

EXHIBIT 6

Information in this record was deleted
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Act, exemptions b1, b7C
FOIA- 2004-0191

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Exhibit 6

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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.

 : 1-2003-010S

(CLOSED) :

-----X

Tuesday, October 14, 2003

Salem/Hope Creek Generating
Station
Processing Center
Artificial Island, New Jersey

The above-entitled interview was
conducted at 2:22 p.m.

BEFORE:

Special Agent Kristin Monroe, NRC/OI:RI

CASE NO. 1-2003-010S

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EXHIBIT 6
PAGE 1 OF 24 PAGE(S)

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APPEARANCES:

On Behalf of the Witness:

JEFF KEENAN, ESQ.

Associate General Solicitor

PSEG

P R O C E E D I N G S

(2:22 p.m.)

1
2
3 SPECIAL AGENT MONROE: All right. Today
4 is Tuesday, October 14th, 2003, and the time is now
5 2:22 p.m. My name is Kristin Monroe, and I am a
6 Special Agent with the NRC Office of Investigations,
7 in King of Prussia, Pennsylvania.

8 The interview this afternoon is with
9 [REDACTED] who is employed by PSEG at Salem/Hope
10 Creek Generating Stations. Also present is Jeff
11 Keenan, who is an Associate General Solicitor for PSEG
12 here at Salem/Hope Creek.

13 And the subject of the interview this
14 afternoon concerns an allegation that the NRC received
15 that [REDACTED] who is a senior engineer here at the
16 site, feels that [REDACTED] was discriminated against for
17 raising safety concerns specifically about the TART
18 program.

19 It initially came to the NRC, I guess, in
20 December of 2002, and we had a case that we fully
21 investigated, and that was closed, and since [REDACTED] has
22 raised another issue, I am opening a supplemental to
23 address the specific issue.

24 And you are just a witness for the
25 interview this afternoon. Okay. [REDACTED] would you

1 please state your full name and spell your last?

2 [REDACTED] Okay. [REDACTED]

3

4 SPECIAL AGENT MONROE: All right. And
5 before we went on the record, I indicated that the
6 interview would be conducted under oath. Do you have
7 any objection to being interviewed under oath?

8 [REDACTED] No, not at all.

9 (Whereupon, [REDACTED]
10 sworn.)

11 SPECIAL AGENT MONROE: And it's okay if I
12 call you Debbie?

13 [REDACTED] Yes, it is.

14 SPECIAL AGENT MONROE: Okay. How did you
15 happen to have Jeff represent you for the purposes of
16 this afternoon's interview?

17 [REDACTED] I called him.

18 SPECIAL AGENT MONROE: Does your company
19 require you to have an attorney present when you are
20 interviewed by the NRC's Office of Investigations?

21 [REDACTED] Not that I am aware of, no.

22 SPECIAL AGENT MONROE: And, Jeff, if you
23 could enter your appearance for the record.

24 MR. KEENAN: Yes. My name is Jeff Keenan,
25 and I am counsel with PSEG Services, and today I am

1 representing PSEG Nuclear and [REDACTED] in a joint
2 capacity.

3 I have reviewed the information in the
4 file and I am not aware of any conflict at this time.
5 Should a conflict arise during the process of our
6 discussion, we will take a break and figure out how to
7 best handle that.

8 And in addition, before the interview, we
9 talked about the ability to look at the transcript,
10 and so we would reserve that right to look at the
11 transcript in the presence of the NRC.

12 SPECIAL AGENT MONROE: Right. Great.
13 Okay. And, [REDACTED] you do understand that if you
14 chose to meet with me privately at your convenience
15 that you could do so?

16 MR. KEENAN: Yes.

17 SPECIAL AGENT MONROE: And will the
18 presence of Jeff hinder your testimony in any way
19 today?

20 MR. KEENAN: No.

21 SPECIAL AGENT MONROE: Okay. What is your
22 current position title?

23 [REDACTED] I am a licensed practical
24 nurse, and I have been working with PSEG as a
25 disability nurse, and a nurse on site here. There is

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not really a title that goes with it.

