

1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION

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4 OFFICE OF INVESTIGATIONS

5 INTERVIEW

6 -----X
7 IN THE MATTER OF: : Docket No.
8 INTERVIEW OF: : 1-2003-051F
9 [REDACTED] - 7C :
10 (CLOSED) :
11 -----X

12 Thursday, January 29, 2004

13
14 Telephonic Conference

15 The above-entitled interview was conducted
16 at 1:15 p.m.

17 BEFORE:

18 Special Agent EILEEN NEFF

19
20 ALSO PRESENT:

21 Sr. Project Engineer SCOTT BARBER
22
23

24 Information in this record was deleted
25 in accordance with the Freedom of Information
Act, exemptions 7C

FOIA- 2005-194

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m-10

1:15 p.m.

SPECIAL AGENT NEFF: On the record. Today's date is January 29, 2004. The time is approximately 1:15 p.m. Speaking is Special Agent Eileen Neff, US NRC Region 1, Office of Investigations. Also present is Sr. Project Engineer Scott Barber from Region 1 DRP. It's a telephonic interview in that a telephone call was placed to area code [REDACTED] This is a follow-up interview that was ended on January 27, 2004 at approximately 3:40 p.m. This is the planned follow-up for that interview.

What we wanted to do is you had indicated just before we went on the record, [REDACTED] that you had some information to add to the recirc pump issue that we discussed the other day indicating that a level 1 had been written on that. What I'd like to do is just describe what you know about that at this point. Thank you.

[REDACTED] A level 1 notification with a root cause was initiated. The team leader was [REDACTED] (phonetic).

SPECIAL AGENT NEFF: And the time frame?

[REDACTED] It was in or about the

ALL TC

1 time of the turbine bypass valve and the seal failure
2 during that forced outage.

3 SPECIAL AGENT NEFF: In March 2003.

4 [REDACTED] That's correct. The
5 recommendation from that, from the level 1 and the
6 team, was that the recirc pump be gone internal to
7 being resolved. This was an Engineering/Flow
8 Serve/Maintenance.

9 SPECIAL AGENT NEFF: All had input to the
10 level 1 and the root cause?

11 [REDACTED] Yes, ma'am.

12 SPECIAL AGENT NEFF: Same individual from
13 Flow Serve who was involved before you had indicated
14 that you showed a report to.

15 [REDACTED] I believe so, but I don't
16 remember.

17 SPECIAL AGENT NEFF: Engineering, Flow
18 Serve and Maintenance.

19 [REDACTED] That's correct.

20 SPECIAL AGENT NEFF: [REDACTED] is
21 engineering.

22 [REDACTED] That's correct.

23 SPECIAL AGENT NEFF: Who from maintenance
24 then?

25 [REDACTED] I had [REDACTED]

1 (PH) .

2 SPECIAL AGENT NEFF: One of the three
3 mechanics from Service.

4 [REDACTED] Yes, what better
5 individual to get involved in it than the guys that
6 have to work on it.

7 SPECIAL AGENT NEFF: What about the
8 response to the recommendation then?

9 [REDACTED] Organizationally there
10 are two responses. One was a caveat that was for I
11 don't - I asked a question and I did not understand
12 why - was if the money was budgeted. I don't know why
13 you would ever put that into a level 1. If the money
14 was budgeted or approved.

15 SPECIAL AGENT NEFF: To go internally.

16 [REDACTED]: Right.

17 SPECIAL AGENT NEFF: What was the time
18 frame that they recommended for that?

19 [REDACTED] The next outage was their
20 recommendation. So it would be this up and coming
21 refill outage.

22 SPECIAL AGENT NEFF: And you're concerned
23 about him putting that in there about the budget.

24 [REDACTED] I asked the question.
25 How can you address a reactor recirc safety issue

1 which could ultimately be a reactivity or a LOCA issue
2 and tie that to a budget. The response I got from
3 numerous people, to include [REDACTED] was that it
4 was a business decision based around the business. If
5 there was an imminent failure, we'd go inside. But we
6 still haven't make that determination.

7 SPECIAL AGENT NEFF: That there wasn't an
8 imminent failure.

9 [REDACTED] Right.

10 SPECIAL AGENT NEFF: So they still saw it
11 as a business decision at this point, not a safety
12 decision.

13 [REDACTED] Correct, but you have a
14 level 1 root cause that says "go internal and fix the
15 pump" by engineering, maintenance and an outside
16 agency which it doesn't make sense.

17 SPECIAL AGENT NEFF: Is this a unique
18 situation for you? Have you seen a level 1 root cause
19 with that type of recommendation let's say on a
20 different piece of equipment be handled that way?

21 [REDACTED] Yes. Typically we keep
22 the budget separate from consideration of the
23 equipment. What is the issue with the equipment? Why
24 is there an issue with the equipment? What can we do
25 to resolve that issue with the equipment?

1 SPECIAL AGENT NEFF: So you are saying
2 typically the budget wouldn't have been the
3 consideration. Is this the first time that you've
4 seen that with the circ pump?

5 [REDACTED] Not a public service.
6 Other utilities I have not seen that.

7 SPECIAL AGENT NEFF: What other
8 situations have you seen at public service? How did
9 they handle that?

10 [REDACTED]: Safety related service
11 water valves I initiated a level 1 for Salem service
12 water valves for the CFSU system. We were going 6 and
13 a half and 7 days into a 7 day LCO trying to perform
14 maintenance on them. It was tough because we didn't
15 have the right valve material types. We had no
16 spares. So they pulled the old valve out and install
17 a new one with minimal system outage.

18 Instead we pulled out. The valve would be
19 totally eroded and corroded so you would have to
20 machine out the valve. You'd have to weld build them
21 all up. You would have to remachine and go through
22 and fix the internals. So I wrote a level 1 on the
23 valve and told the organization to go buy the right
24 valves, upgrade the material type, get a spare so you
25 could install it and then put the old one on the

1 bench.

2 Now you still had potential to have to
3 machine and weld on the flanges within the system, but
4 it immensely reduced the system outage in our safety
5 related components. There were times when we went 7
6 days on a 7 day trying to do the maintenance. This
7 was just everybody basically bought into it. It was
8 the way to go do business. That's not the right way
9 to go do business.

10 SPECIAL AGENT NEFF: When you wrote this
11 level 1 what time frame is that?

12 [REDACTED] I want to say it was in
13 first three or five months I was there.

14 SPECIAL AGENT NEFF: So by mid to late
15 2001?

16 [REDACTED] Yes. [REDACTED] was
17 on that team. The conversation from storeroom people
18 and from some outside team members is "Do you know how
19 much money that costs?" I said "I don't care how much
20 money it costs. It needs to be done and done right.
21 We need these and if we do it right we actually save
22 more money." "Well, do you know how much money that's
23 involved in our inventory and what we're going to pay
24 in taxes." That's not the right way to think.

25 First of all, we're challenging a plant.

1 If I have a redundant system, it goes up because I'm
2 already in the 7 day work. I'll shut the plant down.
3 We're already down powered on one occasion because we
4 went past the 7 days so we had to enter the action
5 state.

6 SPECIAL AGENT NEFF: Okay.

7 [REDACTED] That's the nature and
8 that's the mindset that "How much money does it cost?"
9 That part is you're getting it really across the
10 board.

11 SPECIAL AGENT NEFF: When you said you
12 wrote the level 1, did you argue with your
13 organization to get the valve spare? Did that happen?

14 [REDACTED] Yes, ma'am. So we were
15 going along from six and a half days to seven days on
16 service water valves down to 14, 16, 18 hours. So we
17 were in out of the LCOs in a very reasonable amount of
18 time. We reduced the cost of overtime so there really
19 was a monetary savings with that and a little bit of
20 a quality of life for our people and we become
21 predictable. Through that level 1, I made them
22 evaluate all the service water valves which included
23 the Salem diesel. Those were the 39s to get spares
24 because we were pushing those right to the max as
25 well.

1 SR. PROJECT ENGINEER BARBER: These are
2 examples where things went well, right? I mean that's
3 what you're describing.

4 [REDACTED] It was a huge struggle,
5 but yes.

6 SR. PROJECT ENGINEER BARBER: I mean the
7 final outcome was good in your view.

8 [REDACTED]: Yes, the final outcome
9 was good even though it cost a little bit.

10 SPECIAL AGENT NEFF: And the struggle,
11 where was that? At what level was that coming? [REDACTED]

12 [REDACTED]
13 [REDACTED] No. It was coming from
14 the superintendent and manager level, but it was
15 organizational. So for the most part I involved the
16 valve team supervisor because it was the right thing
17 to do and as soon I sat and gave my reasons, he fully
18 agreed.

19 SPECIAL AGENT NEFF: And then that made
20 your point more effective with where the resistance
21 was coming from initially.

22 [REDACTED] Yes, but as a matter of
23 fact, there was big resistance from the stores people.

24 SPECIAL AGENT NEFF: Stores people, what's
25 that?

1 [REDACTED] The storeroom where they
2 order our bricks etc.

3 SPECIAL AGENT NEFF: Warehousing and that
4 would be the issue of the cost.

5 [REDACTED]: Yes.

6 SR. PROJECT ENGINEER BARBER: That's good
7 feedback and that's good to have a point of reference
8 where the process worked well. I'd like to move back
9 to the recirc pump for a moment. One of the things
10 that you talked about was the difference of opinion
11 that it sounded like maintenance had with [REDACTED]
12 and possibly others in the organization.

13 In that instance, it sounds like there
14 wasn't necessarily a disagreement about the nature of
15 the problem. Maybe the exact causes that were
16 identified but there was clearly a recognition that
17 there was something that was left unresolved with the
18 pump. Is that correct?

19 [REDACTED] Right.

20 SR. PROJECT ENGINEER BARBER: And you
21 understood that and you think [REDACTED] understood
22 that. Is that right?

23 [REDACTED] Yes, sir.

24 SR. PROJECT ENGINEER BARBER: So then
25 there was as you described it a level 1 done by [REDACTED]

11
1 [REDACTED] as a team leader. His team concludes that "Yes,
2 there's a need to go internal to the pump and repair
3 the deficient conditions." Is that correct?

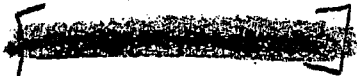
4 [REDACTED] Correct.

5 SR. PROJECT ENGINEER BARBER: Now if
6 engineering were to come back and say "Okay, we all
7 acknowledge that it's the right thing to do" so now
8 the question comes "What's the appropriate timing to
9 do that?"

10 [REDACTED] Right.

11 SR. PROJECT ENGINEER BARBER: If
12 engineering decides and it comes through and says
13 "Well we think" and they provide some rationale that
14 we could do that from the next outage or the outage
15 after that and it's based on some either information
16 that they've gathered from previous failures or
17 previous problems with reactor recirculation pumps or
18 they have other sources of information so that there
19 is a reasonable basis for what they are suggesting.
20 Would that be sufficient or adequate to say "Well,
21 maybe it is okay to not do the repair in the next
22 outage. Maybe it could wait as long as it gets done."
23 Because it sounds like the emphasis that I'm getting
24 from you is that it needs to get done.

25 [REDACTED] That's correct.

