

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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OFFICE OF THE INSPECTOR GENERAL

INTERVIEW

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IN THE MATTER OF: :

INTERVIEW OF : Docket No.

[REDACTED] 7c

: 1-2003-051F

(CLOSED) :

-----x

Wednesday, December 17, 2003

[REDACTED] 7c

The above-entitled interview was conducted

at 1:05 p.m.

BEFORE:

EILEEN NEFF, Special Agent

ALSO PRESENT:

Scott Barber, NRC/DRP, Senior Project Engineer

Information in this record was deleted
in accordance with the Freedom of Information
Act, exemptions b1
FOIA- 2005-194

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P R O C E E D I N G S

1:05 p.m.

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2
3 SPECIAL AGENT NEFF: Today's date is
4 December 17, 2003. The time is approximately 1:05
5 p.m. Speaking is Special Agent Eileen Neff, U.S. NRC,
6 Region 1, Office of Investigations.

7 Also present is Division of Reactor
8 Projects, Senior Project Engineer Scott Barber and
9 this interview is taking place with [REDACTED]

10 Can you spell your last name?

11 [REDACTED] Sure. [REDACTED]

12 SPECIAL AGENT NEFF: Thank you. [REDACTED]

13 [REDACTED] currently employed at
14 Salem IPS Nuclear.

15 The subject of this interview is concerns
16 raised regarding the safety conscious work environment
17 at Salem and Hope Creek and as explained to you prior
18 to going on the record, your understanding is that
19 you're not being approached as a subject of any
20 investigation.

21 You're being asked for your assessment as
22 a witness to the work environment on site at Salem.
23 I understand your work experience was at Salem.

24 [REDACTED] Right.

25 SPECIAL AGENT NEFF: Your appearance today

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1 is voluntary?

2 [REDACTED] Right.

3 SPECIAL AGENT NEFF: I called and you
4 agreed to meet with me today?

5 [REDACTED] Yes.

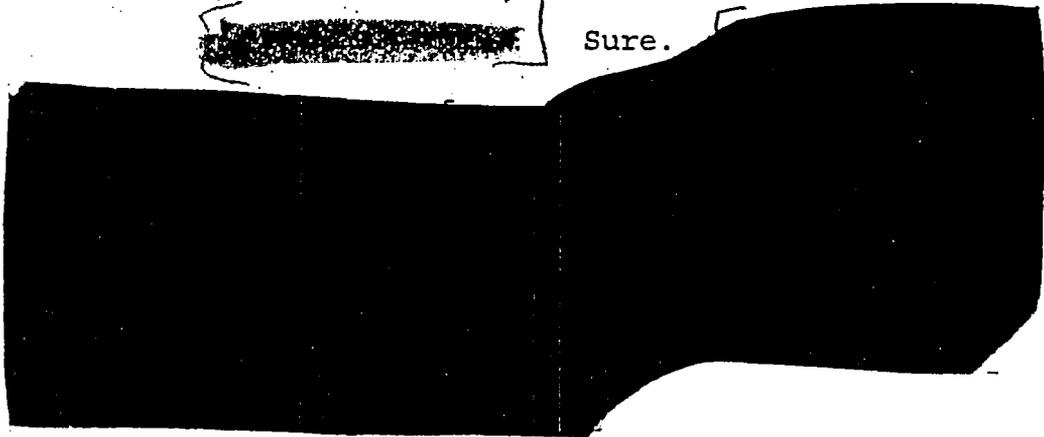
6 SPECIAL AGENT NEFF: At this point what
7 I'd like to do is place you under oath. If you would
8 raise your right hand.

9 Do you swear that the testimony that
10 you're about to provide is the truth, the whole truth
11 and nothing but the truth so help you God?

12 [REDACTED] I do.

13 SPECIAL AGENT NEFF: Could we get some
14 brief background information from you, education?

15 [REDACTED] Sure.



21 SPECIAL AGENT NEFF: And the year of your
22 employment with PSE&G?

23 [REDACTED]

24 SPECIAL AGENT NEFF: And what year did you
25 become an [REDACTED]

Handwritten initials: AIC

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[REDACTED]

SPECIAL AGENT NEFF: And [REDACTED] now

--

[REDACTED]:

I've been a [REDACTED]

for about two years and three months.

SPECIAL AGENT NEFF: Who have you been working with, in terms of your immediate management, assistant ops manager and ops management, who would they be?

[REDACTED]:

Currently or --

SPECIAL AGENT NEFF: Since you've been a

[REDACTED]

[REDACTED]

Since I've been a [REDACTED]

[REDACTED], initially my [REDACTED] (Phonetic)

and [REDACTED] being

[REDACTED] and then [REDACTED] left and we got

[REDACTED] left and we now have [REDACTED]

[REDACTED] (Phonetic).

SPECIAL AGENT NEFF: Now [REDACTED] is

still employed by PSE&G?

[REDACTED]:

Correct. He's now [REDACTED]

[REDACTED] of Salem.

SPECIAL AGENT NEFF: [REDACTED] left

employment there, but [REDACTED] is still there?

[REDACTED]:

Correct.

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SPECIAL AGENT NEFF: And [REDACTED] is there.

[REDACTED] And [REDACTED] (Phonetic) left PSE&G and [REDACTED] became the [REDACTED] So currently I work for [REDACTED]

SPECIAL AGENT NEFF: Okay. It's approximately 1:10. I'm going to go off the record briefly for one minute.

(Off the record.)

SPECIAL AGENT NEFF: It's approximately 1:11 p.m. To clarify for the record, the location for this interview is [REDACTED] That's [REDACTED] and also some identifying information from you.

Could you give your date of birth, please, and your Social Security Number?

[REDACTED]

SPECIAL AGENT NEFF: Thank you. As a [REDACTED] for two years and three months, approximately --

[REDACTED] Correct.

SPECIAL AGENT NEFF: What I'd like to do is get your assessment for that time period, two,

1 three years. While you're working on site, have you
2 noticed any changes, are you aware of any changes in
3 the work environment? And I'm going to go broadly
4 with the safety conscious work environment in terms of
5 individuals who raise concerns, the frequency of do
6 they raise concerns, what the concerns are about,
7 anything that affects the work environment, have you
8 observed any changes in that? And let's go with the
9 two years and three months you've been a [REDACTED]

10 [REDACTED]

11 7C [REDACTED] I would probably relate
12 any changes that I've observed with a change in
13 management and not necessarily my immediate
14 management, but upper management also. So I think
15 that on a broad view, we've always been able to bring
16 up concerns, individuals have always brought up
17 concerns. Nobody has ever been chastised or any
18 repercussions for bringing up concerns.

19 The frequency of the concerns I kind of
20 relate a little bit to other things going on, the
21 environment, relationships between lower management
22 and upper management or relationships between the
23 union and management, so you'll see sometimes more --
24 the time is more conducive to people bringing up
25 concerns if they think that somebody is going to

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1 listen more than what they're listening let's say now.

2 SPECIAL AGENT NEFF: Now you said quite a
3 bit there. Let me just -- so we understand who you
4 term upper management and your management. Upper
5 management, is that VP level?

6 [REDACTED] Director level up.

7 SPECIAL AGENT NEFF: So [REDACTED]
8 [REDACTED] the position formerly held by [REDACTED]
9 [REDACTED]

10 [REDACTED] Correct.

11 SPECIAL AGENT NEFF: And up to the vice
12 presidents and CNO?

13 [REDACTED] Correct.

14 SPECIAL AGENT NEFF: Upper management.
15 And your management would be at the operations
16 management level, OAM and operations manager?

17 [REDACTED] Correct.

18 SPECIAL AGENT NEFF: So what you're saying
19 is you've seen change in management that affects the
20 environment in terms of frequency of the concerns? Or
21 how the concerns --

22 [REDACTED] Sometimes it's frequency.

23 I mean if there's individuals out there that either
24 have concerns or think they have concerns, they're
25 more apt to bring them up if they think someone is

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1 going to listen to them and something is going to be
2 done with them. But that doesn't necessarily mean
3 that their concerns are valid.

4 SPECIAL AGENT NEFF: Okay.

5 [REDACTED] It just means they think
6 they have concerns, so they're going to bring it up
7 and then I think sometimes their confidence level as
8 to what's going to happen, determines whether or not
9 they bring the things up.

10 SPECIAL AGENT NEFF: So where do you see
11 the change there? Are they more comfortable at this
12 point in time or are they less comfortable?

13 [REDACTED] Right now I think they're
14 more comfortable.

15 SPECIAL AGENT NEFF: And this is at what
16 level of management do you attribute that to?

17 [REDACTED] Right now it's all levels
18 of management.

19 SPECIAL AGENT NEFF: So your own
20 individual management, your own operations management
21 into senior management?

22 [REDACTED] Correct. We're talking
23 about like right now, to distinguish between right now
24 being [REDACTED] (Phonetic) just came in. [REDACTED]
25 [REDACTED] just came in. You have all those individuals

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1 that just came in.

2 SPECIAL AGENT NEFF: These are 2003
3 changes?

4 [REDACTED] Right. So my duration of
5 [REDACTED] when I first became a [REDACTED]
6 [REDACTED]
7 [REDACTED]

8 So for me, the change has been working
9 under those guys to who I'm working under right now.
10 I believe right now people are more of the belief that
11 their concerns will more listened to and more properly
12 dealt with with our current management.

13 SPECIAL AGENT NEFF: Okay now, your
14 immediate management also changed in that. It's gone
15 from [REDACTED] (Phonetic)?

16 [REDACTED] Correct.

17 SPECIAL AGENT NEFF: So you see the same
18 effect there?

19 [REDACTED] No.

20 SPECIAL AGENT NEFF: So you're saying the
21 change at the senior management level?

22 [REDACTED] Right.

23 SPECIAL AGENT NEFF: From what people may
24 be more comfortable with.

25 [REDACTED] Correct.

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1 SPECIAL AGENT NEFF: There's a couple of
2 questions I have to follow up on that, but let's go
3 back and categorize. What are the kind of concerns
4 that people are raising now that they may have
5 hesitated to raise before? Can you give some
6 examples?

7 [REDACTED] I guess it depends if
8 we're talking just nuclear safety or industrial
9 safety, that type of thing. Because to me, the
10 environment for bringing concerns up really is global
11 and then you categorize it whether it's a nuclear
12 concern or an industrial safety or whatever.

13 SPECIAL AGENT NEFF: Agreed. You can
14 dissect it to where they fit, but overall they're
15 looking at their comfort level and being able to say
16 hey, that's unsafe. So whether it's industrial or
17 nuclear, we'll get into more specific questions on how
18 those issues are handled. But if you want to
19 categorize it, industrial, are you seeing the increase
20 there or are you seeing a decrease and a change in the
21 willingness to bring them forward?

22 [REDACTED] We're seeing an increase
23 in the industrial and examples of those are issues out
24 of circ. water with the traveling water screens,
25 issues surrounding electrical safety, issues

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1 surrounding heat stress.

2 SPECIAL AGENT NEFF: So you're seeing an
3 increase in industrial safety-related concerns?

4 [REDACTED] Correct.

5 SPECIAL AGENT NEFF: Do you attribute it
6 more to -- is there something else that causing it,
7 other than a willingness to bring these concerns
8 forward? Are these always there, or are these just
9 problems that are happening recently?

10 [REDACTED] A lot of these issues
11 probably have always been there. We just never looked
12 at them the way we're looking at them now and I think
13 what's caused the change is there's been a little
14 shift in the industrial safety aspect. In other
15 words, we have a safety committee now which is
16 actually much more engaged than they were a year or
17 two ago. So people see that there's attention being
18 paid to safety, so now they're bringing up more
19 concerns because they feel they're being addressed.

20 SPECIAL AGENT NEFF: So there's an
21 emphasis there?

22 [REDACTED] Correct.

23 SPECIAL AGENT NEFF: And when did that
24 start?

25 [REDACTED] I would say it started in

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1 the last six to eight months, during the 2003 time
2 frame.

3 SPECIAL AGENT NEFF: Under the new senior
4 management?

5 [REDACTED] Yes.

6 SPECIAL AGENT NEFF: Six to eight will put
7 you in April --

8 [REDACTED] The transition from [REDACTED]
9 to --

10 SPECIAL AGENT NEFF: April 2003?

11 [REDACTED] Right.

12 SPECIAL AGENT NEFF: Okay. Now what about
13 in terms of nuclear safety issues?

14 [REDACTED] I don't necessarily know
15 that I've seen a change in nuclear safety issues.
16 I've always seen when somebody feels pretty strongly
17 about a nuclear safety that they've brought it up.
18 I've never seen anybody hesitate to bring one up. And
19 I'm looking at it from my operators to people walking
20 into my office and say I have a concern.

21 I haven't seen a trend that there's been
22 more, there's been less.

23 SPECIAL AGENT NEFF: It's consistent?

24 [REDACTED] I would say it's
25 consistent. When somebody has a nuclear concern,

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1 which isn't all that often, I haven't seen anybody say
2 hey, I'm not bringing that up because nobody is going
3 to listen to me or anything of the sort.

4 In fact, I kind of see the opposite which
5 is hey, I know if one thing is going to be listened to
6 it's going to be a nuclear safety, so I'm going to
7 bring it up.