SPECIAL AGENT MONROE: Okay.

[REDACTED] I wear many hats.

SPECIAL AGENT MONROE: Okay. In the medical department?

[REDACTED] In the medical department.

SPECIAL AGENT MONROE: And how long have you been employed by PSEG?

[REDACTED] I have been here with PSEG for over [REDACTED] years now, and subcontracted through various agencies.

SPECIAL AGENT MONROE: Okay. So are you a PSEG employee?

[REDACTED] No. I am not a PSEG employee, no.

SPECIAL AGENT MONROE: Okay. Who are you contracted by?

[REDACTED] At this time, this current agency is Adecco.

SPECIAL AGENT MONROE: And what is your date and place of birth?

[REDACTED]: In [REDACTED]

SPECIAL AGENT MONROE: And what is your social security number?

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[REDACTED]

SPECIAL AGENT MONROE: And what is your current home mailing address?

[REDACTED]

SPECIAL AGENT MONROE: Is that like named after your family,

[REDACTED]

Yes, it is.

SPECIAL AGENT MONROE: Really? Was it like a farm area or something?

[REDACTED]

Yes, that's exactly what it is. It is a farm.

SPECIAL AGENT MONROE: Okay. And what is the zip code there?

[REDACTED]

SPECIAL AGENT MONROE: And I have heard of that. Where is

[REDACTED]

It is 20 minutes south.

SPECIAL AGENT MONROE: Okay. What is your home telephone number?

[REDACTED]

SPECIAL AGENT MONROE: Okay. And your number here at Salem/Hope Creek?

[REDACTED]

SPECIAL AGENT MONROE: And who do you

1 report to directly?

2 [REDACTED] Dr. Ronald Mack.

3 SPECIAL AGENT MONROE: Okay. M-A-C-K?

4 [REDACTED] Yes.

5 SPECIAL AGENT MONROE: Is he a PSEG
6 employee or he is a subcontractor?

7 [REDACTED] Yes, he is. He is the PSEG
8 medical director.

9 SPECIAL AGENT MONROE: Okay. And just
10 briefly a description of your responsibilities here?

11 [REDACTED] Oh, boy. To do medical
12 testing, prepare physical exams, and that includes
13 licensed operators, and the armed guards, the fire
14 personnel, and those who are respirator and heat
15 stress qualified.

16 To do drug and alcohol testing, and we do
17 the access, the processing in of all new employees and
18 contractor employees, and we also do the respirator
19 fit exams for different locations at PSEG.

20 I have the disability process and
21 monitoring those employees on restrictions, permanent
22 and temporary. Following those cases. Immunizations
23 that are needed. Just whatever is needed in the
24 medical field.

25 SPECIAL AGENT MONROE: Okay. Are you the

1 only nurse that is here?

2 [REDACTED] At this time, yes.

3 SPECIAL AGENT MONROE: Now, [REDACTED] is
4 the individual that we are talking about. Do you know
5 [REDACTED] and would you know [REDACTED] by sight if [REDACTED] came into
6 the office here?

7 [REDACTED] Probably not. They all
8 look alike.

9 SPECIAL AGENT MONROE: Okay. What got us
10 here was that back in the summer -- and I explained
11 this before we went on the record, but for purposes of
12 the transcript, is that back in the summer of 2002,
13 around August of 2002, [REDACTED] and his supervisor, [REDACTED]
14 [REDACTED] were having a disagreement over [REDACTED] taking
15 a TARP assignment.

16 It is an extra duty along with [REDACTED] senior
17 engineer responsibilities, and at one point on a
18 Friday afternoon [REDACTED] suggested that [REDACTED] go
19 home on what [REDACTED] characterized as a decision making
20 leave. It is a paid leave, and to make sure that you
21 understand the consequences of not accepting a job
22 assignment.

23 That was on a Friday. [REDACTED] intent was
24 to have [REDACTED] return to work the following Monday, and
25 discuss the situation. [REDACTED] ended up taking an entire

1 week off, Monday through Friday of that week in
2 August, because of [REDACTED] things over this
3 disagreement.

