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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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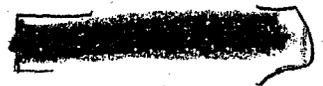
OFFICE OF INVESTIGATIONS

INTERVIEW

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IN THE MATTER OF: :

INTERVIEW OF : Case No.



: 1-2003-051F

(CLOSED) 7C:

-----x

Thursday, January 15, 2004

Salem Hope Creek Resident's
Office

The above-entitled interview was conducted
at 1:13 p.m.

BEFORE:

Special Agent EILEEN NEFF

Senior Project Engineer SCOTT BARBER

P R O C E E D I N G S

(1:13 p.m.)

1
2
3 SPECIAL AGENT NEFF: Today's date is
4 January 15, 2004. The time is approximately 1:13 p.m.
5 Speaking is Special Agent Eileen Neff, U.S. NRC Region
6 I, Office of Investigations.

7 Also present from Region I Division of
8 Reactor Projects is Senior Project Engineer Scott
9 Barber.

10 What follows will be an interview with

11 [REDACTED]
12 [REDACTED] That is correct.

13 SPECIAL AGENT NEFF: -- who is currently
14 employed as a [REDACTED] at Hope Creek.
15 The subject matter of this interview pertains to the
16 safety conscious work environment. [REDACTED] has been
17 advised that he is not the subject of any
18 investigation.

19 And I also should add that this interview 7C
20 is taking place at the Resident's Office at Salem and
21 Hope Creek.

22 Before I go any further, I'd like to place
23 you under oath. Okay, if you would raise your right
24 hand.

25 Do you swear that the testimony that you

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1 are about to provide is the truth, the whole truth,
2 and nothing but the truth so help you God?

3 [REDACTED] I do.

4 SPECIAL AGENT NEFF: Okay. What I would
5 like to do is ask you to give some identifying
6 information for the record. Your date of birth and
7 social security number please?

8 [REDACTED]
9 SPECIAL AGENT NEFF: Okay, and your home
10 address?

11 [REDACTED]
12 [REDACTED]

13 SPECIAL AGENT NEFF: Thank you.
14 Education, a summary of your education please?

15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]

20 SPECIAL AGENT NEFF: Okay. And when did
21 you start here?

22 [REDACTED]
23 SPECIAL AGENT NEFF: As an [REDACTED]

24 [REDACTED]
25 SPECIAL AGENT NEFF: And when did you

TC

1 start the licensing training?

2 [REDACTED]

3 SPECIAL AGENT NEFF: Okay. So you were
4 licensed what? About a year and one-half or so later?

5 [REDACTED] Actually about three years
6 later. [REDACTED]

7 SPECIAL AGENT NEFF: [REDACTED]
8 [REDACTED]

9 [REDACTED] That's correct.

10 SPECIAL AGENT NEFF: Okay. Let's talk
11 about the shifts that you've been working on and
12 supervised by.

13 Who have been your shift -- as an [REDACTED] who
14 have been your [REDACTED] I guess on the Hope
15 Creek side, we're calling them --

16 [REDACTED]

17 SPECIAL AGENT NEFF: -- it's [REDACTED] right?

18 [REDACTED] -- [REDACTED] they're all
19 the same position.

20 SPECIAL AGENT NEFF: [REDACTED]

21 [REDACTED] That would be -- I think I
22 started off with [REDACTED] (phonetic). Then I had
23 [REDACTED] (phonetic). And now I have [REDACTED]

24 SPECIAL AGENT NEFF: Who did you have for
25 the longest period of time? TK

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[REDACTED]
SPECIAL AGENT NEFF: Okay. And currently
it's [REDACTED]

[REDACTED] That's correct.

SPECIAL AGENT NEFF: How long now?

[REDACTED] A week.

SPECIAL AGENT NEFF: Oh, that's the
recent switch around.

[REDACTED] Shifts shuffle, yes.

SPECIAL AGENT NEFF: Is your shift still -
- are you B?

[REDACTED] Yes.

SPECIAL AGENT NEFF: Okay. And how long
did you work with [REDACTED] then? So 2001, at some
point until --

[REDACTED] Until 2002, I guess. He was
only there for about a year I guess, somewhere around
there.

SPECIAL AGENT NEFF: About a year? Okay.
A year before he was promoted?

[REDACTED] Yes.

SPECIAL AGENT NEFF: Okay, so the bulk of
it is --

(Whereupon, the foregoing
matter went off the record at

1 1:15 p.m. and went back on the
2 record at 1:18 p.m.)

3 SPECIAL AGENT NEFF: Okay, we're back on
4 the record. It's approximately 1:18 p.m. I just
5 wanted to do a check of the tape. We seem to have had
6 a break in a tape over there.

7 But basically what you were saying was the
8 bulk of your experience as an [REDACTED] has been
9 supervised by [REDACTED] since approximately 2002?
10 [REDACTED]. That's correct.

11 SPECIAL AGENT NEFF: Until about a week
12 ago it changed and it became [REDACTED] Okay.

13 What I'd like to do is ask you in general
14 -- and this is, again, it's about the very broad topic
15 of the safety conscious work environment in that you
16 can consider as part of that people's ability to raise
17 concerns, how those concerns are handled, what are
18 people's comfort levels with doing that.

19 All the way up through and including
20 decision making in terms of production on site.

21 And what I'd like to do is probably go
22 with concern raising, okay? And we'll talk about what
23 you've observed. And let's go back to -- let's go
24 from 2001 forward, from the time you've been an [REDACTED]

25 You've been onsite since [REDACTED] right?

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[REDACTED] Yes.

SPECIAL AGENT NEFF: Okay, let's go back all the way. And we'll just say have you noticed any changes in the work environment in that time frame? And if so, where have you noticed any changes?

[REDACTED] All right. You have to be more specific on what you mean by --

SPECIAL AGENT NEFF: How about in terms of raising concerns.

[REDACTED] Raising concerns?

SPECIAL AGENT NEFF: Let's take you personally?

[REDACTED] I've never had a problem raising a concern. From [REDACTED] until now, I can raise a concern at any time.

SPECIAL AGENT NEFF: Have you ever had hesitancy or reason to hesitate prior to raising a concern?

[REDACTED] I can honestly say that the only thing that would make me not raise a concern is if I thought they ain't going to do anything about it anyhow. Other than that, no, I have no concerns about raising a concern. TC

SPECIAL AGENT NEFF: So just in terms of how effective it would be -- how effectively it would

1 be addressed is what you would --

2 [REDACTED] That's the only thing I could
3 see where anybody would say, you know, all right, I've
4 told them, that's enough.

5 SPECIAL AGENT NEFF: All right. What
6 about examples of that? What are the kinds of things
7 you've had to raise in the past?

8 [REDACTED] I mean I don't know. Bravo
9 Diesel, now that's more of a industrial safety issue.

10 But it was handled very poorly. And
11 people just kept raising their concern and they
12 continued to raise their concern until they forced
13 them to do it anyhow.

14 SR. PROJECT ENGINEER BARBER: What was the
15 issue?

16 [REDACTED] We had a CO leak in a diesel
17 room.

18 SR. PROJECT ENGINEER BARBER: Carbon
19 monoxide?

20 [REDACTED] Yes.

21 SR. PROJECT ENGINEER BARBER: Okay.

22 SPECIAL AGENT NEFF: What's the time frame
23 for this?

24 [REDACTED]: This was last year. And we
25 dropped one guy. He came out and threw up, fell down.

1 And before the guy got to the hospital, they started
2 running it again.

3 And then we had another guy, they ran the
4 diesel again a couple of weeks later, this is when
5 they had a problem with one of the -- I believe the
6 fuel injector -- made us run it again.

7 But anyhow, ran it again, one of the
8 supervisors was down there observing it. When he got
9 home, he called in. He goes, "Man, I don't know
10 what's wrong, but I passed out driving in my car."

11 He goes, "I've never fallen asleep at the
12 wheel before. But all of a sudden I woke up and I'm
13 going down the road and my hands are in my lap like
14 this."

15 Could you attribute it to the diesel? He
16 certainly did when he called in.

17 Later on, you know, I don't know what
18 happened. It wasn't such a big concern.

19 SPECIAL AGENT NEFF: How do you mean it
20 wasn't such a big concern? On whose part?

21 [REDACTED] Well, they're like, "Well, you
22 don't know that that's what made him pass out or, you
23 know, he" --

24 SPECIAL AGENT NEFF: Okay.

25 [REDACTED] -- "could have been just

1 tired. He's working nights. Blah, blah, blah."

2 SPECIAL AGENT NEFF: What about the fellow
3 who got sick? Who is --

4 [REDACTED] They took him to the hospital.
5 They treated them. And sent him back. And he was
6 fine.

7 SR. PROJECT ENGINEER BARBER: What kind of
8 treatment?

9 [REDACTED] I don't know.

10 SR. PROJECT ENGINEER BARBER: But I mean
11 he was -- was he -- okay, but was there some
12 diagnosis or something that said yes, you've been
13 exposed to carbon monoxide?

14 [REDACTED] I don't think you can. I
15 don't know if you can.

16 SR. PROJECT ENGINEER BARBER: Okay, well
17 I didn't know. I mean that's why I was asking.

18 [REDACTED] I don't know. I know nothing
19 on that.

20 SR. PROJECT ENGINEER BARBER: Okay.

21 [REDACTED] But then they wanted to run it
22 again. I was like, "Look, you've just dropped two
23 people. What are you doing?"

24 "Run it in scuba." 7C

25 "No, that's not safe. I'm walking around

1 in a scuba suit to run a diesel."

2 SPECIAL AGENT NEFF: Had that ever been
3 suggested before?

4 [REDACTED] No. "Well, we deemed it safe.
5 And if you don't do it, you are insubordinate."

6 SPECIAL AGENT NEFF: Where is it coming
7 from?

8 [REDACTED] That came from [REDACTED]

9 SPECIAL AGENT NEFF: [REDACTED] wanted
10 you to run it in the --

11 [REDACTED] Scuba.

12 SPECIAL AGENT NEFF: -- self-contained
13 breathing apparatus is what we're talking about?

14 [REDACTED] That's correct.

15 SPECIAL AGENT NEFF: Did you hear that?
16 Were you present for that? Or how did you hear that?

17 [REDACTED] That was what came out of the
18 meeting. [REDACTED] told that right to [REDACTED]
19 (phonetic). "We deemed this safe. And if you don't
20 run it, we're deeming you insubordinate."

21 SPECIAL AGENT NEFF: Safe with scuba gear?

22 [REDACTED] Yes, right.

23 SPECIAL AGENT NEFF: Did he tell you --

24 SR. PROJECT ENGINEER BARBER: Were you
25 actually at the meeting and heard this --

1 [REDACTED] I just heard now.

2 SR. PROJECT ENGINEER BARBER: Oh, I'm
3 sorry. I missed that.

4 [REDACTED] It was from [REDACTED]
5 [REDACTED]

6 SR. PROJECT ENGINEER BARBER: I see.
7 Okay.

8 [REDACTED] But that was -- "and you will
9 run it in scuba." Ran safe -- we didn't want to fix
10 the diesel. We didn't want to take the time, don't
11 want to over the LCO time. And then we found out, oh
12 no, you won't run over. You can actually fix it
13 within 36 hours.

14 So you're not going to overrun your LCO
15 time. But the only reason we found out it wasn't
16 going to exceed the LCO time was they were looking at
17 the outage that was coming up and saying, "Oh, well we
18 can't fit it in the schedule."

19 Oh, but we could fix the diesel in 36
20 hours. Well why the hell didn't you fix it three
21 weeks ago then when you were dropping people? Because
22 it was production.

23 SPECIAL AGENT NEFF: What exactly would
24 they have had to do to fix it?

25 [REDACTED] Shut down.

1 SPECIAL AGENT NEFF: It would have been
2 the power go off line?

3 [REDACTED]: Well, in their interpretation,
4 if it exceeded past the 72 hours, you have to shut
5 down.

6 SPECIAL AGENT NEFF: Yes, you have the
7 window there.

8 [REDACTED]: Right. So they didn't want to
9 take that chance so, hey, we're cheaper than shutting
10 down, so --

11 SPECIAL AGENT NEFF: So to be accurate
12 here, how long of a delay did they cause in this
13 decision to repair it? How long were you waiting for
14 this to --

15 [REDACTED]: Months.

16 SPECIAL AGENT NEFF: -- when it was
17 obvious to you that it should have been repaired --

18 [REDACTED]: Months.

19 SPECIAL AGENT NEFF: Months?

20 [REDACTED]: Yes.

21 SPECIAL AGENT NEFF: Were there more than
22 two people who were made sick in that time frame?

23 [REDACTED]: There were many people
24 complaining about sore eyes, sore throat, and --

25 SPECIAL AGENT NEFF: Documented

1 complaints?

2 [REDACTED] Documented complaints. We had
3 safety meetings and everything else, screaming up and
4 down. But, hey, "We deem it safe."

5 SPECIAL AGENT NEFF: But -- and was this -

6 -

7 [REDACTED] And we are monitoring for CO
8 and we are not seeing any CO levels in the room.

9 SPECIAL AGENT NEFF: Were those complaints
10 -- the sore eyes and the sore throats, were those
11 complaints and the length of time that those
12 complaints had been existing, was that brought to the
13 attention of [REDACTED]

14 [REDACTED] I would know at all what [REDACTED]

15 [REDACTED] But yes, I'm pretty sure it was.

16 SPECIAL AGENT NEFF: Do you think at the
17 time he recommended wearing the scuba gear he had a
18 full understanding --

19 [REDACTED] Yes.

20 SPECIAL AGENT NEFF: -- of the problem
21 there?

22 [REDACTED] Yes.

23 SPECIAL AGENT NEFF: Now why would you say
24 that? How do you base that?

25 [REDACTED]: From most of the decisions I

1 saw come out of [REDACTED] mouth.

2 SPECIAL AGENT NEFF: Okay.

3 [REDACTED]: I had no faith in him.

4 SPECIAL AGENT NEFF: Okay. What goes into
5 that? What other decisions do you cite?

6 [REDACTED]: SAP implementation, some of
7 the decisions I saw on maintenance. ([REDACTED]) was
8 well aware and it was well documented what was going
9 on with the Bravo diesel.

10 SPECIAL AGENT NEFF: Okay.

11 [REDACTED]: Our management was well aware.
12 I had supervisors looking at me going, "I don't want
13 to run this. I don't believe we're going to run this
14 again."

15 SPECIAL AGENT NEFF: Run it with the scuba
16 gear?

17 [REDACTED]: Yes. "Find a reason for me
18 not to run it."

19 SPECIAL AGENT NEFF: And what happened?

20 [REDACTED]: We ran it again. Ran it in
21 scuba.

22 SPECIAL AGENT NEFF: With the gear?

23 [REDACTED]: Yes.

24 SPECIAL AGENT NEFF: For how long?

25 [REDACTED]: For another one-hour run.

1 SPECIAL AGENT NEFF: And then it was --

2 SR. PROJECT ENGINEER BARBER: Does the
3 operator have to be in there the entire time for that?

4 [REDACTED] No.

5 SR. PROJECT ENGINEER BARBER: Just
6 periodically?

7 [REDACTED] Yes.

8 SR. PROJECT ENGINEER BARBER: And was
9 there ever a situation where someone was asked to go
10 in there that wasn't qualified with the gear, with the
11 SCVA? Did that ever come up to your knowledge?

12 [REDACTED] I believe we're all qualified,
13 we're all certified to wear the scuba. Now had we
14 ever worn it before for real? No.

15 SR. PROJECT ENGINEER BARBER: Okay. Did
16 anybody express any concerns with -- I mean I've heard
17 --

18 [REDACTED] Fundamentally what happened
19 was, [REDACTED] (phonetic) told them that he would be
20 comfortable wearing a scuba because he had had to wear
21 one previously. Not for running the diesel. But that
22 was one of the things they were all trained on being
23 the fire protection guys when they first got hired
24 here.

25 SR. PROJECT ENGINEER BARBER: Okay.

1 [REDACTED] So they were -- he was more
2 adept.

3 SR. PROJECT ENGINEER BARBER: Okay.

4 [REDACTED] And he said he would be
5 comfortable wearing a scuba.

6 SR. PROJECT ENGINEER BARBER: Okay.

7 [REDACTED] Well, they stretched that into
8 hey, the union is okay with it. It's like, "No, that
9 ain't what we said."

10 But by that time, this shift had left, the
11 next shift comes in, and they tell them the story,
12 "oh, yes, well the union is okay with it."

13 They don't know, "What do you mean, it's
14 okay with them?"

15 "It's not okay." But they were made to
16 run it.

17 SPECIAL AGENT NEFF: When you say they,
18 where is that coming from? Where was your shift
19 manager on this issue?

20 [REDACTED] Shift manager at the time, I
21 know that my direct supervisor, the [REDACTED]
22 [REDACTED] didn't want to run it.

23 SPECIAL AGENT NEFF: Who was that?

24 [REDACTED] (phonetic). He
25 wasn't comfortable running it. I know a lot of people

1 were not comfortable but were following orders.

2 SPECIAL AGENT NEFF: Do you know where
3 your shift manager fell on that?

4 [REDACTED] No. I don't.

5 SR. PROJECT ENGINEER BARBER: What shift
6 were you on at that time?

7 [REDACTED] Bravo.

8 SR. PROJECT ENGINEER BARBER: Okay.

9 SPECIAL AGENT NEFF: Under [REDACTED]
10 2002? I guess it could have been [REDACTED].

11 [REDACTED] Yes it could have been.

12 SPECIAL AGENT NEFF: No, I'm sorry. This
13 is 2003. So it was [REDACTED] right?

14 [REDACTED] I think it was [REDACTED].

15 SPECIAL AGENT NEFF: But you're not sure
16 what he position was on it?

17 [REDACTED] No.

18 SPECIAL AGENT NEFF: Okay. But up to the
19 CRS level, they weren't comfortable with doing that?

20 [REDACTED] No, I don't think anybody --
21 no.

22 SPECIAL AGENT NEFF: So at this point,
23 after it has been suggested to wear the scuba gear, it
24 was run one more time after for about an hour?

25 [REDACTED] Yes.

1 SPECIAL AGENT NEFF: And they ran it with
2 the gear on?

3 [REDACTED] Yes.

4 SPECIAL AGENT NEFF: Any more incidents?
5 Any more sicknesses?

6 [REDACTED] No, because right after that,
7 they realized they could fix it and they fixed it.

8 SPECIAL AGENT NEFF: In that 36-hour time
9 frame?

10 [REDACTED] Yes.

11 SR. PROJECT ENGINEER BARBER: Now in 36
12 hours, normally aren't the diesel LCOs 72 hours?

13 [REDACTED]: Right.

14 SR. PROJECT ENGINEER BARBER: So was there
15 some target that you had to like plan it for like half
16 the LCO length? Is that where that comes from?

17 [REDACTED] I don't know. No, it was
18 planned for 36 hours.

19 SR. PROJECT ENGINEER BARBER: Okay. I
20 just wondered if there was something there --

21 [REDACTED] But before that, it was said
22 that they couldn't get it in within the 72-hour
23 window. 7C

24 SR. PROJECT ENGINEER BARBER: Oh, I see.
25 Okay.

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1 [REDACTED] So it would have been, "Hey,
2 you're going to shut down."

3 SR. PROJECT ENGINEER BARBER: Okay.

4 SPECIAL AGENT NEFF: What changed that?
5 The timing?

6 [REDACTED]: The outage. They were
7 planning the outage. And the outage window was less
8 than 72 hours for the thing. And somebody looked at
9 it and said, "Well, can't we fix this in less than
10 that?"

11 And, "Oh yes, sure."

12 SPECIAL AGENT NEFF: So then they didn't
13 have to plan it?

14 [REDACTED]: Then they said, "Oh, well if
15 we can fix it then, I guess we can fix it now."

16 SPECIAL AGENT NEFF: Okay, do you follow
17 that okay?

18 SR. PROJECT ENGINEER BARBER: I do. I
19 guess I still have a few questions. You may not know
20 the answers but one thing that is kind of interesting
21 about that is it sounds like at least the people that
22 were planning the outage work to fix the problem knew
23 that the work could be done within --

24 [REDACTED]: They didn't at first.

25 SR. PROJECT ENGINEER BARBER: Okay.

1 [REDACTED] They didn't at first. And
2 then they did some looking into it and said, "Yes, you
3 can."

4 SR. PROJECT ENGINEER BARBER: Okay. So
5 they knew -- did they know where the leak was?

6 [REDACTED]: Oh, yes. We knew where the
7 leaks were.

8 SR. PROJECT ENGINEER BARBER: So it was
9 just a matter of trying to find out what kind of
10 replacement parts, that type of thing --

11 [REDACTED] Yes.

12 SR. PROJECT ENGINEER BARBER: -- and how
13 long was it going to take --

14 [REDACTED] And how much disassembly --

15 SR. PROJECT ENGINEER BARBER: Okay.

16 [REDACTED]: -- you had to do to actually
17 put the headers back on.

18 SR. PROJECT ENGINEER BARBER: Okay, okay.

19 SPECIAL AGENT NEFF: Have you had similar
20 problems with this diesel or any other one in -- since
21 then?

22 [REDACTED] We do have CO leaks on some of
23 the diesels. Now we do more -- we more closely
24 monitor. We make the guys wear a CO monitor when they
25 go in rooms.

7C

1 SPECIAL AGENT NEFF: Okay. So the problem
2 hasn't gotten to the extent that it did --

3 [REDACTED] No.

4 SPECIAL AGENT NEFF: -- in 2003?

5 [REDACTED] Bravo was bad.

6 SPECIAL AGENT NEFF: Okay. Now you'd
7 mentioned [REDACTED] as somebody whose -- some of
8 the decisions that you questioned. And you said SAP
9 was part of that?

10 [REDACTED] Yes.

11 SPECIAL AGENT NEFF: And you threw out
12 another one, too.

13 [REDACTED] No, you just --

14 SR. PROJECT ENGINEER BARBER: You said
15 maintenance.

16 [REDACTED] Maintenance --

17 SPECIAL AGENT NEFF: Maintenance, I see.

18 [REDACTED] -- yes, you see --

19 SPECIAL AGENT NEFF: He was [REDACTED]
20 [REDACTED] for a while.

21 [REDACTED] Yes, and as soon as he did, it
22 seemed like their performance went straight down.

23 SPECIAL AGENT NEFF: And how so? How do
24 you measure that?

25 [REDACTED] Rework. It seemed like there

1 was a lot more rework than what we were used to?

2 SPECIAL AGENT NEFF: What would cause
3 that?

4 [REDACTED] I don't know.

5 SPECIAL AGENT NEFF: Rework on the same
6 issues?

7 [REDACTED] On the same issue, you know,
8 you get it fixed and you get it back. And now it
9 busts again.

10 SPECIAL AGENT NEFF: Was there anything
11 that you observed that was being done differently
12 under [REDACTED] than before?

13 [REDACTED] Not specifics, no.

14 SPECIAL AGENT NEFF: But you noticed --

15 [REDACTED] It was my impressions -- yes.

16 SPECIAL AGENT NEFF: -- there was a lot of
17 reworks at that point?

18 [REDACTED] Yes.

19 SPECIAL AGENT NEFF: What about now?

20 [REDACTED] It's hard to say. These guys
21 just got an opportunity. And I've been rather
22 impressed by the way they handle themselves.

23 SPECIAL AGENT NEFF: Well, we're talking
24 without names but are you talking about [REDACTED]

25 [REDACTED]

1 [REDACTED] No.

2 SPECIAL AGENT NEFF: Or somebody else?

3 [REDACTED] They're not really -- their
4 impact I wouldn't see as much as I would see our new
5 plant manager -- what is his name now -- what is his
6 name --

7 SPECIAL AGENT NEFF: Who replaced -- you
8 mean the [REDACTED]

9 SR. PROJECT ENGINEER BARBER: [REDACTED]

10 [REDACTED]

11 SR. PROJECT ENGINEER BARBER: The new [REDACTED]

12 [REDACTED]

13 [REDACTED] Yes. He is. Yes, he's
14 impressed me so far.