8 SPECIAL AGENT NEFF: So that's --

9 [REDACTED] When I say "bring it up"
10 I mean like bring it to me.

11 SPECIAL AGENT NEFF: Okay, right. Now
12 you're assessing the operators and the CRSs. What
13 about yourself and your peer level, do you get the
14 same feeling there?

15 [REDACTED] Yes. I don't have any
16 doubt that people at my level, if they have a nuclear
17 safety concern, they'll bringing it up to our
18 immediate management.

19 SPECIAL AGENT NEFF: And now is that
20 consistent? Would that have been with senior
21 management that was formerly in place?

22 [REDACTED] Um, I believe it's
23 consistent in that we would bring it up, but I'm not
24 sure that the level of confidence is there, that with
25 the previous management that it would have been

1 properly or aggressively sought after as I think it
2 would be now.

3 SPECIAL AGENT NEFF: Okay. Before I get
4 into questions along that line, what I would like to
5 ask you is going back on the industrial safety issues,
6 what was it that senior management did that made
7 people less willing to bring these issues forward?
8 And I'm asking you to consider on the industrial
9 safety side, that you saw the increase in after the
10 change in management. What was the response there
11 again? Did you witness any of that?

12 7C - [REDACTED] I think the response
13 previously was, you could write notifications and code
14 them as safe and they just went off into a black hole
15 or maybe if it was something that was an immediate
16 danger to somebody it would be addressed, but for the
17 most part, I think the majority of the safety
18 notification just went into the process and then it
19 could be rather a long time before those notifications
20 were processed and brought to closure, i.e., fixing
21 the issue.

22 Over the last time frame that I'm speaking
23 of, industrial safety, there's been more of an
24 emphasis where there would be people in our department
25 grabbing a hold of the safety notifications and we

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1 have our own list that we're tracking now, you know,
2 the top five issues in operations.

3 And there's an individual, [REDACTED]
4 (Phonetic) who tracks those and it helps bring them to
5 closure and I think what we're seeing now is like, for
6 example, the circ. water, traveling water screen
7 modification, that was significantly expensive and
8 when the operator saw them put the money out to fix
9 that, to enhance it to make it more safe, at that
10 point it was -- gave them the confidence so that their
11 safety concerns were going to be addressed.

12 Now that modification is a little bit
13 older. It goes back before this time frame that we're
14 talking about.

15 SPECIAL AGENT NEFF: That was in place?
16 7C [REDACTED] We did it over the last --
17 actually, we did the modification over the last six or
18 seven months.

19 SPECIAL AGENT NEFF: Do you want to get
20 that? We can take a break.

21 (Telephone interruption.)

22 (Off the record.)

23 SPECIAL AGENT NEFF: Okay, we're back on
24 the record after a very brief break. It's about 1:20
25 p.m.

1 Okay, so you were saying that the circ.
2 water modifications were in place or started to be in
3 place seven months ago?

4 [REDACTED]: They were conceived
5 probably a year, year and a half ago and then over the
6 last year we installed the DPC.

7 SPECIAL AGENT NEFF: So they were changes
8 that were being started under senior management prior
9 to the change?

10 [REDACTED] Right.

11 SPECIAL AGENT NEFF: What is it a
12 difference in senior management, it's dedicating the
13 resources --

14 [REDACTED] Correct.

15 SPECIAL AGENT NEFF: That they were saying
16 issues weren't being addressed, maintenance wasn't
17 being performed and now there's a little more emphasis
18 in that direction?

19 [REDACTED] Correct.

20 MR. BARBER: What is the nature of the
21 modifications?

22 [REDACTED] On the traveling water
23 screens?

24 MR. BARBER: Yes.

25 [REDACTED]: Basically, the equipment

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1 operators used to have to open the door of the screen
2 and stick a rake in there and rake the grass off of
3 the fish slips and the modification was we installed
4 the hinge, we put a handle with a -- basically, it's
5 like a lip, but we can dump it now without having to
6 go inside with the traveling water screen.

7 MR. BARBER: Okay.

8 [REDACTED] So you can just walk up to
9 it, dump the grass off, put it back and move on versus
10 sticking a rake in there. The rake had a potential to
11 get caught in the screen.

12 MR. BARBER: So this was an area that had
13 been a previous area where folks questioned whether it
14 was safe to do that or not?

15 [REDACTED] Right.

16 MR. BARBER: I take it this is an area the
17 screen wash system didn't cover?

18 [REDACTED] Actually, the screen wash
19 system does blow the grass off. It's supposed to make
20 it into the trough, but --

21 MR. BARBER: Oh, this is like on a --

22 [REDACTED] But the grass will either
23 go to the trough or it will wind up on this lip.

24 MR. BARBER: Oh, I see.

25 [REDACTED] If the grass builds up on

1 the lip, it falls behind and it winds up going into
2 the water box which defeats the purpose of the screen.

3 MR. BARBER: Okay.

4 [REDACTED] So we raked them for 20
5 years and it's only (Inaudible) that's really safe and
6 they started a research to see what the best way to
7 fix it was and it wound up giving us this dump.

8 MR. BARBER: Was there ever an instance to
9 your knowledge where a rake did, in fact, get caught?

10 [REDACTED] Yes.

11 MR. BARBER: Was that a common occurrence
12 or infrequent?

13 [REDACTED] I wouldn't say it was --
14 I would say it's between infrequent and common,
15 depending on how careful you were when you raked the
16 screens, but it wouldn't be --

17 MR. BARBER: You said it did happen to
18 you?

19 [REDACTED] Yes.

20 MR. BARBER: Okay. And you felt you were
21 careful?

22 [REDACTED]: I thought I was being
23 careful. But if you're raking it and the screen just
24 happens to catch the corner of it it will pull the
25 rake right now, so you let go and the rake is what

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1 gets damaged and suffers the repercussions.

2 MR. BARBER: Was there ever an instance
3 where someone had done this and they, in fact, got
4 injured?

5 [REDACTED] No.

6 MR. BARBER: Okay, so you just know to let
7 go if that happens?

8 [REDACTED] Right.

9 SPECIAL AGENT NEFF: Are you okay with
10 that?

11 MR. BARBER: Yes.

12 SPECIAL AGENT NEFF: Going back to where
13 you were indicating there's a difference in the level
14 of confidence in terms of raising nuclear safety
15 issues, why do you say that? Where do you see the
16 change?

17 [REDACTED] I see the change in the
18 environment. The environment now is -- it's more
19 comfortable. It's more comfortable in the respect
20 that what I believe now is I can bring up a nuclear
21 concern. And I can discuss them with [REDACTED]
22 [REDACTED] and I don't feel that they're going to be trying
23 to talk me out of it or minimize what I believe the
24 concern to be.

25 I believe, as I bring it up to those

1 individuals in my immediate chain that they're going
2 to think about it, they're going to address it and
3 we're going to have a conversation which is going to
4 be the right conversation. We're going to have a
5 conversation that's going to be conservative, whereas
6 before, I can't really say that because there were
7 times where I believe that if we brought up a concern,
8 that it was going to be -- the first thoughts are hey,
9 how can we work around this or how can we minimize
10 what the concern is.

11 I can't come up with the right word, I
12 guess, but more or less be talked into it's not really
13 a concern, reduce the risk or whatever.

14 SPECIAL AGENT NEFF: Now that's at their
15 level, [REDACTED] level? Are you
16 including [REDACTED] (Phonetic) in this?

17 [REDACTED] I am, but he's new.

18 SPECIAL AGENT NEFF: So in your dealings
19 with [REDACTED] before the first
20 reaction may have been to let's work around it or
21 minimize?

22 [REDACTED]: No, actually, I am more
23 talking about above that.

24 SPECIAL AGENT NEFF: Okay. Let's go one
25 level at a time then.

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1 [REDACTED] Okay.

2 SPECIAL AGENT NEFF: Are they giving you
3 a different response under senior management now, do
4 you get a different response from your AOM and your
5 ops manager than you experienced -- is their behavior
6 different now than it was before?

7 [REDACTED] Yes. I believe [REDACTED]
8 behavior is different now than it was before.

9 SPECIAL AGENT NEFF: Okay because you're
10 not necessarily dealing with [REDACTED] at that
11 level any more, right?

12 [REDACTED] Right.

13 SPECIAL AGENT NEFF: So we could look at
14 [REDACTED] if you're looking -- what is he doing
15 differently, right?

16 [REDACTED] Right.

17 SPECIAL AGENT NEFF: And what do you
18 attribute that to?

19 [REDACTED] The environment.

20 SPECIAL AGENT NEFF: Okay. Is there --
21 [REDACTED] What I've seen from my
22 experience is that people at the lower levels of
23 management will tend to start managing like people
24 above them. Okay, so if the person above them wants
25 to work around something, let's say, then the pressure

1 is going to be on the person below them to work around
2 it after a period of time, that's going to be their --
3 that's what they're going to gravitate to. They're
4 going to say I know when I go here this is the
5 response I'm going to get, so I might as well give the
6 response now or start working towards where they know
7 this person is going to drive them to. Does that make
8 sense?

9 SPECIAL AGENT NEFF: Yes, and I understand
10 what you're saying. I guess what I look for would be
11 an example of something that was handled that way.
12 When a concern was raised under senior management and
13 let's put names on the people where this kind of
14 direction is coming from.

15 Can you think of an example where that was
16 the direction you were told to go?

17 7C [REDACTED] Yes, we were doing a start
18 up. We had problems, we had issues with circ. water.
19 We were doing a start up and we had basically had
20 enough circulators back to technically do a start up,
21 but in the control room we weren't all that
22 comfortable with jumping right back into the start up
23 and coming up.

24 SPECIAL AGENT NEFF: What time frame?

25 7C [REDACTED] I'd say it's at least last

1 spring, but probably the spring before.

2 SPECIAL AGENT NEFF: Spring 2002?

3 [REDACTED] Right.

4 SPECIAL AGENT NEFF: A grassing type of an
5 incident?

6 [REDACTED] Well, the grassing or the
7 conditions of circ. water led to us shutting down
8 because of circulators being out of service.

9 SPECIAL AGENT NEFF: Okay.

10 [REDACTED] So we were bringing the
11 unit back and in the process of bringing it back we
12 were bringing circulators back and I think we had
13 probably three circulators and we were basically
14 expressing a concern hey, we don't want to start up
15 with three circulators or four, right? We want to
16 have at least five, six. We'd like to have them all
17 back because of the unpredictable conditions of circ.
18 water.

19 SPECIAL AGENT NEFF: Okay, when you say
20 "we" -- are you the [REDACTED]

21 [REDACTED]
22 [REDACTED] Myself and the people below me. So you're
23 asking about how [REDACTED] is different, when -- an
24 example, when [REDACTED] came in and we would talk about it,
25 [REDACTED] first reaction is well, you know, we've got to

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1 start up. What's the legality of it as far as
2 procedure, compliance? Do we have enough circulators
3 to start up? Yes, we do. Then okay, we should be
4 starting up. Okay, but hold on a minute. I'm not
5 feeling too comfortable here starting up. I
6 understand what the procedure says but can't we have
7 all the circulators back and have a higher degree of
8 confidence that if we do lose one or two circulators
9 we're going to be able to stay on line and not
10 perturbate the plant?

11 So I feel that in that instance, initially
12 [REDACTED] was more of the thought hey, let's start up.
13 Senior says we can. Let's do it, let's move forward.
14 And what I'm saying now is that if [REDACTED] comes in my
15 office now and I hit him with the same scenario that
16 he's going to think about it differently because the
17 environment has changed.

18 The environment is right now is more
19 conducive to hey, what's the conservative thing to do
20 without being crazy conservative, but what's the right
21 thing to do? What's going to make the operators feel
22 comfortable to put this unit back on line and not have
23 to do down powers or not have to take unnecessary
24 actions or go into ABs that we shouldn't be operating
25 unless it's extreme emergencies or extreme conditions.

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1 So that's how I see [redacted] changing over the
2 last year or so.

3 SPECIAL AGENT NEFF: Had you seen him
4 react to that kind of an incident, a circulator issue,
5 more recently than 2002? It sounds like you're
6 predicting that's the way he would be, but had you
7 seen him react in that kind of --

8 [redacted] I don't necessarily know
9 that it was a circulator issue? I don't know if it's
10 a one for one, but I've seen [redacted] recently where, for
11 example, during the last outage, coming out of the
12 outage we were talking about using the MS-10s and if
13 we had used the MS-10s we could have furthered the
14 plant along in the start up or the heat up and it
15 would have enabled us to do a lot more surveillance or
16 would have enabled us to do some discovery as far as
17 outage work that was done and whether it was good or
18 not. Basically, we were doing retest. Had we used
19 the MS-10s, we could have moved forward while we were
20 waiting for the main generator to be done.

21 So we talked about it and [redacted] and myself
22 and at the time the [redacted] we called [redacted] and we
23 discussed it and between [redacted] the decision
24 was basically made, hey, we don't want to use the MS-
25 10s. [redacted] had a stronger feeling about it than [redacted]

ALL 70

1 did, but in the past [REDACTED] would have probably pursued
2 it more or put up a little bit more of like a
3 resistance in the name of hey trying to move forward,
4 but this time around, [REDACTED] just more or less backed
5 off, if you will, immediately. When the decision was
6 made hey, we're not going to use them, okay, fine, if
7 that's the way we're going to go.