4 And when [REDACTED] came to the NRC just back
5 again in September of this year, [REDACTED] sent a couple of
6 e-mails, which we looked at before we went on the
7 record, and that is how I got back to you. There was
8 one specifically that is dated August 26th, 2002, to
9 you.

10 And you had indicated that it was [REDACTED]
11 example was characterized as a return to work exam,
12 versus a fitness for duty kind of thing. So if you
13 could explain what a return to work exam is, and how
14 one would have to have that in order to return to the
15 site.

16 [REDACTED] A return to work exam is
17 done when an employee has been off work ill, and he
18 has returned to work, or he has been off work ill for
19 less than 5 days.

20 It is broken up into two different
21 categories at this point. There is a policy for
22 employees who are out of work for over 5 days. Those
23 employees are in the disability program.


24 For employees who are out of work ill for
25 less than 5 days, to return to work, they have a note

1 from their family physician that they can return to
2 work with the following restrictions, whatever those
3 restrictions are.

4 The supervisor sends that employee to
5 medical for an evaluation and to -- regarding the
6 physical capabilities, and regarding those specific
7 restrictions, and if there is a return to work date on
8 the note, and whatever the diagnosis is.

9 And all of that and then the employee is
10 then evaluated. We see the employee, and we are back
11 in touch with the supervisor after we have spoken with
12 the employee. We do not give out any diagnosis.
13 But if there are restrictions they are listed.


14 SPECIAL AGENT MONROE: Okay.

15  We are very specific with
16 restrictions, and that is also included, how long
17 those restrictions will be in effect. Also, some of
18 the questions that you might ask of the employee is if
19 they are taking any medications.

20 SPECIAL AGENT MONROE: Now, you were
21 talking about the employee has to bring in a note.

22  Right.

23 SPECIAL AGENT MONROE: Would your file
24 have a note?

25  Well, another thing to look

1 at is when an employee is on a medication, the
2 employees are to report those medications to their
3 supervisors.

4 This is -- if the supervisor has a
5 question regarding the medications -- for instance,
6 they don't know what the medication is, or they are
7 concerned with side effects, they can call and they
8 do, call medical for help with this. That is done
9 frequently.

10 SPECIAL AGENT MONROE: Okay. Now, in the
11 case of [REDACTED] does [REDACTED] have a return to work letter?

12 [REDACTED] Well, based on what my
13 notes are here, [REDACTED] was sent over here from [REDACTED]
14 supervisor. [REDACTED] presented to medical, and [REDACTED] stated
15 that [REDACTED] supervisor was requesting a evaluation to
16 clarify restrictions on medical use.

17 SPECIAL AGENT MONROE: Okay. What is the
18 date on that document that you are looking at?

19 [REDACTED] This is August 22nd, 2002.

20 SPECIAL AGENT MONROE: August 22, 2002.

21 And that is from [REDACTED]

22 SPECIAL AGENT MONROE: No, this is -- the
23 request is from [REDACTED]

24 SPECIAL AGENT MONROE: Yes.

25 [REDACTED] The request was given to us

1 from [REDACTED] It was verbal. [REDACTED] was at the window and
2 [REDACTED] had stated that [REDACTED] supervisor sent [REDACTED] over here
3 for this.

4 SPECIAL AGENT MONROE: Okay. I
5 understand.

6 [REDACTED] In talking with [REDACTED], we
7 found out the medication that [REDACTED] was on, and the side
8 effects from that. Based on that, then [REDACTED] was seen
9 by our doctor here, Dr. Stewart Solomon, that same
10 day.

11 SPECIAL AGENT MONROE: Okay. Now, the
12 medications that [REDACTED] was on, did that place any kind of
13 restriction on what [REDACTED] could do as far as --
14 [REDACTED] There are restrictions
15 regarding the medication that [REDACTED] is on.

16 SPECIAL AGENT MONROE: Now, you are
17 looking at an e-mail?

18 [REDACTED] Yes.