15 SPECIAL AGENT NEFF: As?

16 [REDACTED] He seems to -- I got the very
17 real impression that in the [REDACTED] years, it was
18 more an impression of run it until it breaks and
19 somebody shuts you down. And I get the impression out
20 of [REDACTED] it's broke, let's fix it. TC

21 I mean he walked into the Control Room and
22 looked at 13 LPRNs bypassed and went, "What is that?"

23 "I don't know. It's been like that for a
24 while."

25 SPECIAL AGENT NEFF: What did he say?

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1 [REDACTED] "Well, no it ain't." And he
2 started getting them fixed.

3 SPECIAL AGENT NEFF: More proactive in
4 fixing --

5 [REDACTED] Absolutely.

6 SPECIAL AGENT NEFF: -- the equipment?

7 [REDACTED] Absolutely.

8 SPECIAL AGENT NEFF: How would it be that
9 he could be effective at that and not [REDACTED]

10 [REDACTED] Because I don't think he
11 wanted to be. It's cheaper to run. It's easy to run.
12 "Hey, I'll explain why it broke later." I don't think
13 he was very proactive at it.

14 SPECIAL AGENT NEFF: You're looking at
15 cost effectiveness?

16 [REDACTED] Oh, yes, production over all
17 else.

18 SR. PROJECT ENGINEER BARBER: Were there
19 any other examples of that? You mentioned maintenance
20 kind of in a general way. You mentioned SAP.

21 SPECIAL AGENT NEFF: SAP. How does that -

22 -

23 [REDACTED] SAP implementation was the
24 worst thing I ever saw at this place. It was just
25 unsafe. It was ridiculous. It wasn't ready.

1 SPECIAL AGENT NEFF: SAP is pretty broadly
2 applied on the site so where specifically?

3 [REDACTED] Right. But it ran our tagging
4 through SAP. SPECIAL AGENT NEFF: Okay.

5 [REDACTED] We dropped TRIS, went to SAP,
6 and it was just implemented so poorly that the only
7 reason we didn't hurt somebody through the first
8 outage with SAP was strictly on the back of the COs
9 and the NEOs coming back all the time saying, "This
10 isn't right. This is wrong. Why did SAP swap these
11 numbers around?"

12 "Oh, because it's programmed to do that."

13 And we implemented it so poorly that we
14 were just -- the only reason we didn't hurt somebody
15 was pure luck.

16 SPECIAL AGENT NEFF: Well, it sounds like
17 you were on top of it, too. This is --

18 [REDACTED] The COs --

19 SPECIAL AGENT NEFF: -- work clearance
20 model, right?

21 [REDACTED] -- and the NEOs, right -- were
22 way -- I think we were all pretty much very alert at
23 the time to say, "All right, we know that SAP isn't
24 built for this. So there is going to be some problems
25 with it."

1 So they were very vigilant at making sure
2 everything was right when it hit because SAP wasn't
3 ready for --

4 SPECIAL AGENT NEFF: When you said --
5 [REDACTED] -- and I personally told [REDACTED]
6 [REDACTED] it wasn't ready.

7 SPECIAL AGENT NEFF: And what was the
8 response?

9 [REDACTED] "Well, this is my baby and
10 we're going to make SAP work."

11 SPECIAL AGENT NEFF: Is that a quote?

12 [REDACTED] That's a quote to me,
13 personally to me.

14 SPECIAL AGENT NEFF: That SAP was his baby
15 and it was going to be made to work?

16 [REDACTED] Right. "This is my baby and
17 we're going to make this work."

18 SPECIAL AGENT NEFF: Was he getting an
19 understanding of where the concerns were in terms of
20 safety, personal safety?

21 [REDACTED] It was pretty clear out of my
22 mouth. "This isn't safe. We're going to hurt
23 somebody." 7C

24 SPECIAL AGENT NEFF: Did he ever explore
25 that or have any kind of a --

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1 [REDACTED] I don't think he cared.

2 SPECIAL AGENT NEFF: What about in terms
3 of -- from what the EOs and the COs were seeing, did
4 you raise that to somebody to get that addressed and
5 fixed?

6 [REDACTED] I think we --

7 SPECIAL AGENT NEFF: I mean I understand
8 what you're saying with [REDACTED] Were you
9 getting any assistance elsewhere?

10 [REDACTED] Yes. You could turn to your
11 other -- but they were all -- we were all doing the
12 same thing. We were all trying to make it work
13 because it was the only thing we had.

14 SPECIAL AGENT NEFF: And it effected
15 everybody.

16 [REDACTED]: You took the one --

17 SPECIAL AGENT NEFF: All at once?

18 [REDACTED] -- and gave us the other. And
19 said, "Make it work. Here you go. Chuck a duck."

20 SPECIAL AGENT NEFF: How long did that go
21 on? What kind of, you know, struggle there?

22 [REDACTED] That was a struggle for a
23 little while. That was -- I think we got through most
24 of the hurdles. 7C

25 I mean when you implement anything there

1 is going to be new challenges. I just don't think it
2 was an acceptable amount of challenges we put on the
3 operating crews at that time.

4 SPECIAL AGENT NEFF: What made the
5 struggle end? Was it that you worked out the kinks?

6 [REDACTED] We worked out the kinks?

7 SPECIAL AGENT NEFF: Or did you get some
8 assistance?

9 [REDACTED] We worked out the kinks.

10 SPECIAL AGENT NEFF: You got to the end of

11 --

12 [REDACTED] And, you know, working with
13 other people, calling them up, "Hey, how do I fix
14 this? How do I straighten this out? Hey, we got a
15 problem with this. This is changing these numbers on
16 us for no apparent reason."

17 "Oh, yes, we know why that does that."

18 So you had to work through that.

19 SPECIAL AGENT NEFF: You worked through it
20 all?

21 [REDACTED] Right.

22 SR. PROJECT ENGINEER BARBER: Would you
23 say that most of the problems were fixed by the end of
24 the outage or was there still a lot of problems to be
25 sorted out?

1 [REDACTED] Many of them were fixed during
2 an outage, yes.

3 SR. PROJECT ENGINEER BARBER: Okay. I
4 mean, you know, you kind of mentioned that whenever
5 you start a new system, there are going to be
6 challenges.

7 [REDACTED] Certainly.

8 SR. PROJECT ENGINEER BARBER: Well, I mean
9 how do you judge something like that? How do you
10 judge whether, you know, a certain amount of
11 challenges is, you know, a reasonable amount? And
12 this is just way too many.

13 I mean was it a situation where every tag
14 out had a problem with it? Or was it, you know --

15 SPECIAL AGENT NEFF: We were joking it was
16 about one out of three.

17 SR. PROJECT ENGINEER BARBER: One out of
18 three?

19 [REDACTED] And that was way too many.

20 SPECIAL AGENT NEFF: Out of how many tag
21 outs overall?

22 [REDACTED] Oh, I don't know, 600.

23 SR. PROJECT ENGINEER BARBER: So maybe 200
24 may have had problems, something like that?

25 [REDACTED] There was some problem in one

1 shape or form on way too many tag outs for that
2 outage.

3 SR. PROJECT ENGINEER BARBER: Was there
4 any tagging events that were traceable back to the SAP
5 implementation during the outage?

6 [REDACTED] I don't know how many they've
7 got documented. Most of the time -- I would figure
8 most of the time people just fixed them. If you --
9 "Hey, I found this problem with this tag out."

10 "All right. I'll go back and fix it.
11 Hold on."

12 SPECIAL AGENT NEFF: Otherwise, there
13 might be a notification written?

14 [REDACTED] Maybe. I wouldn't doubt if
15 you found some notifications on SAP especially from
16 the first outage you hit.

17 SPECIAL AGENT NEFF: Well, this was rolled
18 out in mid to late 1999, right?

19 [REDACTED] I would figure.

20 SPECIAL AGENT NEFF: So then I think it
21 hit the outage in the first part of 2000, RF09?

22 [REDACTED] That sounds familiar. That
23 seems right. 7C

24 SPECIAL AGENT NEFF: How about since that
25 time when -- did you iron it out mostly during that

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1 outage? Or --

2 [REDACTED] During that outage.

3 SPECIAL AGENT NEFF: -- or were you
4 dealing with this for a long time after?

5 [REDACTED] Like I said, most of the kinks
6 were fixed in one shape, form, or another, in that
7 outage. I mean there's still -- there's always going
8 to be SAP challenges. It's not really built for that.

9 SPECIAL AGENT NEFF: We're hearing a bit
10 that it's awkward to deal with, difficult to get
11 results from --

12 [REDACTED] Yes.

13 SPECIAL AGENT NEFF: -- difficult actions
14 to track all the way through it.

15 [REDACTED] Yes.

16 SPECIAL AGENT NEFF: But in terms of the
17 work clearance module where you have potential effect
18 on both personnel safety and configuration control --

19 [REDACTED] Yes.

20 SPECIAL AGENT NEFF: -- are you seeing
21 issues with it there since that time frame?

22 [REDACTED] Not that many any more. I
23 think we solved most of the problems. Remember at the
24 time, we were the first place to actually get the
25 thing to work.

1 SPECIAL AGENT NEFF: The first plant that
2 it was applied in, right?

3 [REDACTED] Yes. To get it to work. I
4 mean we went to -- I think it was Peach Bottom I
5 visited. And they went with the new TRIS Plus instead
6 of SAP --

7 SPECIAL AGENT NEFF: Yes.

8 [REDACTED] -- because I was talking to
9 the guy. I'm like, "Hey, that looks like our" --
10 And he's like, "Oh, yes, this is the new
11 TRIS."

12 SPECIAL AGENT NEFF: Enhance TRIS.

13 [REDACTED] Right. Whatever. And it's
14 like, "Oh wow," I said, "we went to SAP."

15 He's like, "Oh, we threw that crap out.
16 We couldn't make that thing work. So --"

17 SPECIAL AGENT NEFF: The -- I guess what
18 you have to wonder is how much of that problem is
19 being relayed to senior management that you were
20 having with the SAP and how much of a response were
21 you getting and help in dealing with it?

22 [REDACTED] was it.

23 SPECIAL AGENT NEFF: He was it? He was
24 your senior management at that point.

25 [REDACTED] Yes.

1 SPECIAL AGENT NEFF: And was that the only
2 position you got from him on that was, "This is my
3 baby and it's --

4 [REDACTED] "We're going to make it work."
5 That was it.

6 SR. PROJECT ENGINEER BARBER: Do you think
7 you if a number of you expressed concerns that he
8 would have been more inclined to listen? Or was it
9 just to the point where it just --

10 [REDACTED] Now I don't want it to sound
11 like I really have a hard spot for [REDACTED] I just
12 don't think he did a very good job. I really just
13 don't. And no, I don't think if he had his mind set
14 he would listen. No, I don't.

15 I saw maintenance arguing about that group
16 he brought in. I don't even remember what the heck
17 the name of those guys were. But he brought in his
18 own little maintenance group.

19 And everybody was complaining about them.
20 I don't know why. They were saying they weren't that
21 good.

22 They were arrogant. They were this. They
23 were that. I don't know. But they were complaining
24 about them. And he -- that was his baby. He was
25 going to stick with them.

1 Now I don't know the whole deal about it.
2 But I know that he --

3 SR. PROJECT ENGINEER BARBER: Did you ever
4 get the impression, you know, you said he did talk to
5 you directly on that one item. Did you ever get the
6 impression in anything he said that he was getting
7 pressure from above --

8 [REDACTED] No.

9 SR. PROJECT ENGINEER BARBER: -- or from -
10 -

11 [REDACTED] No.

12 SR. PROJECT ENGINEER BARBER: -- anywhere
13 in the company --

14 [REDACTED] No.

15 SR. PROJECT ENGINEER BARBER: -- that yes,
16 we have to implement this, you know --

17 [REDACTED] No.

18 SR. PROJECT ENGINEER BARBER: -- we've
19 been told that --

20 [REDACTED] No, as a matter of fact, I got
21 more of the impression that it was something he wanted
22 to make work. -

23 SR. PROJECT ENGINEER BARBER: Like a
24 feather in his cap kind of thing?

25 [REDACTED] Yes. That was definitely the

1 impression I got was this is what I want. And I'm
2 going to make it work.

3 SPECIAL AGENT NEFF: Did he give you
4 reasons for that? I mean did he say --

5 [REDACTED] No.

6 SPECIAL AGENT NEFF: -- that it had
7 positives to it that just hadn't been applied yet?

8 [REDACTED] No. As a matter of fact, I
9 told him SAP has some neat tools in it. And it has
10 some serious advantages in it. But the way it's being
11 implemented is bad.

12 This chuck and duck, hey, go ahead and see
13 if you can make that work. I'll be over here when
14 you're done. It was not the way to be doing it.

15 It was definitely -- we weren't trained
16 properly. We didn't have the proper systems. We
17 didn't have the proper safeguards where we said okay,
18 when a tag out comes out, it's ready for you to go to
19 the field and do it. Instead it was --

20 SR. PROJECT ENGINEER BARBER: Was there
21 any attempt --

22 [REDACTED] We were not very comfortable
23 with it. 7C

24 SR. PROJECT ENGINEER BARBER: Was there
25 any attempt to -- because it was a new system and it

1 was challenging to implement as you described it to
2 try and provide extra help from the company -- either
3 from SAP or from within the company like technical
4 experts either on shift or who were readily available
5 so that if you ran into a problem, you could get
6 something fixed right away?

7 [REDACTED] We had one guy at Hope Creek
8 who was more like a contact. And that was [REDACTED]
9 It was like, "Yes, hey, I'm having a SAP problem
10 here." 7C

11 And he would call around and figure out
12 what was going on. Or you could call Information
13 Services, you know, IT and, "Hey, what am I seeing
14 here?"

15 I still have problems with it. I mean the
16 other day I had a problem. I'm sitting there and I
17 had my menu set up for writing tag outs, you know, I'm
18 thinking, write the tag out, boom, zipper it to that,
19 boom, do this, right?

20 I go home one day and I'm like my menus
21 are gone. I call up IT. I'm like, "Hey, why is all
22 my menus gone?"

23 "Oh, SAP does that sometimes. It just
24 wipes out your menus. You've got to start again."

25 SPECIAL AGENT NEFF: Not the answer you

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1 were hoping for.

2 [REDACTED] That was the answer I got.
3 I'm like what? "Yes, sometimes when it reconfigures,
4 it just says okay, that's it. Your menus are gone.
5 And you start again."

6 SPECIAL AGENT NEFF: The first time you
7 ran into that was just the other day though?

8 [REDACTED] Yes, it was I guess like two
9 weeks ago, three weeks ago. I'm like, "Oh."

10 SPECIAL AGENT NEFF: How about in terms of
11 raising concerns, this is one. I mean it sounds like
12 it was a pretty big issue. And you took it directly
13 to [REDACTED] So apparently you were comfortable at
14 that point in doing that?

15 [REDACTED] Right. As I've said, I never
16 had a problem raising a concern.

17 SPECIAL AGENT NEFF: How about after? Did
18 you feel any adverse effects after you raised the
19 concern?

20 [REDACTED] No.

21 SPECIAL AGENT NEFF: How about anybody
22 else? Were other people raising concerns at that
23 point in time --

24 [REDACTED] Sure.

25 SPECIAL AGENT NEFF: -- about the system? 7C

1 [REDACTED] Yes.

2 SPECIAL AGENT NEFF: Did you hear or
3 witness any retaliation for somebody saying, look,
4 this isn't working. It isn't being implemented
5 correctly and it's causing problems?

6 [REDACTED] Not first hand. No.

7 SR. PROJECT ENGINEER BARBER: Well, would
8 they have ever discussed it with you secondhand where
9 they said hey, you know, remember some of the problems
10 I had? Well, I mentioned to this person. And as a
11 result of that, this happened to me? Was there any of
12 that going on?

13 [REDACTED] No, no.

14 SR. PROJECT ENGINEER BARBER: Okay.

15 SPECIAL AGENT NEFF: Rumors?

16 [REDACTED] No. Not really.

17 SPECIAL AGENT NEFF: You say not
18 firsthand. But what did you hear indirectly?

19 [REDACTED] I maybe might have heard once
20 or twice, you know, the same response that I got when
21 I raised it. "Hey, we're going to make this work."

22 SPECIAL AGENT NEFF: Involving [REDACTED]

23 [REDACTED]

24 [REDACTED] Oh, yes.

25 SPECIAL AGENT NEFF: Or somebody else? 70

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[REDACTED]
SR. PROJECT ENGINEER BARBER: So would
some of your peers, other [REDACTED] -

SPECIAL AGENT NEFF: Or people in
different positions --

SR. PROJECT ENGINEER BARBER: -- saying --

[REDACTED]: Different positions.

SR. PROJECT ENGINEER BARBER: Okay.

SPECIAL AGENT NEFF: At what level?

[REDACTED]: It would have been an [REDACTED]

SPECIAL AGENT NEFF: Who was that?

[REDACTED]

SPECIAL AGENT NEFF: You think he raised
the issues and it went to [REDACTED] and got the same
response?

[REDACTED]: Yes.

SPECIAL AGENT NEFF: Did anybody -- did
this have -- does that have an effect on the
individuals at your level and at the [REDACTED] level in terms
of raising concerns to [REDACTED] or anybody at the
senior management level?

[REDACTED]: gone.

SPECIAL AGENT NEFF: Understood. But at
that point in time, and for that issue, did the
concerns that had to get raised get raised? Or did

1 that response have an effect on that? Did you see it
2 have an effect in terms of people raising concerns
3 about the SAP?

4 [REDACTED] About SAP? I think you could
5 still raise the concern. I know I would. But your
6 expectation for results might be a little lower.

7 SPECIAL AGENT NEFF: Okay. What about for
8 other issues?

9 [REDACTED] For other issues?

10 SPECIAL AGENT NEFF: Did you see that kind
11 of response have an effect on raising issues?

12 [REDACTED] Let's just say maybe not SAP
13 but the diesel had big effects.

14 SPECIAL AGENT NEFF: What we were talking
15 about before?

16 [REDACTED]: Yes.

17 SPECIAL AGENT NEFF: Run it and run it in
18 scuba gear?

19 [REDACTED] Yes.

20 SPECIAL AGENT NEFF: And in what way?
21 What kind of an effect did you see on that?

22 [REDACTED] There were a lot of pissed off
23 people.

24 SPECIAL AGENT NEFF: Yes.

25 [REDACTED] There was a lot of pissed off

1 people. People don't -- I don't think so much the
2 raising the concerning issue but the cooperation and
3 the teamwork aspect just falls apart.

4 SPECIAL AGENT NEFF: What do they take
5 away from that? What are you hearing?

6 [REDACTED] Well, what I'm hearing is just
7 pure fact. You ain't looking out for my safety? I'm
8 not going to give you 100 percent. You know what I'm
9 saying? If you're not looking out for me, I'm not
10 looking out for you.

11 SPECIAL AGENT NEFF: It's pretty negative
12 all the way around then?

13 [REDACTED] Oh, it was.

14 SPECIAL AGENT NEFF: The end result.

15 [REDACTED]: It was. For a period of time
16 after that, it was borderline hostile on shift.

17 SPECIAL AGENT NEFF: Did you see some
18 improvement after a period of time?

19 [REDACTED]: I'm starting to see
20 improvement now.

21 SPECIAL AGENT NEFF: Okay. What does that
22 got to do with?

23 [REDACTED] I believe that has to do a lot
24 with [REDACTED] 7C

25 SPECIAL AGENT NEFF: Okay. New

1 management?

2 [REDACTED] New management. I think a lot
3 has to do with [REDACTED] I mean --

4 SPECIAL AGENT NEFF: [REDACTED]

5 [REDACTED]

6 [REDACTED] Yes.

7 SPECIAL AGENT NEFF: What did you think of
8 [REDACTED] in terms of supporting safety-related issues?

9 [REDACTED] I don't know if he was -- I
10 don't know if he was a strong leader.

11 SPECIAL AGENT NEFF: Did you see him have
12 some amount of control over the decision making?

13 [REDACTED] I'd say I saw him get run over
14 more than -- he was a strong guy at one time. But I
15 just don't think -- I don't think people stood up to
16 [REDACTED] I don't know why.

17 SPECIAL AGENT NEFF: Is that who was
18 running [REDACTED] over?

19 [REDACTED]: I'm pretty sure. I know he
20 did on one occasion on me.

21 SPECIAL AGENT NEFF: And what was that?

22 [REDACTED] I'm sure you've heard about
23 it. It's the IPTE, the reactivity incident last
24 March.

25 SPECIAL AGENT NEFF: March? I heard about

1 the incident. I don't know so much about your role.
2 And I don't think Scott does either. Can we hear it
3 from your point of view?

4 [REDACTED] Yes, [REDACTED] made a decision.
5 He didn't know what he was talking about. And I got
6 thrown in the penalty box.

7 SPECIAL AGENT NEFF: That's pretty
8 succinct. Can we get some more detail?

9 [REDACTED]: Bottom line.

10 SPECIAL AGENT NEFF: Can we get a little
11 more detail on that?

12 [REDACTED] I'm sure you guys have heard
13 all about by now. There was an IPTE. Then the crew
14 that was doing the IPTE trained on it the night
15 before. The next day they briefed it.

16 Well, I'm the [REDACTED] that day.
17 I'm told, "on, we're going to brief you separately.
18 There's an IPTE going on. You're going to get a
19 separate brief."

20 SPECIAL AGENT NEFF: From who? Who told
21 you?

22 [REDACTED] From my shift supervisor.

23 SPECIAL AGENT NEFF: Okay, so that's [REDACTED]

24 [REDACTED]

25 [REDACTED] No, [REDACTED] I was actually

1 working with another shift at that time.

2 SPECIAL AGENT NEFF: And who was that?

3 [REDACTED] And that would have been [REDACTED]

4 [REDACTED]

5 SPECIAL AGENT NEFF: Okay.

6 [REDACTED] Okay, so there is an IPTE

7 going on. Well, what it was we were shutting down

8 because there was a bolt stuck in the bypass valve.

9 And it wouldn't allow it to go closed. So we were

10 shutting down.

11 Well, with the bypass stuck closed, I'm

12 sure you understand, then hey, once I shut down, I'm

13 going to start depressurizing and I ain't going to

14 stop depressurizing until I close the MSIVs. Okay?

15 So IPTE was established to commence this.

16 So my brief was, [REDACTED] you are going to need to

17 monitor level, monitor power. This guy's going to be

18 controlling level. And this guy's going to be

19 bringing down pressure, okay?

20 "In this instance, your power could go up 7C

21 and you need to be ready to range up on the IRMs."

22 You know, that makes sense, you know. I got one guy

23 messing with level. I got one guy messing with

24 pressure. I'm in the IRM ranges here.

25 SPECIAL AGENT NEFF: Who gave you the

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1 briefing?

2

3 [REDACTED] Okay? So, okay. It's all reasonable to me,
4 okay? So no problem. These guys start bringing down
5 pressure. He's bringing down the pressure, get a
6 level perturbation, power comes up.

7 Does a little ranging up. Goes from --
8 the final charts I think said 6-1/2 to 13, 13-1/2.
9 Well, I'm ranging up on the IRMs and as soon as I see
10 -- well I see power going up and I'm like, "Hey, you
11 guys got to stop. You're giving me a power spike
12 here. I'm seeing the power increase.

13 "I'm calling off my levels. I'm ranging
14 up on the IRMs." I had to range four IRMs one range
15 up. And the others I didn't even move. Okay?

16 So I've stopped the evolution. I've
17 returned the plant back to its pre-transient level in
18 accordance with my abnormal and my alarm response
19 followed by my procedures. Now there was problems
20 with the IPTE. And the guy on pressure crossed the
21 pressure jack in a pressure set. So there was
22 problems with the IPTE and the execution of it.

23 So the next day, the guy running levels --

24 SR. PROJECT ENGINEER BARBER: When did
25 this happen?

1 [REDACTED] March time frame.

2 SR. PROJECT ENGINEER BARBER: Was this
3 like on a weekend or during the week or what?

4 [REDACTED] I don't know. It might have
5 been a weekend because -- no, I think it was -- I
6 don't know. I really don't remember what day it was.