1 SR. PROJECT ENGINEER BARBER: I know
2 you're concerned that something could happen prior to
3 the repair activity. But if they could guarantee that
4 nothing would happen until the repair occurred, would
5 that be an acceptable condition?
6  Yes, but let's think
7 about this. They're all through with 1 and they did
8 a good job with it. But what do you think you'd amend
9 it or add to it that it says "Given these set of
10 circumstances maybe I want to revise it so I'd leave
11 today. Given this set of circumstances and this
12 mindset, additional information, whatever it might be
13 and I'm going to add to it, amend to it, revise it so
14 I have a plan going forward." But instead I have a
15 root 1 out there, that says "These are my corrective
16 actions. These are my recommendations for my
17 corrective actions." They didn't do anything with
18 that.

19 The whole point is that we know the
20 condition. It's adverse. Do we know the extent of
21 the condition without going internal? No. Are we
22 aware of it that there is a condition out there that
23 needs to be addressed? The answer is yes. I even
24 took the time and the financial impact to go through
25 a root 1. The evaluation of a root 1 says these are

1 my corrective actions recommendations, but yet we're
2 not following them.

3 So what good is my corrective action
4 program? What faith do I have in it? Why couldn't I
5 at least take the time to go through and readdress it
6 so that the rest of the world as well as the internal
7 organization reads it? There's a plan. There's some
8 method to my madness. And I get the right buy-in?
9 There isn't any of that.

10 SR. PROJECT ENGINEER BARBER: How do you
11 know that?

12 [REDACTED] It wasn't revised.

13 SR. PROJECT ENGINEER BARBER: It wasn't
14 revised in what time frame? Do you mean from March to
15 when you left in November?

16 [REDACTED] That's correct.

17 SR. PROJECT ENGINEER BARBER: Was there
18 some ongoing dialogue with someone in management that
19 you knew that was that case?

20 [REDACTED] I made the statement
21 then.

22 SR. PROJECT ENGINEER BARBER: I'm just
23 trying to understand why you have that perspective.

24 [REDACTED] Because I read it in
25 detail. I discussed it with [REDACTED], with [REDACTED]. I

1 even made the statement then do I have ineffective
2 corrective actions because the root 1 says I want to
3 go do this. If I'm not, do I have ineffective
4 corrective actions that I've shown in the past? Well,
5 no. It's a business decision.

6 Well, it doesn't say that. It says you
7 need to go fix it. So change it so it reflects what
8 we're really going to go do and make sure we get the
9 right buy-in and the right evaluation on it or go
10 follow it. You can't have it both ways. That's how
11 you tear an organization apart.

12 SR. PROJECT ENGINEER BARBER: All right.
13 Let me make sure I understand your point. I think I
14 do but I want to confirm it. It sounds like when
15 you're describing it's the level 1 root cause
16 identified the root cause and mentioned different
17 aspects about the problem. It specifically talked
18 about this problem with the auxiliary impeller
19 contacting the inside of the stuffing box and it may
20 have been due to excessive clearance in the lower
21 bushing that may have been caused by shaft bow or some
22 other condition that needed to be researched.

23 Based on that, there was corrective action
24 that was recommended in the notification that the
25 specific maintenance activity be planned to go

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1 internal in the pump and basically do a thorough
2 investigation to identify the nature of the problem
3 and correct it during the next refueling outage. Your
4 understanding in the way that issue as left coming out
5 of the outage was that it was left that way, but there
6 was never any intention to go and do a repair in the
7 future. Is that correct?

8 [REDACTED]: That's correct.

9 SR. PROJECT ENGINEER BARBER: But was it
10 you understanding that it wasn't the company's
11 intention to do a repair at any time in the future or
12 that it may not happen in the following outage or the
13 one after that or the one after that. It was just
14 kind of open ended.

15 [REDACTED]: It was open ended as the
16 example you gave with the justification that it might
17 be cheaper just to go keep replacing recirc seals
18 versus going internal to the pump. So if we evaluate
19 it's cheaper just to replace the recirc seals, take a
20 mid-cycle outage to replace the seals, try to make it
21 to the end of the outage to replace the seal, then
22 it's a business decision then to go do that. I called
23 the flag on that and I asked, number one, "Well what
24 about the safety of our work force?"

25 SPECIAL AGENT NEFF: ... Side A, it's

1 approximately 1:33 p.m.

2 Okay. Please continue.

3 If you could just back up about two lines,
4 I think I would have lost that much information. I'm
5 sorry.

6 [REDACTED] When they told me it was
7 a business -- strictly a business decision. Well,
8 then I have to go internal to a pump, because it was
9 probably a lot cheaper just to go and start and keep
10 replacing recirc seals and taking a mid-cycle outage.
11 I asked the question, or gave more of a statement, did
12 you take any consideration into the exposure, the dose
13 exposure of workers? We're talking NAR and we're
14 talking safety, RAD safety, nuclear as well as
15 equipment safety. Did any of this get incorporated in
16 the level one then? How can I take that into account
17 and say it's strictly a business decision without
18 evaluating it and looking at some holistic point of
19 view versus just a strictly a business point of view.

20 MR. BARBER: I'm not sure I understand
21 your point. Were you saying if they had to take a
22 forced outage that the exposure to the workers was
23 have been greater than if they had planned to do a
24 refueling outage? Is that your point?

25 [REDACTED] No. It's multiple

1 exposures.

2 SPECIAL AGENT NEFF: With the recirc pump
3 seal being replace each time over time.

4 MR. BARBER: Oh, okay.

5 SPECIAL AGENT NEFF: So is it indefinitely
6 that they planned to do the replacement or did you get
7 the idea that the -- it would be scheduled and just
8 not in this next upcoming outage? What was
9 communicated to you?

10 [REDACTED] That -- that besides the
11 route one, we would put an additional troubleshooting
12 planning of it. And then evaluate it after the
13 additional troubleshooting plan. And I asked the
14 question why are we doing an additional
15 troubleshooting plan when we've already got a route
16 one that tells us what to do? All right. And where in
17 there do we take into account -- well, forced outages
18 or planned outages and the safety of the people?

19 SPECIAL AGENT NEFF: Who did you ask that
20 of, [REDACTED]

21 [REDACTED]
22 SPECIAL AGENT NEFF: [REDACTED]
23 [REDACTED]

24 [REDACTED] Right.

25 SPECIAL AGENT NEFF: What was the

1 response?

2 [REDACTED] It's a business decision.

3 SPECIAL AGENT NEFF: Okay. Anything
4 further on that?

5 MR. BARBER: I don't think so.

6 [REDACTED] Does that make sense?

7 MR. BARBER: Yes, it does. The thing that
8 I'm guess I'm taking away from this is it was kind of
9 left as quote "an unresolved conflict." In other
10 words, they wrote something in the notification that
11 they may or may not do and that they don't feel bound
12 to do based on the discussion they had with you. Is
13 that right?

14 [REDACTED] I -- I --

15 MR. BARBER: I mean because the Navy
16 report recommended, you know, going internal of the
17 pump during the next outage. And it sounds like that
18 management had a different view, but they didn't feel
19 the need to revise the notification to correct it to
20 what their view was.

21 [REDACTED] In my world I'll call
22 that in effect of corrective actions because I'm
23 answering a problem associated with a plan on a safety
24 related component or also -- I'll also say that in and
25 of itself not to correcting it or not fixing it or not

13
1 addressing it is going to add to my human performance
2 and my safety culture. So if I don't have to answer
3 it and if everybody in this world -- and pardon me,
4 but to include the NRC if we're going to accept that.
5 So that when the people there read it and understand
6 it and say, well, see they said they were going to go
7 do this, but nobody wants to follow up again. We're
8 not going to make a culture change. And we're
9 contributing to the chilled environment. Because why
10 did I contribute all that time? Why did I send a
11 mechanic in the work force to sit in? Why was there
12 legitimate questions asked, answered in a level one on
13 route cause team to include an outside vendor and then
14 we're going to call it a business decision and then
15 say, well it might be cheaper just to go replace the
16 seal. We'll revise it so at least you've got a
17 written plan and it matches. But you can't have it
18 both ways.

19 So I wonder why that people say it doesn't
20 matter what we do; nobody's going to go listen. And
21 they don't care.

22 SPECIAL AGENT NEFF: And this is what you
23 say exhibits that mindset on site?

24 7C [REDACTED] Yes.

25 SPECIAL AGENT NEFF: Do you have anything

1 else that goes along with that, [REDACTED] any other
2 situations that come to mind on handling it this way?

3 [REDACTED] Diesels.

4 SPECIAL AGENT NEFF: Diesels on what side?

5 [REDACTED] Hope Creek. Actually
6 Hope Creek and Salem.

7 One of the -- the Salem turbo charger, I
8 forgot which diesel it was -- it was unit one. Was,
9 if you will, failed the turbo charger,
10 catastrophically failed presumably. To make a long
11 story short, it was because we didn't do a PM. We
12 hadn't done the PMs. But if I look at the Salem
13 turbocharger, if I look at the Salem charger pumps,
14 the gear reducers, hey, it costs money to go send the
15 parts out and pieces out. It also cost money to go do
16 the PMs. And nobody's looking at them anyways. And
17 it was easier to go defer them.

18 There was two people there in those
19 positions for manager and superintendent for a couple
20 of three years that did nothing but sign deferrals.
21 You know, a lot of finger pointing, but no work got
22 done and no spare turbos got sent out to get
23 refurbished, to go get checked.

24 MR. BARBER: Was that something that was
25 part of the PM program? It was very clearly scheduled

1 or part of the plan? And I'm not sure how your PM
2 program, you know, was implemented. But did it come
3 out in the schedule and then someone had to actually
4 actively defer it or could they just ignore it, or how
5 did that work?

6 [REDACTED]: I was there almost three
7 years and I hadn't totally figured out how the whole
8 PM program worked either, as scary as that is. But I
9 can tell you this, that there was active PMs and the
10 PMs were deferred.

11 MR. BARBER: And who was allowed to do
12 that? I mean, was that something that --

13 [REDACTED] Engineering and
14 maintenance.

15 MR. BARBER: Okay. My question's a little
16 bit more specific. What I was trying to ask is, was
17 it a certain level of manager or a certain -- you
18 know, had certain authorization or certain rights that
19 was the one that was allowed to defer it or could
20 anybody do it?

21 [REDACTED] No, no. Superintendent,
22 manager could defer.

23 MR. BARBER: Okay.

24 [REDACTED] Not anybody could do it
25 within -- and I believe you had to get Ops or

1 Engineering concurrence.

2 MR. BARBER: And was that the standard
3 approach? I mean, was it if -- well, what would be a
4 reason for deferring something? I mean, is there --
5 was that the normal way of doing business or was it
6 only done on a case-by-case basis only in certain rare
7 instances?

8 [REDACTED] Well, I can't answer all
9 your questions. I can tell you this, when I first got
10 there the PM deferrals, the stack of them was
11 unbelievably huge. I was not the -- at that time, a
12 [REDACTED] nor was [REDACTED]
13 (phonetic) the [REDACTED]

14 But the PM deferrals were very
15 significant. There was a huge backlog of them. The
16 work and the schedules were -- there was a lot --
17 there was a pretty good sized backlog.

18 So what I saw and what I flavored was that
19 it was a standard practice, but yet you didn't have
20 the resources. There were no (inaudible) it was just
21 -- the turbo charger is still sitting in the back room
22 and we're going to have it sent out for refurbishment
23 or a spare, speed increaser for the charging pump or,
24 you know, hey I'm still waiting money to be approved.
25 Whatever the case was, and it was a litany of okay I'm

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1 out of resources, I'm out of people. We just can't
2 support it with all the collective maintenance.