19 SPECIAL AGENT MONROE: Now, those
20 restrictions, were they placed on [REDACTED] by [REDACTED]
21 personal physician or by Dr. Solomon, who had
22 evaluated [REDACTED]

23 [REDACTED] The restrictions are.
24 because of the side effects that you would see from
25 the medication.

1 SPECIAL AGENT MONROE: Okay.

2 [REDACTED] An e-mail was sent to [REDACTED]
3 supervisor that on -- an e-mail was sent by myself,
4 and [REDACTED] was seen by the doctor, and our doctor
5 requested further evaluation.

6 SPECIAL AGENT MONROE: And who would that
7 be done by, that further evaluation?

8 [REDACTED] Dr. Solomon had requested
9 that [REDACTED] see another company doctor here, a Dr.
10 Binetti.

11 SPECIAL AGENT MONROE: Okay. And what was
12 the purpose of that further evaluation?

13 [REDACTED] It was regarding the
14 medication use. An e-mail was sent to [REDACTED]
15 supervisor stating the side effects of the medication,
16 and based on those side effects, the restrictions that
17 [REDACTED] should be on, and things that [REDACTED] should not do.

18 SPECIAL AGENT MONROE: Okay. And you are
19 referring to the August 26th, 2002 e-mail?

20 [REDACTED] Yes.

21 SPECIAL AGENT MONROE: And I will just
22 read it in. "As per your request, the above-mentioned
23 employee has been evaluated today in the nuclear
24 medicine department. As a result of that evaluation,
25 it has been revealed that [REDACTED] is taking medication in

1 the evening hours."

2 "This medication usually may produce the
3 side effects of sedation and drowsiness. The side
4 effects are noted and the employee is working in a
5 safety sensitive work position. You may wish to
6 reassign [REDACTED] to a non-safety sensitive position. It
7 is recommended that the employee not perform call-out
8 while on the medication. If you have any further
9 medication questions, please contact the nuclear
10 medicine department."

11 Did you receive any more questions from
12 [REDACTED] after you sent [REDACTED] this e-mail with
13 respect to how long the restrictions would be in
14 place?

15 [REDACTED] No, I don't believe so.

16 SPECIAL AGENT MONROE: Okay. And does the
17 company physician, do they put -- you know, is this an
18 open-ended restriction for as long as the individual
19 is on the medication, or would [REDACTED] come back to be
20 reevaluated? How does that work?

21 [REDACTED] No, once the employee is on
22 a medication, and it is different for licensed
23 operators and armed guards. So we are not talking
24 about them.

25 SPECIAL AGENT MONROE: Okay. Sure.

1 [REDACTED] Normally when an employee
2 is on a medication, they do not have to keep notifying
3 us for this type of thing. The employee's
4 responsibility is to notify [REDACTED] supervisor that [REDACTED] is
5 on this medication. This is separate from a fitness
6 for duty issue.

7 SPECIAL AGENT MONROE: Okay.

8 [REDACTED] That is a separate issue.

9 SPECIAL AGENT MONROE: And how does it
10 differ from a fitness for duty if you don't mind
11 explaining?

12 [REDACTED] What I am looking at for a
13 fitness for duty issue, the only notification we would
14 have is if the employee was called over for a random
15 test, at that time he fills out a consent listing
16 whatever medications he has had within the past 30
17 days.

18 SPECIAL AGENT MONROE: Okay.

19 [REDACTED] That is the only time that
20 medical is actually notified of a medication use.

21 SPECIAL AGENT MONROE: I see. Okay.

22 [REDACTED] It is nothing that -- each
23 employee does not have to tell medical every time they
24 are taking a medication; only when they are called for
25 fitness for duty.

1 SPECIAL AGENT MONROE: Okay.

2 [REDACTED] They notify their
3 supervisor and then the supervisor will question us if
4 they have any questions concerning that.

5 SPECIAL AGENT MONROE: Okay. From August
6 26th, 2002 until this date, do you have any more e-
7 mails or any more communication with [REDACTED]

8 [REDACTED] Well, after that date, our
9 doctor requested further information from [REDACTED]
10 physician, and we had sent a letter to [REDACTED] physician.