8 SPECIAL AGENT NEFF: He went the more
9 conservative route.

10 [REDACTED] Correct.

11 SPECIAL AGENT NEFF: When was that?
12 That's the most recent outage?

13 [REDACTED]: That was coming out of
14 2R13 (Phonetic). Right, that was just a month ago.

15 SPECIAL AGENT NEFF: Now in the incident

16 --

17 MR. BARBER: Let me ask a follow-up on
18 that. You said that he backed off of that. Do you
19 think his going in approach would have been -- if [REDACTED]
20 wasn't around or whoever wasn't around to have formed
21 this judgment either way, do you think you would have
22 pushed to use the MS-10s?

23 [REDACTED] From -- yes.

24 MR. BARBER: Okay.

25 [REDACTED] And when I say back off,

1 it's kind of a strong word, but realized that
2 everything we were asking to do was well within our
3 procedures. It's just a philosophy thing right now,
4 using them or not.

5 MR. BARBER: What would be some of the
6 ramifications of using the MS-10s?

7 [REDACTED] Using the MS-10s, there's
8 two issues out there right now. One is the potential
9 for a tube leak or a tube rupture.

10 MR. BARBER: We're talking about the
11 atmospheric dump outs?

12 [REDACTED] Correct.

13 MR. BARBER: And they come off inside of
14 the main steam isolation valves?

15 [REDACTED] Correct.

16 MR. BARBER: And you contrast that in
17 comparing to using the steam dumps which are just
18 turbine bypass valves?

19 [REDACTED] Correct. So that's the
20 one concern -- was any type of tube leak or tube
21 rupture.

22 MR. BARBER: Okay.

23 [REDACTED] And the other concern
24 right now that we're having is with the wells that are
25 being drilled down there for the --

1 MR. BARBER: Spent fuel pool leak?

2 [REDACTED]: Right. There was a report
3 done not that long ago about somehow maybe the MS-10s
4 over the life of a plant being used, that what came
5 out of the MS-10 wound up on the ground and absorbed
6 into the ground, so until that all gets straightened
7 out, again, we're reluctant to use the MS-10s.

8 MR. BARBER: How big an inventory? Do you
9 have any concerns with inventory? Basically, you're
10 releasing the steam and it's not being recovered?

11 [REDACTED]: Right. No, I don't have
12 any concern with inventory.

13 MR. BARBER: So I mean that's not an
14 issue, not a steam release over the period of time you
15 have to use them?

16 [REDACTED]: From an inventory point of
17 view?

18 MR. BARBER: Yes.

19 [REDACTED]: No.

20 MR. BARBER: Okay.

21 SPECIAL AGENT NEFF: The use of the MS-
22 10s, had that been an issue before?

23 [REDACTED]: It's been an issue ever
24 since [REDACTED] came. [REDACTED] wouldn't let us
25 use the MS-10s.

ALL TC

1 SPECIAL AGENT NEFF: Do you recall it
2 being an issue where there was some discussion over
3 whether you would -- just as you described coming out
4 of this recent outage, coming out of another outage,
5 there was an issue of whether or not it would be used?
6 [REDACTED]: Yes. Pretty much every
7 outage that we've been in since [REDACTED] been here, at
8 some point in time somebody has asked to use the MS-
9 10s.

10 SPECIAL AGENT NEFF: When did he take his
11 stand and say he wouldn't use the MS-10s?

12 [REDACTED]
13 SPECIAL AGENT NEFF: Yes.

14 [REDACTED]: From the minute he got
15 there.

16 SPECIAL AGENT NEFF: Okay, but it had
17 become an issue every time anyway?

18 [REDACTED]: Right, every outage you're
19 being asked to do an outage shorter and shorter, using
20 these MS-10s could buy you two or three days and
21 shorten the duration of an outage. So the guys that
22 are developing the outage and trying to come up with
23 a short duration outage will usually ask to use the
24 MS-10s and we haven't been able to use the MS-10s in
25 that capacity since [REDACTED] got there.

1 MR. BARBER: There's really a long history
2 of how these have been used, isn't there? I mean if
3 you go back to the 1980s and early 1990s, the MS-10s
4 were used routinely. Routinely. They were in every
5 day use.

6 [REDACTED] Right.

7 MR. BARBER: Until the extended unit
8 outage that occurred in 1995.

9 [REDACTED] Correct.

10 MR. BARBER: At which point you made
11 efforts to reestablish the steam dump system as a
12 viable alternative and coming out of those -- that
13 extended outage in 1997 and 1998, you really got the
14 steam dumps back to where they worked properly, the
15 way they were supposed to work and it became another
16 option. Is that correct?

17 [REDACTED] That's true. Coming out
18 of the big shutdown, the steam dumps came out and they
19 worked great.

20 MR. BARBER: Okay.

21 [REDACTED] So they were a viable
22 option and they were the way you wanted it.

23 MR. BARBER: The preferred method.

24 [REDACTED] The preferred method.

25 MR. BARBER: Okay.

All TC

1 [REDACTED] Coming out of those long
2 outages though we were shut down for a couple of
3 years, so we weren't being asked to do an outage in 22
4 days or 20 some days.

5 Also, recently, we've had a couple of
6 outages where they got extended because the main
7 generator on Unit 2, two outages ago, the main
8 generator had to be --

9 MR. BARBER: Rewound?

10 [REDACTED] Well, we rewound this one,
11 but the previous one we had to pull it out. We wound
12 up dropping it and we had to pull the whole thing out
13 again and what not. So the point was that there was
14 work being done. The work was going along. We
15 dropped the rotor and then we had to pull it out and
16 do a big inspection on it which extended the outage
17 and using the MS-10s would have allowed us to bring
18 back a couple, three days versus waiting for the
19 vacuum so we could use the steam belts.

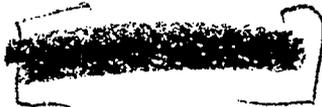
20 MR. BARBER: Okay, and when was that?
21 That was like two outages ago, so it's like 2001?

22 [REDACTED] This past outage we would
23 have wanted to use them because of all the main
24 generator rewind work and that was a long path. And
25 the outage before that, there was also generator work

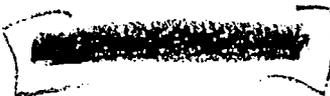
1 and using the MS-10s would have helped further the
2 outage along.

3 MR. BARBER: All right.

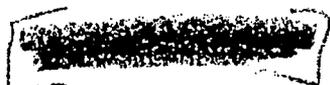
4 SPECIAL AGENT NEFF: But they hadn't been
5 used since?

6  No, they have not in that
7 capacity, no.

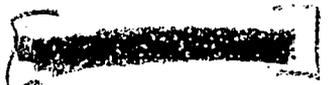
8 MR. BARBER: Could we go back to that
9 previous outage you referred to when the rotor was
10 dropped? What kind of configuration did the plant get
11 in during that outage when you were starting back up?
12 Do you remember that outage at all?

13  I'm not sure what you're
14 asking, associated with the generator?

15 MR. BARBER: The generator and the
16 secondary plant systems. Was there anything unusual
17 done?

18  Yes.

19 MR. BARBER: To get the condenser to be
20 functional? I don't want to say operable. Let's say
21 functional, capable of drawing a vacuum?

22  We came up with a method
23 to seal the seals so we could pull back.

24 MR. BARBER: Brick land seals (Phonetic)?

25  Correct.

All 7C

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MR. BARBER: What was that like?

[REDACTED]

We used like a -- more or less a gasket material for lack of -- I don't know the exact name of it, but it was gasket material that we put into the space to seal the seals.

MR. BARBER: Had that ever been done to your knowledge before that?

[REDACTED]

Not at our plant.

MR. BARBER: Okay.

[REDACTED]

There was a plant somewhere that did it. It was where we got the information from, but I don't remember which plant it was.

MR. BARBER: Did that strike you as odd that you were doing it?

[REDACTED]

I'm not sure if odd is the right word. My feeling towards running the plants is I want everything to be normal. I want everything to be fixed and running and okay. I don't like working around stuff and I don't like coming up with creative ways of doing things in order to just further our progress. I would rather sit there and either -- whatever it is, fix the things or wait for the generator to come, pull back into the way we're supposed to and not put this gasket material in there.

ALL TC

1 That's the way I want to operate the
2 plant. But again, if you put into the -- the pressure
3 at the time was everybody else was everything else in
4 the industry was doing these short duration outages.
5 Why isn't Salem doing it? There was no big push to
6 get us to do our outages as fast as we can or in as
7 few days as we could. So doing something like that,
8 it's kind of somewhere to using the MS-10s, right?
9 I'm sure there's gasket material in there, hey, we can
10 pull back and we can do a whole bunch of other things
11 in the secondary now and we can make more progress.

12 MR. BARBER: Was there any other
13 limitations on the secondary plant? Did you raise
14 steam generator pressure to high pressures or were
15 there any other limitations? Did you have to keep
16 steam header pressure below 100 pounds while you had
17 gasket material in there? Do you remember anything
18 like that?

19 7C [REDACTED] I don't remember.

20 MR. BARBER: Okay. How about the gland
21 seal condenser, anything odd with that?

22 7C [REDACTED] I don't remember that
23 either. I don't remember anything about the gland
24 seal condenser.

25 MR. BARBER: How about physics testing?

1 Do you remember trying to do physics testing coming
2 out of that outage?

3 [REDACTED] I don't remember that
4 either.

5 MR. BARBER: Okay. What was your role in
6 that? Were you a [REDACTED] or were you a [REDACTED]

7 [REDACTED]

8 [REDACTED] My role in that outage, I
9 was up in the [REDACTED] I wasn't in
10 control.

11 MR. BARBER: Okay, so you weren't --

12 [REDACTED] Right.

13 MR. BARBER: But you knew about the gasket
14 material?

15 [REDACTED] Right.

16 MR. BARBER: Okay. Do you know who asked
17 for that or who suggested that?

18 [REDACTED] Originally? I don't know
19 who the original person was, but I know that the
20 outage group, the outage manager, the --

21 SPECIAL AGENT NEFF: Who is the [REDACTED]

22 [REDACTED]
23 [REDACTED] (Phonetic).

24 [REDACTED]

25 [REDACTED] and I know they were

All 7c

1 driving to come up with some alternate method and I
2 know [REDACTED] was also pushing to come up with an
3 alternate method to be able to pull vacuum.

4 MR. BARBER: Now that must have required
5 some procedure changes, right? I mean once it's said
6 establish gland seals and it must have made an
7 assumption that the turbo was intact, the casings
8 intact, right?

9 [REDACTED]: Right.

10 MR. BARBER: And it was or some parts of
11 it were.

12 [REDACTED]: I don't remember changing
13 any procedures. We might have. I just don't
14 remember.

15 MR. BARBER: Do you think there was
16 anything entered in the operator worker analog?
17 Wasn't this work around in a way?

18 [REDACTED]: I'm sure.

19 MR. BARBER: Because you were installing
20 something to take the place of the fact that the
21 secondary wasn't -- you hadn't fully established the
22 integrity of the secondary plants because you were
23 still doing work on the turbine and the generator?

24 [REDACTED]: I would highly doubt that
25 it made it to the operator worker analog. Whether or

1 not we changed procedures, I don't remember.

2 It might have been a maintenance
3 procedure.

4 MR. BARBER: Would that still be done
5 today, something like that, do you think?

6 [REDACTED] Yes.

7 MR. BARBER: You think so?

8 [REDACTED] Yes.

9 MR. BARBER: Would it have been documented
10 as a work around and procedure changes?

11 [REDACTED] Work around, probably
12 still documented as a work around.

13 MR. BARBER: Wouldn't it be a work around?
14 Wouldn't it fit the definition or burden?

15 [REDACTED] Burden, whether it meets
16 the actual definition for the operator work around.

17 MR. BARBER: Are you the familiar with the
18 April 7th event?

19 [REDACTED]: Yes.

20 MR. BARBER: Okay, do you remember all the
21 weird configurations back then? I mean are you pretty
22 well versed --

23 [REDACTED] What do you mean "weird"
24 configurations?

25 MR. BARBER: Just the way the plant was

1 being run and like what the conditions of various
2 systems were and --

3 [REDACTED]: You mean like rocket
4 control being a manual, the MS-10s having the wind up?

5 MR. BARBER: Yes.

6 [REDACTED]: Yes.

7 MR. BARBER: So you were familiar with all
8 of that?

9 [REDACTED]: Uh-huh.

10 MR. BARBER: Do you know the definition of
11 operator work around that came out of Salem?

12 [REDACTED]: I didn't know that.

13 MR. BARBER: Yes, it did. It did. I mean
14 that's the situation -- it was intended to kind of
15 inform the industry that this a practice that's not
16 desirable. It's very similar to what your instincts
17 are. If you remember earlier, you were talking about
18 how you wanted the plant to be whole. You wanted to
19 start up with a full complement of equipment and have
20 everything running the way it's supposed to.