3 PMs, by in large, were deferred and -- and
4 if you will, the equipment was neglected. That has
5 seen a significant improvement, and what I'm alluding
6 to in this is telling you what the mindset was, and
7 part of it still is.

8 SPECIAL AGENT NEFF: When was the
9 improvement?

10 [REDACTED] I didn't hear the whole
11 question.

12 SPECIAL AGENT NEFF: Did you say that that
13 was at one point but it has seen improvement in the PM
14 deferrals; at what point in time was the improvement?

15 [REDACTED] About a year, a year --
16 about a year, year and a half ago we as an
17 organization started kicking stronger on not deferring
18 that. After the charging pump speed increaser, when
19 that catastrophically failed. And the Salem turbo
20 charger on the Salem side safety related equipment
21 started getting more attention. Did it get all it
22 needed? No. But it did start getting more. And then
23 the Hope Creek diesels, you know, no spare pumps, no--
24 that started getting a little bit better. But it was
25 a lot of work to go change that and write the

1 notifications and drive those changes.

2 SPECIAL AGENT NEFF: Okay. When you say
3 that you got stronger, was that individually getting
4 stronger or what do you attribute the strength to?

5 [REDACTED] Maintenance and
6 operations being more sensitive to the safety
7 equipment.

8 SPECIAL AGENT NEFF: At what level, [REDACTED]
9 [REDACTED] More the manager and then
10 superintendent. It wasn't -- in some areas it was
11 weak, in some areas it was strong. You know, all that
12 part is good.

13 SPECIAL AGENT NEFF: Okay. Anything
14 further on this, Scott? Okay. Anything else?

15 MR. BARBER: Well, actually -- actually
16 there was.

17 SPECIAL AGENT NEFF: Go ahead.

18 MR. BARBER: You had talked about problems
19 with the Hope Creek diesels. I think you mentioned --
20 I think you started with Hope Creek and then you said
21 and in Salem and you talked about the turbo charger.
22 And I think you made a mention not having enough spare
23 pumps for the diesels. And I don't know if that was
24 applicable to Hope Creek or Salem. But were there any
25 other issues within the Hope Creek diesels that stand

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25
1 out?

2 [REDACTED] Hope Creek diesels had
3 significant issues prior to me taking over as a
4 [REDACTED] I'll give you some
5 examples.

6 There was significant amounts of oil
7 leaks, of jacket water leaks, exhaust leaks so that
8 the operators -- you couldn't even get an operator
9 into the room without a SCAT air pack (phonetic),
10 things like this.

11 And the more we started digging into them,
12 the more I found that we had spare exhaust gaskets and
13 bellows and stuff, but I'm finding out that they all
14 got sent back and sent out because there was too many
15 much money. And whereas people didn't want to hold on
16 to them. So without directions from maintenance, you
17 know, parts that we had were gone. Parts that we were
18 getting in were, if you call it, second class citizens
19 and it wasn't their problem that the parts were no
20 good and nobody wanted to -- it was a lot of push back
21 to get anybody to go follow up to that.

22 There was a main shaft oil filter on the
23 Hope Creek diesel that was -- the vendor had subbed
24 the seal manufacturer out. So instead of him this
25 seal, oil seal, he sent someone else. Well, that

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1 somebody else, whoever made it, didn't really make it
2 out of the right material type so that when we
3 installed the new seal that we got, the seal failed.
4 It failed three times in a row. When we started
5 asking the question of -- when did they revise the
6 number, was it a material type change, was there
7 changed. And engineering -- the diesel engineers, not
8 the procurement engineers started digging into it.
9 And we got the answer that, ah, well we sent it out,
10 we had it sub out, you know.

11 Well, why should we ask these questions;
12 did we change parts or did we have problems?

13 One of the supervisors called me again
14 today and said, gee, look at this. We had a fuel oil
15 valve, check valve on the diesel, right. The new
16 valve versus the old valve are two different piece.
17 One is significantly longer so we got to take the
18 brand new valve and instead of install our brand new
19 valve, we got to take a brand new valve apart, take
20 the parts out of it and try to install it into the old
21 style valve. The parts matched, the body being longer
22 and some other things were problems.

23 Bolts, two style bolts for the same
24 component, one machine versus one forged. Two
25 different size heads. Some of them too long. You got

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1 to put washers underneath them.

2 And fuel pumps. Typically if you have a
3 problem with a fuel pump, depending on the cylinders,
4 if you got 20 cylinders then you got the potential for
5 20 problems. But you could only get them to have,
6 say, two or three on hand because they've taken all
7 the other ones and said we haven't used them in years,
8 and send them out without contacting anybody or
9 getting -- getting maintenance by it.

10 MR. BARBER: Do they have the authority,
11 do the procurement people, the storage people have the
12 authority to do that? I mean -- isn't that normally--
13 I mean if something's assigned to maintenance's budget
14 as, you know --

15 [REDACTED] Right.

16 MR. BARBER: -- a frequently needed repair
17 part of a PM part, even, you know --

18 [REDACTED] But they --

19 MR. BARBER: I don't understand why they'd
20 even -- why they'd even get into that because I would
21 also think that the cost would be more nominal
22 compared to something major, you know, like a -- some
23 major pump or motor or something where there's a lot
24 of cost tied up in one component?

25 [REDACTED] Right. Or in expediting

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1 fees and -- yes. I never could get a straight answer.
2 And reading their procedures trying to sort that part
3 out, it wasn't clear. The manager warehouse has a say
4 in the matter and maintenance is supposed to concur,
5 but there's no -- I could never find the link to how
6 we communicated that and gave the concurrence or the
7 denial.

8 MR. BARBER: Was there something else that
9 was driving the desire or the need to send the parts
10 back? I mean, was there some sort of cost savings
11 that was attributable to the procurement folks that--

12 [REDACTED] Taxes.

13 SPECIAL AGENT NEFF: Taxes you said?

14 [REDACTED] Taxes. The less parts
15 you have in stores -- in the warehouse, the less
16 you're taxed.

17 MR. BARBER: I mean, was this something
18 the company was pushing or is this --

19 [REDACTED] Yes. To reduce the
20 inventory.

21 MR. BARBER: But there was no -- what's
22 the word I'm looking for?

23 SPECIAL AGENT NEFF: Exemption?

24 MR. BARBER: Well, no. I was actually
25 thinking there was no program. There was nothing

1 where someone else -- where a group of people sat down
2 from ops maintenance engineering and say, you know,
3 these are the critical spares we need, these are the
4 critical parts; we're going to keep these and we'll
5 get rid of everything else because we don't need it.
6 But then it's a whole list -- I mean, as [REDACTED] said,
7 it's a holistic approach to what's needed and what's
8 not needed. So, hopefully, you keep all the right
9 things, but at least it's a collective decision rather
10 than having some procurement individual make the
11 decision for you. Is that kind of what happened?

12 [REDACTED] Correct.

13 MR. BARBER: Okay. So they made a
14 decision as what was important and what wasn't.

15 I mean --

16 [REDACTED] For everything I found,
17 and what I could get information on, based on how much
18 that part was, a bigger factor and we should get rid
19 of it because it reduces our taxes by X amount.
20 Strictly business decision.

21 SPECIAL AGENT NEFF: That was where the
22 weight of the decision was coming from, the fact that
23 it was reduce taxing -- reduced taxes.

24 [REDACTED] Reduce taxes, that's

25 correct.

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1 MR. BARBER: You know, let me just ask a
2 specific question about this. You know, one of the
3 things that you mentioned was the exhaust leaks from
4 the diesels, and that's been as you said a hard spot
5 with the operators because they had to wear sky
6 airpacks to go in the area and that you found out that
7 the gaskets for different exhaust pipe connections had
8 been sent back to, I guess the manufacturer or
9 wherever they warehouse, distribution center, wherever
10 they came from, but just so they weren't in the PSEG
11 warehouse. Isn't something like that just a nominal
12 value item? I mean, you know a relatively small
13 compared to almost everything else?

14 [REDACTED] Yes, sir.

15 MR. BARBER: I mean, I would think out of
16 all the things in the warehouse, that's going to be
17 one of the cheaper things?

18 [REDACTED] Yes, it is. Gaskets and
19 the bolting, and even those -- there's expansion
20 bubbles (phonetic) between them, right? Because the
21 exhaust gas gets heated up and then it cools off.

22 MR. BARBER: Right.

23 [REDACTED]: It was very frustrating
24 for my mechanics and supervisors. You don't think
25 that maintenance wants to go out there and fix it and

1 fix it once and then we would get onto something
2 different? That's the way we were trying to set
3 everything out; ^{relief} release valve program, critical
4 service water valves, diesel valves. I pushed long
5 and hard to get additional spare parts. Revised the
6 programs for relief valves because we had a ton of
7 leakers and outdated materials and equipment. So, I
8 started buying in new valves and changing them within
9 stores. Not only relief valves, but valves as a
10 whole.

11 I was even buying updated pumps so that
12 some of my ECCS jockey pumps, I'd have a spare that --
13 but I knew one was failing as well as the motor that
14 nobody wanted to go look at.

15 The biggest battle I fought, and it is a
16 business and I understand that part, but the business
17 on the safety-related critical equipment, you've got
18 to factor in safety. You don't screw around when it
19 comes to an emergency diesel. You have all the right
20 parts and the basic components to go restore it or you
21 shut the plant down.

22 MR. BARBER: Right. 7C

23 [REDACTED] Public service didn't
24 want the mindset of you're not shutting the plant
25 down, it's a business decision. Where you could say

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1 that, all right, hey this is a really bad thing with
2 diesels with exhaust fumes, but other than trying to
3 beat up maintenance, who is out there saying it in the
4 warehouse, right, stockpile the right parts? Here's
5 the notifications on maintenance role, here's the
6 minimum inventories that we need, why aren't they are
7 here? Well, it's a business decision, the taxes.

8 MR. BARBER: Did any of that ever get
9 documented in the condition report or notification or
10 BP, you know business practice --

11 [REDACTED] Parts?

12 MR. BARBER: Yes. Yes. I mean, did --

13 SPECIAL AGENT NEFF: When you wrote the
14 notifications regarding that?

15 [REDACTED] Yes.

16 SPECIAL AGENT NEFF: How many -- I mean
17 estimate for your time frame how many of them
18 addressed that particular issue?

19 [REDACTED] A lack of parts, upgrade
20 the parts? I don't know. How many did I write
21 exactly myself?

22 SPECIAL AGENT NEFF: Not a specific
23 number, [REDACTED] but I mean if we were to look for them,
24 how many do you think we'd find?

25 [REDACTED] Well, you'd find them

ALL 7C

1 under different people's names.

2 SPECIAL AGENT NEFF: Sure. For yourself
3 and for others then?

4 [REDACTED] Well, I had the
5 supervisors because the supervisors were -- how did
6 they have it? They'd have the crews and I'd have to
7 sit down with the supervisors, like [REDACTED]
8 (phonetic), he would be really good one for you to
9 contact on that.

10 SPECIAL AGENT NEFF: On this particular
11 issue?

12 [REDACTED] Oh, yes.

13 SPECIAL AGENT NEFF: Okay. How many do
14 you think you wrote?

15 [REDACTED] On the parts
16 specifically? On that one maybe [REDACTED] How many did I
17 direct to be written? Too numerous to tell.

18 SPECIAL AGENT NEFF: And were they written
19 after you directed it?

20 [REDACTED] Absolutely.