11 Now, [REDACTED] was evaluated by our [REDACTED]
12 department, Dr. Binetti, when [REDACTED] was on the
13 medication.

14 SPECIAL AGENT MONROE: All right. I have
15 a letter to a Dr. Szeto, dated October 1st.

16 [REDACTED] That's [REDACTED] doctor, and
17 that letter was sent to [REDACTED] doctor as you can see
18 requesting a diagnosis and treatment plan, and
19 medication prescribed, frequency of the medication
20 used prescribed, and an estimated duration of medicine
21 therapy.

22 SPECIAL AGENT MONROE: And did Dr. Szeto
23 respond back?

24 [REDACTED] We did not get a response
25 until February.

1 SPECIAL AGENT MONROE: Okay.

2 [REDACTED] February 10th, 2003.

3 SPECIAL AGENT MONROE: And what was the
4 response?

5 [REDACTED] The response was sent to
6 Dr. Solomon and it --

7 MR. KEENAN: Did it contain medical
8 information that might be sensitive?

9 [REDACTED] Yes.

10 MR. KEENAN: So why don't we rephrase.

11 SPECIAL AGENT MONROE: Yes. The specific
12 area that I am interested in is that fourth bullet
13 that was in your letter with respect to estimate
14 duration of medicine therapy. Did he address how long

15 [REDACTED] --

16 [REDACTED] Yes, he did.

17 SPECIAL AGENT MONROE: Okay. And how
18 long?

19 [REDACTED] Undetermined.

20 SPECIAL AGENT MONROE: Undetermined.
21 Okay. All right. The first three gets into the
22 specific medical issues, and I don't need that, and so
23 it is just undetermined. Okay. What happens then
24 after this October -- or after your February 10th,
25 2003 response from Dr. Szeto?

1 [REDACTED] There is nothing more that
2 medical would do with this. This is a normal side
3 effect with the medication, and it is not anything
4 that we would follow.

5 SPECIAL AGENT MONROE: Okay. Now, I have
6 a February 13th, 2003 e-mail to Dr. Solomon from [REDACTED]

7 [REDACTED] Do you have that in your file?

8 [REDACTED] I have a January 29th,
9 2003.

10 SPECIAL AGENT MONROE: Okay. What is that
11 one?

12 [REDACTED]: No, I don't have anything
13 in February.

14 SPECIAL AGENT MONROE: What is your
15 January 2003 e-mail talk about?

16 [REDACTED]: It is where [REDACTED] has asked
17 if we had received the information from [REDACTED] doctor,
18 and we hadn't.

19 SPECIAL AGENT MONROE: Okay. And then [REDACTED]
20 writes back February 13th, and [REDACTED] has a handwritten
21 thing here. "I had a meeting with PSEG medical at
22 about this time, February 2003, and discussed a letter
23 that they received from my physician, Dr. Szeto.
24 David Braun was involved in these activities." I
25 think [REDACTED] is just putting some time frame on that.

1 Now, I have another one dated August 25th,
2 2003, and actually the original message was August
3 11th, 2003, and we talked about that earlier.

4 [REDACTED] Right. [REDACTED] is just stating
5 that [REDACTED] is still taking this medication and that [REDACTED]
6 will still have these side effects.

7 SPECIAL AGENT MONROE: Okay. So [REDACTED] is
8 just telling [REDACTED] that?

9 [REDACTED] Yes, that is the way that
10 this looks to me.

11 SPECIAL AGENT MONROE: Okay.

12 [REDACTED] And there is nothing that
13 we would review. This is an employee who is taking a
14 medication. There is nothing that we would review
15 really.

16 SPECIAL AGENT MONROE: Because [REDACTED] is just
17 keeping [REDACTED] supervisor in the loop with respect to the
18 medication that [REDACTED] is on.

19 [REDACTED] That's how I take it, and
20 [REDACTED] is doing what [REDACTED] is supposed to do. That is how it
21 looks to me.

22 SPECIAL AGENT MONROE: Okay. So there is
23 no requirement for [REDACTED] to be reevaluated periodically
24 when [REDACTED] is on this medicine?

