAL AGENT MONROE: What's the name?

17 MR. FISHER: They're called PTI now.

18 SPECIAL AGENT MONROE: Because they were
19 doing some stuff up at Limerick too, weren't they?

20 MR. FISHER: Yes, they were.

21 SPECIAL AGENT MONROE: And also Shoreham
22 then right?

23 MR. FISHER: Yes. I went to Shoreham for
24 a short time.

25 SPECIAL AGENT MONROE: The plant that

1 never got started.

2 (Laughter.)

3 MR. FISHER: That's why I left.

4 SPECIAL AGENT MONROE: Good move. And who
5 do you report to, Ron?

6 MR. FISHER: I report to Ted Strop
7 (Phonetic). He's the emergency services manager. ^{STRAUB} ~~RM~~ 7/25/03

8 SPECIAL AGENT MONROE: And who does he
9 report to?

10 MR. FISHER: He reports to Mike
11 Freedlander (Phonetic).

12 SPECIAL AGENT MONROE: Right next door?

13 MR. FISHER: Yes.

14 SPECIAL AGENT MONROE: And Mike's title
15 is, do you know?

16 MR. FISHER: You're stumping me.

17 SPECIAL AGENT MONROE: I just read the
18 sign and I can't remember it.

19 MR. FISHER: I think he's directorate
20 level, but --

21 SPECIAL AGENT MONROE: Okay, but did Ted
22 Strop replace Garland Gibson?

23 ^{STRAUB} ~~RM~~ 7/25/03 MR. FISHER: That's correct, yes.

24 SPECIAL AGENT MONROE: Why don't you tell
25 me, familiarize with the access authorization progress

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1 here. I don't know anything about it. It's how an
2 individual gets access and then we'll get into
3 specifically what happened with [REDACTED] and [REDACTED]
4 access suspension, if that, in fact happened.

5 MR. FISHER: Okay, well, the access
6 authorization process, my group performs the necessary
7 screening activities and badging. The screening
8 activities are regulated by NRC regulation and once
9 we've ensured that an individual meets those
10 requirements, then we'll provide them with access to
11 the plant.

12 The whole process is initiated by a
13 request from a responsible manager who requests that
14 an individual obtain access and they tell us what
15 level of access or what areas and then we would
16 perform the screening activities and if that person
17 passes those we would grant that access that was
18 requested.

19 SPECIAL AGENT MONROE: Now what are the
20 different categories for withholding access and I want
21 to make sure I use the term, is your access suspended
22 or termed or denied? What are the -- removal, I
23 guess, categories?

24 MR. FISHER: Well, let me start with
25 denial of access. Denial of access would be the term

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1 we use when someone has not met the requirements under
2 the regulations that govern the screening activities.
3 So for instance, if someone tested positive under the
4 fitness for duty program we would deny access. If
5 they failed to meet the criteria under the background
6 check or if they failed the psychological assessment.

7 Other than denial, we may suspend access
8 temporarily while we're performing an investigation
9 related to screening activities. For instance, if we
10 received information that someone had been involved in
11 an off-site incident that resulted in an arrest, that
12 could possibly impact their trustworthiness and
13 reliability. Then we may suspend that badge while we
14 evaluate that. And that could lead to a denial or it
15 could lead to reinstatement.

16 Beyond that, we turn off badges for a lot
17 of reasons. Some of the terminology we use would be
18 management hold. There would be a medical hold which
19 would indicate someone is on sick leave for an
20 extended period of time.

21 And that -- those categories pretty well
22 cover most of the terms that we use.

23 SPECIAL AGENT MONROE: If an individual is
24 escorted from the site for what was called decision
25 making leave, would that impact the status of their

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1 access?

2 MR. FISHER: Well, everyone is badged at
3 the pleasure of their manager or supervisor. So if
4 the supervisor requested that we inactivate the badge,
5 that would not be a reason that we would classify
6 under the access authorization program. That would be
7 an administration action to turn off the badge until
8 the manager requested it either be turned back on.

9 SPECIAL AGENT MONROE: Kind of like an
10 adamant holding?

11 *ADMIN*
RR
7/25/03 MR. FISHER: Yes. We call it a management
12 hold.

13 SPECIAL AGENT MONROE: Management hold.
14 Now specifically with [REDACTED] do you know [REDACTED]
15 personally?

16 MR. FISHER: No.

17 SPECIAL AGENT MONROE: Would you know [REDACTED]
18 if [REDACTED] walked in the room right now?

19 MR. FISHER: No, I would not.

20 SPECIAL AGENT MONROE: Do you have a file
21 in front of you? Maybe you could indicate to me --
22 well, backing up, you said that the manager/supervisor
23 can request that the badge be inactivated. Is there
24 some policy or procedure that governs the criteria
25 when the manager or supervisor can do that?