21 SPECIAL AGENT NEFF: Okay. So there's
22 numerous in there then?

23 MR. BARBER: When we're saying "numerous,"
24 is that like more than ten?

25 [REDACTED] Yes. Easily.

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1 MR. BARBER: Okay.

2 SPECIAL AGENT NEFF: More than ten and
3 less than 50 or what are we looking at here?

4 [REDACTED] Probably in the 50 plus
5 time range, at least.

6 SPECIAL AGENT NEFF: Okay.

7 MR. BARBER: When these were written, were
8 these written for each specific instance that came up
9 or was there ever a point where you were just like
10 kind of like totally fed up and just said, you know
11 what, I'm going to write on that covers just this
12 whole problems that says, you know, engineering and
13 maintenance and ops and procurement need to sit down
14 and determine what the right parts are. Because we
15 don't have the parts we need and look at all these
16 other notifications and then prove that this is a
17 programmatic issue and not just a, you know, a one
18 time miss of a key part?

19 [REDACTED] No, I did not do that and
20 I didn't do that for a reason. It took me around a
21 year and a half to really see the bigger picture and
22 how things were addressed and worked there. I was
23 amazed at a lot of the behind the scenes attitudes,
24 people's personal influences, alignment, what got
25 addressed and what didn't. So I addressed the

55
1 equipment issues with the supervisors and chiefs as
2 they came because I was seeing the results of the
3 bigger picture corrective actions and what wasn't
4 being done with them or how they were being addressed.

5 So if I were to try to lump the bigger
6 picture issues or the smaller issues into one, I would
7 get less headway on that than addressing them
8 individually.

9 You'll see ([REDACTED])
10 notification not only for the service water valves,
11 but for the work control -- higher than level one on
12 the work control saying the work control was broken,
13 that the work control planning system that addressed
14 critical issues didn't address parts. The work scope
15 never stayed stable, which it didn't. The work scope
16 was never defined prior to us entering critical
17 windows. All these types of things within two or
18 three weeks [REDACTED] was downgraded to --
19 immediately was downgraded to a level two and then to
20 a level three.

1C

21 MR. BARBER: Was the reason -- what was
22 the reason why that was downgraded? Did it have
23 anything to do with the number and types of examples
24 you had, that they were treated as like isolated
25 cases?

[REDACTED]: I think my sort that I did said that the work control procedure had some -- I don't know, some ungodly, 450 previous notifications out of them -- I don't know, 30 level twos inside of one calendar year. Inside of a calendar year.

MR. BARBER: Okay.

[REDACTED]: Okay? Failure to maintain scope control. Failure to meet the LCO-112, failure to meet LCO execution. I mean, yadda, yadda, yadda, yadda. When you run them and you put them altogether, it was pretty bad. I was told that I was being vindictive on the planning and work control organization.

SPECIAL AGENT NEFF: By who?

[REDACTED]: Well, [REDACTED]

[REDACTED]: SPECIAL AGENT NEFF: What was he tagging that to? I mean, in order for you to be vindictive, there had to be something prompting it?

[REDACTED]: It didn't need a level one. It wasn't a level one issue.

SPECIAL AGENT NEFF: But why vindictive? Why would he use that word?

[REDACTED]: This was --

SPECIAL AGENT NEFF: This is [REDACTED]

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1 and [REDACTED]

2 [REDACTED]: Yes. Individually, not--
3 I never got the two of them together.

4 SPECIAL AGENT NEFF: Okay. Separately.

5 [REDACTED] Ah, I take that back. I
6 got the two of them together for maybe -- for all of
7 maybe five minutes and then [REDACTED] check me
8 down and after that I never had another conversation
9 with [REDACTED] And I had a follow up conversation
10 with [REDACTED]

11 I showed them all examples. I read it to
12 them.

13 To top it all off I had talked to other
14 people within the work management program and said [REDACTED]
15 [REDACTED] I would like you to read [REDACTED]
16 [REDACTED] and go into the notification and write in
17 it do you agree or do you disagree. We will only make
18 changes and succeed if we do it as a whole. It's okay
19 to disagree with me, but something in there that I
20 disagree with [REDACTED] and I think this ought to be done.
21 I agree with [REDACTED] and I think this ought to be done.
22 We have to drive it through to help make the change.
23 But individually you don't make changes. You can help
24 drive them, collectively you can make changes if you
25 have the right people in the right amount. But you

1 got to be able to put it in there. You got to be able
2 to go and stand up for what you're doing.

3 SPECIAL AGENT NEFF: So this --

4 [REDACTED] So I want to say, two or
5 three, three or four, maybe even more at the
6 superintendent level, people went into that
7 notification [REDACTED] and concurred. Work
8 management, superintendent level.

9 MR. BARBER: What do you mean they
10 concurred?

11 [REDACTED] They wrote in there that
12 they agreed it should be a level one and it needs to
13 be fixed.

14 MR. BARBER: You mean numerous people just
15 kind of signed on in the process some way to further
16 endorse what you wrote?

17 [REDACTED] In the computer.

18 MR. BARBER: Okay.

19 [REDACTED] Written record.

20 MR. BARBER: All right. So do you have a
21 feel for how many people that was? Was that like one
22 or two additional people or like ten people?

23 [REDACTED] Oh, I'm going to say it
24 was between five and ten.

25 SPECIAL AGENT NEFF: So this is sometime

1 in early 2003? Was a year to a year and a half you
2 said that you did this?

3 [REDACTED] This was -- I want to say
4 this was in June, July, August time frame.

5 SPECIAL AGENT NEFF: Of?

6 [REDACTED] 2003.

7 SPECIAL AGENT NEFF: June, July, August
8 2003.

9 [REDACTED]: Maybe even September.

10 SPECIAL AGENT NEFF: Okay.

11 [REDACTED] But it was getting later
12 in the game.

13 SPECIAL AGENT NEFF: Okay. One second.
14 We're going to take a quick break. It is approximately
15 2:03 p.m.

16 (Whereupon, a recess).

17 SPECIAL AGENT NEFF: All right. I'm back
18 on the record. It's about 2:10 p.m. Okay.

19 I had a question, before we get too far
20 away from it, I don't know if we identified where that
21 issue of it's because of the taxes that they're not
22 going to keep parts in stores. Did we identify an
23 individual that you heard that from or how do you have
24 that knowledge?

25 [REDACTED] How do I -- I heard it

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1 firsthand. I've heard it from groups of people in the
2 warehouse as well as some people in -- within the
3 planning organization. I've actually had planners,
4 union planners come up and say "Do you know how much
5 that part is? Well, why would we want to keep
6 something like that?" Because it's a critical thing
7 and this is what's -- well, you know, we got rid of
8 all those parts for a reason because we paid a lot of
9 money in taxes on these and reducing that we're --
10 that's a great business decision, but in the long term
11 it hurts us, not helps us.

12 So the culture, the thought process was
13 more balanced around, even at the some of the worker
14 level -- I heard it significant even -- significantly
15 in planning. But --

16 SPECIAL AGENT NEFF: Planning?

17 [REDACTED] I'm sorry?

18 SPECIAL AGENT NEFF: From planning you
19 said?

20 [REDACTED] I heard it from planning.
21 More from -- way more from the warehouse personnel.

22 SPECIAL AGENT NEFF: Okay. Planning. Any
23 particular individual? Is this where you're saying
24 there's groups of people?

25 [REDACTED] I heard it -- I heard it

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1 from a number of planning people. You hear it from
2 the warehouse people all the time.

3 SPECIAL AGENT NEFF: You said that was --
4 the groups of people were from the warehouse. But in
5 planning, who would you say made those comments?

6 [REDACTED] Let's see, a gentleman by
7 the name of [REDACTED]

8 SPECIAL AGENT NEFF: [REDACTED]

9 [REDACTED] Here's -- [REDACTED]

10 [REDACTED] was -- is probably the best planner, mechanical
11 planner down there. As sharp as the day is long and
12 only wants to right -- and do it right. But there was
13 instances when I said we needed a valve because of
14 looking at past history and the past performance, go
15 find a new valve or go find a new pump, he would come
16 back and say "Do you know how much this costs?" "Yes,
17 I got a rough idea." We'll say \$100,000. Okay.
18 Subtract that from operability and reliability and the
19 past performances and so going forward it reduces my
20 maintenance. It's the right thing.

21 "Okay, I'm just telling you the warehouse
22 people and" -- I got that, [REDACTED] That's great. You
23 need to keep that in the back of your mind, but no
24 longer in the front. We want to concentrate on safety
25 and reliability and then everything else will fall

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1 into place because we'll have all the capacity and all
2 the nuclear safety we need because we're doing the
3 right things and it comes first nature.

4 SPECIAL AGENT NEFF: Was there a point in
5 time when they did -- they kept these pieces in spare
6 in the warehouse or when did this come into effect
7 where they got rid of it for tax purposes?

8 [REDACTED]: Ma'am, when I got there
9 they had already gone through and reduced the
10 warehouse inventory. I don't know what goals they
11 set. I don't know how much they got rid of. I know
12 it was significant.

13 When I first took over as the [REDACTED]
14 [REDACTED] we had no real spare parts. And for
15 like the service water, safety release service water
16 valve we were always behind the eight ball and
17 scrambling to get them just for normal scheduled work
18 weeks. So we changed some of that.

19 We saw issues with the Hope Creek diesels.
20 There are still issues with those diesels. I gave you
21 the name [REDACTED] He can give you examples where
22 there's significant diesel parts shortages. And he's
23 written the notifications, I've asked him to, to try
24 to -- we've given them the parts numbers and the
25 minimum required so that if I have an issue with a

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1 diesel, I have the parts that I can go -- go to
2 stores, I know will have them and keep the plant
3 reliable and safe.

4 I also forwarded that list to [REDACTED]
5 (phonetic), who was the [REDACTED] and
6 to our parts people. I don't know if it was -- I
7 think I copied [REDACTED] (phonetic), who was the
8 [REDACTED] but to two
9 of [REDACTED] people as well so that they would order these
10 parts. And I had made the organization aware of it.

11 [REDACTED] will tell you that, you know,
12 prior to [REDACTED] on work management
13 there's an example of one diesel work package. One
14 work order with 33 open notifications. Buried in that
15 work order it says I got a jacket water leak, I got a
16 ^{lube} loop oil leak here, I got a fuel leak over there. And
17 30 some notifications, 30 some problems, 30 some
18 deficiencies built into one work order and maintenance
19 is expected to go and execute it. And you got to dig
20 through it to go find those issues and make sure you
21 collect them. I got to find them and collect them and
22 fix them. How do you find 30 on one work order a
23 combination of jacket water, ^{lube} loop oil and fuel oil
24 leaks? You know, how can you accurately describe
25 them, accurately stage the parts, actually walk them

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1 down? You know, it's near impossible.

2 And that -- it's easier to go add to
3 notifications, like we talked about earlier. Just
4 find a notification and go in there and go dump in it
5 rather than initiate another work order and address it
6 correctly. That's how half the stuff gets missed.

7 SPECIAL AGENT NEFF: You're saying it's
8 easier. You mean manually just easier to get into the
9 notifications or is there a resistance to open a work
10 order?

11 [REDACTED] There's resistance to
12 open additional work orders. You're causing --

13 SPECIAL AGENT NEFF: Is it easy enough to
14 create a work order?

15 [REDACTED] No, it takes time. You
16 have to have a planner. A work order requires
17 planning.