21 All these things kind of challenge that,
22 right?

23 [REDACTED]: Absolutely. But if you're
24 asking me if we would install that gasket material
25 again in order to pull vacuum during an outage, I

1 believe that we would.

2 MR. BARBER: You think so?

3 [REDACTED]: Now whether or not we
4 changed procedures in the past or those changes are
5 still in existence, I'm not sure.

6 MR. BARBER: Well, now we're sitting here
7 talking about it and maybe I've brought something to
8 light or maybe you would have thought of this on your
9 own, but how would you feel today if that happened?
10 Would that be something that would be part of a
11 dialogue or a discussion you might have with [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]: Yes, absolutely. There
15 would be a discussion about that. The -- like I said,
16 I don't necessarily know the outcome would be
17 different and the way I look at it going back to the
18 plant being whole is well, what's the status of
19 everything else in the secondary? If I'm just pulling
20 vacuum to reach a milestone, then I could care less,
21 all right? But and that being if I have other
22 equipment that's tagged out and I have to go out and
23 add tags to feed pumps and just really jump through
24 hoops just to pull vacuum, then I don't want any part
25 of that. But if everything else, let's say was

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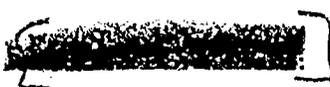
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1 intact, and it was a matter of pulling vacuum to get
2 through a discovery phase while the outage work, then
3 I would probably entertain that more than if I just
4 knew the (Inaudible) was all taken apart.

5 MR. BARBER: This sounds like in that case
6 you were (Inaudible) the costs versus the benefits of
7 doing that? - 7C

8  Right.

9 MR. BARBER: Because what you're
10 describing is a situation where you want to find out
11 what else is not working properly because of the
12 "discovery" so you're actually doing additional
13 testing to find out if there's other problems that you
14 can correct? - 7C

15  Right, if I can't pull
16 vacuum because I've got a hole in something or
17 something is not proper out in the plant, I would know
18 that as soon as I can. So from a -- however you want
19 to phrase it, a schedule point of view or cost versus
20 outage duration whatever, there's some benefit to it,
21 but I'm not willing to do that just to hit a milestone
22 and say we pulled vacuum.

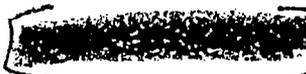
23 MR. BARBER: Okay.

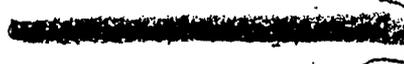
24 SPECIAL AGENT NEFF: What about any other
25 time that you found yourself where you're kind of

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1 describing your comfort levels over here, you want
2 things running normally, you want everything intact.
3 Do you recall being in a position where your
4 management or senior management pushed you in your
5 comfort level? Can you think of other ones?

6  Yes. We went through a
7 time frame where -- we try to keep things black and
8 white, right? But we always wind up in gray areas
9 because that's just the nature of the business. And
10 when somebody brings an issue to the table and it
11 could be an engineer walking in and say hey, we're
12 reviewing this calculation and it's not quite coming
13 out to the way we thought it was or it's different
14 than it was originally calculated, so hey, I think we
15 have an operability concern here.

16 We would, in the past we would pretty much
17 just kind of take whatever he gave us, make the
18 operability call and then move forward from there and
19 there was a time frame under 
20  where we felt uncomfortable with
21 the amount of time that they wanted us to take to make
22 that call, so in other words it would look like this.
23 A guy walks in and says I've got an issue. Okay, got
24 an issue. What is it? I understand it. Okay, so can
25 you hold on to that now or hey, I'm going to call

1 another engineer or I'm going to go through a
2 discovery phase that we viewed as the shift managers
3 and the CRSs was too long.

4 So we were kind of being pushed to engage
5 a whole lot more people before we actually made that
6 determination of whether something was operable or
7 degraded or whatever and we actually had a meeting
8 where the shift managers were all there and [REDACTED]
9 [REDACTED] (Phonetic), this was back when [REDACTED]
10 [REDACTED] and [REDACTED] all those
11 guys, we had a meeting one night to discuss this and
12 we pushed back pretty hard on the way we wanted to do
13 business which was more black and white.

14 Somebody brings you a concern, we evaluate
15 it, take whatever information you have at the time,
16 make the call, move forward and he pushed back pretty
17 hard -- this is [REDACTED] on take the facts, okay,
18 now what are they telling us and we're going to call
19 these other people and let's go through some time of
20 discovery before we actually make the operability
21 call. So we were very uncomfortable when that
22 happened. We didn't like that at all.

23 MR. BARBER: Was there something that
24 motivated that discussion? Was there something
25 specifically --

1 [REDACTED] There were probably a few
2 -- and I don't have this exact example, but there were
3 a few cases where that happened where somebody came
4 in. You know what, there is an example. We had the
5 RWST had a little weep on it, number 1 RWST, a little
6 weep on it, there's a little telltale out back, so we
7 had a leak on the RWST and the shift manager that day
8 declared the RWST inoperable. Okay?

9 SPECIAL AGENT NEFF: What time frame are
10 you looking at here?

11 [REDACTED] Probably like three years
12 ago.

13 SPECIAL AGENT NEFF: Do you know who the
14 [REDACTED] was?

15 [REDACTED]
16 SPECIAL AGENT NEFF: Okay.

17 [REDACTED] So [REDACTED] declared the RWST
18 inoperable based on what he had.

19 MR. BARBER: Okay.

20 [REDACTED] So it wound up being
21 operable, but degraded and we did an OD for it, but it
22 wasn't looked upon favorably that [REDACTED] declared the
23 RWST inoperable because it's a one hour tech spec.

24 So that would be an example of something
25 where they would say hey, don't make that decision at

1 the time.

2 MR. BARBER: One hour is 303?

3 [REDACTED] No, it's actually a one
4 hour.

5 MR. BARBER: Okay.

6 [REDACTED] It's a one hour if the
7 RWST is inoperable. You've got one hour to start
8 shutting it down.

9 SPECIAL AGENT NEFF: And how do you know
10 it wasn't received -- it wasn't looked at?

11 [REDACTED] Because that was one of
12 the examples that was used like in that meeting --

13 SPECIAL AGENT NEFF: To build in the delay
14 for your analysis later?

15 [REDACTED] Correct.

16 SPECIAL AGENT NEFF: Reached by [REDACTED]
17 [REDACTED] who was throwing this out as you were hasty in
18 making your decision here?

19 [REDACTED] Right, that's the one that
20 comes to mind. I know there were others, but that's
21 definitely one that comes to mind.

22 SPECIAL AGENT NEFF: In the end, did you
23 say that [REDACTED] -- it was degraded? Was his call
24 accurate in what he did?

25 [REDACTED] For the information he had

1 the time, his call was accurate. Okay? So you could
2 make an argument that waiting might be the right thing
3 to do in order to gather more facts and give us a
4 chance to do the research to come up with an
5 operability determination to say it's operable, but
6 degraded. But you're also obligated to operate the
7 plant and put the plant in a safe condition, if you
8 don't have everything -- if you don't have all the
9 equipment you're supposed to have which is the way
10 [REDACTED] viewed it.

11 SPECIAL AGENT NEFF: That's the choice
12 between safety being first concern and hindsight?

13 [REDACTED] Absolutely.

14 SPECIAL AGENT NEFF: Being added value
15 later.

16 [REDACTED] Right.

17 SPECIAL AGENT NEFF: So he went with
18 safety first and you think he took criticism for that?

19 [REDACTED]: Correct.

20 SPECIAL AGENT NEFF: How many other
21 instances fed into this conversation that prompted

22 [REDACTED] -- you said it was in a meeting with [REDACTED]

23 [REDACTED] and --

24 [REDACTED] No --

25 SPECIAL AGENT NEFF: It was under this

1 time frame when they were all --
2 [REDACTED] It was under the time
3 frame when they were all in place. It was -- [REDACTED]
4 led the meeting. [REDACTED] was there. And --

5 [END TAPE 1, SIDE A; BEGIN TAPE 1, SIDE
6 B.]

7 SPECIAL AGENT NEFF: It's 1:54 p.m. What
8 we were talking about was you were describing a
9 meeting where [REDACTED] led the
10 meeting that addressed some incidents where maybe
11 operability calls were made too quickly for them?

12 [REDACTED] Correct.

13 SPECIAL AGENT NEFF: Now the one incident
14 that you gave us that involved [REDACTED] was three
15 years ago?

16 [REDACTED] I'm estimating. I mean I
17 don't have the exact date in my head, but it was at
18 least three years ago.

19 SPECIAL AGENT NEFF: Well, was the meeting
20 that they were responding to this? Was this all
21 coming at the same time? Was it coming six months
22 later? How many incidents and how far apart?

23 [REDACTED] From [REDACTED] example, it
24 was probably like a good six months later for the
25 example that I gave you.

1 [REDACTED] Okay. So there were other
2 things -- there were other instances along the way,
3 I'm sure, where we made an operability call which
4 basically we took the conservative way, if you will,
5 hey, we're going to the tech spec, either we're going
6 to start shutting down or whatever. And that prompted
7 the discussion about how quickly we declare something
8 inoperable and the discovery phase that we should go
9 to prior to reaching that, that determination.

10 SPECIAL AGENT NEFF: So that was -- you
11 indicated that the shift managers pushed back on that?
12 [REDACTED] Absolutely, [REDACTED] got
13 so upset he actually walked out of it.

14 SPECIAL AGENT NEFF: Okay, what was the
15 end result?

16 [REDACTED] The end result was, the
17 expectation was that we were to go through the
18 discovery phase that they wanted us to go through
19 prior to declaring ourselves inoperable.

20 SPECIAL AGENT NEFF: You did extend it?

21 [REDACTED] They wanted us to.

22 SPECIAL AGENT NEFF: Okay. So tell me
23 what -- all right, they wanted you to extend the
24 discovery phase. What happened in practice?

25 [REDACTED] In practice, across the

all 7c

1 board, the shift managers made the call as they saw
2 fit and did not let that influence them declaring
3 something inoperable. In other words, we did not
4 declare something inoperable when we thought it should
5 be in operable, just because we were going to wait for
6 some more time to get some more information.

7 MR. BARBER: How did you make a decision
8 to do that across the board?

9 [REDACTED] Because going into that
10 meeting, we were all on the same page.

11 MR. BARBER: How did you guys come to that
12 consensus? How did you reach that consensus?

13 [REDACTED] As far as discussion or
14 something like that?

15 MR. BARBER: Yes. Did you have a
16 discussion? How did you get to all agree on --

17 [REDACTED] During that time frame you
18 would have the AOM come up in the control room. We
19 would be going through either turnovers and what not
20 and you would have a majority of the population of the
21 shift managers at the time. We would have those
22 discussions, okay, I don't agree with this or this is
23 not the way I want to do it. I want to do it like
24 this and this is the way I interpret making an
25 operability call, so there was enough discussions

1 there with all the shift managers at one point in time
2 or another that we were all on the same page.

3 MR. BARBER: Was there ever any meetings
4 in which the shift managers and the AOMs were saying
5 hey, we feel like we're being pushed in the wrong
6 direction here. Are we all going to agree, especially
7 in a case like this where something is an operability
8 issue that we have to stand firm and resolute and not
9 cave into senior management pressure?

10 [REDACTED] Yes. Did we have it at 7
11 o'clock on Thursday meeting, no, but prior to that
12 meeting, we all either via e-mail or discussions
13 through turnovers came to that conclusion.

14 After the meeting, then it was more or
15 less a follow-up, yes, hey, is this still what we want
16 to do? Make the call, do the right thing get the tech
17 specs, shut the plant down, whatever it is.

18 And the issue that I talked about later
19 on, earlier about the circ. water, making the decision
20 to start up and all, this is all in that same time
21 frame.

22 SPECIAL AGENT NEFF: Okay. So we're
23 looking at 2002 then?

24 [REDACTED] took over as
25 [REDACTED] last May-June time frame.

All TC

1 MR. BARBER: Are you saying 2002 or 2003?

2 [REDACTED] 2002.

3 MR. BARBER: Okay.

4 [REDACTED] So it would have been the
5 spring of 2002 that most of this occurred. It was
6 before -- [REDACTED]

7 SPECIAL AGENT NEFF: Okay, and a question
8 out of that is if across the board you made the
9 decision that you were going to do business just the
10 way you always had, what, if any response did you get
11 from [REDACTED] or anybody else in senior management
12 to that? Was that the end of it?

13 [REDACTED] It was the end of it as
14 far as everybody getting in one room and talking about
15 it.

16 SPECIAL AGENT NEFF: Okay.

17 [REDACTED] Probably [REDACTED] would be
18 the guy to talk to more than anybody, but I know --
19 see, I don't have exact specific examples for you
20 which doesn't help. But I know after that meeting
21 there were occasions where we made the operability
22 call and started to either shut down or we went
23 through a short duration tech spec and we didn't go
24 through some of the discovery things.

25 Nobody came charging into the control room

1 and saying hey, you guys are doing the wrong thing.
2 However, you can tell by the body language and what
3 not or you can see that [REDACTED] was sent over
4 with some message like what are those guys doing? And
5 [REDACTED] would come in and say what's going on? And he
6 would start looking to get us out of whatever we got
7 ourselves into or start working around it.