7 SR. PROJECT ENGINEER BARBER: Okay.

8 [REDACTED] So the next day, the guy
9 running level, the guy running pressure, the CRS, and
10 the OS are in what we call the penalty box. You're
11 delimited. You go out to training and you sit out
12 there and get beat on for a couple of days.

13 Well, it gets explained to me by the Ops
14 manager at the time why I'm not in the penalty box.
15 "Well, [REDACTED] you weren't part of the IPTE. Your
16 actions were in accordance with all the procedures and
17 you're not part of this problem."

18 Okay. A couple of days later, I pull
19 plant critical --

20 SPECIAL AGENT NEFF: Who was --

21 [REDACTED]

22 SR. PROJECT ENGINEER BARBER: Okay. He
23 gave you the explanation that you weren't part of the
24 problem.

25 [REDACTED] I wasn't part of the problem.

1 He assessed my situation. And didn't feel I needed to
2 go to the penalty box. Go out and be delimited.
3 Okay.

4 So these guys go out. I pull plant
5 critical. The next day, "Hey [REDACTED] You need not come
6 to work tomorrow. You're in the penalty box."

7 "For what? For who?"

8 "Well, you should have taken both shows
9 through shutdown."

10 "For what?"

11 "Because the IPTE said to."

12 "Well, I wasn't part of the IPTE."

13 "Well, yes you were."

14 "Well, no I wasn't. I wasn't in the
15 training. I wasn't in the brief. How am I subject to
16 what is in the IPTE?"

17 Well you're the [REDACTED]."

18 SPECIAL AGENT NEFF: Is this [REDACTED]
19 again?

20 [REDACTED] Well, actually it was many
21 people in line. Well, I came -- well, I finally came
22 to the conclusion was [REDACTED] looked
23 at the actions taken and said, "Okay, yes, we have a
24 problem with the IPTE. We have a problem because the
25 IPTE said any reactivity addition must switch to shut

1 down."

2 But nobody on the crew knew it said that.
3 The RO who would have taken them wasn't even included
4 in it. Wasn't included in the training the night
5 before.

6 So they dealt with that situation. But
7 they hadn't told [REDACTED]

8 SPECIAL AGENT NEFF: That you had been
9 excluded?

10 [REDACTED] That the extent of the
11 transient. So when [REDACTED] saw in the thing hey
12 we had a power excursion here. Well, then it became
13 a big bashing. And INPO was called in to do an
14 evaluation. And everything.

15 Three weeks later, I walk away. I still
16 don't know why I should have taken both switches to
17 shutdown. I hate to say it but the APRMs SCRAM set
18 points 15, a conservative number is 14. We never got
19 to 14. So there's nothing driving me to take the
20 other switch there.

21 SPECIAL AGENT NEFF: But they're saying
22 that other people --

23 [REDACTED] The IPTE --

24 SPECIAL AGENT NEFF: -- who weren't a part
25 of it, the IPTE trained to do differently. What was

1 the level?

2 [REDACTED] Didn't train to do it
3 differently. They never knew it was in there.

4 SPECIAL AGENT NEFF: Oh, they didn't even
5 mention it to the people that you didn't train with?

6 [REDACTED] Yes.

7 SPECIAL AGENT NEFF: So all three people
8 who were handling controls, the other two and you,
9 nobody knew?

10 [REDACTED] Nobody knew.

11 SPECIAL AGENT NEFF: Per the IPTE?

12 [REDACTED] Per the IPTE that determined -

13 -

14 SPECIAL AGENT NEFF: Who was responsible
15 for briefing everybody here?

16 [REDACTED] Exactly -- why didn't any --
17 why didn't the person that wrote the IPTE, the manager
18 of it, the oversight of it, none of those people got
19 delimited and sent to the penalty box. I did. Why?

20 SPECIAL AGENT NEFF: Do you know that for
21 sure? I mean --

22 [REDACTED] Yes, I was in the penalty box.
23 We were all in the penalty box together.

24 SPECIAL AGENT NEFF: Oh, I see, I see. TC

25 SR. PROJECT ENGINEER BARBER: Didn't you

1 say --

2 SR. PROJECT ENGINEER BARBER: Would
3 another manager be in the penalty box?

4 [REDACTED] There would have been two or
5 three other people in the penalty box. The person who
6 approved it. The person that managed it.

7 SPECIAL AGENT NEFF: Right, right.

8 [REDACTED] All these people in accordance
9 with the procedure that had to prove this procedure to
10 say it was good to go.

11 SPECIAL AGENT NEFF: So you would have
12 been made aware had they been penalized for doing
13 this?

14 [REDACTED] Well, I -- let's put it this
15 way, if they included the [REDACTED] in the brief for the
16 training, which would have been me or [REDACTED]
17 (phonetic), whoever would have been playing [REDACTED] at the
18 time, and said, "Hey, you know, we're going to be
19 doing this, we're going to be doing this."

20 "Hey, what's the termination criteria?
21 How much power am I expecting to see?"

22 SPECIAL AGENT NEFF: Yes.

23 [REDACTED] "Oh, termination criteria is
24 any reactivity." It probably would have been, you
25 know, that is not very reasonable. I'm in the IRM

1 ranges here. He's messing with pressure. And he's
2 messing with level. You're going to see power move.

3 SR. PROJECT ENGINEER BARBER: Wasn't --
4 didn't you say earlier that [REDACTED]
5 [REDACTED] were "put in the penalty box"?

6 [REDACTED] Yes.

7 SR. PROJECT ENGINEER BARBER: Well,
8 weren't they responsible for doing the IPTE brief?

9 [REDACTED] Not by procedure. They're
10 part of the crew. They can't give the brief.

11 SR. PROJECT ENGINEER BARBER: Oh, the OS
12 can't do that?

13 [REDACTED] No, actually if you read the
14 procedure, somebody above the OS must give that?

15 SR. PROJECT ENGINEER BARBER: Above or --

16 [REDACTED] Above.

17 SR. PROJECT ENGINEER BARBER: -- outside
18 the organization?

19 [REDACTED] Above them.

20 SR. PROJECT ENGINEER BARBER: Okay.

21 [REDACTED] Somebody above them had to be
22 involved. Well, we had a manager -- let's see -- if
23 they threw the people that really deserved to be in
24 the penalty box or if they wanted to stop what was
25 actually truly the problem, it shouldn't have been the

1 three guys in the front. It should have been the four
2 guys in the back room going, "Whew, couldn't have
3 taken a SCRAM there."

4 But we were the easiest people to blame.
5 Have you ever seen -- as a matter of fact, I got three
6 weeks of that. You see the little blocks we have on
7 the way in, you know, hell is execution and -- I came
8 away from that going, "Yes, that's a block of deferral
9 of blame."

10 "Oh, it's not my fault. It had to be the
11 guy in the middle."

12 SPECIAL AGENT NEFF: How was it above
13 [REDACTED] then that should have done that briefing?

14 [REDACTED]
15 [REDACTED] I don't know. By the procedures, it's pretty
16 hard to find somebody above the OS that should have
17 been giving the briefing or should have been in
18 control of that procedure.

19 SR. PROJECT ENGINEER BARBER: Is that way
20 its typically done though? I mean I've seen a number
21 of --

22 [REDACTED] For IPTEs, yes. That's the
23 way it is supposed to be.

24 SR. PROJECT ENGINEER BARBER: Okay.

25 [REDACTED]: Are we doing it like that?

1 You know, I think since our little incident, I think
2 there's been more of a highlighted, whoa, how should
3 we be -- are we doing IPTEs right.

4 Here's the part that really --

5 SR. PROJECT ENGINEER BARBER: Isn't there
6 something in the briefing that requires you to read
7 all the precautions limitations to the group? I mean
8 as a part of the briefing?

9 [REDACTED] Oh, yes.

10 SR. PROJECT ENGINEER BARBER: And I would
11 assume that --

12 [REDACTED]: But that wasn't precautions
13 limitations. That's termination criteria.

14 SR. PROJECT ENGINEER BARBER: Oh, so that
15 wasn't --

16 [REDACTED] It's not precaution --

17 SR. PROJECT ENGINEER BARBER: -- it wasn't
18 covered in -- was it -- I guess --

19 [REDACTED] Let's say one guy that says he
20 mentioned that, nobody else heard it.

21 (Whereupon, the foregoing ⁷⁰
22 matter went off the record
23 briefly and went back on the
24 record at 2:01 p.m.)

25 SPECIAL AGENT NEFF: It's approximately

1 2:01 p.m. And you were talking about how the briefing
2 was conducted. Just that last statement.

3 [REDACTED] The last statement is one
4 person did say they mentioned that the termination
5 criteria was any reactivity addition must switch to
6 shutdown. Nobody else associated with the IPTE knew
7 that it existed period.

8 SR. PROJECT ENGINEER BARBER: So whatever
9 that -- whoever that individual was said I did say it
10 but no one could remember it?

11 [REDACTED] Right.

12 SR. PROJECT ENGINEER BARBER: So it made
13 his or her statement suspect.

14 [REDACTED] I don't know if it's suspect.
15 I wasn't involved. I don't know if he said it or not
16 because I wasn't there.

17 SPECIAL AGENT NEFF: Just before we got on
18 to that you said here's something that --

19 [REDACTED] That really fried my bacon?

20 SPECIAL AGENT NEFF: Right. What was
21 that?

22 [REDACTED] A couple of weeks later, after
23 I get out of the penalty box, I get relimited or
24 whatever it is called. We have another IPTE. We go
25 through the brief.

1 Well, isn't it very similar to the last
2 IPTE I ended up in the thing. And the termination
3 criteria is any kind of reactivity addition, return
4 the reactor to pre-transient level. That is exactly
5 what I did. And I looked at the guy who threw me in
6 the penalty box. "How can you give this to me? This
7 is baloney."

8 SPECIAL AGENT NEFF: Is that [REDACTED]
9 [REDACTED] Yes. "How can you look me in
10 the eye and give me this when this is exactly what I
11 did?"

12 SPECIAL AGENT NEFF: What did he say?
13 [REDACTED] "Well, I think that is the
14 acceptable response."

15 SPECIAL AGENT NEFF: He thinks what was
16 documented in --

17 [REDACTED] That IPTE, to return the
18 reactor to pre-transient level --

19 SPECIAL AGENT NEFF: Was the acceptable --
20 [REDACTED] -- was the acceptable response
21 to a reactivity addition. Which is a -- it is the
22 right thing to do.

23 SPECIAL AGENT NEFF: Did you grieve this?
24 [REDACTED] What's to grieve? I didn't
25 get any punishment.

1 SPECIAL AGENT NEFF: Well, isn't there --
2 I mean --

3 [REDACTED] There was no negative
4 connotation with me going to the penalty box in their
5 eyes.

6 SPECIAL AGENT NEFF: That's -- in their
7 eyes, why would they call it the penalty box if it's
8 not --

9 [REDACTED] We call it the penalty box
10 because you're off shift.

11 SPECIAL AGENT NEFF: Well, I mean they --

12 [REDACTED] We call it, that's our name.

13 SPECIAL AGENT NEFF: -- the negative
14 connotation is you've been removed from shift.

15 [REDACTED] I've been removed from shift.

16 SPECIAL AGENT NEFF: And you were
17 retrained.

18 [REDACTED] Right.

19 SPECIAL AGENT NEFF: That indicates that
20 you were lacking something.

21 [REDACTED] You will never, ever get them
22 to admit that. That that's a negative connotation.
23 You just won't.

24 SR. PROJECT ENGINEER BARBER: Probably not
25 to you.

1 [REDACTED] Well, it is to me.

2 SR. PROJECT ENGINEER BARBER: They might
3 tell us that.

4 SPECIAL AGENT NEFF: There's a negative --
5 the negative connotation is you were treated
6 differently in that you were removed from your
7 regularly scheduled shift and you were returned for --
8 what kind of a period of time?

9 [REDACTED] Three weeks.

10 SR. PROJECT ENGINEER BARBER: Was there
11 any --

12 SPECIAL AGENT NEFF: So when you say
13 what's to grieve, it seems to me that there is
14 something there to grieve.

15 [REDACTED] Grieve what?

16 SPECIAL AGENT NEFF: Well, that would be
17 on your record, right? That you were --

18 [REDACTED] No, it won't be on my record.

19 SPECIAL AGENT NEFF: -- remediated?

20 [REDACTED] Because they -- I'll tell you
21 why it won't be on my record.

22 SPECIAL AGENT NEFF: Just explain that
23 because I'm a little confused on that one.

24 [REDACTED] It won't be on my record
25 because I'll tell you right now, there ain't one

1 supervisor on shift or one control room operator that
2 can tell you what I did wrong.

3 As a matter of fact, one of the reasons
4 the investigation came to a halt or let's not say a
5 halt but let's say okay, we're going to stop here,
6 we've got all the information we need is because every
7 CO when they were asking them, well, what would you
8 have done? I'd have done the same thing.

9 SPECIAL AGENT NEFF: Investigation by
10 whom?

11 [REDACTED] Well, we did our own with INPO
12 assist. You know?

13 SPECIAL AGENT NEFF: How many people all
14 altogether were remediated in the way that you were?

15 [REDACTED]
16 [REDACTED]

17 SPECIAL AGENT NEFF: He's the STA?

18 [REDACTED]
19 [REDACTED]

20 SPECIAL AGENT NEFF: [REDACTED]
21 [REDACTED] and the

22 last one?

23 [REDACTED]
24 SPECIAL AGENT NEFF: [REDACTED]

25 [REDACTED] Yes.

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1 SPECIAL AGENT NEFF: NCO?

2 [REDACTED] No, he was -- I believe he was
3 the [REDACTED]

4 SPECIAL AGENT NEFF: Okay. All right. So
5 --

6 SR. PROJECT ENGINEER BARBER: Could I ask
7 a question? I want to explore this remediation aspect
8 again. When you are taken off shift and put into
9 training, do you get some sort of -- I mean either
10 from an overtime standpoint or shift differential, if
11 you were to compare your pay for the period of time
12 had you continued with your normal work activities to
13 what you end up getting spending three weeks in
14 training, there's no difference?

15 [REDACTED] Actually, I made money. I
16 made more money.

17 SPECIAL AGENT NEFF: How so?

18 [REDACTED] Because there's penalties
19 involved in taking me off shift. There's penalties
20 included in the contract. You didn't give me
21 sufficient notice. You took me off shift. So the
22 days I stayed home that I would normally be scheduled,
23 you're going to pay me. 7C

24 And you changed my shift without proper
25 notice, you're going to pay me a penalty.

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1 SPECIAL AGENT NEFF: Okay so those are
2 built-in protections for you by the union.

3 [REDACTED] That's correct.

4 SR. PROJECT ENGINEER BARBER: Okay.

5 SPECIAL AGENT NEFF: And when I asked you
6 if you've grieved this, you looked at me like what's
7 to grieve. And maybe that's why. You had built-in
8 protections.

9 It's not a suggestion that you should
10 have. I'm trying to understand --

11 [REDACTED] No, what I'm saying is --

12 SPECIAL AGENT NEFF: -- if there was this
13 much flack around that situation --

14 [REDACTED] -- there is nothing to grieve

15 --

16 SPECIAL AGENT NEFF: -- and it was that
17 unjust in terms of the actions that were taken on
18 people who were not properly briefed, how does that
19 play out, you know? How did that get resolved? And
20 that's what I'm trying to understand.

21 [REDACTED] See, that was the thing. They
22 didn't take my bonus.

23 SPECIAL AGENT NEFF: Okay.

24 [REDACTED] They didn't take my money.

25 I'm actually getting paid more.

1 SPECIAL AGENT NEFF: It's not on file.
2 It's not a negative. It's not a black mark.

3 [REDACTED]: I haven't seen an evaluation
4 since.

5 SPECIAL AGENT NEFF: Okay.

6 [REDACTED]: But now if I see that in my
7 evaluation, now we're going to go to grievance. And
8 then it will be like if you write this in here that I
9 didn't meet whatever standard, you'd better show me
10 the standard.

11 SPECIAL AGENT NEFF: Okay.

12 SR. PROJECT ENGINEER BARBER: Do you get
13 like an appraisal of some sort or evaluation?

14 [REDACTED]: Annual, yes.

15 SR. PROJECT ENGINEER BARBER: Did you
16 already get yours for 2003?

17 [REDACTED]: No, I just said I haven't got
18 since that --

19 SR. PROJECT ENGINEER BARBER: Do you get
20 like a mid year?

21 [REDACTED]: We used to. I don't know what
22 they're doing now. I think it's just annuals anymore.
23 We used to do quarterlies. And then we did semi-
24 annuals. And I think we're down to annuals now.

25 SR. PROJECT ENGINEER BARBER: Were those -

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1 - the ones that you did when you were getting
2 quarterly and mid-year, were they written or were they
3 just verbal?

4 [REDACTED] Written.

5 SR. PROJECT ENGINEER BARBER: Okay. So
6 whatever they said you were able to read or you could
7 read it first?

8 [REDACTED]: Yes.

9 SR. PROJECT ENGINEER BARBER: Okay.

10 [REDACTED] And you were expected to sign
11 it.

12 SR. PROJECT ENGINEER BARBER: And who does
13 those for you?

14 [REDACTED]: [REDACTED]

15 [REDACTED]

16 SR. PROJECT ENGINEER BARBER: Either one?
17 Either or?

18 [REDACTED] Well, any of them --

19 SR. PROJECT ENGINEER BARBER: Okay.

20 [REDACTED]: Can do -- what it usually ends
21 up you have four Cos and say six --

22 SR. PROJECT ENGINEER BARBER: NEOs?

23 [REDACTED] NEOs. And you've got three
24 supervisors. So they split them up. These three are
25 yours. These three are yours. These four are yours.

1 There you go.

2 SR. PROJECT ENGINEER BARBER: Okay. All
3 right. So you haven't seen yours yet so you don't if
4 it's going to be in there or not?

5 [REDACTED] No.

6 SR. PROJECT ENGINEER BARBER: Do you think
7 it will be in there?

8 [REDACTED] I would not be surprised if
9 there's mention of it in it. And then we'll have a
10 discussion because personally my supervisors have
11 already expressed to me, "I don't know what you did
12 wrong. I know you went to the penalty box."

13 We were getting calls from other companies
14 because we sent it out. Boom. These guys messed up.
15 They did this. They did this. Then we get calls from
16 the other companies going, "All right we've read it.
17 What did they do wrong? We don't get it."

18 SPECIAL AGENT NEFF: Is that right?

19 [REDACTED] That's correct. We have --
20 well, one of the guys who used to work here. And he
21 called up. He's like, "Okay, I've read the whole
22 thing. What did they do wrong?"

23 And they tried to explain it to him and he
24 goes, "Okay, well what did they do wrong?"

25 But there was a problem with the IPTE

1 execution. I shouldn't have ended up in the penalty
2 box for it. But now if you read the INPO web site,
3 your [REDACTED] failed to take the mode switch in accordance
4 with our expectations. Well, I don't operate by
5 expectations. I operate by procedure. It was bad.

6 SR. PROJECT ENGINEER BARBER: But wasn't
7 it actually in the procedures and just no one was
8 aware of it? I mean --

9 [REDACTED] It was an IPTE.

10 SR. PROJECT ENGINEER BARBER: But isn't
11 that "part of the procedures" -- doesn't that, in
12 fact, become the procedure?

13 [REDACTED] That becomes the procedure
14 they are operating by. But it's like any other
15 procedure you are doing. If have an EO out in the
16 field doing some procedure and he makes a mistake and
17 he effects reactivity in some way, I still respond in
18 accordance with my procedures. Not by what he's
19 doing.

20 SR. PROJECT ENGINEER BARBER: I
21 understand.

22 [REDACTED] I should have been made aware
23 that that was in the IPTE.

24 SR. PROJECT ENGINEER BARBER: Okay.

25 [REDACTED] But since I didn't sign on the

1 IPTE, I don't know about the IPTE, I'm not responsible
2 for it.

3 SR. PROJECT ENGINEER BARBER: Should you
4 even have been on the boards that day if you didn't
5 get the appropriate briefing?

6 [REDACTED] No, I shouldn't have.

7 SR. PROJECT ENGINEER BARBER: Did you
8 raise that as an issue? Did you say, "I really
9 shouldn't even be doing this. I didn't get the
10 training. I didn't get the briefing?"

11 [REDACTED] No -- which is the only thing
12 I can actually say where maybe some of it sits in my
13 house is okay, I assumed that my supervisors, the
14 briefing they gave me with, "Hey, power is going to
15 come up a little bit on you here." Well, as a matter
16 of fact, it was, "The power is going to come up on you
17 kind of rapidly here. So you need to be ready to
18 range up on the IRMs."

19 SR. PROJECT ENGINEER BARBER: So they knew
20 that was going to happen?

21 [REDACTED] Oh, yes. But if you read the
22 INPO web site, it says unexpected power rise. You
23 can't tell me I'm going to have to range up on the
24 IRMs and call it unexpected. Okay, now to the
25 magnitude --

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1 SR. PROJECT ENGINEER BARBER: It said that
2 -- it said that in the IPTE also? It said expect the
3 power increase?

4 [REDACTED] You know what? Three weeks
5 later, I still haven't read the whole IPTE.

6 SR. PROJECT ENGINEER BARBER: Okay.

7 [REDACTED] I've got excerpts of it here.
8 This is what it said. Okay, it took me two weeks to
9 finally figure out what I did -- what the termination
10 criteria was. It was like, "Hey, hey, what did I do
11 wrong? I can't get it."

12 And it was like -- on the second week,
13 they were like, "Oh, well the IPTE said any power
14 rise, you need to" --

15 I'm like, "Well, thank you. Now I know
16 why you are saying I should have scrambled it."

17 SPECIAL AGENT NEFF: But when it came out
18 later, it says to do just what you did.

19 [REDACTED] Well, when my procedures tell
20 me to do what I did. And then when a new IPTE came
21 out, the termination criteria is changed to what I
22 did. 7C

23 SR. PROJECT ENGINEER BARBER: I guess I'm
24 a little confused. And maybe I don't understand the
25 sequence that well.

1 SPECIAL AGENT NEFF: We're as confused as
2 you are, [REDACTED]

3 [REDACTED] Oh, you have no idea. I was
4 so hostile for weeks.

5 SR. PROJECT ENGINEER BARBER: When -- the
6 way I would expect, and you can correct me where my
7 misunderstanding is is if you are doing "an IPTE",
8 let's see, what does that stand for? Infrequently
9 performed task or evolution, right?

10 [REDACTED] Infrequently performed task or
11 evolution, yes.

12 SR. PROJECT ENGINEER BARBER: The premise
13 is is because it's unusual, you don't do it that
14 often, that you do a lot more up front planning and
15 briefing --

16 [REDACTED] Yes.

17 SR. PROJECT ENGINEER BARBER: -- which I
18 would think would also entail having copies of the
19 full test or evolution with all the steps. And be in
20 a position to share them with the people that had a
21 role to play so that they, at their leisure, could
22 review that and know what things apply to them.

23 [REDACTED] All that's true.

24 SR. PROJECT ENGINEER BARBER: Okay, so was 70
25 that, in fact, do you think that happened? Whatever

1 that was either that same day or the night before when
2 it was done on the simulator?

3 [REDACTED] Well, let me see if I can make
4 this clearer. I wasn't there. I don't know. I don't
5 know what they did.

6 They all were pretty much -- they all --
7 from what I understand, what happened the night before
8 was they showed up, said the procedure was junk, threw
9 it out and rewrote it.

10 SR. PROJECT ENGINEER BARBER: Okay.

11 [REDACTED] And then they did more of a
12 validation of what they -- their procedure they wrote
13 than actually training on it.

14 SR. PROJECT ENGINEER BARBER: So they were
15 revising the IPTE procedure that they had brought in -

16 -

17 [REDACTED] The night before.

18 SR. PROJECT ENGINEER BARBER: -- to kind
19 of like do a verification or validation it would work.

20 [REDACTED] Yes.

21 SR. PROJECT ENGINEER BARBER: And revised

22 --

23 SPECIAL AGENT NEFF: How did they do that?

24 [REDACTED] You'd have to ask somebody
25 that was there that night.

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1 SPECIAL AGENT NEFF: Did they run that in
2 the simulator?