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1 MR. FISHER: Well, generally, if a person
2 is terminating employment, the badge, that would be a
3 requirement in our procedure. We also have an
4 activity called the 31-day revalidation and the
5 managers are responsible to review the list of people
6 that are badged under their sponsorship every 31 days
7 and indicate that they want that person to continue
8 being badged. So every 31 days we revalidate that,
9 that that badge should be active.

10 And other than that, a manager can request
11 that we turn off a badge and we'll do it, really with
12 no questions asked.

13 SPECIAL AGENT MONROE: With no questions
14 asked.

15 Okay, why don't we look at [REDACTED]
16 file and what I'm interested to find out is what the
17 status of [REDACTED] badge was between [REDACTED] and August
18 19, 2002.

19 MR. FISHER: Okay. We had placed in [REDACTED]
20 file at the [REDACTED] these things occurred notes which is
21 something that we do whenever we receive a phone [REDACTED] to [REDACTED]
22 turn off a badge or take some action. CALL 7/25/03

23 The first note I have is by one of my
24 direct reports, Emily Nazar, N-A-Z-A-R. And she is my
25 badging specialist. And she had received a call from

1 [REDACTED] on [REDACTED]

2 SPECIAL AGENT MONROE: We'll just read
3 this into the record. It's Form SP4-7 entitled
4 "Personnel Access File Information Review" and then
5 what is this NCP, would that be the procedure?

6 MR. FISHER: Yes, that's the procedure.

7 SPECIAL AGENT MONROE: [REDACTED]
8 Extension 1887, called and put [REDACTED] badge on hold
9 as [REDACTED] is on leave. [REDACTED] had a conflict with some work
10 assignments." And it's dated August 9, 2002.

11 There's no time on it, right?

12 MR. FISHER: No.

13 SPECIAL AGENT MONROE: And what does it
14 mean "not significant." There's a check mark and "not
15 significant" versus "adjudicated" (Inaudible) what
16 does that mean?

17 MR. FISHER: That just means that it would
18 not be access related as far as under the access
19 authorization evaluation criteria.

20 SPECIAL AGENT MONROE: This falls into
21 that management hold that you explained earlier?

22 MR. FISHER: Yes, it's administrative
23 action.

24 SPECIAL AGENT MONROE: And it says
25 "other".

1 MR. FISHER: I'm not sure why Emily
2 checked that.

3 SPECIAL AGENT MONROE: Okay.

4 MR. FISHER: She may have been indicating
5 this was just a note to file, that we weren't
6 referring it to either psychological or medical.

7 SPECIAL AGENT MONROE: Okay, and the next.

8 MR. FISHER: The second note was when [REDACTED]
9 [REDACTED] called to ask that we reactivate the badge and
10 that was August 19th.

11 SPECIAL AGENT MONROE: And again, it's the
12 same form.

13 Is there any more -- would there be any
14 more documentation with respect to reasoning behind
15 why it was put on the management --

16 MR. FISHER: Not with us, no.

17 SPECIAL AGENT MONROE: And again, you
18 don't require the manager to --

19 MR. FISHER: Explain themselves, no.

20 SPECIAL AGENT MONROE: Explain themselves.
21 If an individual is out on sick leave for a week,
22 would the badge be activated?

23 MR. FISHER: Typically, a sick that would
24 exceed 30 days would be the reason that we terminate
25 a badge for sick leave.

LEAVE 7/25/03

1 SPECIAL AGENT MONROE: And what's the
2 process or how -- walk me through how an individual,
3 how would [REDACTED] be notified that [REDACTED] badge was in a
4 management hold?

5 MR. FISHER: We actually wouldn't make
6 that notification. We would -- I would assume that
7 the manager would be telling them that their badge was
8 being put on hold.

9 SPECIAL AGENT MONROE: And when the badge
10 is put on hold, does that mean -- could [REDACTED] get in
11 through that first check point where there's the guard
12 house and I have to stop there and show my
13 identification? Is [REDACTED] prohibited from doing past that
14 guard point or is it actually when you go to key in?

15 MR. FISHER: No, the deactivation of the
16 badge would only include the ability to access into
17 the protected area through the turnstiles of the
18 plant.

19 SPECIAL AGENT MONROE: Okay. Is there
20 anything else in the file that you have in front of
21 you on [REDACTED] that relates to any of the events
22 I'm looking at between [REDACTED] and August 19, 2002?

23 MR. FISHER: No, this was the only
24 documents that we have regarding that event.

25 SPECIAL AGENT MONROE: Okay, and again, it

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1 was not made part of the access program. How did you
2 term that?