8 Actually, we had -- coming out of a Unit
9 1 outage, we had an issue with the reactor head vents.
10 We didn't have the right indication when we were doing
11 the surveillance and we needed the indications from
12 the surveillance and [REDACTED] was actually the guy
13 on duty, was taking a firm stance as far as hey, I
14 want this fixed. We're not moving forward. So we sat
15 there for probably half a shift trying to get
16 maintenance to go out and take a look at this and then
17 [REDACTED] is in the control room pushing [REDACTED] to revise the
18 procedure and move on, saying do we really need the
19 indication or not.

20 So the legality of it might be no, we
21 don't need that indication, right? But what's the
22 right thing to do and what feels comfortable? The
23 comfortable thing is hey, fix the light, make sure
24 everything is working okay. Do the surveillance and
25 move on.

All TC

1 So there was a lot -- I won't say a lot --
2 there was some examples where the pressure was on to
3 keep moving and change procedures, whatever you had to
4 do stay within the rules, but work through them and
5 work around them. And again, it just goes back to a
6 philosophy of in my mind what's the right thing to do.
7 Fix everything and then move on. -7c

8 MR. BARBER: Was [REDACTED] pushing to not do
9 whatever the post test activity was or not to do a
10 surveillance?

11 -7c [REDACTED] He wasn't pushing to not
12 do the surveillance, but he would have wanted the
13 procedure changed. If we didn't need that light for
14 -- if tech specs didn't say that we needed to have
15 that light, if tech specs just said hey, make sure the
16 valve is closed, and let's say you can do other -- use
17 some alternative indications to verify the valve was
18 closed, and [REDACTED] -7c wanted us to change that procedure and
19 move on. Okay? So it's not really illegal, however,
20 what we're comfortable with is fix the equipment, get
21 the light on, the light is supposed to be on and it
22 stays on for the next 18 months. Fix it now and
23 especially if I miss a window for fixing something
24 like that because where that cellinoid (Phonetic)
25 valve is located you can't access during power.

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1 So basically we were trying to say hey,
2 we're not willing to move forward without fixing this
3 stuff and then the pressure was on, hey, just on the
4 spot change the procedure, delete the requirement to
5 have the light and move forward.

6 But there were situations that came up
7 like that and all of those things were starting to
8 feed into that uncomfortable feeling that we started
9 having which drove us to have a meeting with [REDACTED]
10 and we actually requested that meeting with [REDACTED]
11 the one about declaring something all (Inaudible)
12 because we didn't like what was coming down. We
13 actually asked for that meeting. .

14 SPECIAL AGENT NEFF: What was coming down,
15 you indicated it was coming to you through [REDACTED]

16 [REDACTED]
17 [REDACTED] Right.

18 SPECIAL AGENT NEFF: First hand, did you
19 see anybody else in -- [REDACTED] in the senior
20 management address anybody in that way or push the way
21 he was?

22 [REDACTED] Nobody else would come in
23 and push us the way [REDACTED] would. It was like a chain of
24 command thing. Obviously, my opinion, it got pushed
25 down to [REDACTED] and was the guy that came over to the

All 7C

1 control room and started digging into what are you
2 guys doing?

3 So nobody else came into the control room
4 and said change the procedure. [REDACTED] would do that. We
5 had several phone calls with [REDACTED] where
6 basically he would be asking us like what were we
7 doing. We would obviously be in a delay somewhere,
8 whether it be the outage or something going on and you
9 found yourself defending what you're doing, defending
10 where you're heading instead of -- when I say
11 defending, I don't mean just the normal hey, this
12 broke, we're now in tech spec., hey, it was either
13 personnel or just an equipment failure. I don't mean
14 defending something like that. I mean defending like
15 your position and on several occasions we found
16 ourselves doing that and that's what started to lead
17 to be uncomfortable, the uncomfortableness of
18 operating the plant with all the shift managers.

19 SPECIAL AGENT NEFF: You were defending it
20 -- so I don't assume, you were taking a conservative
21 approach and having to defend a conservative approach?

22 [REDACTED] Correct.

23 SPECIAL AGENT NEFF: Did you ever find
24 yourself in a position where you were having to -- you
25 were being maybe more aggressive and senior management

All 7c

1 was taking a more conservative approach and you were
2 having to defend where you stood there?

3 [REDACTED] I think the only case that
4 I can think of with that is and it's not so much that
5 we were being aggressive, probably more that we
6 weren't quite sure what to do, being where we had to
7 change the steam generator --

8 SPECIAL AGENT NEFF: Let's take a break.

9 (Telephone interruption.)

10 (Off the record.)

11 SPECIAL AGENT NEFF: It's 2:06 p.m. We're
12 back on.

13 You were thinking of an incident where you
14 were saying that you would describe the [REDACTED]
15 position as aggressive and are you talking about
16 yourself or somebody else?

17 [REDACTED] In this case, I'm talking
18 about everybody else, myself included. This is when
19 we got the word from Palo Verde or somebody, something
20 to do with a baffle in the steam generator and it can
21 throw the calculation off at the low level set point,
22 so we took a down power on both units while they did
23 the investigation to figure out whether this was true
24 or not and the outcome was we had to change our set
25 points from 9 to 14 percent for low level trip. So we

1 did that at a derated power level.

2 That was more or less all driven by [REDACTED]
3 [REDACTED] at the time. So it's probably a case where we
4 were definitely taking a conservative approach versus
5 staying at 100 percent power while we were trying to
6 figure it out.

7 MR. BARBER: How much of a down power did
8 you take?

9 [REDACTED] We came down like 70.

10 SPECIAL AGENT NEFF: And that was driven
11 by [REDACTED] you say?

12 [REDACTED] Right.

13 SPECIAL AGENT NEFF: That was one incident
14 where you sort of flipped in position?

15 [REDACTED] Flipped probably because
16 the shift managers didn't have the information that he
17 had to the details of what the issue was and so it was
18 kind of probably more or less he was driving, hey, we
19 need to come down in power while we're figuring this
20 whole thing out.

21 SPECIAL AGENT NEFF: Do you think that
22 that could have been a contributor to some of the
23 other incidents where he was questioning your
24 operability decisions, that he didn't have a full
25 understanding of exactly what was going on? Could

1 that have contributed to it or do you think he knew
2 what the issue was?

3 [REDACTED] For this one?

4 SPECIAL AGENT NEFF: Not this one, but in
5 the other ones where he took the other position and he
6 was pushing in a less conservative way? Could any of
7 that have been because he didn't understand the issue?

8 [REDACTED] I don't think so.

9 SPECIAL AGENT NEFF: You think he had an
10 understanding of where you were. Was he asking
11 questions and getting his information?

12 [REDACTED] He would call right in the
13 control room and we would feed him the information
14 that we had. He would actually come over.

15 MR. BARBER: Was he the [REDACTED] at that time?

16 [REDACTED] [REDACTED]

17 MR. BARBER: What was [REDACTED]

18 position?

19 [REDACTED] [REDACTED]

20 [REDACTED]

21 MR. BARBER: Okay.

22 SPECIAL AGENT NEFF: How about when [REDACTED]

23 [REDACTED] Did he do the same thing?

24 Did he come over? I know you said he was on the
25 phone.

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[REDACTED] [REDACTED] didn't come over as much as [REDACTED] did. [REDACTED] called over more than he walked over.

SPECIAL AGENT NEFF: Okay, and you said there was some conversations -- how frequently would that happen that you felt like it wasn't that you were explaining your position so much as you were defending your position and what kind of issues come to mind?

[REDACTED] I think for me personally as a [REDACTED] maybe once every couple of weeks. I would say [REDACTED] probably a couple times a week.

SPECIAL AGENT NEFF: Where he felt he was defending his position?

[REDACTED] Right.

SPECIAL AGENT NEFF: Did he tell you that? Did he -- part of what you said earlier in the interview was you think that [REDACTED] is getting -- the difference in senior management affects him and how he makes his decisions now.

Did he indicate to you that he had problems with anybody in particular in making his points at senior management?

[REDACTED] and I had conversations to do with [REDACTED] and basically

1 the conversation would go pretty much like hey, you're
2 trying to tell this guy something and he's just not
3 getting it or he doesn't see our point of view or has
4 he ever been in the control room as an SRO and faced
5 with what we're facing was he really understanding?
6 Our feeling was no, he really didn't understand it.

7 SPECIAL AGENT NEFF: Okay, so that might
8 be a little different than from [REDACTED]
9 [REDACTED] might not understand what he was asking for?

10 [REDACTED] I think there were
11 occasions where [REDACTED] might not have fully understood
12 what we were trying to tell him.

13 SPECIAL AGENT NEFF: Did it ever come to
14 the point -- you said you felt like you were defending
15 your position. Was there specific direction or was it
16 probing questions? What were you dealing with and how
17 long do your discussions go on? Do they take a long
18 period of time or short period of time?

19 [REDACTED] It would depend, but like,
20 for example, the circ. water, the one I bring up, that
21 sticks in my mind the most. The way [REDACTED] did business
22 he would ask questions and then try to get you on the
23 defensive and once you were there, kind of kept you
24 there and the whole way through the conversation
25 though he's leading you to the direction he wants you

1 to go, okay? So he wanted us to start up. There was
2 no doubt about it. He wanted us to start up and as we
3 brought up our concerns or hey, we're uncomfortable,
4 for me when an operator says I'm uncomfortable, it's
5 reason enough right there to stop. Okay?

6 Yes, there's probably some situations out
7 there where you're uncomfortable and maybe you're just
8 lacking the knowledge or lacking the experience to
9 move forward, but in cases where the circ. water, when
10 we were uncomfortable with moving forward until we had
11 more circulators back, basically the conversation
12 would go like hey, you know, we have to manage a
13 certain amount of risk. I understand that you don't
14 have as many circulators as you want to have, but if
15 the procedure says we can move forward, then we're
16 going to move forward.

17 So it would start out questions and then
18 it would wind up this is where we need to go.

19 MR. BARBER: When you say it was asking
20 questions, do you think he was trying to find out if
21 there was something else that really he didn't
22 understand? Was he just probing the issue just to say
23 like you would say if we did this, the plant would
24 trip or we have to do this to meet an interlock
25 (Phonetic). Is that why he was asking questions?

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1 [REDACTED] Yes, he would start out
2 asking questions and say hey, is there a hard, fast
3 requirement that prevents us from moving forward and
4 then he would find out that there wasn't, then he
5 would say okay, if there's not a valid, technical
6 reason not to move forward, then let's move forward.

7 And in this case it's like well, okay, we
8 can't predict the river, however, I know that if I
9 have five circulators, I'm better off than if I have
10 four. If I have six, then I'm better off than if I
11 have five. You're just lessening the margin to do a
12 down power or taking a unit off line.

13 So --

14 MR. BARBER: Did he ever offer some sort
15 of compromise position to say well, I understand your
16 position. We have three now. Why don't we start up
17 and get the plant up to 20 or 30 percent power? We'll
18 sit until we get one or two more back, just to kind of
19 like middle of the road type thing or that doesn't
20 even come up?

21 [REDACTED] I don't remember it being
22 like that.

23 MR. BARBER: Okay.

24 [REDACTED] A negotiation.

25 MR. BARBER: All right.

1 [REDACTED] It was more or less hey,
2 here's what we want to feel comfortable. We want five
3 circulators. Okay, well, we're not going to get two
4 of them back for another week so what are we doing?
5 We're going to sit here for a week and wait?

6 SPECIAL AGENT NEFF: This was 2002, spring
7 2002?

8 [REDACTED] Uh-huh.

9 SPECIAL AGENT NEFF: What about anything
10 else?

11 [REDACTED] For?

12 SPECIAL AGENT NEFF: Involving [REDACTED]
13 [REDACTED]. You kind of indicated there were a number
14 of phone calls where you were defending yourself.

15 [REDACTED] One of them was a little
16 different in nature, but when we tripped -- the trip
17 that you were there for.

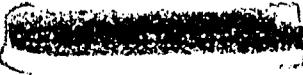
18 MR. BARBER: The one in July?

19 [REDACTED] Yes, [REDACTED]
20 When we tripped, he called over to control room and
21 his whole thing was like why did we trip and at the
22 time when he called we weren't quite sure. We know we
23 had a fault switch on, but we didn't give him the
24 detail of what happened yet. And his words were like
25 how can that happen? What are you guys doing? More

1 of a "we must have done something" in order to
2 generate this trip, okay?

3 So here you are in scenario in the control
4 room where there's a lot of stress and a lot of things
5 going on and in my opinion the VP Ops you call over
6 and say -- first of all, he shouldn't be calling over.
7 If he's interested, he should walk over. And second
8 of all, he should be offering whatever help he can get
9 us, especially in that scenario and that's not the way
10 the thing unfolded and when I talked about
11 environment, like a long time ago, if I'm in the
12 control room and we're the only one that tripped, the
13 stress level is high enough. If I've got people in
14 there helping me to alleviate that stress, the
15 environment becomes a better place, people operate
16 better and we have a much better chance of success
17 getting through a trip like that versus what are you
18 guys doing? What happened? Well, how could it
19 possibly be designed that way? I don't know. I
20 don't know how it could be designed that way. I don't
21 care right now . I'm trying to respond to the trip.
22 So --

23 SPECIAL AGENT NEFF: You're indicating
24 he's adding to the stress level?

25  Absolutely, absolutely.

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1 A lot of phone calls. I used to do my best not to
2 talk to him. I would try to get somebody in between
3 he and I whether it be [REDACTED] or someone because I just
4 didn't want to talk to him.