3 [REDACTED] Yes, they did.

4 SPECIAL AGENT NEFF: At what point? When
5 they came back and said it was junk? Or --

6 [REDACTED] No.

7 SPECIAL AGENT NEFF: -- after they got it
8 revised?

9 [REDACTED] They called in the shift that
10 was actually going to be there but they only called in
11 two Ros. And they needed three for the training.

12 There was some finger pointing on that,
13 too. It's like why didn't you call in three? If you
14 are going to do an IPTE on something that's going to
15 effect reactivity, maybe you should have called the
16 guy that was going to do water.

17 Maybe you should have called the guy that
18 was going to pressure. And the guy that was going to
19 run the reactor. A lot of finger pointing. "Oh, I
20 didn't say only call in two."

21 "No, it wasn't me."

22 "It wasn't me." So --

23 SPECIAL AGENT NEFF: Finger pointing at
24 who?

25 [REDACTED] Amongst the OSs. Who said

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1 two? Who said three?

2 SPECIAL AGENT NEFF: Who was on when they
3 ran it in the simulator?

4 [REDACTED]
5 [REDACTED] And the RO was played by a trainer.

6 SPECIAL AGENT NEFF: The third RO that was
7 needed?

8 [REDACTED] Yes.

9 SPECIAL AGENT NEFF: [REDACTED]

10 [REDACTED] Yes.

11 SPECIAL AGENT NEFF: So they ran the IPTE
12 through the simulator one time? Or more?

13 [REDACTED] I wasn't there.

14 SPECIAL AGENT NEFF: What did you hear?

15 [REDACTED] I heard they went to run it
16 and said, "This isn't going to work." They started
17 trying to work through rewriting a new -- the
18 procedure they had --

19 SPECIAL AGENT NEFF: Yes.

20 [REDACTED] -- arguments, differences of
21 opinion, one supervisor walked out.

22 SPECIAL AGENT NEFF: Who was that?

23 [REDACTED] walked out. And
24 [REDACTED] took over the IPTE training.

25 SR. PROJECT ENGINEER BARBER: What was

1 [REDACTED] bothered by?

2 [REDACTED] I don't know.

3 SR. PROJECT ENGINEER BARBER: What did you
4 hear on that?

5 [REDACTED] I just heard they were arguing
6 on operational differences. And I guess [REDACTED]
7 wasn't happy with the way it was being run, walked out
8 of the simulator. Said, "I've had enough."

9 SR. PROJECT ENGINEER BARBER: Well, let me
10 -- let's back up to that a little bit. All right?
11 And just talk about that for a moment.

12 In some respects, that's the kind of thing
13 we're talking about. All right? Now I don't know --
14 again, I know you weren't there, but it's where the
15 shift is in a position where they are going to do
16 something. They feel uncomfortable with it. They
17 have a concern with it.

18 They want to feel that they can raise the
19 concern to someone with some decision-making authority
20 and say we have these concerns.

21 [REDACTED] Okay.

22 SR. PROJECT ENGINEER BARBER: And that the
23 concerns will be at least --

24 [REDACTED] Addressed?

25 SR. PROJECT ENGINEER BARBER: --

1 considered, yes, and addressed in some way. And it
2 almost appears -- and I know you don't know -- but it
3 almost appears that maybe [REDACTED] had a concern
4 there, raised it to [REDACTED] --

5 [REDACTED] Yes.

6 SR. PROJECT ENGINEER BARBER: --
7 conjecture but raised it. And then just said, "Hey,
8 we can't do this or whatever. It's not workable.
9 It's, you know, it's going to have to be rewritten."

10 [REDACTED] And that's assumptions but --

11 SR. PROJECT ENGINEER BARBER: Yes,
12 exactly. That's what I was saying, it was conjecture.
13 But then for whatever reason, he's just, "Okay, I'm
14 going to wash my hands of this."

15 And then he has some differences. The
16 next day, he's forced to be involved with the issue.

17 [REDACTED]: Oh, he probably -- I think he
18 came back later on that night to -- "All right, I'll
19 calm down," you know? But I know he did stomp out.

20 SR. PROJECT ENGINEER BARBER: Okay.

21 SPECIAL AGENT NEFF: Was anything altered
22 in terms of the procedures that they were going to be
23 using? Did they make any corrections or alterations?

24 [REDACTED] Oh, yes, it was majorly
25 altered. They rewrote it.

1 SPECIAL AGENT NEFF: Okay.

2 [REDACTED] Fundamentally that's what it
3 says. You can go read the INPO web site. They
4 rewrote the procedure. That's why it wasn't a
5 training. It was a validation. They didn't train on
6 anything. They rewrote a procedure then did a
7 validation.

8 The original thing was they were going to
9 come down, SCRAM, close the MSIVs and end up on the
10 back panels of hipsie ricksie (phonetic).

11 SR. PROJECT ENGINEER BARBER: And what
12 changed that?

13 [REDACTED] I guess they wanted to do it
14 a different way.

15 SR. PROJECT ENGINEER BARBER: Who would
16 have made that decision? I mean if --

17 [REDACTED] I guess those guys in that
18 room that night. Those guys, [REDACTED]
19 [REDACTED] I wasn't there.

20 SR. PROJECT ENGINEER BARBER: Okay.

21 [REDACTED] You would have to ask somebody
22 that was there. 7C

23 SPECIAL AGENT NEFF: Understood. Right.

24 SR. PROJECT ENGINEER BARBER: Okay, we got
25 that.

1 SPECIAL AGENT NEFF: But I guess I have
2 one more question on the -- you're saying that they
3 did -- if I have the order right -- they had a
4 procedure. They -- not trained on it but they
5 validated it in the simulator and still had concerns?

6 [REDACTED] They had a procedure.

7 SPECIAL AGENT NEFF: Yes.

8 [REDACTED] They had concerns, didn't
9 think it was going to work. So they rewrote a new
10 procedure.

11 SPECIAL AGENT NEFF: Did they then go back
12 --

13 [REDACTED] And validated that -- instead
14 of training on it, they validated it and, "All right,
15 I think if we do this, this will work. And do this."-

16 SPECIAL AGENT NEFF: How do you validate
17 that? Did they go back to the simulator?

18 [REDACTED] No, they just stayed -- they
19 did this all in the simulator. None of this was at
20 the plant.

21 SPECIAL AGENT NEFF: Okay.

22 [REDACTED] This was all at the simulator.
23 So they rewrote the procedure right there. And had
24 time to do it one time. "You're out. Come in the
25 next day and do it."

TK

1 SPECIAL AGENT NEFF: Where was the time
2 pressure on that? Why have time for that one time?

3 [REDACTED] Because we had to shut down.
4 We had a bypass valve stuck open. And we had to shut
5 down and fix it. You know we had operational
6 challenges. And they wanted to get it done.

7 SR. PROJECT ENGINEER BARBER: Well, was
8 there any risk in staying -- maintaining the status
9 quo? What power were you at before this evolution
10 started?

11 [REDACTED]: When I came in, I'm trying to
12 remember what we were in power. See, it was right
13 after we started up. That was the thing. When we
14 start it up, we opened up the bypass values, you know,
15 and then when you load the generator and all the
16 bypass valves go closed, one didn't close.

17 SR. PROJECT ENGINEER BARBER: Okay. So
18 you put the turbine on.

19 [REDACTED]: Yes.

20 SR. PROJECT ENGINEER BARBER: Putting the
21 generator on. The generator was put on and you
22 expect to pick up load, expect the bypass values to
23 close down as the generator is starting to pick up
24 load, is that correct?

25 [REDACTED]: That's what I'm thinking -- I

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7C

1 don't remember --

2 SR. PROJECT ENGINEER BARBER: So you're --
3 you've got to be low, like 15 to 30 percent, in that
4 range somewhere?

5 [REDACTED] When I got there, we were six
6 and one-half --

7 SR. PROJECT ENGINEER BARBER: Okay.

8 [REDACTED] -- seven percent.

9 SR. PROJECT ENGINEER BARBER: Okay. So
10 you were lower.

11 SPECIAL AGENT NEFF: When you had your
12 excursion, how high did you go?

13 [REDACTED] If you look at the charts, it
14 looks like we went from peak to peak six and one-half
15 to thirteen and one-half. And it was an initial drop.
16 We were sitting at about eight, drop, came up, settled
17 out.

18 SR. PROJECT ENGINEER BARBER: What
19 actually caused the reactivity addition? Was it --

20 [REDACTED] The reactivity addition was
21 truly caused by the amount of amount of water he was
22 throwing at it when we had the pressure perturbation -

23 -

24 SR. PROJECT ENGINEER BARBER: Okay.

25 [REDACTED] -- drove level down. When the

1 PO tried to recover level --

2 SR. PROJECT ENGINEER BARBER: Okay.

3 [REDACTED] -- you had that cold water
4 rushing in.

5 SR. PROJECT ENGINEER BARBER: Okay.

6 [REDACTED] -- cold water, reactivity
7 comes shooting up --

8 SR. PROJECT ENGINEER BARBER: Okay. So it
9 was the cold water addition. It wasn't -- it didn't
10 have to do with like there wasn't a void collapse-type
11 issue?

12 [REDACTED] Well, void sweeping.

13 SR. PROJECT ENGINEER BARBER: Okay.

14 [REDACTED] You just shot a bunch of cold
15 water in there.

16 SR. PROJECT ENGINEER BARBER: Right, okay.

17 [REDACTED] And you drop level down in
18 here. And now level is coming up. And I've got a
19 whole bunch more cold water in so --

20 SR. PROJECT ENGINEER BARBER: Okay. So
21 that's where the excursion came from?

22 [REDACTED] That's where the excursion
23 came from. TC

24 SR. PROJECT ENGINEER BARBER: Okay. What
25 -- once -- let's -- I want to just jump ahead for just

1 a quick moment. Once that happened and you guys got
2 stabilized, big picture, what happened from then on?
3 I mean did you -- where was the plant taken? Was the
4 plant left there? Or was it taken -- continued the
5 cold shut down? What happened from then on out?

6 [REDACTED] First -- well, let's make sure
7 we get this right. First we had a little
8 perturbation.

9 SR. PROJECT ENGINEER BARBER: Okay.

10 [REDACTED] Just a little one. Then we
11 had the one that dropped it to six and one-half up to
12 thirteen and one-half and the back out.

13 SR. PROJECT ENGINEER BARBER: Okay.

14 [REDACTED] We stopped. OS called the
15 boil and such. And then the decision was made to come
16 down with pressure set slowly, you know, one pound per
17 minute, one pound per second, you know, dip. And we
18 just brought pressure down that way.

19 And then when got down in power and
20 pressure, we just switched to shut down. And don't
21 you know as soon as mode switch went to shut down, the
22 bypass valve closed.

23 SR. PROJECT ENGINEER BARBER: It did? And
24 what was that attributed to?

25 [REDACTED] Well, it jiggled. And I guess

1 it jiggled the bolt out of the way of the disk and it
2 went closed. When they opened it up, they found the
3 bolt matched up.

4 SR. PROJECT ENGINEER BARBER: Okay, okay.

5 SPECIAL AGENT NEFF: What happened next?

6 SR. PROJECT ENGINEER BARBER: Because you
7 are in hot shut down then, right?

8 [REDACTED] Right, we're starting to cool
9 down.

10 SR. PROJECT ENGINEER BARBER: Okay. So
11 then you just cool down from there on out?

12 [REDACTED] Yes.

13 SR. PROJECT ENGINEER BARBER: Was the bolt
14 retrieved at that time? Or was it retrieved when the
15 plant was cold?

16 [REDACTED] It was retrieved in
17 maintenance afterwards.

18 SR. PROJECT ENGINEER BARBER: Okay. All
19 right. So all the knowledge you have about the bolt
20 being there was after the fact.

21 [REDACTED] That's correct.

22 SR. PROJECT ENGINEER BARBER: It was in
23 hindsight looking back on what happened?

24 [REDACTED] That's correct.

25 SR. PROJECT ENGINEER BARBER: But you

1 didn't --

2 [REDACTED] At the time all we knew was
3 bypass valve was stuck open. And when we hit mode
4 switch to shut down, that bypass valve went closed.

5 SR. PROJECT ENGINEER BARBER: Okay.

6 SPECIAL AGENT NEFF: When it went closed,
7 was there any consideration given to going back up in
8 power?

9 [REDACTED] That would be a decision made
10 way above me.

11 SR. PROJECT ENGINEER BARBER: Was there
12 any rumblings to that effect?

13 [REDACTED] Well, actually there was
14 rumblings that [REDACTED] didn't want us to shut
15 down with it stuck open.

16 SPECIAL AGENT NEFF: Didn't want to shut
17 down in the first place?

18 [REDACTED] Right.

19 SPECIAL AGENT NEFF: What about in terms
20 of consideration to going back up in power once it
21 shut?

22 [REDACTED] I didn't --

23 SPECIAL AGENT NEFF: Did you hear anything
24 about it?

25 [REDACTED] -- hear anything about that.

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1 SPECIAL AGENT NEFF: What did you learn
2 about [REDACTED] not wanting to shut down when it
3 was stuck?

4 [REDACTED] All I -- you know, rumor.
5 That him and [REDACTED] argued pretty hard.
6 And let's say I don't know how much is true, how much
7 is a lie, how much is rumor.

8 But more than one person has expressed
9 that the reason this got blown completely out of
10 proportion was because [REDACTED] was pissed off at
11 [REDACTED] for shutting down in the first place.

12 SPECIAL AGENT NEFF: So the fall out from
13 that when you had the excursion was --

14 [REDACTED]: Blown out of proportion.

15 SPECIAL AGENT NEFF: And the remediation
16 and -- that's what you are attributing it to?

17 [REDACTED] Right, bringing in INPO and
18 raising -- I mean I know I was way close to the
19 incident. But, I mean, there was a lot -- I mean the
20 RES were like we're classifying it like a three or a
21 four. There's nothing here. It's designed to do
22 this. This is what we're designed to do.

23 SPECIAL AGENT NEFF: What did you hear --
24 did you have any firsthand knowledge of what [REDACTED]
25 [REDACTED] position was at this time frame on --

1 [REDACTED]: No.

2 SPECIAL AGENT NEFF: -- any of the
3 decisions?

4 [REDACTED]: No.

5 SPECIAL AGENT NEFF: What were the
6 concerns that you were hearing?

7 [REDACTED]: The only thing we heard was --
8 the only thing we knew for a pure fact was that [REDACTED]
9 [REDACTED] were mad that they were not
10 told immediately of what had occurred at Hope Creek.

11 SPECIAL AGENT NEFF: You mean in regard to
12 the excursion?

13 [REDACTED]: Yes.

14 SPECIAL AGENT NEFF: [REDACTED] found
15 that out later when he was looking at --

16 [REDACTED]: Right.

17 SPECIAL AGENT NEFF: -- records.

18 [REDACTED]: At the start up reports or
19 what that SORC (phonetic).

20 SPECIAL AGENT NEFF: Okay. After the
21 fact?

22 [REDACTED]: After the fact.

23 SR. PROJECT ENGINEER BARBER: Who should
24 have told him that? I mean --

25 [REDACTED]

1 SR. PROJECT ENGINEER BARBER: Okay, so
2 somebody way above your level, right?

3 [REDACTED] Yes.

4 SR. PROJECT ENGINEER BARBER: Above
5 [REDACTED] too? I mean would there have been an
6 expectation that [REDACTED] call them? Or would it be
7 expected he'd call the AO?

8 [REDACTED] I don't know. I don't know if
9 he should have called him.

10 SR. PROJECT ENGINEER BARBER: Okay. Was
11 there any kind of long-term repercussions in this? I
12 mean was there anything that was like put out on this
13 within the station regarding the incident?

14 [REDACTED] We did have -- ([REDACTED]) stood in
15 front of us and gave us a lecture on what happened.
16 The story has changed now. There's altering. More of
17 well, there was an IPTE problem now. And the guys at
18 the panels really didn't do a bad job. They actually
19 let us get out to here on our little map of blame.
20 And we brought it back in.

21 And he gave us a full explanation. And
22 it's much more sugar-coated than the version that
23 ended up at INPO. Or not sugar coated but the blame
24 is deferred a little bit.

25 SR. PROJECT ENGINEER BARBER: Did you feel

1 like you were in some way blamed for the event?

2 [REDACTED] Yes.

3 SR. PROJECT ENGINEER BARBER: Did the
4 other operators feel that way?

5 [REDACTED] Yes.

6 SR. PROJECT ENGINEER BARBER: Did they
7 deserve it?

8 [REDACTED] Somewhat.

9 SR. PROJECT ENGINEER BARBER: What aspect?

10 [REDACTED] It was -- from what I
11 understand, we shouldn't have been on the jack at the
12 time. There was a misunderstanding. And allowing the
13 jack and pressure set to cross was a bad thing. They
14 shouldn't have done that. And so there was some
15 things.

16 Everybody that was at this brief should
17 have known when to shut down, when to stop, when to
18 halt.

19 SR. PROJECT ENGINEER BARBER: Okay. What
20 happened when the pressure set and the jack crossed
21 each other?

22 [REDACTED] Well, one took control and
23 drove pressure down. And when pressure went down,
24 then he tried to close it back up. When he closed it
25 back up, levels shot down. It got worse.

1 SR. PROJECT ENGINEER BARBER: Isn't --
2 help me understand this because it's been a while
3 since I've looked at the way that the controls work.
4 But what I remember is if you were put on the jack,
5 you have the bypass valves in manual.

6 And you put a demand cycle in. You say I
7 want the valves to be open some amount. And you don't
8 really necessarily know what that is. You just know -
9 -

10 [REDACTED] Oh, yes, you know what it is.

11 SR. PROJECT ENGINEER BARBER: Well, you
12 have a signal there. But you just maybe raise it or
13 lower it or do something. And you know either you
14 want the valve to open or shut, right? It's some
15 small amount usually, right?

16 [REDACTED] Yes.

17 SR. PROJECT ENGINEER BARBER: And with the
18 pressure set, what you're referring to is the valves
19 are in automatic, you have a set point like 800 or 850
20 or 750, some pressure.

21 [REDACTED] Correct.

22 SR. PROJECT ENGINEER BARBER: And you put ^{7C}
23 that in and whatever the inputs are, primary or
24 secondary-wise, the bypass valves will modulate open
25 or closed to maintain that pressure.

1 [REDACTED] That is correct.

2 SR. PROJECT ENGINEER BARBER: Okay, now
3 what -- if the valve is in one mode or the other, how
4 can the other mode take control? I missed that.

5 [REDACTED] If you drop the pressure down
6 with the jack --

7 SR. PROJECT ENGINEER BARBER: Okay.

8 [REDACTED] -- below the pressure set set
9 point --

10 SR. PROJECT ENGINEER BARBER: Okay.

11 [REDACTED] -- then your pressure set
12 isn't controlling no more. And then if you take --
13 you've taken it down there, now you're starting a
14 lower pressure set, you took that back in control.
15 Somehow he ended up -- and besides we weren't supposed
16 to be on that jack when we were critical anyhow.

17 SR. PROJECT ENGINEER BARBER: Is that --
18 was that something you learned after the fact? Or was
19 that --

20 [REDACTED] That was something we learned
21 after the fact.

22 SR. PROJECT ENGINEER BARBER: Okay. But
23 at the time, was there any precaution or any, you
24 know, procedure that said hey you are supposed to
25 operate this way or that way. And what you were doing

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1 was inconsistent with that?

2 [REDACTED] Well, actually what they had
3 was when we were shutting down, yes, it was the
4 shutdown before that, we were operating on pressure
5 set. And pressure set at low power is wrong. So tap,
6 tap, all right, there goes level. They thought they
7 would have better control with the jack.

8 SR. PROJECT ENGINEER BARBER: Okay.

9 [REDACTED] Because see you are correct.
10 Now we're coming down in power and low power ranges.
11 You're sitting there and you're saying to yourself,
12 "Okay, I want pressure here, okay?" So I lower
13 pressure set down to here and bypass valves open up.

14 SR. PROJECT ENGINEER BARBER: Right.

15 [REDACTED] When you get bypass valves to
16 open up, as pressure comes down, right, you still have
17 pressure coming down, the bypass valves start closing
18 down, well, that brings pressure -- when you get these
19 coming down, you are going to have pressure set out
20 and all the bypass valves go closed.

21 You want to come down again, you open them
22 all back up again. And you set that same level
23 transient going on again.

24 SR. PROJECT ENGINEER BARBER: Right.

25 [REDACTED] Now if you --

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1 SR. PROJECT ENGINEER BARBER: It's like a
2 step change is what you're describing?

3 [REDACTED] Right. You're step changing.

4 SR. PROJECT ENGINEER BARBER: You make a
5 step change --

6 [REDACTED] Right.

7 SR. PROJECT ENGINEER BARBER: -- and then
8 pressure kind of will lag behind it.

9 [REDACTED] Right. But now let's say you
10 get the pressure -- you open it up with the jack.
11 You've said, "I want this much demand coming out of
12 the steam."

13 SR. PROJECT ENGINEER BARBER: Right.

14 [REDACTED] That much steam demand is
15 coming out. And you slowly watch pressure decay away.

16 SR. PROJECT ENGINEER BARBER: So it's
17 more even.

18 [REDACTED] It's more of a linear loss of
19 steam so you're going to be able to control it a
20 little bit better so you get less swings in the level
21 control.

22 SR. PROJECT ENGINEER BARBER: Okay.

23 [REDACTED] That was the theory.

24 SR. PROJECT ENGINEER BARBER: Yet that
25 would --

1 [REDACTED] I suck at drawing stuff, don't

2 I?

3 (Laughter.)

4 SR. PROJECT ENGINEER BARBER: That would -

5 -

6 SPECIAL AGENT NEFF: You made a good
7 point. I could follow it.

8 SR. PROJECT ENGINEER BARBER: Yes, but
9 that would -- actually that would make an argument for
10 using a jack. Because you could set --

11 [REDACTED] Yes.

12 SR. PROJECT ENGINEER BARBER: -- a small
13 demand --

14 [REDACTED] That's why they did that.

15 SR. PROJECT ENGINEER BARBER: -- and say,
16 you know, have one valve I don't know, five percent
17 open or ten percent open and just leave it there.

18 [REDACTED] Set a cool down rate.

19 SR. PROJECT ENGINEER BARBER: Right.

20 [REDACTED] And associate it with --

21 SR. PROJECT ENGINEER BARBER: And then
22 just set your feed or what have you --

23 [REDACTED] Right.

24 SR. PROJECT ENGINEER BARBER: -- to kind
25 of --

1 [REDACTED]: But we weren't supposed to do
2 that when we were critical.

3 SR. PROJECT ENGINEER BARBER: Okay.

4 [REDACTED]: And there's guidance for that.

5 SR. PROJECT ENGINEER BARBER: Okay.

6 [REDACTED]: So --

7 SR. PROJECT ENGINEER BARBER: But that was
8 something that was learned after the fact?

9 [REDACTED]: After the fact. Nobody --
10 [REDACTED] was under the impression that we were going to
11 do pressure set until we were sub-critical. And then
12 -- until we were shut down. And I guess somehow the
13 information got flip flopped and --

14 SR. PROJECT ENGINEER BARBER: Okay. All
15 right. Was there any malfunctions that you were aware
16 of with --

17 [REDACTED]: Yes, there was malfunctions
18 associated with that.

19 SR. PROJECT ENGINEER BARBER: Was there?

20 [REDACTED]: There was challenges on that.

21 SR. PROJECT ENGINEER BARBER: Okay.

22 [REDACTED]: On the -- I guess there's a
23 potentiometer in the system that wasn't proper, wasn't
24 right, and would give you erroneous signals. 7C

25 SR. PROJECT ENGINEER BARBER: Was that in

1 any way --

2 [REDACTED] And it was discovered after --

3 SR. PROJECT ENGINEER BARBER: -- a
4 contributor -- was that a contributor to what
5 happened?

6 [REDACTED] Yes, it -- from what I
7 understand, yes it was.

8 SR. PROJECT ENGINEER BARBER: Okay. So
9 there may have been something that didn't behave
10 properly during the event that exacerbated, that made
11 it worse or whatever.