18 SPECIAL AGENT NEFF: Okay. So you can add
19 to the notifications, but they're going to try and tie
20 it to one, one piece's work order?

21 [REDACTED] Right.

22 SPECIAL AGENT NEFF: Like you said, in
23 this case there's 33 different problems noticed on one
24 piece, but you still have the one work order?

25 [REDACTED] This is on a diesel. One

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1 work order, okay, 33 notifications tied to one work
2 order.

3 SPECIAL AGENT NEFF: Right.

4 [REDACTED] In essence, go fix the
5 diesel.

6 MR. BARBER: When was that?

7 [REDACTED] When was it?

8 MR. BARBER: Yes.

9 [REDACTED] Oh Lord. When did I not
10 know you were going to ask me that question? This is
11 a past refueling outage, this past refueling outage.

12 MR. BARBER: So spring of 2003?

13 [REDACTED] Yes, sir. And if you
14 asked [REDACTED], he has that work order number.

15 SPECIAL AGENT NEFF: [REDACTED]

16 [REDACTED] Yes, ma'am.

17 SPECIAL AGENT NEFF: Now, was that work
18 order ultimately closed then? After the outage were
19 they able to get to all 33 problems?

20 [REDACTED] I think we solved -- I'm
21 guessing, all right, so not exact. I believe we
22 solved around 20 -- 29 or 30 of them. And there was
23 a couple that for whatever reason we could not get to.
24 Maybe it was parts, maybe it was identified
25 incorrectly. But that's an issue you run into is you

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1 can't sort them all out. And in essence it takes days
2 and days and days.

3 SPECIAL AGENT NEFF: To sort out what has
4 to go into the work order?

5 [REDACTED] Well, after planning's
6 planned it --

7 SPECIAL AGENT NEFF: Right.

8 [REDACTED] -- you're supposed to
9 have your package that you can go work. And then when
10 the mechanics did it and tried to go to work, there's
11 so much in it that it takes days and days, and days
12 for the mechanic to have to go sort out, by the time
13 you're ready to work it --

14 SPECIAL AGENT NEFF: Right.

15 [REDACTED] -- well it's too late,
16 you're already in it. You're already in the window.

17 SPECIAL AGENT NEFF: How long was this
18 particular work order in existence?

19 [REDACTED]: I don't have that answer.

20 MR. BARBER: The one thing that I'm a
21 little puzzled by is even if you add work to a work
22 order, doesn't the added work have to also be planned?

23 [REDACTED] Could you repeat that
24 question?

25 MR. BARBER: Well, I'm making an

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1 assumption, but I think it may be true. Even if you
2 have an existing work order, it has one activity on
3 it, and a planner has to go out and plan the work. He
4 has to go out and walk down the job, look at what the
5 job entails, what parts are needed. Basically write
6 up the work order in some logical sequence so it can
7 be accomplished.

8 If you add additional work to that work
9 order, isn't there still a requirement for planning?
10 I mean, it may not be a separate document, but doesn't
11 the planner still have to go out and look at it, walk
12 the job down, you know, make sure it's properly
13 sequenced, all that kind of stuff.

14 [REDACTED] (Laughs).

15 SPECIAL AGENT NEFF: You're laughing and
16 I have to point that out for the record. That doesn't
17 always translate, [REDACTED]

18 [REDACTED] Oh, I'm sorry.

19 SPECIAL AGENT NEFF: No. You can laugh if
20 you feel the need to laugh. It's just that I have to
21 point it out because it doesn't always transcribe.

22 [REDACTED] Okay.

23 SPECIAL AGENT NEFF: So what are you
24 laughing about?

25 [REDACTED] Now you understand why

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1 [REDACTED] Part of the work process says
2 that workers will go back and get planned, replanned,
3 restaged, rewalked down planner to give them the
4 maintenance and operations to go work. And in those--
5 in that year's worth of notifications, 400 or 500
6 previous notifications to include level twos, all that
7 stuff's being called out. Hey, here's a -- we're in
8 T-1 or T-zero and here's a work order and, hey, we got
9 to dump it out of the schedule because it wasn't
10 planned correctly, someone went and added it to the
11 notification, it was never sent back and replanned.
12 So we're going to set ops and maintenance up to fail
13 right off the bat.

14 SPECIAL AGENT NEFF: I see.

15 JC [REDACTED] So I tried to touch base
16 and cover all the litany of things and say, hey, it's
17 broken let's sit down and get the right group, a few
18 other people you need to sit with me and say go into
19 this electronically and say it's broken, let's fix it.

20 MR. BARBER: What would they do, though?
21 If something was emerging or it was the last minute
22 thought, somebody says hey, you know, they're getting
23 into the B diesel, let's -- and there's this other
24 issue that's outstanding, let's just lump it in the
25 work package. How do they do it if they don't plan

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1 it? I mean, do they just send in the number of the
2 notification and say effect repairs to address the
3 problem identified in notification umptysquat? I
4 mean, is that what is says and then it's up to you to
5 figure out what that entails?

6 [REDACTED] In some cases the
7 notification was -- if you read the work order or you
8 had to go into the work order notes, okay, you might
9 find notification 2000 whatever lube oil leak at
10 telltale. Please investigate and effect repairs. All
11 right? But it was buried in there, it was completely
12 missed. So whoever allocated it to that work order,
13 never went through for the process of putting that
14 hold or sent it back to planning so that they would go
15 execute you.

16 You know, emergent work order, I get an
17 emergent failure of a diesel or a pump or valve, I got
18 two processes. Number one, I make it a prime one work
19 order for the process. Right. So it gets immediate
20 attention by planning. It may not get the best
21 attention, because you're pressed for time. And I
22 also have the winching process.

23 MR. BARBER: Right.

24 [REDACTED] Right. So you address the
25 emergent work like that. Typically what I saw in the

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1 past, even the emergent work other than the WINT
2 (phonetic) team wasn't -- it was -- well, we didn't
3 even consider fit, form or function, right. Get the
4 work order, get it on the street and give it to
5 planning. Well, hey, it's not workable. Well, you
6 should have told us up front. No. You need to plan
7 it. There was great resistance.

8 Some people tried to effect the right --
9 the right program corrections, if you will, like [REDACTED]
10 [REDACTED] (phonetic). [REDACTED] did a great job. He said
11 I'll cater and give you any work order you want. But
12 once I give it to you, it's yours. Not a problem. All
13 right. But let's go change the process.

14 Well, I'm getting pushed. I got to get all
15 these backlogs done, we got to get this done, we got
16 that done. [REDACTED] you know, if you plan 50 and I'm
17 going to send 40 back, that's the wrong process. I
18 know, but I'm getting beat up, I got to these out, I
19 got to get them out, I got to get them out.

20 Well, you know, let's go to [REDACTED] and
21 company and tell them. I'll help as much as I can.
22 I'll put more people on walk downs to help you, but
23 you got to give me a quality work order. You got to
24 have, you know, ten, 15, 20, 30 notifications buried
25 into one work order. It doesn't work. And they need

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1 to be relatively detailed and accurate to match the
2 work we're going to go do.

3 Look at the previous history. See how
4 much time it takes? Yes, I do.

5 I can -- if I got a failed valve or a
6 failed pump, you know, what did I do the last two
7 times? What was my corrective actions the last two
8 times I went out there with a valve and what am I
9 going to do going forward? I can marry those previous
10 corrective actions to what it's doing right now and
11 have a really great idea of what we're going to do
12 tomorrow to go fix it, and it matches up.

13 You know, you get similar results or
14 similar failures in the past, as well as totally
15 different ones, so you know what history has given you
16 so history doesn't repeat itself when you're done.

17 But great pressure to get the backlog
18 down, just get it killed, just get the work done and
19 get the packages out there.

20 I have to say this: [REDACTED] at Hope
21 Creek was really working his guts out and trying to do
22 a good job of making the packages better. And I don't
23 think he was getting near the support he needed.

24 SPECIAL AGENT NEFF: Is he still there?

25 [REDACTED] Yes, ma'am. And I can't

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1 -- I really -- I really -- my personal experiences
2 with him, I couldn't speak highly enough of him. And
3 I knew he was under a lot of pressure.

4 SPECIAL AGENT NEFF: Okay.

5 [REDACTED] If you look at the level
6 one that [REDACTED] on the work management --
7 the W map (phonetic), W map one I think it was called,
8 there's work week superintendents that are supposed to
9 be organizational leaders -- don't talk to the ones
10 that wrote [REDACTED] and agreed with me, if
11 you will. Talk to -- I think there's...

12 (End of side one)

13 SPECIAL AGENT NEFF: . . . 45 minutes.
14 It's side B we're on. Back on the record at
15 approximately 2:27 p.m.

16 Okay. You said [REDACTED] talked to
17 you?

18 [REDACTED] There's people that
19 didn't go into notification for level one. Here's
20 what I'm telling you, within the level one there's, I
21 don't know, a group of people that concur. So I mean,
22 that's the facts. You can read it.

23 SPECIAL AGENT NEFF: Right. That's
24 documented as part of it. But why is [REDACTED]
25 significant?

1 [REDACTED] Well, there's a couple of
2 them still there, [REDACTED] being one, [REDACTED]
3 [REDACTED] being another one.

4 SPECIAL AGENT NEFF: [REDACTED] -- can you
5 spell that?

6 [REDACTED]: [REDACTED]
7 SPECIAL AGENT NEFF: Okay.

8 [REDACTED] I don't believe they
9 wrote into it. Go ask them what the process is. Go
10 ask -- if you want to get a flavor of what I'm telling
11 you, go ask them what they considered me, and then if
12 I had an idea and had a plan and if what I was telling
13 the organization was true and reflective. And ask them
14 what they're going through.

15 SPECIAL AGENT NEFF: I'm sorry, I missed
16 that last part?

17 [REDACTED] Ask them what they're
18 going through.

19 SPECIAL AGENT NEFF: Ask them what they're
20 going through, okay.

21 [REDACTED] What I'm telling you is,
22 you've been -- I haven't spoke with them and they sure
23 didn't go into [REDACTED], but --

24 SPECIAL AGENT NEFF: You're just pointing
25 to these people as objective in terms of what you're

1 saying? We could ask them and they --

2 [REDACTED] Objective and with those
3 two people, I'm asking you to go ahead and mention my
4 name.

5 SPECIAL AGENT NEFF: Oh, okay. I guess we
6 should make that clear. In any instance that we can
7 use your name, you should let us know where that would
8 be all right.

9 [REDACTED] Those two. Those --
10 those two people have integrity.

11 SPECIAL AGENT NEFF: What about the other
12 three that you mentioned, the mechanics?

13 [REDACTED] Yes.

14 SPECIAL AGENT NEFF: If necessary.

15 [REDACTED] If necessary.

16 SPECIAL AGENT NEFF: If necessary?

17 [REDACTED] And ask them to keep it
18 to themselves.

19 SPECIAL AGENT NEFF: Okay. So that means
20 you're really not that comfortable with it to go that
21 level. I mean, I'm looking at a situation like this
22 and thinking we can ask the questions without having
23 to say where the information came from. So if that's
24 your preference, we'll do that.

25 [REDACTED] Yes.

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1 SPECIAL AGENT NEFF: What do you think
2 we'd gain by using your name with [REDACTED] and
3 [REDACTED] though? Why is that different?
4 [REDACTED] Truly, I think they'll --
5 I think they'll open up more.

6 SPECIAL AGENT NEFF: Okay.

7 [REDACTED]: I really do.