25 [REDACTED] No, there was not.

1 SPECIAL AGENT MONROE: Okay. Is there
2 anything else in your file which respect to more e-
3 mail communications from either [REDACTED] or [REDACTED]
4 [REDACTED]

5 [REDACTED]: To the best of my
6 knowledge, I have never received any contact, any e-
7 mails from [REDACTED] supervisor directly about the
8 medication. The only thing we have is from [REDACTED]
9 stating that [REDACTED] supervisor needs to review this.

10 I don't know whether Dr. Solomon has. I
11 don't know.

12 SPECIAL AGENT MONROE: And once [REDACTED] is
13 off the medication, what is the process here? Is [REDACTED]
14 supposed to inform his supervisor of that fact?

15 [REDACTED] No.

16 SPECIAL AGENT MONROE: So I don't know if
17 you are the best one to testify to this, but if [REDACTED] is
18 on a medication that causes [REDACTED] to be drowsy which
19 could impact his work --

20 [REDACTED] has the responsibility
21 to let [REDACTED] supervisor know that [REDACTED] is taking that
22 medication.

23 SPECIAL AGENT MONROE: Okay. But [REDACTED] does
24 not have to let [REDACTED] know when [REDACTED] is finished with it?

25 [REDACTED] Correct. It may be

1 ongoing. Depending on the medication, it could be a
2 short term medication, or it could be a long term
3 medication.

4 SPECIAL AGENT MONROE: Without discussing
5 the name of the medication, would you know if this is
6 a long term or short term that he is on just by your
7 training?


8  It depends on too many
9 variables.


10 SPECIAL AGENT MONROE: Okay.

11  It could go either way.

12 SPECIAL AGENT MONROE: Okay. I don't have
13 any other questions. Is there something that you want
14 to put in or clarify? Let's go off the record for one
15 minute just to collect our thoughts.

16 (Brief recess.)

17 SPECIAL AGENT MONROE: It is 2:57 p.m, and
18 we just took a brief break to collect ourselves. And
19 I just wanted you to explain for the record what type
20 of information that you shared with me, and what you
21 did not disclose to me with respect to the file that
22 you have in front of me from for .

23  What I had spoke to you
24 about was the specific restrictions based on the
25 medicine used or the side effects that you may notice

1 from a medicine that was being taken, and that the
2 employee had been evaluated by our doctors here in the
3 medical department.

4 SPECIAL AGENT MONROE: And you didn't
5 disclose to me any specific medication?

6 [REDACTED] No, that's correct.

7 SPECIAL AGENT MONROE: And you didn't
8 disclose to me any doctor/patient information to me in
9 the file?

10 [REDACTED] That's correct.

11 SPECIAL AGENT MONROE: We just discussed
12 e-mails that were in that file, several of which [REDACTED]
13 had already provided to me that identified one
14 medication. And we did not discuss it on the record
15 or off the record?

16 [REDACTED] Correct.

17 SPECIAL AGENT MONROE: And you didn't give
18 me full access to the file?

19 [REDACTED] Correct.

20 SPECIAL AGENT MONROE: Is there anything
21 else that you would like to clarify for the record at
22 this point in time?

23 [REDACTED] No, nothing.

24 SPECIAL AGENT MONROE: Did you provide
25 your information voluntarily?

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[REDACTED] Yes, I did.

SPECIAL AGENT MONROE: Did I or anyone from the NRC threaten you for your testimony?

[REDACTED] No, you did not.

SPECIAL AGENT MONROE: And did I or anyone from the NRC offer you any reward for your testimony?

[REDACTED] No, you did not.

SPECIAL AGENT MONROE: Okay. We will go off the record at 2:59 p.m. Thanks.

(Whereupon, the Interview was concluded at 2:59 p.m.)

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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

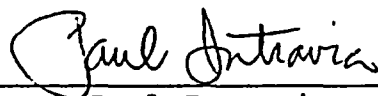


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Docket Number: 1-2003-010S

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.



Paul Intravia
Official Transcriber
Neal R. Gross & Co., Inc.