12 [REDACTED] Oh, yes, it's never just one
13 thing.

14 SR. PROJECT ENGINEER BARBER: Okay.

15 [REDACTED] When something goes wrong,
16 it's never just one thing. You can always deal with
17 one.

18 SPECIAL AGENT NEFF: Was that something
19 known to be a problem as you entered into that? Or
20 was that something that came to light as you got into
21 your --

22 [REDACTED] We knew we had problems with
23 the AC control. I don't know if they knew exactly
24 what it was. I was -- like I said, I wasn't part of
25 that part of the -- that was that section. Mine was

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TC

1 in front of me with the reactor.

2 SPECIAL AGENT NEFF: All right. Are you
3 aware of why or what the concerns were that [REDACTED]
4 [REDACTED] had in terms of shutting down with the valve
5 stuck open?

6 [REDACTED] Actually, [REDACTED] wanted
7 to keep running from what I understood. [REDACTED] wanted
8 to shut it down.

9 SPECIAL AGENT NEFF: Yes, in terms of
10 shutting down, not shutting down is what I meant. But
11 his -- where he was coming from, do you understand --
12 do you know what he was articulating?

13 [REDACTED] Yes, production.

14 SPECIAL AGENT NEFF: He wanted to keep it
15 running?

16 [REDACTED] That was my impression. Can
17 I say that absolutely? No. TK

18 SPECIAL AGENT NEFF: Okay. Anything
19 further on that Scott?

20 SR. PROJECT ENGINEER BARBER: I did have
21 a question. I can't think of what it is now.

22 SPECIAL AGENT NEFF: Let's take a quick
23 break because I need to test this again, okay? We'll
24 go off the record. It's about 2:34 p.m.

25 (Whereupon, the foregoing

1 matter went off the record at
2 2:34 p.m. and went back on the
3 record at 2:34 p.m.)

4 SPECIAL AGENT NEFF: Okay, we're back on.
5 It's about 2:34 p.m.

6 SR. PROJECT ENGINEER BARBER: I just was
7 saying it just seemed like this whole thing was salt
8 and peppered with a lot of different issues.

9 [REDACTED] There was quite a few issues
10 associated with this. What upsets me about it is
11 people outside of Operations that really didn't have
12 a real good background or feel of it was making
13 decisions effecting careers and people and equipment. 7C

14 And I walked away with a very bad taste in
15 my mouth because I couldn't say anything. I mean I
16 got bullshit answers that made no goddamn sense. And
17 I'm sitting there going -- I told them, I said, "Look
18 my abnormal tells me to stop the power rise and return
19 the reactor back to its pre-transient level. That's
20 what my thing says."

21 And I told him to stop. I told him to
22 stop. And I told him to bring level up slowly. And
23 that was controlling my power. You can't control
24 power by pressure level. You can only control power
25 by rise. Where the hell does it say that?

1 SPECIAL AGENT NEFF: Who was that argument
2 with?

3 [REDACTED] That was [REDACTED]

4 SPECIAL AGENT NEFF: With [REDACTED]
5 But your comment before was that people outside of
6 Operations were making these decisions that effected
7 careers and equipment. Were you talking about while
8 the events were unfolding and while you were going
9 through it? Or were you --

10 [REDACTED] No, I'm talking about the post
11 --

12 SPECIAL AGENT NEFF: -- talking about
13 after the fact?

14 [REDACTED] The fallout.

15 SPECIAL AGENT NEFF: When you got your
16 penalty box --

17 [REDACTED] Right.

18 SPECIAL AGENT NEFF: -- assessments --

19 [REDACTED] Correct.

20 SPECIAL AGENT NEFF: -- and other.

21 [REDACTED] Yes.

22 SPECIAL AGENT NEFF: Okay.

23 SR. PROJECT ENGINEER BARBER: Well [REDACTED]
24 is not outside ops. He is --

25 [REDACTED] No, but he -- my impression

1 was -- and it's a pretty good one, that [REDACTED] and
2 [REDACTED] didn't feel I did anything wrong.

3 SR. PROJECT ENGINEER BARBER: Okay.

4 [REDACTED]: Or I wouldn't have not ended
5 up in the penalty box for the first week of it.

6 SR. PROJECT ENGINEER BARBER: Okay.

7 [REDACTED]: Because I -- perfect example,
8 I didn't end up in the penalty box for a week
9 afterwards. Everybody else went right immediately in
10 there.

11 SR. PROJECT ENGINEER BARBER: Okay.

12 [REDACTED]: I didn't end up for a week.

13 SPECIAL AGENT NEFF: In fact you were
14 excused at first?

15 [REDACTED]: Oh, yes. And I pulled
16 critical. I started the plant back up. It's not
17 like, you know, and then somebody down the road made
18 a decision, no, he still has to go, too.

19 SPECIAL AGENT NEFF: Where do you see that
20 coming -- who made that decision? If your impression
21 is that it wasn't from [REDACTED] --

22 [REDACTED]: I would say it would have to
23 be [REDACTED] level. Because I'm
24 sure [REDACTED] thought I was in the penalty box.
25 I know he thought I was in there.

1 SPECIAL AGENT NEFF: And prior to
2 discussing this whole incident is where you said that
3 you had a disagreement with where [REDACTED] came
4 down on you personally on this incident. Is that
5 where you're going?

6 [REDACTED] This is what I do know, I know
7 my shop steward told [REDACTED] when [REDACTED] said --
8 explained to him why I was in the penalty box and, you
9 know, or why these guys were pulled off shift.

10 And my shop steward looked at him, he
11 goes, "Oh yes, well the [REDACTED] wasn't pulled off shift.
12 He just pulled critical."

13 [REDACTED] goes, "Don't tell me that."

14 "Oh, yes, he's still at the plant right
15 now."

16 "Don't tell me that."

17 Then I'm out.

18 SPECIAL AGENT NEFF: Who was that?

19 [REDACTED]
20 SPECIAL AGENT NEFF: [REDACTED]

21 SR. PROJECT ENGINEER BARBER: Was that the
22 same day or a different day that they -- was it right
23 away that you found out oh you're in the penalty box?
24 [REDACTED] I don't know. It's hard to
25 remember exactly when it happened. But it was like

1 within a day or two after I went to the penalty box.
2 He was not aware that I did not go to the penalty box
3 immediately.

4 SR. PROJECT ENGINEER BARBER: Okay.

5 [REDACTED] He was under the impression I
6 went.

7 SR. PROJECT ENGINEER BARBER: But I mean
8 the action that to quote, "Put you in the penalty box"

9 --

10 [REDACTED] I don't know.

11 SR. PROJECT ENGINEER BARBER: Okay.

12 [REDACTED] I don't know. I just remember
13 [REDACTED] coming back going, "Hey, God, that was
14 hilarious."

15 "What?"

16 "I just told [REDACTED] you weren't in the
17 penalty box. He goes, "Don't tell me that. Don't
18 tell me that.'"

19 SPECIAL AGENT NEFF: Not so hilarious for
20 you, as it turns out.

21 [REDACTED] You know there were parts of
22 me that was very uncomfortable for not going to the
23 penalty box immediately because I was part of the
24 crew. I wasn't happy about going. But I was like
25 man, I was part of the crew, you know.

1 But that got explained to me why I didn't
2 go. And then also that was invalid.

3 SPECIAL AGENT NEFF: And you are talking
4 about when you got your explanation from [REDACTED]

5 [REDACTED] Exactly.

6 SPECIAL AGENT NEFF: -- on that. And you
7 see that, the actions taken against the crew you see
8 as -- because the crew went against what [REDACTED]
9 wanted to do? He wanted you not to shut down?

10 [REDACTED] Not so much the crew but --

11 SPECIAL AGENT NEFF: Not the crew but in
12 talking about the shift as a whole, management?

13 [REDACTED] I'm not saying -- I don't know
14 -- what I did tell you earlier was that the rumor was
15 those two went at -- [REDACTED] and him went at it over
16 shutting down or not, shutting down when the bypass
17 valve was open. That is a rumor.

18 And then the impression would be given
19 that, "Hey, it went bad, I'm going to make you look
20 bad."

21 SPECIAL AGENT NEFF: Okay. That's what
22 your take away is from that?

23 [REDACTED] Right. You blew -- and blew
24 it out of proportion. 7C

25 SPECIAL AGENT NEFF: At any point, did the

1 argument -- what you learned about the argument
2 between [REDACTED] at that point, because our
3 understanding is [REDACTED] wasn't even onsite at
4 this point in time --

5 [REDACTED] Right exactly.

6 SPECIAL AGENT NEFF: -- that it was
7 between [REDACTED] But at any point in time,
8 was there a discussion of not whether to shut down or
9 to continue to raise power but how to shut down? Did
10 the issue ever become how to shut down?

11 [REDACTED] I don't know.

12 SPECIAL AGENT NEFF: Had you ever heard
13 anything like that?

14 [REDACTED] No.

15 SR. PROJECT ENGINEER BARBER: You sort of
16 described that when you were talking about what the
17 crew was doing when they were validating procedure.

18 [REDACTED] Right, now the crew, there was
19 a crew --

20 SR. PROJECT ENGINEER BARBER: They were
21 trying to figure out how to shut down.

22 [REDACTED] Right. That's correct.

23 [REDACTED] was not involved in that?

24 SR. PROJECT ENGINEER BARBER: Would he
25 have had any knowledge of that?

1 [REDACTED] I don't believe he would have.

2 SR. PROJECT ENGINEER BARBER: Okay. Let
3 me ask another question. You may or may not know the
4 answer to it but it relates to, you know, one of the
5 things we've heard in doing this review is that, you
6 know, there's a -- the way the industry is operating
7 today over the last two, three years, maybe more, is
8 different than the way it was seven, eight, ten years
9 ago because of cost pressures. You know, that you
10 have to be competitive, there's a lot of cost
11 pressures.

12 [REDACTED] I agree with that.

13 SR. PROJECT ENGINEER BARBER: Have you
14 either in this incident or in other incidents or just
15 in day-to-day operations been exposed to things where
16 you felt like okay, well the reason we're doing this
17 this way now, today, as compared to, you know, years
18 ago, maybe slightly different, maybe greatly
19 differently, is because of the cost pressures.

20 Is there anything that would stand out in
21 your mind? I mean like in this incident, did you feel
22 like oh the reason [REDACTED] wants to stay up is, you
23 know --

24 [REDACTED] Production.

25 SR. PROJECT ENGINEER BARBER: -- is

1 production, cost --

2 [REDACTED] Sure.

3 SR. PROJECT ENGINEER BARBER: --

4 pressures, things like that. I mean does that -- is
5 that like part of the daily dialogue or is it just
6 something you infer? Or how do you get that kind of
7 message?

8 [REDACTED] Well, I mean [REDACTED] once told
9 me that he is tired of -- the impression he gets is
10 the union always is safety, safety, safety. And the
11 management is always production, production,
12 production. And they're always butting heads.

13 And I think that comes -- on my
14 maintenance, we were -- me and [REDACTED] were -- or our
15 resident were just discussing that online maintenance
16 is a product of competitive marketplace. And I'm
17 starting to question the feasibility of it.

18 I mean we saw online maintenance coming in
19 throughout the industry. And you saw outage times
20 dramatically drop. Now, take a look at the
21 statistics. Last year outage time is up 114 percent.
22 Outage times in the first half of this year -- oh,
23 well -- or no, the last half of last year, 38 percent
24 up. This year they're up again.

25 Now Davis-Besse skews the whole thing

1 because they're just all done. But the statistics are
2 not looking good for is this working. But yes there's
3 decisions made now that are production based.

4 SR. PROJECT ENGINEER BARBER: Do you have
5 examples of something where you feel like it really
6 stands out? I mean you kind of mentioned that --

7 [REDACTED] Well, the Bravo diesel we
8 talked about -- discussing earlier.

9 SR. PROJECT ENGINEER BARBER: Okay. Okay.

10 [REDACTED] This one where the rumor is
11 the discussion was production versus run with a bypass
12 valve open.

13 Examples of -- I'm sure you've heard this
14 one a million times since you're doing this. The off
15 gas flow rate incident.

16 SR. PROJECT ENGINEER BARBER: Okay.

17 [REDACTED] I'm sure you've heard about it
18 a million times.

19 SPECIAL AGENT NEFF: Same time frame?
20 2003 March area?

21 [REDACTED] Somewhere -- actually yes, I
22 think it was like -- because when it first hit, I was
23 in the penalty box.

24 SPECIAL AGENT NEFF: Okay.

25 [REDACTED] I was sitting in the penalty

1 box when they're like, "Hey, off gas flow rate just
2 took off out past the FSAR limits."

3 "You know, we'll give it enough time for
4 Engineering to evaluate."

5 What the heck is that? No. No, no, no,
6 no, no, no. You know what? You take the action, then
7 you give Engineering the --

8 SR. PROJECT ENGINEER BARBER: What was the
9 action they should have taken?

10 [REDACTED]: You do not operate above that
11 level. I think it was 75 SCFM.

12 SPECIAL AGENT NEFF: There's a procedure
13 for it?

14 [REDACTED]: There's a procedure for it.
15 It's in the FSAR.

16 SR. PROJECT ENGINEER BARBER: Does that --
17 does off gas flow vary linearly with power? Or does
18 it -- or is it something that it's either like a go,
19 no go. It's based on whatever in leakages and you --

20 [REDACTED]: It's definitely based on
21 leakage and it does vary, you know, somewhat. But it
22 shouldn't have taken off to where it did.

23 SR. PROJECT ENGINEER BARBER: Okay.

24 [REDACTED]: And when you have a bottom
25 line limit, I don't care what your excuse is, when you

1 have a line, you don't cross it. You take the
2 actions, then you evaluate. "Hey, look, I'm getting
3 here, I'm getting here, I'm getting here. Got to this
4 line, we've got to do this. Shut it down. Forget
5 it."

6 SR. PROJECT ENGINEER BARBER: Kind of like

7 --

8 [REDACTED] Take the conservative action.
9 You want to preach conservative decision making, you
10 reach the line that you shouldn't have crossed.

11 SR. PROJECT ENGINEER BARBER: Okay.

12 [REDACTED] You are across it. You have
13 no reason to be here. Do the right thing.

14 Just recently feed pump. "Oh, we've got
15 vibes too high. We need to drop to 95 percent and
16 take that thing out. Back it down. Do what the
17 procedure says."

18 "Oh, we'll let Engineering evaluate it."

19 SPECIAL AGENT NEFF: When was that?

20 [REDACTED] This was just recently. A
21 couple months. TC

22 SR. PROJECT ENGINEER BARBER: Is it your
23 impression in these instances that are -- where the
24 actions aren't very timely or there is, you know,
25 postponement or stalling --

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1 [REDACTED] It's irrelevant of time. It's
2 irrelevant of time. The bottom line is you have a
3 procedure. You follow the procedure. You have a
4 rule. You follow the rule.

5 SR. PROJECT ENGINEER BARBER: I was under
6 --

7 [REDACTED]: You have to take the hit,
8 that's fine.

9 SR. PROJECT ENGINEER BARBER: Okay.

10 [REDACTED]: As long as you have a
11 defensible decision.

12 SR. PROJECT ENGINEER BARBER: I was under
13 the impression that for the off gas situation, there
14 was no action. It just said do not exceed it. But it
15 didn't say if you exceed it, do this. It just says do
16 not --

17 [REDACTED]: Do not operate above this
18 level.

19 SR. PROJECT ENGINEER BARBER: Okay.

20 [REDACTED]: So you'd better get it below
21 the level.

22 SR. PROJECT ENGINEER BARBER: So you would
23 interpret that to mean --

24 [REDACTED]: Shut her down.

25 SR. PROJECT ENGINEER BARBER: Okay.

7C

1 [REDACTED] Back it off.

2 SR. PROJECT ENGINEER BARBER: And if I
3 were to --

4 [REDACTED] Come down in power --

5 SR. PROJECT ENGINEER BARBER: -- if I were
6 to say, "Okay if you take -- let's say you want to
7 take the unit offline" --

8 [REDACTED] Yes.

9 SR. PROJECT ENGINEER BARBER: -- I would
10 say, "Okay, well do you have the ability to diagnose
11 and find where the leak is?" Is it?

12 [REDACTED] Yes.

13 SR. PROJECT ENGINEER BARBER: Why is that?

14 [REDACTED] Because we can send gases down
15 those lines at any time and find the leak. You're
16 right. It would impede the amount -- ability to find
17 a leak.

18 SR. PROJECT ENGINEER BARBER: Well, it's
19 not down the line, right? Isn't it a leak into the
20 condenser from anywhere?

21 [REDACTED] From anywhere, that's correct.

22 SR. PROJECT ENGINEER BARBER: So you're
23 talking about gases down the line like it's through
24 off gas.

25 [REDACTED] Right.

1 SR. PROJECT ENGINEER BARBER: But, in
2 fact, it was really a leak -- it's an in-leakage to
3 the condenser.

4 [REDACTED] And that's all fine. What's
5 the rule say? What's the law say? What does it say?
6 You don't come up with an excuse later on saying,
7 "Hey, well, we need to."

8 "No, do what you're told."

9 And then figure out, "Hey, figure out how
10 to fix it."

11 SR. PROJECT ENGINEER BARBER: Well, how
12 would you --

13 [REDACTED] Get to follow it.

14 SR. PROJECT ENGINEER BARBER: -- if you
15 would have been on shift at the time, what --

16 [REDACTED] I'd have done the same thing
17 [REDACTED] did.

18 SR. PROJECT ENGINEER BARBER: Which was
19 what?

20 [REDACTED] Shut it down. We shouldn't be
21 operating here.

22 SR. PROJECT ENGINEER BARBER: Well, he
23 didn't though. He didn't shut down.

24 [REDACTED] No. He recommended to his
25 supervisor who said, "No."

1 SR. PROJECT ENGINEER BARBER: Okay. And
2 the justification for that was what?

3 [REDACTED] "Want to give time to
4 Engineering to evaluate this. And we're going to
5 start looking for the leaks. We've got to have some
6 leak putting this much air into the off gas system."

7 SR. PROJECT ENGINEER BARBER: Wasn't there
8 some of that -- wasn't that already ongoing? I mean
9 something like this --

10 (Whereupon, the foregoing
11 matter went off the record
12 briefly and went back on the
13 record at 2:49 p.m.)

14 SPECIAL AGENT NEFF: Okay, we're on Tape
15 2, side A. It's approximately 2:49 p.m.

16 What you were indicating, [REDACTED], is that you
17 just don't understand if you have a rule that you want
18 -- it should be followed. You don't want to -- you
19 don't see there's a way around it.

20 And in this case, it was hold off and let
21 Engineering evaluate it. But you saw it more as a
22 rule --

23 [REDACTED] Right.

24 SPECIAL AGENT NEFF: -- we won't operate
25 above this level. You were above the level, it should

1 be a shut down.

2 [REDACTED] Yes. It should be. We did
3 what we had to do to maintain production.

4 SPECIAL AGENT NEFF: Okay. What about any
5 other instances that you see were the maintain
6 production above everything else? Do you have any
7 other examples?

8 [REDACTED] Feed pump.

9 SPECIAL AGENT NEFF: The feed pump? You
10 said that was a recent one. What -- how recent?

11 [REDACTED] Yes.

12 SPECIAL AGENT NEFF: You said a couple of
13 months.

14 [REDACTED] A couple of months.

15 SPECIAL AGENT NEFF: What season?

16 [REDACTED] Feed pump? Oh, I guess it
17 would be fall. Feed pump vibrations came up above the
18 norm set point. And they came above the set point
19 level, our book and procedures said, "Hey, guys, we
20 got to back out feed pump. Back it out until the
21 alarm clears." 7C

22 "No."

23 "No? The procedure says you get to 11
24 mills, back it down until the alarm clears."

25 "No, we're going to give Engineering a

1 chance. Because we don't know if that's a valid
2 alarm. No other alarms are up around it."

3 "Okay."

4 SR. PROJECT ENGINEER BARBER: Who said,
5 "No?"

6 [REDACTED] Supervisors, CRS.

7 SPECIAL AGENT NEFF: Who were you dealing
8 with?

9 SR. PROJECT ENGINEER BARBER: Why though?
10 I mean why? What's --

11 [REDACTED] Because he was trying to
12 validate the alarm, okay? Only one alarm is in.
13 Okay? So if you're seeing this rise in mills on one
14 vibration point, you should be able to collate that.
15 Someplace else there's going to be some vibrations
16 felt.

17 SR. PROJECT ENGINEER BARBER: Okay. He's
18 doubting the indications?

19 [REDACTED] Doubting the indications.

20 SR. PROJECT ENGINEER BARBER: Okay.

21 [REDACTED] But then he got information
22 from Engineering, you know, "It's a valid signal."

23 "Okay, let's take the action." 7C

24 "Yes, but we don't know" -- and they
25 hemmed and they hawed and they put it off and they

1 refused to do it.

2 Come down to the plate, it was actual
3 reading. And it was a displacement, I believe, it was
4 the pump.

5 SR. PROJECT ENGINEER BARBER: Okay. So
6 it's a bearing vibration?

7 [REDACTED] It's not a bearing vibration.
8 It was a pump displacement.

9 SR. PROJECT ENGINEER BARBER: Pump
10 displacement?

11 [REDACTED] In other words, the pump was
12 shifting.

13 SR. PROJECT ENGINEER BARBER: Like a
14 thrust bearing?

15 [REDACTED] Yes, like a thrust bearing
16 indication.

17 SR. PROJECT ENGINEER BARBER: Okay.

18 [REDACTED] And we were gaining mills.

19 SPECIAL AGENT NEFF: So you had a valid
20 alarm?

21 [REDACTED] We had a valid alarm.

22 SPECIAL AGENT NEFF: How long did it take
23 to get there? To recognize that?

24 [REDACTED] I don't remember the exact
25 time frame, how long. I know --

1 SR. PROJECT ENGINEER BARBER: Was this all
2 on one shift? Or was it over a period of days?

3 [REDACTED] Period of days.

4 SR. PROJECT ENGINEER BARBER: You know
5 what, let me turn those ringers off.

6 SPECIAL AGENT NEFF: Yes, I don't know how
7 you --

8 [REDACTED] Okay, I was wondering like
9 where is that coming from?

10 SPECIAL AGENT NEFF: How do you control
11 that station there?

12 SR. PROJECT ENGINEER BARBER: Actually,
13 those are all off.

14 [REDACTED] So anyhow, it was a -- but it
15 upset quite a few people because they're like just do
16 what you're supposed to do. You have a procedure.
17 You've hit the set point. Shut it down.

18 You've only got to go to 95 percent.
19 Hell, we're in the middle of starting it up. And it's
20 really not going to be a big production deal. They
21 were just too -- they didn't want to do it.

22 SR. PROJECT ENGINEER BARBER: So that was
23 the Control Room Supervisor? And was the OS also --
24 you said he was --

25 [REDACTED] Everybody was aware of it. I

1 got an explanation from [REDACTED]
2 on why we were not backing that thing out.

3 SPECIAL AGENT NEFF: And what was that?

4 [REDACTED] Giving Engineering time to
5 evaluate it. We're not really sure it's really valid.
6 And then it's --

7 SR. PROJECT ENGINEER BARBER: Did you ever
8 like ask them in kind of a quizzical manner -- it
9 sounds you were kind of frustrated by this.

10 But, I mean, did you ever just say, "Is
11 there some reason why you guys don't want to take the
12 unit down in power or why you don't want to follow the
13 procedure?" I mean --

14 [REDACTED] Oh, they got asked that by so
15 many people that week. "Why don't you just --"

16 "It's not going to hurt you. Just do it."

17 SR. PROJECT ENGINEER BARBER: They just
18 don't want to talk to [REDACTED] They don't want to talk
19 to Hutton.

20 [REDACTED] Actually I think [REDACTED] was
21 aware of it. I don't know where all the decision-
22 making process was on that. All I know is we had a
23 valid point and we were told not to do our alarm
24 response. TC

25 SR. PROJECT ENGINEER BARBER: Okay.

1 [REDACTED]: Not to follow the procedure.

2 SPECIAL AGENT NEFF: September? October?
3 November? When was that?

4 [REDACTED]: I don't know. But I'm sure
5 you can probably find out.