8 SPECIAL AGENT NEFF: Okay. I just
9 wondered what the difference was. You don't have that
10 concern with the other mechanics then?

11 [REDACTED]: I think the mechanics are
12 going to open up pretty good.

13 SPECIAL AGENT NEFF: Okay.

14 [REDACTED] [REDACTED] (phonetic),
15 [REDACTED] (phonetic).

16 SPECIAL AGENT NEFF: [REDACTED]

17 [REDACTED] Yes.

18 SPECIAL AGENT NEFF: Okay.

19 [REDACTED] (phonetic).

20 You can -- you can use my name with him, too.

21 SPECIAL AGENT NEFF: [REDACTED] That's
22 okay, too.

23 [REDACTED] And [REDACTED]
24 (phonetic), yes. My God. Oh Lord.

25 SPECIAL AGENT NEFF: You know what, more

1 than likely it won't come up.

2 [REDACTED]: That's okay.

3 SPECIAL AGENT NEFF: If there are some
4 that you don't care --

5 [REDACTED]: I don't. You know what --

6 SPECIAL AGENT NEFF: It all depends on
7 how--

8 [REDACTED]: I don't care if you use
9 my name. At this point in the record, if you use my
10 name at all. You can use it with everybody, because
11 they all know me and they all knew what I stood for.
12 And I all knew it doesn't matter.

13 SPECIAL AGENT NEFF: Well, you know what?
14 We'll do it this way; lots of times based on the
15 information that we're following up on, people know
16 where the information came from. You know, they can
17 make that assumption. What we don't do is confirm it
18 for them. So we'll just let it go at that.

19 [REDACTED]: Okay. I'll tell you
20 right now if it comes -- when it comes to [REDACTED] and
21 [REDACTED] go ahead because you're liable to get
22 additional information.

23 SPECIAL AGENT NEFF: Okay. That's a
24 different situation then. Okay.

25 What do you think? Have we closed out the

1 discussion for work orders and the work process and
2 scheduling?

3 MR. BARBER: Yes. I don't have anymore
4 questions on that.

5 SPECIAL AGENT NEFF: Okay. What about
6 from your end, [REDACTED] Are you satisfied with that?

7 [REDACTED] I believe so. And the
8 more questions you ask me, it leads me down other
9 paths, so --

10 SPECIAL AGENT NEFF: Okay. That's okay,
11 that's what we're here for. So if you think of
12 something, please put it out there. We don't have a
13 time constraint. I'm a little worried about what your
14 weather is doing, so you let me know. Because I have
15 no idea what's going on at [REDACTED]. Just let me
16 know if you need to leave, okay?

17 [REDACTED] Right. Yes.

18 SPECIAL AGENT NEFF: And, you know, if we
19 had to, we could follow up again. You know, my
20 preference is to see it through, but if we had to we
21 could do that.

22 [REDACTED]: Great.

23 SPECIAL AGENT NEFF: Let's do this, what
24 about -- this we got to from me asking you if there
25 were some other issues. And I don't want to be too

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1 specific, but in terms of we talked about
2 notifications and the handling and it started with the
3 one on the recirc pump. You know, had you seen things
4 handled that way before, written off for a business
5 decision that was not documented appropriately in
6 response to the level one? Do you have any other
7 incidents that go along those lines? The other issue
8 that you went to immediately had to do with the
9 valves, the safety related service water valves, and
10 [REDACTED] a level one to bring
11 attention to that.

12 [REDACTED] Right.

13 SPECIAL AGENT NEFF: And you said the
14 company recognized it and took action after a
15 struggle. I think the word was "a struggle."

16 [REDACTED] It was. It was more of
17 a struggle -- it was more of a struggle with the
18 warehouse people. And there was people there that --
19 within the warehouse still resented it.

20 MR. BARBER: Is there some names out there
21 that you felt were the key players in making sure --
22 well, I shouldn't say making sure -- that were
23 involved with sending the equipment back and that
24 seemed to, you know, that seemed to be the primary
25 focus was on paying less taxes? I think you mentioned

1 somebody in -- maybe as a planner or maintenance or
2 something? But how about people in procurement, was
3 there any names that stood out?

4 [REDACTED] Some people a little more
5 adamant about it than other -- it's more -- it truly
6 is organizational. It's at the organizational level,
7 not the individual.

8 MR. BARBER: Okay. Okay.

9 [REDACTED] But believe it or not,
10 it's organizational.

11 MR. BARBER: Okay.

12 SPECIAL AGENT NEFF: So what they were
13 telling you to do in this instance -- where you saw
14 the struggle here was in getting the parts that you
15 wanted had to do with this paying taxes for items that
16 you kept in storage?

17 [REDACTED] Getting the parts and
18 maintaining them and then the monies associated with--
19 with storing them.

20 SPECIAL AGENT NEFF: Okay. But you're
21 attributing that to it's an organizational mindset on
22 not wanting to pay the taxes on it?

23 [REDACTED] And more than --

24 SPECIAL AGENT NEFF: More so than any
25 individual?

1 [REDACTED] Yes, ma'am. More
2 organizational in the warehouse. Actually, it was
3 huge.

4 SPECIAL AGENT NEFF: Okay. All right.

5 After we talked about those issues, then
6 we talked about the work process a bit. Do you have
7 anything else to add to those concerns or any of the
8 concerns, [REDACTED]

9 [REDACTED] the level one.

10 SPECIAL AGENT NEFF: Right.

11 [REDACTED] the level one
12 also attributed to me leaving.

13 SPECIAL AGENT NEFF: In what way?

14 [REDACTED] the level one and
15 pushing back on the recirc pump because I was not a
16 perceived team player. I was for all the maintenance
17 and I was for the work week superintendents, but for
18 the rest of the organization I wasn't. Bringing the
19 issues up on the recirc pump, bringing the issues up
20 and pushing them on the diesels, bringing them up and
21 writing the notifications that procedures weren't
22 accurate, that the work management processes was broke
23 and that I needed work -- accurate work orders and
24 accurate parts in hand that I was not a team player.

25 MR. BARBER: Why do you feel that way?

1 [REDACTED] Why do I feel that way?

2 MR. BARBER: Yes. I mean specifically
3 that --

4 [REDACTED] I'll give you one -- I'll
5 give you one prime example. [REDACTED] the level one on
6 the work management process and had those people go in
7 The supervisor of the [REDACTED] --

8 SPECIAL AGENT NEFF: Who was?

9 [REDACTED] (phonetic).
10 QA is supposed to be an impartial separate, segregate
11 from the organization to keep us -- you know what QA
12 does.

13 The supervisor of the [REDACTED] made
14 a statement that all I was doing was positioning
15 myself for a lawsuit, and made that statement to other
16 people.

17 MR. BARBER: What did he mean by that?

18 [REDACTED] the notification
19 to position myself for a lawsuit.

20 MR. BARBER: What kind of lawsuit? I
21 don't understand that. What does he mean by that?

22 [REDACTED] I didn't go ask.

23 MR. BARBER: You mean a lawsuit against
24 you or something that you could -- you could --

25 [REDACTED] No. He was against

1 public service --

2 MR. BARBER: Oh. Oh, he thought it had
3 some sort of malicious intent behind it?

4 [REDACTED] Yes. But it's because I
5 -- instead of bringing it to me and going and looking
6 at it and sitting down and saying is there something
7 adverse to quality, adverse to the organization; he
8 made that comment to other people.

9 SPECIAL AGENT NEFF: [REDACTED] Did you say?

10 [REDACTED]: [REDACTED]

11 SPECIAL AGENT NEFF: [REDACTED] [REDACTED]

12 [REDACTED]

13 [REDACTED] Yes, ma'am.

14 SPECIAL AGENT NEFF: [REDACTED] And

15 this is when [REDACTED] the level one in --

16 [REDACTED] On work management.

17 SPECIAL AGENT NEFF: Which was? What was

18 the time frame, June/July?

19 [REDACTED] June, July, August,

20 something -- it was -- it was more -- it was more

21 July, August or September; sometime in that time

22 frame. It was during -- during reorganization.

23 SPECIAL AGENT NEFF: Okay. So he saw this

24 as something that you did to help yourself, not

25 necessarily to outline what the concern was in the

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1 level one?

2 [REDACTED]: Yes.

3 SPECIAL AGENT NEFF: Was it to get you so
4 that you have engaged in some sort of protected
5 activity? Is that it?

6 [REDACTED]: I didn't ask him, ma'am.

7 SPECIAL AGENT NEFF: So you don't know
8 what he meant by that statement?

9 [REDACTED]: Didn't bother. With a
10 comment from -- supposed to be a separate department,
11 a separate organization, though.

12 MR. BARBER: Independent?

13 [REDACTED]: Right.

14 MR. BARBER: Yes.

15 [REDACTED]: Before somebody opens
16 their mouth like that and acts like that, why wouldn't
17 they go ask?

18 SPECIAL AGENT NEFF: Is this a comment
19 that would be unique to you or had you heard that
20 attributed to other people? I recognize this is a
21 time frame where they're going through a reorg.

22 [REDACTED]: Right.

23 SPECIAL AGENT NEFF: Was this like an
24 allegation type of thing that he would say the other
25 people and concerns that were documented?

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[REDACTED] I --

SPECIAL AGENT NEFF: Had you heard that?

[REDACTED] I -- from him?

SPECIAL AGENT NEFF: Well, not necessarily from him, but had it been reported to you that other people were positioning themselves for a lawsuit?

[REDACTED] I have heard that from not the whole organization at all. Actually, more people were afraid, just plain out afraid. They wanted their jobs. Public Service actually has very, very good benefits and pays very well. So I had heard it, but not a lot. Not in an alarming manner or a overwhelming matter at all.

SPECIAL AGENT NEFF: But it was something that was out there in this time frame --

[REDACTED] Oh, yes.

SPECIAL AGENT NEFF: -- that somebody might have positioned themselves is what they were --

[REDACTED] Yes.

SPECIAL AGENT NEFF: Do you think that affected how the concern was addressed and do you know what their concerns were about?

[REDACTED] Whose concerns, ma'am?

SPECIAL AGENT NEFF: If you had heard that about other people?

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[REDACTED] Yes.

SPECIAL AGENT NEFF: That they were positioning themselves for a lawsuit, do you know what their concerns were?

[REDACTED] No. No. If it was -- there was one individual that worked for me, his name was [REDACTED] (phonetic). He had been moved from a [REDACTED]

[REDACTED] When it came time for his performance review time, I documented his changes and his previous experience, and that he needed more help and needed more time and a certain amount of schooling, if you will. Because it was unfair to judge him as a [REDACTED] supervisor performer when his experience was a [REDACTED] and then an [REDACTED] right. And then we threw him in as a first [REDACTED] He was let go of during a selection process.

He had made mention that, okay, now that I have not been selected, then I'll probably position myself. And I told him flat out, you know, if that's what you feel is necessary, that is good. You have a performance review and it's an honest reflection -- which he actually, I think he wrote in his performance

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1 review that I -- that I did for him that it was most
2 honest or something to that affect performance he had
3 ever gotten. And he actually wrote it in and thanked
4 me for it. And if somebody does a good job, you tell
5 them. If somebody doesn't do a good job, you tell
6 them what they're doing good and then you tell them
7 where they need to improve and tell them how they need
8 to improve so there's no mistaking it and then help
9 them. And 99 out of a 100 times you can help people.
10 You can help anybody who wants to be helped and make
11 them succeed. It's the guys that don't want to
12 succeed, won't. And those are the ones -- those are
13 your battles.