3 MR. FISHER: Correct. It was not
4 something that we had to evaluate under the criteria
5 for either backgrounds or psychological or anything
6 like that.

7 SPECIAL AGENT MONROE: Okay. Have you
8 become aware, prior to the NRC interview that [REDACTED]
9 [REDACTED] had raised some type of safety concern and felt
10 [REDACTED] had an adverse act, one of which was having [REDACTED]
11 access put on management hold?

12 MR. FISHER: No, not until I spoke with
13 you.

14 SPECIAL AGENT MONROE: And I think the
15 term [REDACTED] used was [REDACTED] was removed from plant access.
16 Would that be an accurate terminology?

17 MR. FISHER: You could use that
18 terminology, I would assume.

19 SPECIAL AGENT MONROE: But again, [REDACTED] was
20 not -- [REDACTED] access was not denied. It was not
21 suspended?

22 MR. FISHER: That's correct. Another
23 action that we would normally take under a denial or
24 something that's under the access program reasoning
25 would be to put appropriate flags on a person's access

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1 file.

2 SPECIAL AGENT MONROE: Okay.

3 MR. FISHER: And none of that was done.

4 SPECIAL AGENT MONROE: And again, these
5 aren't date stamped or anything, so we know what time
6 [REDACTED] would have called in.

7 MR. FISHER: No, there's possibly a
8 computer record when these actions were initiated in
9 the computer that we could retrieve.

10 SPECIAL AGENT MONROE: How difficult is it
11 to retrieve something like that?

12 MR. FISHER: It shouldn't be too hard. I
13 could probably get that today.

14 SPECIAL AGENT MONROE: You don't even have
15 to have it today if you just give it to Jeff by the
16 end of the week is fine. I was just interested in
17 what time the badge was put on management hold and
18 what time it was reactivated.

19 MR. FISHER: Okay, sure.

20 SPECIAL AGENT MONROE: And just pass it to
21 Jeff and he'll forward it to me.

22 MR. FISHER: Okay.

23 SPECIAL AGENT MONROE: Do you all need a
24 moment to --

25 MR. KEENAN: Is that the end?

1 SPECIAL AGENT MONROE: That's the end.

2 MR. KEENAN: Yes, we can take a break for
3 a second.

4 (Off the record.)

5 SPECIAL AGENT MONROE: Back on the record.

6 I had a question and Ron looked through the file. Has
7 [REDACTED] access ever been put on management hold before,
8 you know, based on your review of the file?

9 MR. FISHER: Based on my review of the
10 file, no, it hasn't.

11 SPECIAL AGENT MONROE: And Ron, who is
12 notified within the organization if [REDACTED] access was
13 put on management hold? Was anyone within the
14 organization notified like HR?

15 MR. FISHER: No, there isn't. This is
16 just a note to our file so that we understand why the
17 badge was not active for that period of time.

18 SPECIAL AGENT MONROE: Okay, and you
19 indicated there's a form, a PHQ that [REDACTED] would fill
20 out if [REDACTED] went to work at another nuclear power plant?

21 MR. FISHER: That's correct.

22 SPECIAL AGENT MONROE: Would [REDACTED] be
23 required to put on that form that [REDACTED] badge had been
24 on management hold at Salem?

25 MR. FISHER: No. Typically, the way they

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1 ask that question, "has your badge been suspended or
2 denied" and [REDACTED] could answer no to that question.

3 SPECIAL AGENT MONROE: And has [REDACTED] badge
4 ever been suspended or denied at Salem, based on your
5 review of the file?

6 MR. FISHER: No, it hasn't.

7 SPECIAL AGENT MONROE: Is there anything
8 else you'd like to add for the record at this point in
9 time?

10 MR. FISHER: No.

11 SPECIAL AGENT MONROE: All right, three
12 questions I'm required to ask you. Did you provide
13 your information voluntarily?

14 MR. FISHER: Yes, I did.

15 SPECIAL AGENT MONROE: Did I threaten you
16 for your information?

17 MR. FISHER: No.

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

20 MR. FISHER: No.

21 SPECIAL AGENT MONROE: Okay, we'll go off
22 the record at 12:15 p.m. Thanks.

23 MR. FISHER: Thank you.

24 (Whereupon, at 12:15 p.m., the interview
25 was concluded.) *Reviewed and accepted as amended.*
Harold K. Fisher 7/25/03

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CERTIFICATE

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

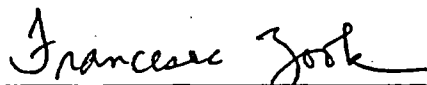
Name of Proceeding: Interview of

Ronald Fisher

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
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