6 SR. PROJECT ENGINEER BARBER: One other
7 thing that's kind of puzzled me with this off gas
8 issue and this vibration issue.

9 [REDACTED]: Yes, I told you you heard them
10 before.

11 SR. PROJECT ENGINEER BARBER: In looking
12 at these things and just thinking about how things
13 progress and, you know, and mentioning that, you know,
14 it's probably not likely a step change, if we go back
15 to off gas and off gas say maybe runs 20 to 40 SCFM
16 normally --

17 [REDACTED]: Yes,

18 SR. PROJECT ENGINEER BARBER: -- it didn't
19 change from 40 to greater than 75 in like a minute.
20 I mean this is something that took place over some
21 period of time. Whether it was --

22 [REDACTED]: It wasn't a long period of
23 time. 7C

24 SR. PROJECT ENGINEER BARBER: -- minutes,
25 hours, days, whatever.

1 [REDACTED] I'd say days.

2 SR. PROJECT ENGINEER BARBER: Okay, days.
3 Isn't there some guidance on the part of Operations
4 Management or Engineering that says okay if there is
5 a trend in the plant where you're sitting there and
6 you take all these logs and you go God, I wonder why
7 I take all these logs. And you record all these
8 readings.

9 And all of a sudden, you start seeing the
10 readings come up. You're like okay, I read this, this
11 reading --

12 [REDACTED] Yes, I would. Here's the
13 other side of that coin. Turning from vibration, now
14 off gas was well monitored and hey, this is abnormal
15 early.

16 SR. PROJECT ENGINEER BARBER: Okay, was
17 there notification that was written early on? Do you
18 know?

19 [REDACTED] I'm pretty sure it was.

20 SR. PROJECT ENGINEER BARBER: Okay.

21 [REDACTED] I'm pretty sure there was.

22 SR. PROJECT ENGINEER BARBER: Okay. So
23 when it first started coming up to --

24 [REDACTED] Yes. Now on the other hand,
25 the pump turbine vibes is not something you would

1 routinely -- well, you don't have any readings on it.

2 SR. PROJECT ENGINEER BARBER: You don't?

3 [REDACTED] No.

4 SR. PROJECT ENGINEER BARBER: You just
5 have an alarm, that's it?

6 [REDACTED] Right, that's correct.

7 SR. PROJECT ENGINEER BARBER: What about
8 a computer point?

9 [REDACTED]: You have a computer point.

10 SR. PROJECT ENGINEER BARBER: Okay.

11 [REDACTED] So, yes, you might glance at
12 it and, you know, and hey, there's the thing -- and
13 one of the problems was I think it alarmed at the same
14 point it was, "Back it out."

15 SR. PROJECT ENGINEER BARBER: Oh, you mean
16 there's no margin.

17 [REDACTED] There's no margin.

18 SR. PROJECT ENGINEER BARBER: So when you
19 get to the alarm point, you're already in trouble as
20 far as your ability to diagnose and troubleshoot the
21 problem?

22 [REDACTED] Correct.

23 SR. PROJECT ENGINEER BARBER: Okay.

24 [REDACTED] I believe that was the case at
25 the time.

7C

1 SR. PROJECT ENGINEER BARBER: Okay.

2 [REDACTED] Now post that incident, the
3 vibration level has been raised to I believe it was
4 like 20, 22.

5 SR. PROJECT ENGINEER BARBER: Twenty or
6 twenty-two mills?

7 [REDACTED] Yes.

8 SR. PROJECT ENGINEER BARBER: And what was
9 it before?

10 [REDACTED] It was of displacement. It
11 wasn't of vibes.

12 SR. PROJECT ENGINEER BARBER: Okay. But
13 what --

14 SPECIAL AGENT NEFF: Eleven did you say?

15 [REDACTED]: It was eleven. It's much
16 higher now.

17 SR. PROJECT ENGINEER BARBER: Okay. You
18 mean when you got the alarm or whatever?

19 [REDACTED] What they did was they went in
20 and said okay, yes, we can take this kind of -- and it
21 shouldn't have been 11, it should be at 20.

22 SR. PROJECT ENGINEER BARBER: Okay.

23 [REDACTED] Okay? So the set point has
24 now been raised. Okay? 7C

25 SR. PROJECT ENGINEER BARBER: And

1 presumably the --

2 [REDACTED] So 11 is now acceptable and
3 now 20 isn't.

4 SR. PROJECT ENGINEER BARBER: Yes and
5 there's appropriate justification?

6 [REDACTED] And there's appropriate
7 justification for why that is.

8 SR. PROJECT ENGINEER BARBER: Okay.

9 [REDACTED] Of course, then again --

10 SR. PROJECT ENGINEER BARBER: Okay.

11 [REDACTED] -- we also get answers like 11
12 hours for MSIVs to go closed.

13 SR. PROJECT ENGINEER BARBER: Oh you mean
14 for this plant -- the recent plant trip?

15 [REDACTED] Yes.

16 SR. PROJECT ENGINEER BARBER: Eleven
17 hours?

18 [REDACTED] Eleven to twelve hours is what
19 we were told the MSIVs would stay closed.

20 SR. PROJECT ENGINEER BARBER: In what? In
21 training?

22 [REDACTED] Yes. That was an Engineering
23 evaluation. 7C

24 SR. PROJECT ENGINEER BARBER: To fully go
25 closed? Or to come off their open seat?

1 [REDACTED] Come off their open seat.
2 They would remain open 11 to 12 hours.

3 SR. PROJECT ENGINEER BARBER: Okay. But
4 it took 32 --

5 [REDACTED] Thirty-four minutes.

6 SR. PROJECT ENGINEER BARBER: Thirty-four,
7 okay.

8 SR. PROJECT ENGINEER BARBER: Was there
9 any repercussions from that event?

10 SPECIAL AGENT NEFF: So you're indicating
11 what? That maybe you don't agree with the Engineering
12 evaluation in the feed pump issue?

13 [REDACTED] Oh, no, I'm sure it's
14 absolutely -- as a matter of fact, Engineering came
15 down and explained it directly to me. And all of them
16 really made sense.

17 SPECIAL AGENT NEFF: They all seemed
18 reasonable?

19 [REDACTED] Seemed reasonable.

20 SPECIAL AGENT NEFF: I couldn't tell
21 because you tagged it with the comment --

22 [REDACTED] No, I'm just laughing because
23 we've been joking about it all day. About the --

24 SPECIAL AGENT NEFF: Okay.

25 [REDACTED] -- you know, you get 11 hours

1 in 34 minutes. I guess we got an explanation that we
2 didn't ask the right question. Well, what question
3 was that? We asked when would the MSIVs go closed.

4 But, yes, it's a joke.

5 SPECIAL AGENT NEFF: What about any other
6 incidents since -- in recent months?

7 [REDACTED] In recent months? I mean well
8 the feed pump is recent. The feed pump is very
9 recent.

10 SPECIAL AGENT NEFF: Yes. Apart from the
11 feed pump.

12 [REDACTED] Where what? What would you
13 want to know?

14 SPECIAL AGENT NEFF: What were you were
15 pointing to were incidents where you questioned,
16 basically questioned the decision making in keeping
17 things online. And questioning the procedures that
18 are not applied when they should have been.

19 [REDACTED] And then there's some time --
20 I've got one where hey, the supervisor actually
21 listened.

22 SPECIAL AGENT NEFF: Okay.

23 [REDACTED] Where they went to do -- went
24 and used common sense. I'm not -- and they were --
25 common sense they're right.

1 SPECIAL AGENT NEFF: Supervisor at what
2 level? CRS?

3

4 SPECIAL AGENT NEFF: Who was involved
5 here?

6

7

8 SPECIAL AGENT NEFF: [REDACTED] is --

9

10 SPECIAL AGENT NEFF: [REDACTED]

11

12 [REDACTED] Yes. We entered the AB for --
13 AB in six for dry well floor drain leakage. Increased
14 .15 in a 24-hour period. And it says, "Okay, boom,
15 you got to the .15. You must contact, boom, these
16 five people."

17

18 And it was four or five o'clock in the
19 morning. And they're like, "Oh, we'll wait until
20 eight or nine o'clock."

21

22 I'm like, "Look, you just got smacked
23 around. The NRC just told you you're not following
24 your procedures. You have no excuse for not -- for
25 being here and not doing this."

26

27

28

29 SPECIAL AGENT NEFF: What time frame is
30 this?

31

32 [REDACTED] About a couple of weeks ago.

1 We just exited that AB --

2 SPECIAL AGENT NEFF: Okay.

3 [REDACTED] -- this week. Today. We've
4 been in for two weeks now. So it was in the last
5 couple week time frame when we entered the AB.

6 SPECIAL AGENT NEFF: Okay.

7 [REDACTED] I said, "You entered the AB.
8 You've acknowledged you entered the AB. You need to -
9 - and I understand it's early in the morning. And I'm
10 sure these people don't want to be woke up.

11 "But you have a procedure. And these
12 people expect a phone call when you end up in these
13 ABs. And these are the people that you are told by
14 procedure to contact.

15 "And if the wrong cat walks in here and
16 says you entered it at 4:00 and these people didn't
17 get a call until 8:00, you're going to get smacked
18 around. You're going to -- there's going to be
19 negative repercussions for you not following your
20 procedure for four hours."

21 All right. Boom, buzzed them all. But
22 they were going to hold off. Using common sense, you
23 know, what's the Vice President of Operations going to
24 do for dry well floor drain leakage coming up to .15
25 in a 24-hour period? Nothing.

1 SPECIAL AGENT NEFF: Were they holding off
2 on the decision-making operationally? Or just
3 contacting these people.

4 [REDACTED] Just contacting these people.

5 SPECIAL AGENT NEFF: Okay, so they were
6 doing what they had to do. It was they weren't going
7 to --

8 [REDACTED] Well, actually no. The AB
9 says you enter. And when you entered it because you
10 had this condition --

11 SPECIAL AGENT NEFF: Yes.

12 [REDACTED] -- you do the actions. And
13 the actions were contact these people.

14 SR. PROJECT ENGINEER BARBER: Well, it
15 doesn't sound like there was any other actions other
16 than contact them.

17 SPECIAL AGENT NEFF: Contact them.

18 [REDACTED] Right, that's all there was.
19 There was five people you needed to contact. Common -
20 -

21 SR. PROJECT ENGINEER BARBER: There wasn't
22 anything about like going to find the leak or assess
23 the location of leakage or --

24 [REDACTED] These people need to be
25 notified that you have --

1 SPECIAL AGENT NEFF: It was just
2 notifications --

3 [REDACTED] -- dry well floor drain
4 leakages --

5 SPECIAL AGENT NEFF: -- then but they were
6 holding off?

7 [REDACTED] -- coming up.

8 SR. PROJECT ENGINEER BARBER: Okay.

9 [REDACTED] Normal daytime you'd do it,
10 but hey -- four o'clock in the morning, three o'clock
11 in the morning, whatever it was, common sense and
12 courtesy would say hey, eight o'clock. But when
13 you're going to be getting smacked around for
14 procedure compliance, somebody walks in and says you
15 entered at 4:00.

16 SPECIAL AGENT NEFF: Yes.

17 [REDACTED] This cat did not know until
18 ten.

19 SPECIAL AGENT NEFF: Procedure compliance.

20 [REDACTED]: You did not --

21 SPECIAL AGENT NEFF: Right.

22 [REDACTED] -- comply with your complete
23 procedure for four, five, six hours. Why? 7C

24 SPECIAL AGENT NEFF: In this case you
25 pointed that out them and they made the calls?

1 [REDACTED] They made the calls.

2 "You're right. Okay. I'll" -- I guess
3 they paged them all. Now some of them didn't call
4 back but that's -- "Hey, you did your part. You
5 followed your procedure." Defendable position.

6 SR. PROJECT ENGINEER BARBER: You know
7 going back to the feed pump vibrations, you know, you
8 raised some interesting points about, you know, about
9 the procedure telling the shift to take certain
10 actions. And there being a delay in trying to get
11 Engineering involved and what have you.

12 Is that a standard thing? I mean is it
13 your impression that when a limit is exceeded or
14 approached or when there's something that mandates
15 some action, is it like a default position on the part
16 of the Control Room Supervisor and the OS that they're
17 going to say, "Well, let's call Engineering. Let's
18 get Engineering involved."

19 I mean is that like an automatic, first
20 out of the box answer? Or is it -- or was it, "Now we
21 really don't know if that's a valid indication because
22 it's the only thing" -- I mean I guess I'm asking for
23 your judgment.

24 Because you're on shift. You see what
25 they see. They have a lot of redundant indicators.

1 There's a lot of information that's available if you
2 want to get to it?

3 [REDACTED] I've seen in the last year or
4 two a lot more emphasis on Engineering evaluation than
5 I have seen in the past.

6 SR. PROJECT ENGINEER BARBER: What's your
7 assessment of that? Is that a good thing or a bad
8 thing? Is it being used as an excuse to keep the
9 plant up more? Or is it that no, we really want to
10 involve Engineering. We want them to feel a sense of
11 ownership for the equipment. I mean what --

12 [REDACTED] I -- there are some times I
13 get the impression -- and again, it's an impression,
14 that they are driven in the direction that would
15 maintain the plant in a running condition.

16 An evaluation on a -- say an AK400 JTSE
17 chiller, you know? Hey, we got a million trips on
18 this JTSE chiller. Is it operable? Is it available?

19 You know, "Well, all right. Give me an
20 evaluation that says this is running. This is
21 operable."

22 Even though -- so you get a CR, "Hey, if
23 it's shut down more than eight hours, now it's inop."

24 Why should you have to operate like that?
25 Why do I have to have that challenge to me? That,

1 "Oh, if I had to shut down the AK403 for for more than
2 eight hours, not it's inop?"

3 SR. PROJECT ENGINEER BARBER: So your
4 sense is it seems to be more as --

5 [REDACTED] You know my evaluation?

6 SR. PROJECT ENGINEER BARBER: -- a way to
7 extend the production to keep the plant op? To keep
8 running?

9 [REDACTED]: To start it up. And, you
10 know, "Okay, we're getting an evaluation today on
11 YDLSRMs (phonetic) operable. I haven't seen it.
12 Don't know. But we know it's not operating right. We
13 know it spikes on period. We know it happens all the
14 time. But now it's going to be operable?" What?

15 SR. PROJECT ENGINEER BARBER: Wasn't that
16 a situation where there was a whole raft of
17 surveillance and additional testing that was done on
18 the instrument itself?

19 Basically from the detector, not including
20 the detector, but starting at the detector, putting
21 some sort of input signal in and tracing it out to the
22 input actuating device, whether it be the meter or
23 the, you know, if there is a trip function or alarm or
24 whatever, and all that stuff checks out. So it
25 implicates the detector.

1 [REDACTED] No, it's not the detector.

2 SR. PROJECT ENGINEER BARBER: It's not the
3 detector? So the detector's been tested?

4 [REDACTED] Everything been looked at. We
5 don't know what the problem is. And we can't figure
6 it out. Bottom line. We are bringing in somebody
7 else. We are spending the money to bring somebody
8 else in to tell us it's EMI.

9 SR. PROJECT ENGINEER BARBER: From where?
10 No one knows?

11 [REDACTED] Well, we don't -- we have
12 actually today thrown up our hands and said, "We can't
13 figure this out. We don't know why it's doing it."

14 SR. PROJECT ENGINEER BARBER: When you say
15 we, are you saying --

16 [REDACTED] The organization.

17 SR. PROJECT ENGINEER BARBER: The station
18 --

19 [REDACTED] Yes.

20 SR. PROJECT ENGINEER BARBER: -- as a
21 whole?

22 [REDACTED] Yes.

23 SR. PROJECT ENGINEER BARBER: But do you
24 think they've made efforts, good faith efforts to try
25 and tell what the cause of the problem is?

1 [REDACTED] Yes.

2 SR. PROJECT ENGINEER BARBER: Okay. So if
3 you were running the organization, you'd feel
4 comfortable with justifying whatever was done?

5 [REDACTED] I would feel comfortable that
6 I've done everything. I've exhausted my resources to
7 say whether this will work or not. And to find the
8 problem of why it's spiking all the time.

9 I haven't seen justification for it being
10 operable yet because it still spikes. And I mean it
11 spikes. Off scale. Wait a few second. Come on back
12 down.

13 SR. PROJECT ENGINEER BARBER: Okay.

14 SPECIAL AGENT NEFF: What about your
15 comment that in the past year or two, there's this
16 emphasis on Engineering evaluations? How did it work
17 before that emphasis was there?

18 [REDACTED] I would be more apt to believe
19 that we were Ops driven, you know, Ops made decisions.
20 Now I think we don't make a decision without
21 Engineering being in it.

22 SPECIAL AGENT NEFF: At what level would
23 you have seen that?

24 [REDACTED]: I don't understand your
25 question.

1 SPECIAL AGENT NEFF: When you are saying
2 that you were Ops driven with the decisions being
3 made, at what level are you talking about? CRS? OS?
4 Above them?

5 [REDACTED] Pretty much. CRS, OS.

6 SPECIAL AGENT NEFF: So right on the
7 shift, shift management level?

8 [REDACTED] Yes. But I truly believe they
9 ask for it more than in the past.

10 SPECIAL AGENT NEFF: They're asking for
11 the Engineer involvement?

12 [REDACTED] Yes.

13 SPECIAL AGENT NEFF: More than you did in
14 the past?

15 [REDACTED] Yes. 7C

16 SR. PROJECT ENGINEER BARBER: Do you get
17 the sense, and I don't know if you have had the
18 opportunity to participate or see this firsthand or
19 maybe you just know secondhand, that -- like if
20 there's situations like this that come up where there
21 is something that's exceeded or some unusual
22 condition, is there a bias on the part of maybe
23 Operations management to say, "Well, we don't really
24 know if this is valid."

25 Let's take the vibration thing. "But

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1 we're not so sure. We don't know if it's that, you
2 know, critical. We don't see other changes."

3 I mean is there a -- some sort of attempt
4 to try and kind of like bias Engineering to make a
5 decision one way or another? To say, you know, make
6 the decision in the manner that gives us the most
7 production?

8 Or, I mean in watching those interactions,
9 do you get that? Or do you just get these are the
10 facts. This is what we know. Go off and do an
11 independent review. And come back with whatever the
12 right answer is, whether it's good or bad for
13 production.

14  It would be hard for me to say
15 that we influenced Engineering to make a decision to
16 say positive production. TC

17 But it would be even harder for me to say,
18 with the amount of times that they come back in the
19 production side of it, not to say that they didn't
20 feel the influence.

21 SR. PROJECT ENGINEER BARBER: In recent
22 times, have they made any decisions that have resulted
23 in taking the unit off line? Or delineating it?

24 I mean other than like some of these more
25 high-level decisions, which it appears the new plant

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1 manager has made regarding when to take the unit off
2 or whether to take it off, has there been times when
3 Engineering very specifically said, "Oh yes, we did
4 this review on this issue. And it's not good. It
5 doesn't look right. It doesn't look like they're
6 operable. You're going to have to take actions to
7 shut the unit down. We'll have to go fix it."?

8 [REDACTED] "That doesn't look right.
9 We're going to need to fix it". You know I know they
10 did. But I can't remember exactly what the --

11 SPECIAL AGENT NEFF: We'll go off the
12 record briefly, okay? 3:10 p.m.

13 (Whereupon, the foregoing
14 matter went off the record at
15 3:10 p.m. and went back on the
16 record at 3:10 p.m.)

17 SPECIAL AGENT NEFF: Back on. Still 3:10
18 p.m.

19 [REDACTED] I'm sure they did. I haven't
20 -- the specific instance but I know -- I know in my
21 gut I know there's one there sitting there where they
22 went. "Nope, you need to take a look at this." I
23 can't remember what it was. I'm sure they have. 7C

24 SR. PROJECT ENGINEER BARBER: So you think
25 there might have been at least one instance where that

1 happened?

2 [REDACTED] Yes.

3 SR. PROJECT ENGINEER BARBER: How about
4 the number of times that they said, "No, keep, you
5 know, it's not an issue. It's not a problem. Keep
6 running."

7 [REDACTED] Oh, yes.

8 SR. PROJECT ENGINEER BARBER: Is that --

9 [REDACTED] Oh, yes.

10 SR. PROJECT ENGINEER BARBER: -- is that
11 the standard answer? Or --

12 [REDACTED] I get -- I mean I can roll
13 examples out if you want them. I mean -- "Hey, you
14 need to trip the circ water pump when you reached 215
15 degrees in the motor." 7C

16 "Well, we're at 215."

17 "Well, you get 230."

18 "All right. We're at 230."

19 "245."

20 "All right, we're at 245."

21 "270."

22 You go, "All right."

23 And they give you full explanations on why
24 they did this. "Oh, yes, well, the wrapping around
25 the wires, that doesn't break down until 245 degrees."

1 "We're at 245."

2 "270."

3 Then what the hell was 245?

4 SPECIAL AGENT NEFF: So you're saying
5 their explanations do not well justify --

6 [REDACTED] Sometimes their justifications

7 --

8 SPECIAL AGENT NEFF: -- with the
9 indications.

10 [REDACTED] -- right, you start asking
11 questions like, you know -- here's another one nobody
12 is really comfortable with where we sit there and go,
13 "Oh, throw your T-RAC (phonetic) safety relief
14 values."

15 How many do we have at high temperature
16 right now?

17 SR. PROJECT ENGINEER BARBER: I couldn't
18 tell you. Two?

19 [REDACTED] How many did we have before we
20 shut down?

21 SR. PROJECT ENGINEER BARBER: Three?

22 [REDACTED] How many did we have before
23 last outage? About three or four, okay? How many
24 times did we raise T-mod (phonetic) the temperature
25 indication back up?

1 Right. You're sitting in three of four T-
2 mods deep. You know, "Hey, I'm at 270 now."

3 "Okay, that's good." You know, where is
4 the justification for these things?

5 You know, hey, you know --

6 SR. PROJECT ENGINEER BARBER: Well,
7 doesn't the temporary mod, doesn't that have that in
8 it? I mean it's supposed to have a safety evaluation,
9 right?

10 [REDACTED] Oh, yes.

11 SR. PROJECT ENGINEER BARBER: Do you ever
12 read them?

13 [REDACTED] Sometimes. This one was -- we
14 evaluated that it -- we've seen from Peach Bottom that
15 these target RACs are unreliable at 268 degrees. And
16 you have a potential for it to open up. TC

17 You know, you read them. You go, "All
18 right. I'm still not comfortable at 215 degrees. I'm
19 still not comfortable at 235 degrees." You know, when
20 has it blown by too much?

21 You know, "The torus is getting warm.
22 When is this thing going to open up on me?"

23 SR. PROJECT ENGINEER BARBER: Is there --
24 do they consider that? Do they ever consider like how
25 much -- like actual run time? Or things like that?

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1 Does that come into play?

2 [REDACTED] I don't know if it does or
3 doesn't. I mean you'd have to ask an engineer. I
4 don't know.

5 SR. PROJECT ENGINEER BARBER: You keep
6 logs on that though, right?

7 [REDACTED] What's that? Our actual run
8 time?

9 SR. PROJECT ENGINEER BARBER: Yes. For
10 taurus cooling?

11 [REDACTED] For torus cooling, we -- let's
12 see --

13 SR. PROJECT ENGINEER BARBER: You have a
14 special log?

15 [REDACTED] We have -- for torus cooling,
16 do we have -- torus blow down.

17 SR. PROJECT ENGINEER BARBER: You don't
18 have to keep track of how long you run --

19 [REDACTED] An RHR pump?

20 SR. PROJECT ENGINEER BARBER: Yes, for
21 torus cooling, you don't have to record the start time
22 and stop time?

23 [REDACTED] Sure.

24 SR. PROJECT ENGINEER BARBER: And then --

25 [REDACTED] In the narrative logs.

1 SR. PROJECT ENGINEER BARBER: Oh, is that
2 right?

3 [REDACTED] Yes.

4 SR. PROJECT ENGINEER BARBER: But there's
5 not a special log for that?

6 [REDACTED] For torus cooling? Not that
7 I remember.