14 [REDACTED] was somebody that wanted to
15 succeed.

16 SPECIAL AGENT NEFF: Now, did this
17 situation, and that example is a little different than
18 yours. You had a concern and somebody took that to
19 mean that you were positioning yourself in the time of
20 the reorg.

21 [REDACTED] Yes.

22 SPECIAL AGENT NEFF: His is a little
23 different in that it was based on performance
24 appraisals that may or not have been adequate during
25 this reorganization.

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[REDACTED] Right.

SPECIAL AGENT NEFF: But in terms of what this [REDACTED] was saying, I'm just looking at had you heard of that? And had you heard of anybody else having a concern where it was treated in that way?

[REDACTED] No. No. That's why I was -- I was really surprised.

SPECIAL AGENT NEFF: Okay. With [REDACTED] reaction?

[REDACTED] Yes, ma'am.

SPECIAL AGENT NEFF: Now, we're talking about your -- this contributed to your leaving. You're thinking the fact that [REDACTED] the level one and that you pushed on the recirc pump issue, what makes you connect those two issues to your leaving?

[REDACTED] Because I was not a team player because I didn't believe that the recirc pump was being addressed correctly, that I didn't think that corrective actions outlined in a route one were effective, and I made that statement. I made that statement to [REDACTED] a couple of people that do we have in effect a corrective actions, [REDACTED] the notification that says that we do these corrective actions in a route one are ineffective, because we're not going to follow them or amend it.

1 MR. BARBER: Did they tell you that that
2 in someway effected their decision to select you or
3 not select you for the position you bid for?

4 [REDACTED] Oh, yes.

5 MR. BARBER: Was there something either
6 direct or indirect in their actions or their words
7 that said, you know, you're out the door or, you know,
8 you're hurting your chances to be selected? I mean,
9 they did say anything overtly in response to that?

10 [REDACTED] No, nothing overtly or
11 inadvertently. Much less interaction.

12 MR. BARBER: Okay.

13 [REDACTED] Avoidance. Not getting
14 invited to the critical meetings.

15 MR. BARBER: So they distanced themselves
16 from you?

17 [REDACTED] Yes.

18 MR. BARBER: That would be your opinion of
19 that?

20 [REDACTED] Yes.

21 MR. BARBER: Was there any other
22 indications, you know, that kind of by the QA person
23 we understand that that person made that comment and
24 it didn't appear to be well founded, but was there
25 anything else that you either heard through other

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1 channels, either through coworkers or anything like
2 that, that said as a result of you raising this issue,
3 as a result of you raising this -- [REDACTED] this
4 significance level one notification you're not going
5 to be selected for your position? Was there anything
6 like that?

7 [REDACTED] It was communicated to me
8 that I needed to be more of a team player and I need
9 to do more sitting down with those people and getting
10 them to buy into me, to be more proactive in my
11 approach on those issues.

12 MR. BARBER: Okay. How did you take that
13 comment? Was that -- when that was made at the time,
14 and you're the only one that can really answer this,
15 I mean, did you view that as something constructive or
16 did you view it as kind of a warning?

17 [REDACTED] I -- I immediately viewed
18 it as a warning.

19 MR. BARBER: Was it intended to be
20 constructive or was it really intended to be a warning
21 in your view?

22 [REDACTED] Oh, it was intended to be
23 a warning.

24 MR. BARBER: Okay.

25 SPECIAL AGENT NEFF: And when was that

1 comment made in relation to when you lost your
2 position there?

3 [REDACTED] Into the start of the
4 reorg, so that was -- right at the beginning.

5 SPECIAL AGENT NEFF: So what's the month
6 for that?

7 [REDACTED] June/July time frame.

8 SPECIAL AGENT NEFF: Same time frame as
9 [REDACTED] level one, right?

10 [REDACTED] Yes.

11 SPECIAL AGENT NEFF: And who said that to
12 you, [REDACTED]

13 [REDACTED] (phonetic).

14 SPECIAL AGENT NEFF: Okay. Was your
15 position eliminated in the reorg?

16 [REDACTED] No.

17 SPECIAL AGENT NEFF: Somebody holds it
18 now?

19 [REDACTED] Yes.

20 SPECIAL AGENT NEFF: Did they keep the
21 team players?

22 [REDACTED] Yes, ma'am.

23 SPECIAL AGENT NEFF: Did they keep anybody
24 who would compare to you in terms of raising issues?
25 Did others like you lose their job; put it that way?

1 [REDACTED] Yes.

2 SPECIAL AGENT NEFF: Were there others
3 like you who noted the concerns or pushed issues? I
4 mean, in your position and what --

5 [REDACTED] Yes.

6 SPECIAL AGENT NEFF: Okay. And do they
7 still hold their jobs?

8 [REDACTED] No.

9 SPECIAL AGENT NEFF: Who would those
10 people be, [REDACTED]

11 [REDACTED] Either demoted or gone?
12 [REDACTED]

13 SPECIAL AGENT NEFF: He's still there,
14 right, but demoted then?

15 [REDACTED] Yes.

16 SPECIAL AGENT NEFF: Okay. Who is in your
17 position?

18 [REDACTED] [REDACTED]
19 (phonetic).

20 SPECIAL AGENT NEFF: Okay. Anybody else
21 you said who is demoted or gone who also raised
22 concerns?

23 [REDACTED] Oh, a whole -- I'm --
24 [REDACTED]

25 SPECIAL AGENT NEFF: Demoted or gone?

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[REDACTED] Gone.

SPECIAL AGENT NEFF: [REDACTED]

[REDACTED]

MR. BARBER: Now the way you described it, though, it sounded like the reason that he was let go had to do with the number of moves he had made and his opportunity to just gain experience in his positions. Because he -- at least the way I took it was you described him as having maybe more experience with chemistry --

[REDACTED] Yes.

MR. BARBER: And then he got moved into the administrative job, and then he got moved into maintenance. You wrote him a fair appraisal, but it probably wasn't as good as somebody that had more experience.

[REDACTED] Right.

MR. BARBER: But based on that, that he was let go. But there was also the moves involved that put him in that position?

[REDACTED] Yes. And the moves that -- that -- what led up to it was the selection process was by another superintendent that did not like him because [REDACTED] stood up to him and challenged him.

SPECIAL AGENT NEFF: Who was that

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[REDACTED]

[REDACTED] (phonetic).

SPECIAL AGENT NEFF: Okay. We talked about him before.

[REDACTED] Oh, oh, oh, I'm surprise you don't have a revolving door with his name all over it, with people, which I actually think you do. But--

SPECIAL AGENT NEFF: If I remember, you put him into the category of you saw some improvements. We talked about [REDACTED] leaving the site and you were saying that in essence that was a good thing, but that there's this old boy syndrome there. And part of that old boy syndrome that you would have concerns with is [REDACTED] and [REDACTED]

[REDACTED]

[REDACTED] Yes.

SPECIAL AGENT NEFF: They were part of it?

[REDACTED] Yes [REDACTED] in there, too.

SPECIAL AGENT NEFF: [REDACTED]

[REDACTED]

[REDACTED] Right. Yes. The other part over -- and you got their counterparts at Hope Creek.

SPECIAL AGENT NEFF: Same positions at

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1 Hope Creek?

2 [REDACTED] Yes.

3 SPECIAL AGENT NEFF: Okay. Who are the
4 names on that side?

5 [REDACTED] [REDACTED]
6 [REDACTED]

7 SPECIAL AGENT NEFF: Whose the last one?

8 [REDACTED]

9 SPECIAL AGENT NEFF: [REDACTED]

10 [REDACTED] Yes.

11 SPECIAL AGENT NEFF: I'm not getting the
12 spelling for that.

13 [REDACTED]

14 SPECIAL AGENT NEFF: Oh, [REDACTED] Okay.

15 And I'm not sure that this is part of the record when
16 we last recorded, your concerns about the old -- whose
17 part of the old boy syndrome is primarily what?

18 [REDACTED] They will inhibit the
19 culture change required and promote the -- or
20 adversely prompt the chilled environment.

21 SPECIAL AGENT NEFF: And examples of the
22 behaviors that contribute to your opinion on that is
23 what?

24 [REDACTED] Not writing the
25 notifications, not addressing the process. Just work

1 it.

2 SPECIAL AGENT NEFF: The situation you
3 described we touched on the other day, and you had
4 indicated to me that you're not making a
5 discrimination complaint to the NRC at this time. Is
6 that still the case?

7 [REDACTED] I need to reconsider
8 that.

9 SPECIAL AGENT NEFF: That's something you
10 want to thank about?

11 [REDACTED] Yes, it is.

12 SPECIAL AGENT NEFF: Okay. Okay. And I
13 let you know earlier about the time frames that apply
14 with DOL, right?

15 [REDACTED] Yes, ma'am.

16 MR. BARBER: How about any further
17 thoughts on whether or not you want to make a
18 technical allegation?

19 [REDACTED] Yes.

20 MR. BARBER: Or an allegation on the
21 technical issues?

22 [REDACTED] Yes, I do.

23 SPECIAL AGENT NEFF: More specifically, I
24 guess, how you want to be considered on that, do you
25 want to be considered a third party as part of this

1 ongoing safety conscientious work environment inquiry
2 or would you like to be identified as an alleger on
3 these issues on sets that you get, separate
4 correspondence to you in terms of what the NRC finds?

5 [REDACTED] please.

6 SPECIAL AGENT NEFF: You want to be deemed
7 an [REDACTED]

8 [REDACTED] That's correct.

9 SPECIAL AGENT NEFF: Okay. All right.

10 Now, we still have an whole area, and
11 unfortunately Scott has a meeting he has to leave for.
12 So let me get into this with you.

13 Obviously, we're going to have some follow
14 up on your decision regarding the discrimination
15 decision?

16 [REDACTED] Yes.

17 SPECIAL AGENT NEFF: Okay.

18 MR. BARBER: And just for the record, we
19 need to make sure, we may want to get the name -- you
20 know, we have his name. We need the phone number and
21 address. Maybe we can get it off the tape. But I
22 don't want --

23 SPECIAL AGENT NEFF: We have that. We have
24 it.

25 MR. BARBER: Okay. And then the other

1 thing is, just to try to summarize. I want to make
2 sure that we have the big picture issues that you
3 think are technical issues. And let me just try and
4 briefly summarize those. And if I mischaracterize
5 them, just kind of set me straight.

6 I think the one is the way the B recirc
7 pump was addressed and the way that was handled, and
8 whether or not additional work is needed and what the
9 time frame is. That's kind of one big issue, is that
10 correct?

11 [REDACTED] Yes.

12 MR. BARBER: Okay. The other one, which
13 was the one that we discussed earlier on, it was on
14 Tuesday, had to do with the relief valves, the safety
15 valves. Permanent relief valves for -- you said there
16 was problems with the way -- that the work was closed
17 prematurely because the as left testing was done prior
18 to closing out the work packages?

19 [REDACTED] Correct.

20 MR. BARBER: Now from a regulatory
21 perspective we would primarily be concerned with
22 safety related systems, but we may end of if we do a
23 review of that, we may end up looking at nonsafety.
24 But that would be our focus in that area?

25 [REDACTED] That's correct.