5 SPECIAL AGENT NEFF: He regularly was that

6 --

7 [REDACTED] You never knew.

8 SPECIAL AGENT NEFF: I don't know a good
9 word for it. You just needed to avoid him or you
10 never knew you said. It was a different --

11 [REDACTED] One time he might call you
12 and be really nice and the next time he would call you
13 and you just didn't want to be part of that
14 conversation.

15 Most of the conversations you had with him
16 there was always some sort of a coaching coming your
17 way, you know what I mean? So you -- I personally
18 just wanted to avoid talking to him and if I could get
19 [REDACTED] or whoever,
20 whatever, I would always try to do that.

21 SPECIAL AGENT NEFF: What would the
22 coaching be about?

23 [REDACTED] It could be anything from
24 -- we do a morning tape, to how we're wording the
25 morning tape to getting out in the plant and

1 supervising maintenance. It could be a variety of
2 things. Usually, lower profile things than something
3 like a nuclear safety issue or something like that,
4 but just -- it's just a conversation you don't want to
5 be in, especially when you're in the control room
6 trying to do stuff.

7 SPECIAL AGENT NEFF: Was that -- do you
8 think that was something that was felt across the
9 board by your peers? Was it your opinion?

10 [REDACTED] No, it was across the
11 board. Nobody really wanted to talk to him unless
12 they had to.

13 SPECIAL AGENT NEFF: How about in
14 comparison with [REDACTED] You kind of indicated that
15 [REDACTED] had his issues and his direction that the
16 shift managers didn't care for and then he's replaced
17 by [REDACTED] By what you're describing does it seem
18 much better?

19 [REDACTED] No, actually, I don't view
20 it as being better. I view it as being worse.

21 SPECIAL AGENT NEFF: So when you're
22 describing these changes in senior management, how
23 about [REDACTED] where did you see him falling in
24 that?

25 [REDACTED] You want my opinions,

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1 right?

2 MR. BARBER: Yes, absolutely.

3 [REDACTED] was just a messenger.
4 We didn't look to [REDACTED] for any kind of expertise. We
5 didn't look to him for knowledge. We didn't look to
6 him for making decisions for us. We didn't really
7 utilize a quote unquote [REDACTED] He
8 was just the guy between us and [REDACTED] or the guy
9 between us and [REDACTED]

10 SPECIAL AGENT NEFF: So when he would come
11 into the control room and push for work arounds and
12 get out of this and work around it this way, you
13 thought -- did he tell you directly that that was
14 information that that was the feeling of the VPs or
15 did he tell you that was the way he wanted to go?

16 [REDACTED] He would never say "this
17 is the way I want to go." He was always saying "this
18 is the way we want to go." But you could tell by the
19 phone calls he received while he was in there, the
20 phone calls that he would make after our conversations
21 that the ideas weren't his. He didn't come up with
22 things. He was just a messenger.

23 SPECIAL AGENT NEFF: He was dealing with
24 senior management?

25 [REDACTED]: Right.

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SPECIAL AGENT NEFF: Was he in place at the same time that [REDACTED] was in place?

[REDACTED] Yes. [REDACTED] put him in place.

SPECIAL AGENT NEFF: Okay, so he had both VPs to work with as the [REDACTED]

[REDACTED] Right.

SPECIAL AGENT NEFF: I just want to make sure I have my time frames correct.

So what you're saying is you went from [REDACTED] which was troublesome in terms of some of the direction that you were getting. It went a little worse from [REDACTED] Now how does it work?

[REDACTED] When I say worse, we're talking definitely like environment and wanting to work for that individual and not really respecting his opinions or his operational knowledge of the plant.

SPECIAL AGENT NEFF: Okay, in that way worse.

MR. BARBER: Did you ever feel like because of your desire not to talk to him, if you had an issue and he was the only one around that you wouldn't raise it to him? If you had a potential safety issue, did you ever feel like I'm just going to handle this myself and I'm going to just do what I

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1 think is right? I'm not going to bother him if I can
2 avoid it.

3 Is that the kind of thinking?

4 [REDACTED] It's not exactly that,
5 because first of all someone is always around, right?
6 But if it has to do with something of safety, then
7 I'll talk to whoever I have to talk to. That's okay.

8 If it has to do with safety and I think I
9 can handle it, then I will. I wouldn't not call
10 somebody who I don't want to work with but he's still
11 my boss because I'm uncomfortable and it was a safety
12 issue. I wouldn't not call, but if I could exhaust
13 every avenue that I possibly could before I had to
14 call him, I absolutely would.

15 Like I said, I would always grab an AOM or
16 somebody, absolutely brief him on whatever is going on
17 and make him deal with him.

18 MR. BARBER: So you were trying to use the
19 AOM as kind of a buffer?

20 [REDACTED] I personally would, yes.

21 MR. BARBER: Do others, did others do that
22 too, to your knowledge? Did people ever say, hey
23 [REDACTED] I had this problem. I was going to try to talk
24 to [REDACTED], but you know, I have had problems dealing
25 with him in the past so I went and talked to [REDACTED] or

1 [REDACTED] or whatever and got them --
2 [REDACTED] I can't really speak for
3 everybody on what they were thinking. I'm sure they
4 would all love to have somebody between them and
5 [REDACTED] but whether I exactly knew that they felt
6 the same way I did.--

7 MR. BARBER: Well, you sort of -- I don't
8 know whether it was the case for [REDACTED] but you
9 sort of described the situation where you as a group
10 kind of came together prior to the meeting with
11 [REDACTED] about how to handle operability calls, where
12 you kind of decided hey, we're going to continue to do
13 the right thing no matter what.

14 Did you know ahead of time like meeting
15 with Garchow that -- what you're going to talk about?

16 [REDACTED] Yes.

17 SPECIAL AGENT NEFF: So you guys all made
18 it a point of kind of getting with each other either
19 through e-mail or through face to face discussions and
20 saying this is what we're going to do?

21 [REDACTED] Yes, basically. A lot of
22 it would happen at turnover, right? You would have
23 something happen during the course of your shift and
24 you'd be turning over to the other guy, hey, what do
25 you think? This is what I think, this is what I would

1 have done. Okay, here's the feedback I got from [REDACTED]
2 Or here's the feedback when [REDACTED] called over that I
3 got with him and we were all on the same page and
4 that's what drove us to that meeting.

5 MR. BARBER: I see. Was there ever a
6 group, whether it was everybody or three or four of
7 you, you sat down and either on-site or off-site said
8 you know what, like prior to this meeting, we have to
9 draw a line in the sand. We have to defend what's
10 right. They're really pushing us in the wrong
11 direction here.

12 [REDACTED] Did we have like a set
13 meeting where we went and did that? No.

14 When we went into that room, and again,
15 I'll bring up [REDACTED] [REDACTED] was adamant
16 about it. [REDACTED] was adamant about it, as far as
17 being outspoken and emotional about it. And the rest
18 of us probably weren't as passionate as those guys
19 were, but certainly we were on the same page. There's
20 no doubt. That's what caused it. Especially if the
21 five shift managers aren't on the same page, it would
22 never get to that level. That would never happen.
23 It's when they're all on the same page, then we're
24 having a disagreement with a VP or whatever, where we
25 would call that meeting and they go in and talk to him

1 about it.

2 MR. BARBER: Was this time to your
3 knowledge that it had ever been done?

4 [REDACTED] Yes.

5 MR. BARBER: How did you collectively
6 decide to have a meeting? Was this again through
7 turnover?

8 [REDACTED]: This was as things were
9 festering and we didn't -- as we got more and more
10 uncomfortable it came to light, hey, you know what, we
11 need to have a meeting and we were kind of looking to
12 [REDACTED] at first. Hey [REDACTED] we're not happy
13 with this. We're not comfortable with this. Gave him
14 a chance to do his thing and it turns out he was not
15 effective in helping us. So it's like hey, let's get
16 [REDACTED] in a room and what not.

17 MR. BARBER: What was your opinion of
18 [REDACTED]
19 [REDACTED] was useless. It's a
20 strong word, but the year [REDACTED] was there --

21 MR. BARBER: Why do you think that was?
22 [REDACTED] I think [REDACTED] was promised
23 things when he came to the plant. Took over, started
24 trying to manage. I think [REDACTED] got micromanaged and
25 [REDACTED] gave up and left. My opinion.

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SPECIAL AGENT NEFF: Under [REDACTED]

micromanaged?

[REDACTED] Correct.

MR. BARBER: So it was -- and when he was there it was [REDACTED]

[REDACTED] and

then all the SMS under them, right?

[REDACTED] Correct.

MR. BARBER: So he was in the chain?

[REDACTED] Uh-huh.

MR. BARBER: But he wasn't effective is what you're saying?

[REDACTED] Correct. I view any time where we have to get in a meeting and talk to the VP directly that people between us are not effective. It should never come to that.

MR. BARBER: What about [REDACTED] I know you said before he was more of a messenger. Was he at the meeting?

[REDACTED] Uh-huh.

MR. BARBER: And he was sort of aligned with [REDACTED]

[REDACTED] What I saw from [REDACTED] was, when he would come into the control room and talk to us and we would plead our case, if you will, he was

1 receptive to it. It seemed like he was on the same
2 page as us and then he would turn around, off he would
3 go and then he would come back with a whole different
4 approach and then it would kind of seem like you know
5 what, he's not on our side any more, so then friction
6 would develop between him and the shift managers. I
7 think [REDACTED] heart was in the right place, but I'm not
8 so sure he was able to manage what he wanted to
9 either.

10 MR. BARBER: Okay.

11 SPECIAL AGENT NEFF: What about since that
12 meeting, if you didn't have a meeting or call a
13 meeting at the VP level with the shift managers, did
14 it get to the point where it was felt that that was
15 what was needed?

16 [REDACTED] I'm sorry?

17 SPECIAL AGENT NEFF: Since that time you
18 had that original meeting with [REDACTED], have you
19 been in the position where you've wanted to call
20 another meeting at the VP level?

21 [REDACTED] I have now, but it's for
22 a totally different issue which is more related with
23 the union. But as far as the way we're operating the
24 plant, no.

25 And somebody said a little while ago, I

1 can't remember what you said, but what popped into my
2 head was we were talking about how [REDACTED] received a trip
3 or something to that effect and I'll go back to when
4 [REDACTED] (Phonetic) was here, people were
5 absolutely 100 percent willing to go to [REDACTED] and say
6 I've got an issue, hey, I've got a problem.

7 When we tripped, we knew, regardless of
8 whatever causes the trip, [REDACTED] is going to come in
9 that control room to give us help. Okay? And that
10 led to a great work environment. And we lost that
11 when he left and things, in my opinion, kind of went
12 downhill, but we struggled from that point up until
13 [REDACTED] came with the environment. It was an
14 absolute struggle.

15 I mean if I don't want to talk to the VP
16 of ops, that's a little bit of an issue, so the
17 environment was great, changed, kind of went backwards
18 and now right now the environment is quiet as [REDACTED]
19 [REDACTED] and those guys are starting to exert their
20 influence. But it's more back where we need to be.

21 SPECIAL AGENT NEFF: Go ahead.

22 MR. BARBER: Before we stop this line of
23 questioning, I just want to go back. We have
24 information from a number of different places and one
25 of the things that we have to do is just make sure we

1 check over different things that have been presented
2 to us and see what your opinion is.

3 One of the things that has come up is,
4 it's one of the reasons I was asking about the
5 meetings. To your knowledge, was there ever a meeting
6 either on or off-site between a group of shift
7 managers other than what you've described where there
8 was an attempt to build consensus so that you would
9 stand up to senior management as a way of feeling like
10 you didn't have any other avenue but to do this?
11 Either where you were a party to it or if you just
12 knew it took place.

13 [REDACTED] Off-site, no. On-site,
14 not a special meeting that we called, but at the time
15 we were having either weekly or bi-weekly shift
16 management meetings and I know in one of those we had
17 that discussion.

18 MR. BARBER: Was ops management present at
19 the time?

20 [REDACTED] AOM, but not above.

21 MR. BARBER: And was there -- what was the
22 tone of the meeting? I mean at that particular
23 meeting was the tone of the meeting, was this just
24 like something that came up in discussion? Was it a
25 business item? How did it come about?

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[REDACTED]

It came about because it was bothering somebody and they wanted to talk about it.

MR. BARBER: Okay. Did you normally have an agenda?

[REDACTED]

Yes.

SPECIAL AGENT NEFF: And this was now on the agenda?

[REDACTED]

No.

MR. BARBER: Okay, so it was kind of a impromptu discussion at the time?

[REDACTED]

Right.

MR. BARBER: Okay. And was there an attempt to reach some sort of alignment or agreement? Or was it just a free flowing discussion?