8 SR. PROJECT ENGINEER BARBER: Okay, well
9 that would be unusual. Because most plants have an
10 assumption in their accident analysis that says RHR
11 doesn't run more than one percent of the time for
12 torus cooling. So if you work out the hours, one
13 percent is 87 hours basically. So you don't run more
14 than 87 hours a year on torus cooling.

15 [REDACTED] Oh.

16 SR. PROJECT ENGINEER BARBER: But the only
17 way to know that is to keep track of it. So --

18 [REDACTED] I don't know. Because I don't
19 remember.

20 SR. PROJECT ENGINEER BARBER: Okay, I mean
21 there would be a potential ramification of having the
22 SRVs that leak too much.

23 [REDACTED] Oh, I know. 7C

24 SR. PROJECT ENGINEER BARBER: You'd have
25 to run some torus cooling surveillance.

1 [REDACTED] I think we all know that.

2 SR. PROJECT ENGINEER BARBER: Okay.

3 [REDACTED] But we've had -- I mean so
4 that they evaluated good.

5 SR. PROJECT ENGINEER BARBER: How high do
6 temperatures get? You said they get to 260-some
7 degrees?

8 [REDACTED] I don't remember how high.
9 No, I think it got jacked up to 260 degrees at one
10 time. Damn, I'm trying to remember what did it get up
11 to. Because we were like three T-mods into it.

12 I came in the log at 220, so it went to
13 225. Got jacked out of there to 230, 235. So I'd say
14 it ended up 235 or 240 --

15 SR. PROJECT ENGINEER BARBER: Okay.

16 [REDACTED] -- is a good round number to
17 where it got up to. Because it shot up three T-mods.
18 And I think they only raised it like five degrees each
19 T-mod.

20 SR. PROJECT ENGINEER BARBER: Okay. Okay.

21 [REDACTED] So, and then at 235 degrees,
22 I'm sitting there going, "Oh please, don't open up."

23 SR. PROJECT ENGINEER BARBER: We don't
24 know this. And we've kind of covered a lot of
25 territory. We've talked about a lot of different

1 events and issues.

2 And we've discussed a lot of nuances in
3 the way the plant the works and all that. And the way
4 the organization interacts with different departments.

5 In considering some of that and thinking
6 back on it, and again, this may be firsthand, it may
7 be secondhand, things you've heard, do you still feel
8 like there have been things that have come up where
9 people felt free to raise issues without feeling like
10 there's going to be some kind of consequence, you
11 know?

12 [REDACTED] I said that in the beginning,
13 yes, I have no problem with raising a concern. I
14 don't feel there is a consequence for raising a
15 concern.

16 The only thing I could possibly imagine is
17 raising a concern with a low expectation of
18 resolution.

19 SR. PROJECT ENGINEER BARBER: Do you feel
20 that that same feeling would exist with someone who
21 wasn't in the union. I mean you kind of have the
22 union to protect you, right? I mean the union has
23 rules --

24 [REDACTED] Yes.

25 SR. PROJECT ENGINEER BARBER: -- you're

1 unified --

2 [REDACTED] That I understand.

3 SR. PROJECT ENGINEER BARBER: -- you know
4 and yet maybe a CRS or an OS, they're first line
5 supervisors or second line or whatever, they don't
6 have that protection.

7 [REDACTED] That's correct.

8 SR. PROJECT ENGINEER BARBER: So --

9 [REDACTED] And yes, the answer to that
10 question is yes. There's more than one supervisor at
11 one time said, "Go ahead, tear into them because
12 (inaudible) you know?"

13 SR. PROJECT ENGINEER BARBER: Has it been
14 on some of these issues we've talked about?

15 [REDACTED]: There's some. As a matter of
16 fact, I did mention one where, you know, "Find me a
17 reason to not run this."

18 SR. PROJECT ENGINEER BARBER: That was the
19 diesel one?

20 [REDACTED] Yes. "Find me a reason. I
21 don't want to run it either." 7C

22 But they don't have the -- hey, I totally
23 believe that the reason I ended up in the penalty box
24 is because somebody didn't have the testicular
25 fortitude to look up and say, "No, this is wrong. No,

1 you're wrong."

2 SPECIAL AGENT NEFF: What about other
3 situations where they may hesitate at that level to
4 raise concerns? What other ones --

5 [REDACTED] I don't know if they -- don't
6 get me wrong. I don't know if it's they hesitate.
7 But once the decision is made, I don't think they have
8 the ability to challenge. Or they're not a team
9 player.

10 And I've heard that on many occasions from
11 the supervisors. "Yes, you got to go along or you're
12 not a team player. And your advancement is done."

13 SPECIAL AGENT NEFF: So they won't push
14 back?

15 [REDACTED]: Not very hard. Very, very --
16 pick your battles kind of situation. Yes, I have had
17 more than one like that. "You've got to have the
18 union with protection because they can say the things
19 I'm not allowed to say." 7C

20 SPECIAL AGENT NEFF: Now do you see that
21 crossing over into areas that -- one that you threw
22 out as an example was where they didn't stick up for
23 you in terms of that discipline. Or remediation if
24 you don't want to call it discipline.

25 They weren't sticking up for you and your

1 position in that when they -- clearly they told you
2 they didn't see you as liable for part of that
3 problem.

4 [REDACTED] At one point. Then all of a
5 sudden now I was.

6 SPECIAL AGENT NEFF: Right, right. But
7 what about in terms of its effect on the safe
8 operations of the plant? If they have a concern, can
9 they push that? Do they push that?

10 [REDACTED] I would love to be able to say
11 -- as a matter of fact, I will say that I certainly
12 hope that nobody would put nuclear safety second to
13 their career. I would like to believe that everybody
14 in that control room, if nuclear safety was an issue,
15 would right off say, "No, I'm not doing this."

16 SPECIAL AGENT NEFF: You say you would
17 love to say. Are you in a position or have you
18 observed anything to the contrary?

19 (inaudible)

20 [REDACTED] -- of our license.

21 SPECIAL AGENT NEFF: Right.

22 [REDACTED] So that would make me question
23 what they would do. But I would think, I truly
24 believe that most everybody in there, when faced with
25 a decision on nuclear safety, would do the right

1 thing.

2 SR. PROJECT ENGINEER BARBER: Well, you
3 know, what's interesting is we've covered a lot of
4 these issues and a lot of the incidents. And some
5 have nuclear safety elements, some don't.

6 And I'm sure that for each person
7 involved, they have their own opinion on whether
8 something is a nuclear safety issue or not. Or
9 whether it has reached the threshold.

10 And they might answer the question that we
11 asked the same way you did where yes, they would feel
12 free to raise it as a nuclear safety issue.

13 But, you know, in some of these instances,
14 like you mentioned off gas, there are things that are
15 "potentially nuclear safety issues." And maybe
16 they're significant, maybe they're not.

17 And maybe has somebody knowledge than you
18 do or that I do and they could make a better judgment
19 about it.

20 But aren't all these things, and these
21 interactions, aren't these challenges that are really
22 kind of going unanswered, I mean that people are
23 saying, "Hey, I had this concern, I had this issue.
24 And, you know, it didn't get addressed."

25 Or it was, you know, I think you said once

1 a decision is made, you know, no one can, you know, no
2 one can push it any further or they just get viewed as
3 not being a team player.

4 Isn't that --

5 [REDACTED] I'm talking one person.

6 SR. PROJECT ENGINEER BARBER: Aren't those
7 -- I mean aren't some of those maybe borderline
8 nuclear safety issues? You know, you could argue they
9 are or they aren't, depending on how you happen to
10 feel that day?

11 I mean (inaudible) yes, you kind of
12 indicated maybe that was.

13 [REDACTED] Oh, yes. And thank God I was
14 in the penalty box. Hey, starting up diesel. You
15 know, it might be nuclear safety or industrial safety.
16 But we would have had a go if it was -- I was told to
17 push that button. I put it off.

18 The guy that told me find a reason not to
19 start it, I found a reason. But the bottom line was
20 I wasn't going to start it anyhow.

21 SR. PROJECT ENGINEER BARBER: Let me ask
22 you something.

23 [REDACTED] We were going to absolutely
24 get me relieved. TC

25 SR. PROJECT ENGINEER BARBER: All right.

1 Here's the question.

2 [REDACTED] Here's the thing. And I'm
3 sure you've heard about this incident.

4 SPECIAL AGENT NEFF: Before we get there,
5 did you identify the individual on that already?

6 [REDACTED] What's that?

7 SPECIAL AGENT NEFF: When we talked about
8 the diesels? Who told you to find a reason not to
9 start it?

10 [REDACTED] Yes.

11 SPECIAL AGENT NEFF: Who was that?

12 [REDACTED]

13 SPECIAL AGENT NEFF: Okay. Your [REDACTED]
14 okay?

15 SR. PROJECT ENGINEER BARBER: Let's not --
16 I don't want to give up on that. I want to stay with
17 that for a minute. And we'll come back to yours. Let
18 me just ask a follow up.

19 If you were to say to your supervisor or
20 to someone in power, let's say [REDACTED] in the control
21 room, you say, "I want, you know, I want you to do
22 that." 7C

23 And you say, "No, get me a relief."

24 And then he says, "Okay, I'll do that."

25 And you say, "Okay, now that you're going

1 to get me relief, I'm going to go right to the phone.
2 I'm going to call OSHA up. And I'm going to tell them
3 what happened."

4 What do you think would happen in those
5 instances? You're directing me to do something you
6 believe is unsafe from an industrial safety
7 standpoint.

8 Or, conversely, it's a -- what you
9 perceive to be a nuclear safety issue. Maybe it's the
10 off gas issue. You're in the control room. You know
11 the NRC. "Fine, get me a relief. And as soon as I
12 get out of here, I'm calling the NRC."

13 What do you think would happen under those
14 circumstances?

15 [REDACTED] I don't know if I was very
16 scared of that. But I don't know.

17 SR. PROJECT ENGINEER BARBER: Did you ever
18 consider that? I mean -- or --

19 [REDACTED] Did I consider it? Yes, I
20 watched it. And I'm sure you heard about it, too.

21 SR. PROJECT ENGINEER BARBER: But there's
22 a big difference in you making that --

23 [REDACTED] I watched what happened with
24 [REDACTED] You think I'm not going to sit there and say,
25 "Whew, it's going to get ugly."?

1 SR. PROJECT ENGINEER BARBER: Did he call
2 the NRC?

3 [REDACTED] No. It wasn't an NRC -- it
4 was a -- I'm sure you heard about it. [REDACTED]
5 got told by [REDACTED] "You're not to operate by --
6 you're not to be working operating the plant by
7 Historian (phonetic), the computer program that gives
8 us all our" --

9 He said, "Okay, then I'm not signing on
10 the computer. You don't want me to use Historian to
11 operate the plant, I ain't looking at. Not going to
12 get distracted."

13 Then two days later when a supervisor
14 says, "I want you to train me this on Historian," he's
15 like, "Hey, I'm not touching Historian."

16 And I guess they got into a brouhaha, and
17 they both locked butt. Said, "Hey, I'm not doing it."

18 "I've told you to do it. And I'm the
19 supervisor. And you'll do what I tell you."

20 "I've been told by your boss's boss that
21 I'm not to be on here. And I'm not doing it."

22 Escorted him off site and took his license.

23 We got into it. And it was [REDACTED]
24 at the time. He came out because I was in training at
25 the time. He came out to explain to us, you know, if

1 a supervisor tells you what to do, you're going to do
2 it. It's like (inaudible)

3 I answer to you guys because you've given
4 me a license. I have taken my responsibilities of
5 protecting the health and welfare of the general
6 public from you guys. So I answer to you. But I also
7 answer to them.

8 And these guys come up with this stuff,
9 you know, "You'll do whatever your supervisor tells
10 you."

11 "No, I still have to have the questioning
12 attitude." And if I think it's wrong, I'm not going
13 to do it.

14 Well, [REDACTED] was under the
15 impression that hey, if your boss tells you to do
16 something, that's his role. You do it or you get the
17 hell out of the control room. Yes, yes, yes.

18 You can't have it both ways. Because 7C
19 we've had guys say, "I'm not going to do it. This is
20 wrong. I've been told not to do it. And I'm not
21 doing it," -- gets escorted off the site.

22 The guy tells his supervisor, "Hey, this
23 is wrong, bad things are going to happen if you do
24 this."

25 "I told you to do it," does it, he gets in

1 trouble.

2 So no matter what happens, if the
3 supervisor's wrong, I'm getting in trouble. I'm
4 putting my job in jeopardy every time the supervisor
5 is wrong. I mean that's the way he wants that pie.
6 It ain't worth it.

7 SPECIAL AGENT NEFF: They gave no weight
8 in that situation to the fact that [REDACTED] had
9 directed [REDACTED] to do something different?

10 [REDACTED] No. They escorted him
11 offsite, took his license.

12 SPECIAL AGENT NEFF: Because it was the
13 first -- the next line supervisor who was giving him
14 the order?

15 [REDACTED] Yes, escorted him offsite.

16 SR. PROJECT ENGINEER BARBER: Was there --
17 what happened with him?

18 [REDACTED] He had to go through a
19 remediation plan and eventually he got his license
20 back. But it was such a brouhaha, that the union
21 pulled every off shift rotation off shift. It was so
22 wrong, we said, "All right, fundamentally screw you.
23 We're all coming back off shift. And you can work
24 your workweek by your goddamn self. We're not helping
25 you no more. 7C

1 "All the voluntary off shift rotations we
2 used to do, no. We're all back on shift. See you."

3 SR. PROJECT ENGINEER BARBER: And what
4 happened with that? Was there any attempt to try and
5 cajole the people who went off shift back to work?

6 [REDACTED] Oh, of course. But no, "We're
7 not doing it. Up yours. We'll do it when we're on
8 shift. You want us to do this work week work? Assign
9 it to me when I'm on shift."

10 SPECIAL AGENT NEFF: How long did [REDACTED]
11 [REDACTED] stay out?

12 [REDACTED] Six weeks. I don't remember
13 exactly the length of time of his penalty box. I know
14 --

15 SPECIAL AGENT NEFF: Did you stay off
16 shift?

17 [REDACTED] What's that?

18 SPECIAL AGENT NEFF: Away from the work
19 week stuff for that amount of time, too? Did the rest
20 of the union?

21 [REDACTED] Oh, yes, because as a matter
22 of fact, we're just getting back on it now. And that
23 was a while ago. That was almost two years ago. And
24 we're just getting back on where we're starting to
25 fill the off shift rotations again.

1 But yes, you can't have it both ways. Do
2 whatever your supervisor tells you. Or have a
3 questioning attitude. Like my incident, "You ranged
4 up on the IRMs, [REDACTED] you should have been taking
5 notice to shut down."

6 My supervisor told me point blank, "you're
7 power is going to be coming up on you. Range up on
8 the IRMs." What am I supposed to do?

9 SPECIAL AGENT NEFF: And you --

10 [REDACTED] I'll give you another example.

11 [REDACTED] "Open that RACs
12 valve."

13 "You're sure that downstream line is
14 totally filled and vented?"

15 "I've checked it out. That downstream
16 line is filled and vented."

17 "You sure about that? I'm not sure I
18 should be opening that valve, [REDACTED] I haven't heard
19 from (inaudible) yet."

20 "I'm telling you to open that valve. I'm
21 telling you right now to open that valve."

22 "All right."

23 Boom, the RACs pumps go away. [REDACTED] gets
24 counseled. It's like how do you end up in the
25 discipline process for doing exactly what your boss

1 told you. But he's going to. And he did. Because he
2 followed the instructions of his supervisor.

3 SPECIAL AGENT NEFF: Is this after the
4 [REDACTED] incident?

5 [REDACTED] No, it was actually before.
6 It was one of the ones we used for [REDACTED] Okay,
7 he's wrong because he opened the valve because his
8 supervisor told him to. Even though he told his
9 supervisor not to do this.

10 SR. PROJECT ENGINEER BARBER: What was
11 [REDACTED] response to that?

12 [REDACTED] "Oh, that's good input."

13 SPECIAL AGENT NEFF: What happened to
14 [REDACTED]

15 [REDACTED] I'm sure he got the same thing
16 that [REDACTED] got. I don't know. They don't have to share
17 that with us.

18 SPECIAL AGENT NEFF: Right. You don't
19 know the details.

20 SR. PROJECT ENGINEER BARBER: Is it your
21 perception, though, that if there is some sort of
22 discipline of any sort or some remediation, that the
23 supervisors get the, you know, equivalent or, you
24 know, some amount of it?

25 [REDACTED] The answer to me was, "I don't

1 owe you an explanation."

2 Because I asked when I went to the penalty
3 box, "Why in the hell am I sitting in the penalty box
4 with all these guys and [REDACTED] aren't
5 in here with me?"

6 "I don't owe you an explanation."

7 "Okay. You're right. You don't"

8 SR. PROJECT ENGINEER BARBER: Who said
9 that?

10 [REDACTED] "I don't owe you an
11 explanation for what I do to those people."

12 "You're right. You don't."

13 SPECIAL AGENT NEFF: Which leaves you with
14 I don't know if anything happened to them at all.

15 [REDACTED] Right, right. And I don't
16 care. It really doesn't matter that much to me. It's
17 just, you know, the perception is to everybody else
18 these are the five guys that are messed up.

19 Oh, hey, these are the three people who
20 set them up.

21 SR. PROJECT ENGINEER BARBER: Do you think
22 they got some disciplinary action or some --

23 [REDACTED] I don't know.

24 SR. PROJECT ENGINEER BARBER: -- some
25 counseling or something?

7C

1 [REDACTED] I don't know.

2 SPECIAL AGENT NEFF: Did you bring out all
3 the incidents you wanted to? There was -- you were
4 going to go somewhere before when we were talking
5 about (inaudible).

6 [REDACTED] Oh, I don't know. I don't
7 know how many years ago this was. Raising power when
8 we had a tripped feed water heater. Nobody saw the
9 feed water heater was tripped after a lightning
10 strike. 7C

11 And the ROs going, "Look, I got way too
12 much power here for where I am. Something is wrong."

13 They called the RE. The RE's like, "Oh,
14 yes, it's all right. Oh, yes, xenon bowl, xenon
15 roll."

16 "No, we're way too high in power. We need
17 to stop and take a look at this."

18 "No, no, we can keep on going."

19 "All right. I'm telling you," three times
20 he told him, "We're way too high in power. There's
21 something wrong here."

22 Now, granted the valves were right here.
23 He had a big mess of valves and little red and green
24 lights. But nobody saw that the fuel water heater had
25 isolated. Extraction team (inaudible) isolated. And

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1 we were actually making more power than we should have
2 been at that time by sending cold water to the
3 reactor.

4 But the man told him several -- three
5 times, "Whoa, something's wrong." And they continued
6 to want him to start up.

7 Final red warning because he started the
8 reactor up. When he's sitting there saying, "It is
9 wrong."

10 SR. PROJECT ENGINEER BARBER: Does this
11 stuff -- when there is this discussion, does this get
12 logged? Is there something that says -- basically
13 provides a record that says, I'm going to put a
14 recommendation in my logs that I -- or put a note in
15 my logs that I discussed this with you?

16  There's fact finder notes.

17 SR. PROJECT ENGINEER BARBER: And it says
18 --

19  And sometimes we put it in the
20 logs. And sometimes we write a notification.

21 SR. PROJECT ENGINEER BARBER: Is there any
22 kind of repercussions if you write in the logs? Like
23 if you feel like something is not right or you feel
24 like there is -- you have some concern about
25 something, and you write a note in the log, and you

1 say -- you tell the supervisor and they still want to
2 proceed, just like we were describing, you say, "Okay,
3 I'll do it but I'm going to write a note in the logs
4 first," do you get a lot of -- do they give any kind
5 of --

6 [REDACTED] You know what, I want to make
7 this perfectly clear. You get a group of ten people
8 together everyday for years on end, you're going to
9 have a conflict. Sooner or later, you're going to
10 have a conflict. 7C

11 Do I think that you're going to get two
12 people mad at each other for a short period of time
13 because he's going to put something in the logs?
14 Sure.

15 But do I thing it's going to be long-term
16 repercussions for it? No. We're all men. We all get
17 over that kind of stuff.

18 Is there going to be any repercussions for
19 it? Probably not. I would hope not.

20 SR. PROJECT ENGINEER BARBER: See I would
21 think that the supervisor, if he's directing you to do
22 something, he or she is directing you to do something,
23 and you're saying -- and it's against your better
24 judgment and you put something in the logs, what that
25 really means is if there's some consequence, that

1 they're saying, "I'll take the hit for whatever
2 happens."

3 [REDACTED] You're so naive. You're so
4 naive..

5 SR. PROJECT ENGINEER BARBER: No.

6 [REDACTED] That's naive.

7 SR. PROJECT ENGINEER BARBER: Is it?

8 [REDACTED] Yes. The man told me to range
9 up on the IRMs. I got sent to the penalty box for not
10 taking them other switches to shutdown.

11 SR. PROJECT ENGINEER BARBER: And you
12 don't think --

13 [REDACTED] And he told me power was going
14 to come up.

15 SR. PROJECT ENGINEER BARBER: And you
16 don't think --

17 [REDACTED] He told me I was going to be
18 briefed separately.

19 SR. PROJECT ENGINEER BARBER: -- that's
20 unfair? You think that that's fair?

21 [REDACTED] No, I don't. But that's why
22 I'm saying you are naive. He didn't take the hit. I
23 took the hit. 7C

24 SR. PROJECT ENGINEER BARBER: Well, he
25 took a hit, too, right?

1 [REDACTED] He took a hit, too. But you
2 just told me I should be absolved because you did
3 exactly what your supervisor said.

4 SR. PROJECT ENGINEER BARBER: But didn't
5 you tell me if it comes up on your performance
6 appraisal or your --

7 [REDACTED] Oh, we're going to go. But --

8 SR. PROJECT ENGINEER BARBER: So you feel
9 that way, too.

10 [REDACTED] I do.

11 SR. PROJECT ENGINEER BARBER: Okay.

12 [REDACTED] I do.

13 SR. PROJECT ENGINEER BARBER: Okay.

14 [REDACTED] But it isn't like that.

15 SR. PROJECT ENGINEER BARBER: I'm not
16 saying how it should be. Or how --

17 [REDACTED] Well, you're saying how it
18 should be. It ain't like that.

19 SR. PROJECT ENGINEER BARBER: -- how it
20 should be but this is how it really is.

21 [REDACTED] This is life.

22 SR. PROJECT ENGINEER BARBER: Okay.

23 [REDACTED] Yes. And it is funny, it is
24 funny because one of the guys I went to initial
25 license with, when the [REDACTED] incident hit, of

1 course, it's going to be a big, hot topic of
2 conversation in the room.

3 And one of the supervisor-trainees at the
4 time looked at me and goes, "Well, I would expect if
5 I gave you an order, and you said, [REDACTED] I think this
6 is wrong. We shouldn't be doing this.' And I tell
7 you, 'You will do it.' And you follow my order,
8 you're clear. You're covered. I took the weight."

9 I said, "Right. [REDACTED] that ain't the way
10 it works. You're naive."

11 This hit -- all right, I came back to [REDACTED]
12 after I got back on shift. I said, "Hey, [REDACTED] what
13 do you think of that stupid statement you made in
14 training?"

15 He goes (inaudible)

16 SR. PROJECT ENGINEER BARBER: Do you think
17 in hindsight, do you think [REDACTED] do
18 you think they could have said something on your
19 behalf or did say something on your behalf to say,
20 "Look, this is what happened. We told [REDACTED] to" --

21 [REDACTED] Do you mind a quote with foul
22 language in it?

23 SR. PROJECT ENGINEER BARBER: Go ahead.

24 [REDACTED] INPO sitting there, [REDACTED]
25 [REDACTED] giving the evaluation on the final report on

1 my incident. [REDACTED] looks at [REDACTED] and
2 the INPO guy, he goes, "You know what? After I go
3 through all this stuff, you know what I figured out?"

4 [REDACTED] says, "No, what?"

5 "We fucked [REDACTED] Bottom line, we fucked
6 him. He got blind-sided, he got told to do the wrong
7 stuff, he asked the right questions, and followed the
8 right procedures, and we fucked him."