1 MR. BARBER: Okay. So that would be like
2 a second major area.

3 And then the third area, I'm not sure how
4 we would go after it, but the last one we talked about
5 the sort of on-line maintenance work control process,
6 how things were managed. You know, the way that
7 notifications were put into work orders that, you
8 know, there was an overload condition, that they
9 weren't adequately planned and things of that nature.
10 And I would imagine a lot of that would be provided --
11 the level of detail would be in that level one
12 notification [REDACTED], is that correct?

13 [REDACTED] That's correct.

14 SPECIAL AGENT NEFF: Okay. So those were
15 like three major issues. Is that a kind of a
16 summation of what we have thus far or have I missed
17 something?

18 [REDACTED] Your summation is
19 accurate. I'd like to add this. That if I'm getting
20 the level ones, even the level twos and I gave you an
21 example of the root cause that was done on the Bravo
22 recirc pump, and I gave you an example of the work
23 control, it's strictly my opinion but I am of a strong
24 opinion that the correction actions within the
25 organizational -- at the organizational level are

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1 ineffective, thereby misleading and thereby adding to
2 the human performance and the chilling effect that
3 you're seeing.

4 MR. BARBER: Okay. Is that a technical
5 concern or a work environment concerns? Because I
6 think we're --

7 [REDACTED] I would lead and give you
8 evidence of both.

9 MR. BARBER: Okay.

10 [REDACTED] In that case, because if
11 it's corrective actions you can't have -- have one
12 without the other.

13 MR. BARBER: Okay.

14 [REDACTED], And if you've got a
15 technical concern and it's not being addressed or it
16 was addressed and not followed through and the
17 organization either programmatically failed to
18 recognize that by dropping -- or dropping it in that
19 section, or up front recognizing that they're going to
20 go parallel paths, and do something different without
21 updating or changing their program, or whether a route
22 one, then I submit respectfully that the equipment or
23 the people, they're going to fail. They have to both
24 marry.

25 MR. BARBER: Okay. All right. So you

1 would kind of put that on your report in separate
2 headings?

3 [REDACTED] Yes.

4 MR. BARBER: Okay. I think we got that.

5 [REDACTED] But I would put it under
6 both categories, though.

7 MR. BARBER: Okay. Okay.

8 [REDACTED] I think if you start
9 looking at the -- you know, if it's over in bypass
10 valves.

11 MR. BARBER: Okay.

12 [REDACTED] You know, if there was a
13 route one done on that, tell me where the organization
14 played into that one and was there a monetary effect?
15 Was there input like there is unseen on this B recirc
16 pump? Is there commonalities there?

17 MR. BARBER: Okay.

18 SPECIAL AGENT NEFF: [REDACTED]

19 [REDACTED] Yes, ma'am.

20 SPECIAL AGENT NEFF: There was another
21 category that we touched on but we didn't develop the
22 last time we talked on the 27th. And that category
23 had to do with people hesitating. I think the word is
24 they're afraid to identify tagging issues and human
25 performance issues.

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1 [REDACTED]: Yes, ma'am.

2 SPECIAL AGENT NEFF: Examples of that
3 would be what?

4 You have to leave? Excuse me one second,

5 [REDACTED]

6 MR. BARBER: Yes. [REDACTED] thanks for your
7 time today. I have to excuse myself. I have to leave
8 and prepare for another meeting I have at 3:00. But
9 I think we've covered the majority of technical
10 issues. And if there's something additional, I'm sure
11 Eileen can brief on it.

12 SPECIAL AGENT NEFF: Well, it'll come out
13 in the transcript.

14 MR. BARBER: But I feel pretty comfortable
15 with what I've heard.

16 [REDACTED]: All right.

17 MR. BARBER: That I understand what your
18 concerns are.

19 So thank you for your time. And Eileen
20 will finish up.

21 [REDACTED]: Thank you for your time.

22 SPECIAL AGENT NEFF: Okay. Okay, [REDACTED]

23 [REDACTED]: Rather than me giving
24 examples --

25 SPECIAL AGENT NEFF: All right.

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1 [REDACTED] -- I'll -- I used to tell
2 my folks I'd give them gifts, a gift of feedback. And
3 I'll give you this: If you talk to [REDACTED]

4 SPECIAL AGENT NEFF: Okay.

5 [REDACTED] If you talk to [REDACTED]
6 [REDACTED] If you talk to [REDACTED] who are chiefs.
7 Forget the supervisors.

8 SPECIAL AGENT NEFF: Was that [REDACTED]
9 did you say?

10 [REDACTED] Yes, ma'am.

11 SPECIAL AGENT NEFF: [REDACTED] Okay.

12 [REDACTED] Let them answer.

13 SPECIAL AGENT NEFF: That would be in
14 terms of afraid to identify tagging issues or human
15 performance issues?

16 [REDACTED] Yes, ma'am.

17 SPECIAL AGENT NEFF: Is that what you're
18 saying for both?

19 [REDACTED] Yes, ma'am.

20 SPECIAL AGENT NEFF: Okay. Does that mean
21 that you didn't see that firsthand? This is stuff
22 that you heard about after?

23 [REDACTED] No, ma'am. I saw it
24 firsthand.

25 SPECIAL AGENT NEFF: Oh, okay. What kind

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1 of things would people not -- what kind of issues
2 would they not identify as a tagging issue?

3 [REDACTED] They wouldn't identify
4 whether or not the work package was tied to the tags
5 for the equipment.

6 SPECIAL AGENT NEFF: Okay. So what we
7 talk the -- what led to [REDACTED] level one?

8 [REDACTED] Yes.

9 SPECIAL AGENT NEFF: Okay. Whether or not
10 the work packages were tied to the --

11 [REDACTED] Tagging.

12 SPECIAL AGENT NEFF: -- tagging.

13 [REDACTED] Whether or not they're SO
14 approved, whether the right configuration was in the
15 field. And -- and --

16 SPECIAL AGENT NEFF: Okay. Configuration
17 issues?

18 [REDACTED] And whether or not -- if
19 we bring up something, we're going to get in trouble.
20 And that's all that ever happens. It doesn't get
21 fixed, but somebody just gets in trouble.

22 SPECIAL AGENT NEFF: The mindset?

23 [REDACTED] Yes, ma'am.

24 SPECIAL AGENT NEFF: If we bring it up.
25 And you're saying I'll hear that from these three

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1 individuals?

2 [REDACTED] Yes, ma'am.

3 SPECIAL AGENT NEFF: What about
4 documentation of anything? I mean, I realize that's
5 kind of a twist that you're saying that they were
6 afraid to identify these tagging issues. To your
7 knowledge, is there anything that would be documented
8 regarding this?

9 [REDACTED] Yes, ma'am. They'll give
10 you some --

11 SPECIAL AGENT NEFF: Some notifications do
12 exist?

13 [REDACTED] Yes, ma'am.

14 SPECIAL AGENT NEFF: Were these
15 notifications they generated?

16 [REDACTED] Yes, ma'am.

17 SPECIAL AGENT NEFF: Okay. Okay. So the
18 feeling there was -- I think you said if you bring it
19 up they'll get in trouble but it won't get fixed?

20 [REDACTED] Right. I had heard about
21 some during the outage and I sat down with [REDACTED]

22 [REDACTED] And we had a long talk, him and I. I
23 promised him nothing would happen, but I also promised
24 him that he wouldn't be able to stand himself if he
25 sat across from the table like I was doing to him

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1 right now and he was looking at somebody's wife and
2 two or three kids and he had to say, because I was
3 afraid somebody was going to get into trouble, I
4 didn't do or say anything to fix it. And when I
5 didn't do that, that's why your husband died.

6 SPECIAL AGENT NEFF: So as I understand it
7 then, the human performance issue would be somebody's
8 error. So that would be the someone who gets in
9 trouble, but the issue wouldn't be fix at the same
10 time. So that the tagging issue would be a human
11 performance error as well?

12 [REDACTED] Yes, ma'am.

13 SPECIAL AGENT NEFF: Okay. So those are
14 two separate issues that they're afraid to raise and
15 they kind of go hand-in-hand?

16 [REDACTED] Yes, ma'am.

17 SPECIAL AGENT NEFF: Okay. All right.
18 Just so I understood you there. But you're thinking
19 these three people could give us some clarity on --
20 specific on that?

21 [REDACTED]: Yes, ma'am.

22 SPECIAL AGENT NEFF: Okay. Anything else,

23 [REDACTED]

24 [REDACTED] No.

25 SPECIAL AGENT NEFF: Okay. One other

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1 thing I'd like to ask you. On the 27th before we
2 conducted the interview, I placed you under oath. Did
3 you proceed with this part of the interview under the
4 assumption that you were still under oath?

5 [REDACTED] With my whole heart.

6 SPECIAL AGENT NEFF: Okay. So there's --

7 [REDACTED] Yes.

8 SPECIAL AGENT NEFF: All right. The
9 information that you just provided today is still to
10 the best of your knowledge, the truth and the whole
11 truth and nothing but the truth?

12 [REDACTED] So help me God.

13 SPECIAL AGENT NEFF: Okay. You know what
14 I would like to do is, we took your -- I know I have
15 your home phone number as [REDACTED]

16 [REDACTED] Right.

17 SPECIAL AGENT NEFF: And your home address
18 you provided on the 27th as well. But, you know what?
19 I might as well take it now because we're going to
20 provide this with additional information for the
21 allegation process.

22 [REDACTED]: Yes, ma'am.

23 SPECIAL AGENT NEFF: Okay.

24 [REDACTED] --

25 SPECIAL AGENT NEFF: [REDACTED] --

[REDACTED]

2 SPECIAL AGENT NEFF: [REDACTED]

3 [REDACTED] Okay.

4 [REDACTED]

5 [REDACTED]

6 SPECIAL AGENT NEFF: [REDACTED]

7 [REDACTED] Yes, ma'am.

8 SPECIAL AGENT NEFF: Okay. The allegation
9 coordinator, the senior allegation coordinator's name
10 is Dave Vedo (phonetic).

11 [REDACTED] Okay.

12 SPECIAL AGENT NEFF: More than likely, he
13 has a staff of another two people or so, but more than
14 likely it would be Dave Vedo with follow up on this
15 issue that you would be hearing from. Just so you
16 recognize the name.

17 [REDACTED] Okay.

18 SPECIAL AGENT NEFF: At this point, do we
19 have anything further to add from information that you
20 would like to have added to the record, either
21 something we haven't asked, some issue that you think
22 is important that we -- you know, draw our attention
23 to?

24 [REDACTED] Nothing I can think of.

25 SPECIAL AGENT NEFF: Okay. I just have a

1 couple of standard questions for you.

2 Has anyone from the NRC, any NRC
3 representative offered you any promises of reward or
4 threatened you in any manner in exchange for your
5 information?

6 [REDACTED] No.

7 SPECIAL AGENT NEFF: Have you provided
8 this information freely and voluntarily?

9 [REDACTED] Yes, I have.

10 SPECIAL AGENT NEFF: Okay. At this point
11 what I'm going to do is go off the record. It is
12 approximately 3:03 p.m.

13 And I thank you for this large portion of
14 your time.

15 [REDACTED] You're welcome.

16 (Whereupon, the interview was concluded at
17 3:03 p.m.)

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This is to certify that the attached proceedings
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in the matter of:

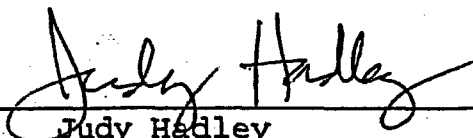
Name of Proceeding: Interview of

~~XXXXXXXXXX~~

Docket Number: 1-2003-051F

Location: telephone interview

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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