[REDACTED]

It was just a free flowing discussion to see how everybody else felt about it. As I said, through turnovers you get a feeling, at the OS meeting you have probably all but maybe one guy there, depending on the day and it was usually just hey, am I off base here? Is this what we really want to be doing? Do we want to do it this way? Do we want to be making the call? Do we want to wait 72 hours before we make the call? Where are we at with this?

ML 7c

1 And that's where the consensus came about,
2 hey, we don't really agree going into this discovery
3 phase whether it's allowed by procedures again or not,
4 whether it's the norm or not, it's what feels right.

5 MR. BARBER: Okay, is that what [REDACTED]
6 was pushing, 72 hours?

7 [REDACTED] No, he would start -- he
8 would push it, the discovery phase should be
9 commensurate with the action statement, so if it's a
10 week action statement, you might wind up and you would
11 have a certain amount of time to do the discovery
12 phase. If it was 72 hours, well now you've got less
13 time, right? So he would -- it was packaged like it's
14 commensurate with the significance of the action
15 statement.

16 MR. BARBER: Okay. All right. I want to
17 back up to another item. The item you mentioned, the
18 reactor vessel had (Inaudible). You said that [REDACTED]
19 [REDACTED] was in control for that?

20 [REDACTED] Right.

21 MR. BARBER: And that was an issue where
22 [REDACTED] was pushing to not require an indication.

23 [REDACTED] Correct.

24 SPECIAL AGENT NEFF: Was [REDACTED]
25 involved with that at all?

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[REDACTED] I don't recall.

MR. BARBER: Was there a surveillance requirement that was -- that was mandated that had to be met and was there any desire, any attempt by [REDACTED] to require step in and aid in a surrounds procedure?

[REDACTED] For the head vents?

MR. BARBER: Yes.

[REDACTED] I don't think so. I don't remember [REDACTED] being there or being involved in it or anything of the sort.

MR. BARBER: Okay, because it sounds similar to --

[REDACTED] was involved with some of the service work.

MR. BARBER: Okay, what was that?

[REDACTED] I think he did a surveillance and he N/A'd a step and it affected the outcome of the surveillance.

MR. BARBER: N/A'd a step. Was [REDACTED] pushing for that or was that something he did on his own?

[REDACTED] It was something he did on his own.

All 7c

1 MR. BARBER: Do you have any other details
2 on that?

3 [REDACTED] No.

4 MR. BARBER: So did that result in a --
5 what was the result of this surveillance?

6 Did it prove the system was operable or
7 should have been operable or was inoperable? What was
8 --

9 [REDACTED] It was for that pump and
10 I believe that -- I can't remember the step that he
11 N/A'd.

12 MR. BARBER: We can come back to that.

13 [REDACTED] I'm not sure. I don't
14 want to throw out facts if I don't have them.

15 But that was a -- I don't want to say a
16 big to do where [REDACTED] had to make a presentation to each
17 of the crews. He had to make a presentation to
18 management and what not about what he did and why he
19 did it and why he shouldn't have done it.

20 MR. BARBER: What was the time frame of
21 that?

22 [REDACTED] It was at least two years
23 ago.

24 MR. BARBER: Okay. But it sounds like it
25 was pretty much on him. Did he do that on his own?

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[REDACTED] Yes.

MR. BARBER: Okay.

SPECIAL AGENT NEFF: I didn't want to interrupt your line of thinking there, it's just that when Scott said earlier that we were responding to a lot of information that came to our attention, a lot of information has been gathered about the concerns on site and maybe some possible causes for them, you kind of reacted.

You looked like you were going to throw something out there. I want to get back and capture that.

[REDACTED] When he said that, what I thought of was during this whole time frame that we had [REDACTED] and what not, they had a [REDACTED] (Phonetic), right, and the reason I'm bringing this up is because there's rumors floating around the plant associated with the investigation and what not and the reason -- when you said we're getting information from other places or whatever, it just made me think of [REDACTED] and [REDACTED] job was to do nothing else but get in everybody's ear.

So [REDACTED] got a significant amount of coaching from [REDACTED] okay and I absolutely believe that it influenced the way he did business because now

1 with [redacted] gone and with [redacted] gone and everybody -- [redacted]
2 has changed his management style, if you will. He's
3 probably what I would consider him more being himself
4 versus what he was when somebody was whispering in his
5 ear all the time and [redacted] did it to all of us.
6 [redacted] came around to all of us and pulled
7 you aside, did a little coaching, hey you should do
8 this, you should do that. You should talk like this.
9 This is the way you should approach things.

10 SPECIAL AGENT NEFF: In terms of
11 management style and the way you dealt with people you
12 mean?

13 [redacted] Right.

14 SPECIAL AGENT NEFF: You're not talking
15 about operability decisions and plant management and
16 that type of thing?

17 [redacted] No. But [redacted] had nothing
18 to do with operability or walking in and saying
19 something should (Inaudible), but the way -- well,
20 when I was talking earlier about [redacted] or somebody in
21 that chain of command, pushing one way or another, a
22 lot of the words they would use at the time, they
23 would use, especially if [redacted] was present to make sure
24 that when that meeting was over, [redacted] didn't pull them
25 aside and give them a coaching. That was typical of

1 every meeting ([REDACTED]) was in. Somebody got pulled aside
2 afterwards and was coached about your language in the
3 meeting or the way you were presenting yourself or the
4 way you should deal with people.

5 So as you're managing on a daily basis,
6 you're just not managing by what you know and what you
7 feel, you're managing by how you're perceived and
8 you're managing by hey, do I really want to deal with
9 this after the meeting, did I say the right things so
10 I don't get coached after the meeting? It was all
11 done in an effort to make us better. I realize that,
12 but it actually backfired.

13 SPECIAL AGENT NEFF: I'm trying to figure
14 out in terms of saying the right thing you're
15 indicating that during this time frame you didn't care
16 for his management style. You thought he was reacting
17 to more what senior management would have him say. So
18 what kind of thing -- what was -- what did he stop
19 saying when [REDACTED] influence was there?

20 [REDACTED] Probably like the biggest
21 thing would be that coaching, rolling down through him
22 to us. Okay? Okay, [REDACTED] you shouldn't say that this
23 way. You shouldn't present yourself like that. You
24 should step up and be a leader here, step up and be a
25 leader there. So the influence would come through

1. [REDACTED] from [REDACTED] to us.

2 So exact words, it was just in general
3 terms, it was [REDACTED] was trying to mold us a certain way
4 and we weren't necessarily able to be molded that way.
5 And I think that's what happened with [REDACTED]
6 tried to change. [REDACTED] tried to be more like what he
7 thought he had to be to survive underneath that regime
8 and he started to fall in line with them.

9 When he came back to controlling the deal
10 with us, he was bringing their messages back to us
11 where we would sit there and say, come on, [REDACTED] it's
12 me. You can stop with the key words, tricky phrases
13 and the management philosophies. and you just be
14 yourself and I'll be myself and let's just manage the
15 plant the way we know how, the best way we know.

16 That's why I say he's changed now. When
17 he walks in the control room now, I know I'm dealing
18 with [REDACTED]

19 SPECIAL AGENT NEFF: He's managing in his
20 own style, you're saying?

21 [REDACTED]: right.

22 SPECIAL AGENT NEFF: And [REDACTED]
23 [REDACTED] I don't want to put words in your
24 mouth, are they indicating that that's an improved
25 style for them too?

ALL 7c

1 [REDACTED] Yes. We're happier now
2 dealing with [REDACTED] than [REDACTED] with all
3 these influences.

4 SPECIAL AGENT NEFF: Okay. Do you have
5 anything on that, Scott, because I'm going to take a
6 quick break.

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

8 SPECIAL AGENT NEFF: It's approximately
9 2:40.

10 (Off the record.)

11 SPECIAL AGENT NEFF: On the record. It's
12 about 2:41 p.m.

13 Scott, you had a couple of incidents you
14 wanted to ask about his first hand knowledge.

15 MR. BARBER: Yes, I do have a couple of
16 them. Back in fall of 2002, there was a steam leak on
17 a feedwater pump and there was a discussion in control
18 room about what to do about it. It was pretty
19 significant, 20, 30 foot steam leak was coming off I
20 think the steam emission valve (Inaudible). And the
21 information we have, it appeared the shift wanted to
22 take the unit off-line to do some sort of repair type
23 activity. And [REDACTED] was involved with that and
24 he went and -- our information is he went and talked
25 to some senior manager, came back and isolated the

1 steam leak on his own.

2 Do you have any knowledge of that?

3 [REDACTED] I have knowledge of the
4 event.

5 SPECIAL AGENT NEFF: What's your knowledge
6 of it?

7 [REDACTED] My knowledge of it was
8 basically, we came in the next day and obviously there
9 was talk about the steam leak and then there was
10 basically a discussion about what they were going to
11 do and there was a discussion about where the leak was
12 and closing the valve and I think the crew thought
13 that it was unsafe to close the valve and I think the
14 crew was leaning towards shutting the plant down and
15 then I don't know if [REDACTED] asked anybody to close the
16 valve or not. I don't remember, but I remember [REDACTED]
17 going up and closing the valve and then that stopped
18 the steam leak.

19 I don't have any knowledge about him
20 calling anybody and then coming back and doing it. I
21 know -- I think [REDACTED] crew was on. I know [REDACTED]
22 had been out in the field with [REDACTED] at some point in
23 time. Whether or not he was out there when [REDACTED]
24 closed the valve off or not I don't know.

25 MR. BARBER: What was your reaction to

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1 that when you heard that? What was your thoughts?

2 [END TAPE 1, SIDE B; BEGIN TAPE 2, SIDE
3 A.]

4 SPECIAL AGENT NEFF: The time is now
5 approximately 2:44 p.m.

6 [REDACTED] My thoughts on [REDACTED]
7 closing the valve. I wasn't there. I know things
8 happen at the plant where your adrenalin gets flowing
9 and it's kind of human nature to maybe sometimes take
10 an action that later on will be considered heroicism
11 or something.

12 As far as [REDACTED] actually going and closing
13 the valve, I wasn't there. I didn't see the steam
14 leak, so I would kind of like leave it up to the
15 people who were there whether it was safe or not.

16 So I don't know if I was in the same
17 shoes, whether I would do it or not, but the one thing
18 that I've learned and this is my opinion, of course,
19 is that you can take a conservative action, you can
20 shut the plant down and fix the leak. You can bring
21 it back up and okay, so we're going to pay financially
22 for a move like that, but it's a no brainer compared
23 to somebody getting hurt. I can't go replace [REDACTED]
24 [REDACTED] or I can't unburn [REDACTED] That's my
25 first approach to operating the plant.

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1 Now if he was out there and he assessed it
2 and he felt comfortable enough to go out and close the
3 valve and then he successfully was able to do it,
4 maybe what they saw and they felt at the time was
5 appropriate, but I think -- I need to talk about this
6 only because I live down there, but the crew that was
7 on that night, there's some personalities on that crew
8 that they just flat out don't like [REDACTED]

9 So as soon as he took that action which is
10 not common for a management person to go up and close
11 a valve, as soon as he took that action, he was doomed
12 from that point forward, whether it was safe or unsafe
13 or anything of the sort.

14 That, of course, got the ball rolling.
15 Now we say down there safety is our number one
16 priority, so hindsight or stepping back, you shouldn't
17 go up there and close that valve because you never
18 know, but the publicity that it got afterwards --

19 MR. BARBER: Was it positive or negative?
20 [REDACTED] It was all negative. It
21 was all negative and it was all generated by the crew
22 that was on. Coming in the next day it was like oh my
23 God, you wouldn't believe what happened. [REDACTED] went up
24 there and closed this valve and I wouldn't do it and
25 all that kind of stuff.

ALL 7C

1 Was it [redacted] place to do that? We can
2 question that, but I guess what I'm saying is you
3 might have been able to put another guy up there that
4 everybody likes. He would have closed that valve and
5 it would have been a different outcome.

6 SPECIAL AGENT NEFF: You don't think he
7 would have gotten the same reaction?

8 [redacted] No.

9 MR. BARBER: Do you think he had the
10 shift's permission to do that, to do the valve --

11 [redacted] No. What I recall, no, I
12 don't think he did. That's why I was saying I know
13 [redacted] was out there, but I don't think he went to [redacted]
14 and said hey [redacted] I'm requesting permission to close
15 this valve. I think he did it -- it was the whole
16 adrenalin rush or trying to --

17 MR. BARBER: Doesn't conduct of operations
18 procedures say that the equipment in a nuclear power
19 plant you have to have permission of the operating
20 shift whether it's (Inaudible) control operators or
21 SROs or what have you?

22 [redacted] Absolutely.

23 MR. BARBER: So what he did was, in fact,
24 a violation of procedure, if in fact, he didn't have
25 permission of the control.

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[REDACTED] Technically, you would be right.

MR. BARBER: Okay.

[REDACTED] You also have to look at it though [REDACTED] would consider himself probably some sort of extension of the control room crew.

MR. BARBER: Well, if you were the [REDACTED] [REDACTED] would you want an [REDACTED] out operating the equipment without your permission?

[REDACTED] No.

MR. BARBER: Or without the permission of a CRS or knowledge or some sort of approval, understanding what the scope of the work was or what he would propose to do?

[REDACTED] No.