9 "Oh, you can't say that. You can't say
10 that."

11 SPECIAL AGENT NEFF: Who took that
12 position?

13 [REDACTED]
14 SPECIAL AGENT NEFF: No, no, no, who said,
15 "You can't say that."?

16 [REDACTED] the Bar evaluator of
17 the incident.

18 SPECIAL AGENT NEFF: [REDACTED]

19 [REDACTED]
20 [REDACTED] No, he's our -
21 - he's PS's guy. The [REDACTED] was with him.

22 SPECIAL AGENT NEFF: Okay. And he says,
23 "You can't say that."?

24 [REDACTED] "Oh, you can't say that. He
25 is part of this." 7C

1 It's like, "No, we screwed him. We
2 screwed him royal."

3 So yes, [REDACTED] stood up.

4 SR. PROJECT ENGINEER BARBER: Yes, but
5 that's at the end. What about --

6 [REDACTED] No, he stood up through the
7 whole -- pretty much, I can't --

8 SR. PROJECT ENGINEER BARBER: What about -

9 -

10 [REDACTED] -- though [REDACTED] set me up, I
11 can't blame him for the fact finding part of it
12 because he pretty much, "He did exactly what I told
13 him to do," through the whole thing. "He did exactly
14 what he was told to do."

15 SR. PROJECT ENGINEER BARBER: So he --

16 SPECIAL AGENT NEFF: It came down on you
17 anyway? It still landed on you.

18 [REDACTED] Oh, he don't have any choice.
19 I mean it wasn't like he said, [REDACTED] going to go to
20 the penalty box." He's in the penalty box, too.

21 SR. PROJECT ENGINEER BARBER: Everybody
22 gets painted with the same brush.

23 [REDACTED] Exactly.

24 SR. PROJECT ENGINEER BARBER: You're under
25 the same umbrella. You were involved.

1 [REDACTED] Right.

2 SR. PROJECT ENGINEER BARBER: Whether you
3 had nothing to do with what the outcome was --

4 [REDACTED] Pretty much.

5 SR. PROJECT ENGINEER BARBER: -- you're
6 all painted with the same brush.

7 [REDACTED] Yes.

8 SR. PROJECT ENGINEER BARBER: Okay.

9 SPECIAL AGENT NEFF: Good. I had some
10 follow up questions for you on that. We were talking
11 about people's ability to raise concerns. And what
12 you think they would do onsite.

13 Are you aware of any other situations? A
14 lot earlier we described a situation involving SAP
15 where it was -- at least to your knowledge rumored --
16 that at the OS level someone who criticized SAP had
17 been retaliated against. But that's --

18 [REDACTED]: No, I didn't say he was
19 retaliated against. I just said he raised a concern.
20 Nothing happened. I don't know if he was retaliated
21 against. I know it was not received warmly.

22 SPECIAL AGENT NEFF: I thought we were
23 going to -- was there any adverse effects? I mean
24 that's the same thing. We're looking at any adverse
25 actions taken against somebody.

1 And you had said not firsthand but this is
2 something that you had heard about.

3 [REDACTED] Right.

4 SPECIAL AGENT NEFF: You're going back
5 there in '99/2000 time frame. Anything since?
6 Anything more recent in terms of someone who pushes a
7 concern where -- whether it happened or not, are you
8 hearing that type of --

9 [REDACTED] Pushes a concern and gets
10 retaliated against?

11 SPECIAL AGENT NEFF: Yes, you raise a
12 concern and you get retaliated against.

13 [REDACTED] Not really.

14 SPECIAL AGENT NEFF: Can't think of
15 anything?

16 [REDACTED] No, not off the top of my
17 head. I know if -- I have -- how can I put this.
18 Same thing that [REDACTED] told me. They don't owe us an
19 explanation on their decision making.

20 But I'm certain it has been expressed to
21 me that you're not a team player with the management
22 guys, amongst the management guys. So I don't know if
23 they are as apt to bring up a concern as union guys
24 who have protection.

25 It's been expressed to me on more than one

1 occasion that there are some people they need to keep
2 in the union because they are people that do bring up
3 concerns. They are loud. And they need that because
4 sometimes they don't have as much voice.

5 They have to be careful of what they say.
6 As what we can say because we do have union
7 protection.

8 SPECIAL AGENT NEFF: So you're hearing
9 this from -- at the --

10 [REDACTED]: Supervisors.

11 SPECIAL AGENT NEFF: -- CRS, OS level?

12 [REDACTED] CRS level, OS level,
13 certainly.

14 SPECIAL AGENT NEFF: Who -- at the CRS and
15 OS level, who do you hear it from that have this
16 concern about challenges, as you say, challenging
17 decisions that have been made?

18 [REDACTED] I've just been told.

19 SR. PROJECT ENGINEER BARBER: You already
20 mentioned one, so --

21 [REDACTED] Which one was that? [REDACTED]

22 [REDACTED]

23 SR. PROJECT ENGINEER BARBER: Yes.

24 [REDACTED] Yes, he did mention it once.

25 But I mean I've heard it a couple of times.

7C

1 SR. PROJECT ENGINEER BARBER: But do guys
2 like -- or women like [REDACTED]
3 I mean are they saying that because, you know, you
4 talk about this incident with the feed pump and the
5 vibes. Is there some reason why they feel like they
6 can't follow procedure? Are they --

7 [REDACTED]: I don't know what they're --
8 why they --

9 SR. PROJECT ENGINEER BARBER: Do they come
10 to you and say, you know, or maybe not come to you but
11 do you overhear them talking to somebody and they say,
12 "Yes, I'd like to take the unit offline. I'd like to
13 follow procedure. But I'd get hammered in my
14 performance appraisal if I did that."?

15 [REDACTED]: Oh, please, I mean they're all
16 concerned about their performance appraisal. But
17 again, I'm going to stress that when it comes to
18 nuclear safety, I would hope that their performance
19 appraisal would fall second, third, fourth. I would -
20 - I would -- I just would --

21 SR. PROJECT ENGINEER BARBER: What would
22 happen if that pump failed and it started a transient
23 that we ended up -- it ends up being some big, big
24 industry event? I mean how do you track back that
25 decision and then -- that led to all these other

1 complications?

2 [REDACTED]: Yes, yes. I mean --

3 SR. PROJECT ENGINEER BARBER: You know,
4 and there are a lot of things that are like that.
5 Where it's a small incident here.

6 [REDACTED] Do you know what they'd jerk
7 it all the way back to? An incident where we had a
8 power perturbation. Do you know where they drug it
9 all the way back to?

10 SR. PROJECT ENGINEER BARBER: What?

11 [REDACTED] Derating the aux boiler.
12 That's where our little evaluator drug it all the way
13 back to. The root cause of the whole thing was
14 derating the aux boiler. 7C

15 And you're sitting there saying, "How does
16 derating the aux boiler causing a power perturbation
17 in a reactor?"

18 Well, that's what they drug it back to.
19 "Well, we couldn't run on seals because your aux
20 boiler couldn't handle the seals. So we were afraid
21 it wouldn't handle the seals. So we had to come up
22 with this IPTE, which caused this, which caused that,
23 which caused that."

24 You can always drag it back to something.
25 I would hope -- I have faith that most guys, if

1 challenged, would do the right thing.

2 But do I have confidence that they would
3 absolutely be absolutely sure that they had their
4 ducks in a row before they did anything, oh, yes.
5 Would they second guess themselves, yes, they would.

6 SPECIAL AGENT NEFF: What about your
7 comment on -- where management -- where from the CRS
8 and OS level, I think to capture you accurately, what
9 you were saying is that they see that there are
10 certain people they need to keep in the union --

11 [REDACTED] Yes.

12 SPECIAL AGENT NEFF: -- to have a voice
13 there. And it's --

14 [REDACTED] It's a good thing to have them
15 in the union because they are loud and they are not
16 intimidated and they will bring up concerns.

17 SPECIAL AGENT NEFF: And they're
18 protected.

19 [REDACTED] They have the protection to be
20 able to do that. And it's a good thing to have a
21 voice through them. 7C

22 SPECIAL AGENT NEFF: Is it just that
23 they're noting that it's a good thing that you have
24 people who are vocal and happen to be within the
25 union? Or is this --

1 [REDACTED] Yes.

2 SPECIAL AGENT NEFF: -- some sort of a
3 strategy that says, "No, we're not going to promote
4 you to the CRS level."

5 [REDACTED] Oh, no.

6 SPECIAL AGENT NEFF: "We're keeping you
7 here because we need you here."

8 [REDACTED] I don't think it is a
9 strategy. But it's a good thing to have them.

10 SPECIAL AGENT NEFF: Noted as a good
11 thing?

12 [REDACTED]: Right. Hey, you know, those
13 guys here, he ain't going to be intimidated. And he's
14 going to let them know what's bad.

15 SPECIAL AGENT NEFF: And at the CRS and OS
16 levels?

17 [REDACTED] And he doesn't have to take --
18 right -- and he doesn't have to take the tiff I would
19 take if I raised it, being a CRS.

20 SPECIAL AGENT NEFF: So you're saying
21 that's something that's been observed, noted, and
22 commented on?

23 [REDACTED] Yes.

24 SPECIAL AGENT NEFF: That they have the
25 comfort level of knowing you can do that through the

1 union here?

2 [REDACTED] Yes.

3 SPECIAL AGENT NEFF: Because then they
4 don't have to deal with it?

5 [REDACTED] Well, not deal with it. The
6 repercussions, they're not viewed as not being a team
7 player.

8 SPECIAL AGENT NEFF: Have you seen
9 situations where, you know, they've handed off an
10 issue in that way? And say, "Here, you run with it
11 because you'll be safer."?

12 [REDACTED] No, I don't know about safer.
13 You can be more vocal. You can shake people up.
14 Sure, I mean --

15 SPECIAL AGENT NEFF: Well, it seems that
16 in some way they're feeling limited. But if the --

17 [REDACTED] Yes, they certainly are.

18 SPECIAL AGENT NEFF: -- union can be more
19 vocal --

20 [REDACTED] They certainly are.

21 SPECIAL AGENT NEFF: -- and they can shake
22 people up --

23 [REDACTED] And I don't think you'll find
24 one management guy that won't say -- one CRS or OS
25 that won't say, "Yes, the union can be more vocal

1 about it because they have a little bit more
2 protection."

3 SPECIAL AGENT NEFF: Well, what kind of
4 issues? What issues do you offer as examples of that?
5 When they do that?

6 [REDACTED] I don't know, maintenance,
7 scheduling, you know, what do you want fixed, concerns
8 we have with the plant, you know, normal everyday
9 stuff.

10 SR. PROJECT ENGINEER BARBER: Do you feel
11 that that is something that is routinely done? To
12 rely on the union to raise issues in place of the
13 supervisors? Or is it just on certain things?

14 [REDACTED] Certain things.

15 SR. PROJECT ENGINEER BARBER: Is it more
16 of the stuff that's kind of like more of a thorn in
17 their side? Either pet issues --

18 [REDACTED] Pet peeves.

19 SR. PROJECT ENGINEER BARBER: Yes.
20 Equipment performance problems, things like that?

21 [REDACTED] Yes.

22 SR. PROJECT ENGINEER BARBER: Anything
23 stand out, I mean other than the things you've already
24 mentioned? Any other?

25 [REDACTED] Not particularly. I mean --

1 SR. PROJECT ENGINEER BARBER: I mean you
2 talked about SRVs, you talked about feed pump
3 vibration or, I'm sorry, displacement. What are some
4 of the other things you mentioned?

5 [REDACTED] And one of the reasons [REDACTED]
6 is so impressive, he walks in, he goes, "Why are you
7 having to deal with that?" He's really being
8 proactive about everything. "Why do you have to deal
9 with that? Why is that bus like that? Why do you
10 have all these LDERMs (phonetic) like that?"
11 (inaudible) Yes.

12 SPECIAL AGENT NEFF: So you see a change
13 there?

14 [REDACTED] I do see a change there.

15 SPECIAL AGENT NEFF: In the action.

16 [REDACTED] And it's positive.

17 SPECIAL AGENT NEFF: A positive change.
18 How about in terms of the situations that you would
19 question, operability decisions, or in the range of
20 conservative decision making, have you seen situations
21 where shifts at the OS level, the CRS level, NCOs
22 would be more aggressive? TC

23 And have that flipped around or pressed
24 back from senior management? Or, you know, I'm
25 looking at AOM, OM, and above level. Can you think of

1 any situation in which you, as a shift, were going to
2 take a more aggressive action and you've had senior
3 management or at least from --

4 [REDACTED] Somebody step in and say, "No,
5 you're not."?

6 SPECIAL AGENT NEFF: Yes, somebody step in
7 and question that. And push back on that. Or have
8 you reconsider that and take a less conservative
9 approach? Or make a quicker operability and declare
10 something inoperable quicker? Or more quickly on the
11 shift?

12 [REDACTED] Not off the top of my head.

13 SPECIAL AGENT NEFF: You can't think of
14 anything?

15 [REDACTED] No, not off the top of my
16 head, no. Where they would step in and say --

17 SPECIAL AGENT NEFF: I mean I guess what
18 I'm getting at is you're portraying a number of
19 instances where it's, you know, the question would be
20 the push is coming from the production side. Have you
21 seen that from --

22 [REDACTED] The inverse? Where they say,
23 "No, whoa, slow down."?

24 SPECIAL AGENT NEFF: Right, right.

25 [REDACTED] Well, I mean this last outage,

1 we stayed down and we fixed a lot of stuff. And we
2 took it further down than we expected to. We expected
3 to only come down so far. And we had a CRD -- not a
4 CRD, a core spray check valve fail.

5 SR. PROJECT ENGINEER BARBER: Now is the
6 one you just went through? Or you're currently in?

7 [REDACTED] Just went through.

8 SR. PROJECT ENGINEER BARBER: Okay.

9 [REDACTED]: Not the one we're in now.

10 SR. PROJECT ENGINEER BARBER: In December?

11 [REDACTED]: The one before this.

12 SR. PROJECT ENGINEER BARBER: In December?

13 [REDACTED]: December.

14 SR. PROJECT ENGINEER BARBER: That was the
15 one for the -- there was some secondary pipe or
16 something that had a leak on it?

17 [REDACTED]: We had a couple of thing that
18 brought us down.

19 SR. PROJECT ENGINEER BARBER: Okay.

20 [REDACTED]: And yes, it was a steam seal
21 evaporator line --

22 SR. PROJECT ENGINEER BARBER: Okay.

23 [REDACTED]: -- that brought us down.

24 SR. PROJECT ENGINEER BARBER: Okay.

25 [REDACTED]: But we were going to come down

1 so far, hang out, have stops waiting. But it ended up
2 that the core spray check valve failed. And we had --
3 they made a decision. "Hey, take her all the way
4 down. Get in there and fix it."

5 SPECIAL AGENT NEFF: And you stayed down
6 longer than had been planned?

7 [REDACTED] Exactly. And we fixed a lot
8 of stuff. PPC for the feed pumps. We got the check
9 valve for core spray. We got -- there was quite a few
10 little items, little nagging questions sitting out
11 there that got fixed. And I mean it was impressive.

12 SPECIAL AGENT NEFF: Surprising?

13 [REDACTED] It was just better. It was
14 better.

15 SPECIAL AGENT NEFF: Better than what
16 typically got fixed in an outage?

17 [REDACTED] Right. More typically it
18 would be hey, we're down, we're up, let's go. That
19 was the impression I was getting. I mean -- and the
20 impression I was getting was it was going to get
21 worse. 7C

22 SR. PROJECT ENGINEER BARBER: Does that
23 kind of feedback --

24 SPECIAL AGENT NEFF: I'm sorry. The
25 impression you were getting when?

1 [REDACTED] It was going -- well, we were
2 training on how to do quick turnaround.

3 SPECIAL AGENT NEFF: Okay.

4 [REDACTED] Like the turnarounds we were
5 doing weren't quick enough. We need to get faster
6 getting back up.

7 SPECIAL AGENT NEFF: Put a time frame on
8 that for me.

9 [REDACTED] What do you mean?

10 SR. PROJECT ENGINEER BARBER: He's talking
11 about December.

12 SPECIAL AGENT NEFF: When that impression
13 was.

14 [REDACTED] That was the beginning of the
15 year when we started taking a couple SCRAMs and we
16 were taking too long to get down and then get back up.
17 So we're talking -- well, we had December, we had --
18 what was the one before that? April?

19 SPECIAL AGENT NEFF: You're talking
20 December '02 into early '03?

21 [REDACTED] Well, what are we in? 04? So
22 it would be April '03 --

23 SPECIAL AGENT NEFF: Okay.

24 [REDACTED] -- time frame. So --

25 SPECIAL AGENT NEFF: The impression, 7C

1 you're saying there was that you were going to be down
2 shorter and shorter.

3 [REDACTED] Right.

4 SPECIAL AGENT NEFF: And this past one
5 that you had in December --

6 [REDACTED] Right.

7 SPECIAL AGENT NEFF: -- you're offering it
8 as an example of doing it differently.

9 [REDACTED] Exactly. Hey, we got some
10 real challenges to the operating crew here and we need
11 to fix them.

12 SPECIAL AGENT NEFF: Okay.

13 [REDACTED] And we are going to do. And
14 we take the hit now or we take the hit later. All
15 right. And they chose to do it now. And I was
16 impressed by it.

17 SPECIAL AGENT NEFF: They?

18 [REDACTED] Our management team as in
19 [REDACTED]

20 SPECIAL AGENT NEFF: Did you do something
21 to that, Scott? You might have got cut off.

22 SR. PROJECT ENGINEER BARBER: No.

23 [REDACTED] But yes, it's -- I got to give
24 them the credit. I mean it was refreshing to see them
25 and say, "Hey, look, we have problems," instead of

1 patch, work, go.

2 I'd like to say it's the Davis-Besse
3 mentality we got when we hired all their ex-
4 management. And run it until it breaks and somebody
5 shuts you down.

6 SPECIAL AGENT NEFF: You're talking about
7 the prior senior management team that was in place?

8 [REDACTED] Yes.

9 SPECIAL AGENT NEFF: That would be former
10 [REDACTED] (phonetic), former [REDACTED]

11 [REDACTED] We had -- well, we had [REDACTED]
12 (phonetic), we had [REDACTED]

13 SPECIAL AGENT NEFF: Yes, that's what I
14 need you to -- I can't make an assumption who you're
15 talking about. So who is the former Davis-Besse
16 management team?

17 [REDACTED] [REDACTED]

18 SPECIAL AGENT NEFF: Okay.

19 [REDACTED] I don't know where [REDACTED]
20 [REDACTED] came from. But when [REDACTED] came in, he
21 filled in a lot of positions with Davis-Besse people.
22 And it just seemed like the attitude changed to run
23 until you drop.

24 SPECIAL AGENT NEFF: Okay.

25 [REDACTED] And it went right through

1 [REDACTED] And it was just like, oh, it was bad. And
2 it wasn't that good.

3 SPECIAL AGENT NEFF: [REDACTED] was in
4 place in that time period.

5 [REDACTED] Yes.

6 SPECIAL AGENT NEFF: And he's still in
7 place now.

8 [REDACTED] Yes.

9 SPECIAL AGENT NEFF: How do you see him?
10 Is he similar mind set? Or any changes there?

11 [REDACTED] He's -- in my realm, he's
12 gone. I mean he's off in Engineering someplace and I
13 don't deal with him anymore. But, I mean, he was part
14 of the --

15 SR. PROJECT ENGINEER BARBER: Is that a
16 good thing or a bad thing? Or does it matter? I mean
17 how did you feel about dealing with him on operational
18 issues when he was the [REDACTED]

19 [REDACTED] Just when he had [REDACTED]
20 incident, I right off the bat didn't like his
21 opinions. But I mean -- and he was definitely part of
22 the regime that seemed to drag us down. 7C

23 Don't get me wrong. I understand some
24 things. But you have to understand where I come from.
25 And when I got here in [REDACTED] until '95, '96, Hope Creek

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1 was one of the best in the nation, constantly rated
2 well.

3 Now it can't seem to get out of the poops.
4 There might be a little bit of frustration in that.
5 That I'm sitting here looking at, you know, at that
6 period of time when we brought in [REDACTED] and we
7 progressed through Salem.

8 He was working on Salem but he was
9 dragging down Hope Creek. It just seemed like Hope
10 Creek just did not seem to -- we didn't improve.

11 SR. PROJECT ENGINEER BARBER: Could some
12 of that have been the plant itself? I mean --

13 [REDACTED] No.

14 SPECIAL AGENT NEFF: What were the actions

15 --

16 [REDACTED] It was the same.

17 SPECIAL AGENT NEFF: -- that he --

18 [REDACTED] It runs the same.

19 SR. PROJECT ENGINEER BARBER: It's 20
20 years old now.

21 [REDACTED] Wow.

22 SR. PROJECT ENGINEER BARBER: And back 7C
23 then, it was 10 years old. Well, a lot of plants
24 start having problems around the 15- to 20-year point
25 with equipment performance.

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1 [REDACTED] See, and that's --

2 SR. PROJECT ENGINEER BARBER: Well, I'm
3 asking because, you know, that could have been part of
4 it or maybe it was all human factors, management, that
5 type of thing.

6 [REDACTED] And I truly believe it was,
7 you know, hey, we can put this off, we can put that
8 off, we can put this off. I mean we burned ourselves
9 a couple of times with, "Hey, yes, I evaluate we don't
10 need to do this anymore."

11 "Yes you do, your diesels are now inop.
12 Give me that back."

13 SPECIAL AGENT NEFF: Where the running
14 until it breaks mentality --

15 [REDACTED] Yes.

16 SPECIAL AGENT NEFF: -- is what you said
17 came in with -- excuse me --

18 SPEAKER: Sorry to interrupt.

19 SPECIAL AGENT NEFF: That's all right.
20 We'll go off the record.

21 (Whereupon, the foregoing
22 matter went off the record
23 briefly.)

24 SPECIAL AGENT NEFF: We just had a brief
25 interruption. Basically [REDACTED] is needed back on

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1 shift. So I think we were pretty much wrapping it up.
2 The idea is if you have anything to add, you can
3 contact myself or you can contact Scott.

4 [REDACTED] Okay.

5 SPECIAL AGENT NEFF: Or the residents
6 here. Whatever is easier for you.

7 [REDACTED] All right.

8 SPECIAL AGENT NEFF: And I think that we
9 pretty much covered everything. Do you have anything
10 that you think we either didn't cover or we need to
11 hear?

12 [REDACTED] I think we have to give the
13 opportunity to these new guys who just came in to
14 actually work with us. I do believe we hit rock
15 bottom. And we're bouncing back I think.

16 I'm impressed by the new guys we got in
17 here. And we're going to see what happens. I don't -
18 - I want to make sure that it's clear that I have no
19 concern about raising concerns. If I have one, I will
20 raise it, you know? That's about it.

21 SPECIAL AGENT NEFF: Okay. And I think
22 that's pretty clear from your testimony. You know
23 both that you see positive aspects to the environment
24 recently. And also that you would raise concerns.

25 [REDACTED] Yes.

1 SPECIAL AGENT NEFF: Scott, do you have
2 anything further?

3 SR. PROJECT ENGINEER BARBER: No.

4 SPECIAL AGENT NEFF: Okay. I just have
5 some closing questions for you.

6 [REDACTED] Okay.

7 SPECIAL AGENT NEFF: Have I or any other
8 NRC representative offered you any promises or reward
9 or threatened you in any manner in exchange for
10 today's information?

11 [REDACTED] No.

12 SPECIAL AGENT NEFF: Okay, have you
13 appeared here voluntarily and freely?

14 [REDACTED] Well, you asked me to come.

15 SPECIAL AGENT NEFF: You understood it was

16 --

17 [REDACTED] No, I'm afraid -- yes.

18 SPECIAL AGENT NEFF: Okay. All right. We
19 have nothing further to add to it. And the time is
20 approximately 3:57 p.m. We'll go off the record. I
21 thank you for this large chunk of your time today.

22 [REDACTED] Okay.

23 (Whereupon, the foregoing matter was
24 concluded at 3:57 p.m.)

25