SPECIAL AGENT NEFF: Are you aware of any other situation in which that's happened? An [REDACTED] an [REDACTED] manipulated equipment in that way?

[REDACTED] No.

SPECIAL AGENT NEFF: You don't seem to agree with the operator's stance on that. If it's raised as an issue of hey, this is production over safety and this is evidence of production over safety mindset on the site --

[REDACTED] What I just said,

1 basically what I'm saying is if it comes down to
2 production over safety and somebody is raising that
3 concern, wouldn't it be safer to shut the plant down
4 than to close the valve, I'm all for that. That's why
5 I said my first reaction is I can't replace a human
6 being but I can easily fix the valve. But what I'm
7 saying is if the individuals who are raising that
8 concern, their motivation is not genuine, okay?

9 If their motivation is more of a personal
10 vendetta or personal -- hey, here's a good opportunity
11 for us to slam [REDACTED] then I would have a problem
12 with that and I don't agree with that. That's what
13 I'm saying.

14 SPECIAL AGENT NEFF: So based on what
15 you're seeing, you think they're responding to the
16 fact that it was him, not that it was a concern for
17 safety?

18 [REDACTED] Right.

19 SPECIAL AGENT NEFF: At that point.

20 [REDACTED] There's something about
21 the safety concern that would have been raised. Let's
22 say the most popular guy in the plant went out and
23 closed that valve. Next day the issue would have been
24 hey, was that really safe or not? Okay?

25 And then the question would be asked,

1 you've got a steam leak, do you go up and close the
2 valve or is there a PPE you could have used or should
3 we think of this in the future? Do we want guys
4 closing steam valves? Should we put them in a steam
5 suit? Okay?

6 But what I saw and felt was that wasn't
7 the thrust of all the publicity. The thrust of it was
8 here's [REDACTED], he's out of control. He's out it
9 he plant. He's [REDACTED] He's a management guy. He
10 shouldn't be touching the valves. He's saying safety
11 is our number one priority and there he goes climbing
12 a scaffold and closing a valve on a 30-foot plume of
13 steam.

14 So I believe a lot of the voices that came
15 out of that right away, their intent was not
16 production and safety. Their intent was to get [REDACTED]
17 [REDACTED] on the hot seat.

18 MR. BARBER: Okay. Any more on that? Do
19 you have any more on that?

20 [REDACTED] have
21 talked about that since it happened like what would
22 you do? I actually believe there's a lot of cases, a
23 lot of things that were put into where it's not
24 different than the football game on Sunday. Monday
25 morning, everybody is analyzing what was done.

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MR. BARBER: Oh yeah.

[REDACTED] we've talked about hey, would you go up and close a valve? I don't know. If I had the option to shut the plant down and was sure nobody was going to get hurt, I'm going to take that one first.

I wouldn't shut that valve to keep from shutting down the plant. I personally wouldn't go up and close the valve to keep from shutting the plant down.

MR. BARBER: Would you allow someone else to do it if you were the shift manager and they wanted to do it?

[REDACTED] If I wouldn't do it, I wouldn't let anybody do it. Again, I've learned over the last -- since becoming [REDACTED] I can repack the valves. I can fix the valves, but I can't replace an equipment operator and that's come to light for me over the last couple of years more than anything else as far as being a leader of men.

MR. BARBER: Okay. Very good, thanks. Any thing more on that?

Okay, a couple of other issues that are a little bit more general. Temporary logs that are in use currently. All plants have temporary logs for

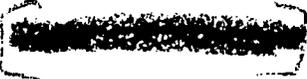
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1 various reasons. How would you characterize the
2 number and the (Inaudible) of logs of both units and
3 what they represent as far as what kind of equipment
4 problems, too many, too few, are they good, bad?
5 What's your characterization of temporary logs?

6  Temporary logs are
7 excessive. Temporary logs typically means something
8 is not working correctly. Temporary logs stay in
9 existence for too long and eventually at some point in
10 time because some piece of equipment has not been
11 fixed, it puts the operator in a corner and gives him
12 the opportunity to make a mistake.

13 I dislike them.

14 MR. BARBER: Are there any of those that
15 particular stand out in your mind like either the
16 equipment that they're monitoring or is there
17 something that you really have a hard spot with you
18 say? I got your generalness -- is there any in
19 particular that you find bothersome?

20  Yes, if I could have two
21 this morning, it was rad monitors. You had a rad
22 monitor that's inoperable. You have compensatory
23 actions. We put an additional reading sheet together
24 which is a temporary log for recording the need of the
25 compensatory actions. And because the rad monitors

1 aren't fixed in a timely manner, eventually you have
2 an opportunity to miss your sample and this morning we
3 missed a sample, so the rad monitors probably bother
4 me the most because now we're asking chemistry to take
5 compensatory actions.

6 Chemistry doesn't beef up their manpower,
7 so you have a tech going around trying to do all these
8 tech spec compensatory samples and he gets overwhelmed
9 and that's what happened this morning.

10 MR. BARBER: Okay, any other ones you find
11 particularly offensive?

12 [REDACTED] Specific examples, no, but
13 usually the ones where I know it's a piece of
14 equipment that we can get fixed and we're just
15 dropping the ball and getting it fixed --

16 MR. BARBER: What's the nature of the
17 problem there? Why can't the equipment get fixed?

18 [REDACTED] It's just the process.
19 Because of management.

20 MR. BARBER: Is it something that's
21 solvable or is it something that's been a problem for
22 a long time?

23 [REDACTED] Those types of items,
24 typically, if the SRO on the wing (Phonetic) team or
25 the shift managers, if they don't push for a piece of

1 equipment to get fixed, it will typically languish out
2 there in the process until eventually some day it gets
3 fixed, but most -- some of the temporary logs that
4 were taken I really think that if you just put a
5 little effort into it, dedicate the resources is a
6 better word, it would be fixed and the temporary log
7 would go away and we'd all be better off.

8 MR. BARBER: Okay. All right. Do you
9 know anything about a Salem Unit 2 ISI relief request
10 regarding a piping UT (Phonetic) and that's all the
11 information I have.

12 [REDACTED] I don't know anything
13 about that.

14 MR. BARBER: Okay. Were you involved at
15 all with the 14 BF 19?

16 [REDACTED] No.

17 MR. BARBER: Okay. How about this one
18 will pick your brain a little bit --

19 [REDACTED] When you say "involved"
20 what do you mean?

21 MR. BARBER: Were you a decision maker in
22 the process?

23 [REDACTED] No.

24 MR. BARBER: Do you have an opinion on
25 what happened here?

1 [REDACTED] No, I just know my shift
2 was -- we were on for one shift while the BF 19 was
3 having its difficulty.

4 MR. BARBER: Were you on in the morning?
5 [REDACTED] I was on -- actually, I'm
6 sorry, no I wasn't. I was there, but it was at the
7 tail end of the outage, so I was an extra -- I was
8 still doing the outage stuff, but I was on -- I worked
9 that day and [REDACTED] was the actual [REDACTED]

10 MR. BARBER: During the day?

11 [REDACTED] Right.

12 MR. BARBER: Who was on at night?

13 [REDACTED] (Inaudible).

14 MR. BARBER: So it was going from [REDACTED]
15 [REDACTED] during the day?

16 [REDACTED] right.

17 MR. BARBER: Okay, and that came up like
18 3 o'clock in the morning?

19 [REDACTED] I think so, right.

20 MR. BARBER: And it got addressed at 5
21 o'clock at night, something like that.

22 [REDACTED] Uh --

23 MR. BARBER: It was almost through the
24 next shift. Okay..

25 [REDACTED] I think it was addressed

1 right away, but by the time they might have gathered
2 up the right people and what not, yeah, I believe it
3 might be 5 o'clock the next night.

4 SPECIAL AGENT NEFF: Are you aware of any
5 pressure or in terms of what you talked about before,
6 the process for analyzing, was there any pressure on
7 delaying that on that shift manager, the BF 19
8 situation?

9 7C - [REDACTED] I don't think there was
10 pressure to delay it from the strict literal sense of
11 those words, but I think that sometimes it takes us
12 too long to get all of the right people in the room
13 and get down to the nitty gritty of what we have and
14 how to be accurate and make your decisions from there.

15 So I don't think there was pressure to
16 delay it. I think it was delayed probably more than
17 it should have been, but I think that was just the way
18 it played out as far as getting the right people in
19 there and having the right conversations with the
20 right people and then finally coming up with the
21 solutions, if you will, or the possible problems with
22 the valve when they started working through what is
23 wrong with the valve.

24 A lot of times you'll get information that
25 I think this happened in the BF 19 where it's the

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1 position or it's this or it's that and you're starting
2 to explore those items. Meanwhile, the clock is
3 ticking and lo and behold eventually you find out you
4 have a bolt or something in the internals of the
5 valve, but the process of ruling everything else out
6 and getting that information from all the smart people
7 takes time.

8 SPECIAL AGENT NEFF: So it might have
9 taken long, but it wasn't due to any conscious we'll
10 hold off making this operability call?

11 [REDACTED] I don't think so. I
12 wasn't in there, but I don't think so.

13 SPECIAL AGENT NEFF: This was August?

14 MR. BARBER: No this was recent, within
15 the last couple of months.

16 [REDACTED] This was the tail end of
17 the outage, only a month ago.

18 MR. BARBER: Okay. How about -- this is
19 going back a couple of years. We might actually have
20 talked about this and I don't know if we talked
21 directly, but maybe indirectly. In the spring 2001,
22 there was a Salem Unit 1 had a reactor trip that was
23 caused by a main generator current transformer failure
24 and then there was some push by [REDACTED] to get the
25 plant started up by a particular date or a performance

1 indicator or an NRC performance indicator was going to
2 go white.

3 And there were repeated calls to the
4 control room by [REDACTED] when are you going to get the
5 plant started up? And you know, there was other
6 pressures that supposed [REDACTED] observed to try and
7 move the start up along, including looking at using
8 the mess pans (Phonetic) and other things.

9 SPECIAL AGENT NEFF: We may have touched
10 on that.

11 MR. BARBER: Are you familiar at all with
12 that?

13 [REDACTED] I'm not familiar with the
14 [REDACTED] part. I don't think I was there and receiving
15 those phone calls.

16 MR. BARBER: Okay.

17 [REDACTED] It's not uncommon though
18 for us to get phone calls like that and we kind of
19 view our job as a [REDACTED] to keep that push from
20 influencing the actual control room CRS and the ROs,
21 right? We're the buffer between upper management, if
22 you will, and the guys who are actually operating the
23 plant, pushing the buttons.

24 So it doesn't surprise me. I don't think
25 I was there when that happened. I can give you an

1 example. In September we shut both units down because
2 of the salt in the switch yard (Phonetic). I was on,
3 I was on that night.

4 MR. BARBER: Okay.

5 [REDACTED] And we saw what was going
6 on out of the switch yard.

7 MR. BARBER: That was all visual right?

8 [REDACTED] Hope Creek tripped.

9 MR. BARBER: Yeah, I know.

10 [REDACTED] And we got information we
11 had arcing in the switch yard and we went out and
12 looked at it and what not.

13 MR. BARBER: You actually went out and
14 looked yourself?

15 [REDACTED] Absolutely.

16 MR. BARBER: Okay.

17 [REDACTED] And the only thing that
18 happened that wasn't -- besides the visual, we had one
19 of the 500 KV brick was open and it reclosed. It has
20 a reclosure on it.

21 MR. BARBER: Okay.

22 [REDACTED] Anyway, that night, I mean
23 I'm in an uncomfortable spot. I'm shutting both --
24 I'm feeling like I need to shut both units down
25 because I don't like what I'm seeing out there. And

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1 then you talk about where's the best place to go and
2 you still need power, so you're still relying on the
3 switch yards. So what is the best place to go? You
4 sit there and you come down in power and you come off
5 line. You go H and R. In any event, [REDACTED] had come
6 in because of the Hope Creek trip.

7 MR. BARBER: Okay.

8 [REDACTED] I started calling my chain
9 of command. [REDACTED] was on vacation so I got a
10 hold of [REDACTED] and started a dialogue with
11 [REDACTED] tried to get a hold of [REDACTED] We had a hard
12 time getting a hold of [REDACTED] Anyway, [REDACTED] ended
13 up walking over and we had done a little bit of
14 research and found the OE on Brunswick Plant which had
15 suffered the same thing about 10 years ago and it was
16 word for word what we were going through and when I
17 presented that to him because in my mind he's my upper
18 management type guy, right?

19 When I presented that to him, he was in
20 disbelief that that's what we had. I had to convince
21 him that the right thing to do was to shut the plant
22 down. I didn't know what was going to happen in the
23 switch yard. So in my mind, hey, I need to shut the
24 plant down, at least get the reactor shut down and sit
25 here. If I lose power from there, then we'll deal

1 with it, but in any event the reactors will be shut
2 down.

3 So it probably took me a couple of hours
4 to work through discussing this with everybody in
5 upper management as far as being (Inaudible).
6 [REDACTED] was gone. [REDACTED] was there trying to get a
7 hold of [REDACTED] [REDACTED] I think, was the
8 acting manager at the time because [REDACTED] wasn't there
9 yet.

10 SPECIAL AGENT NEFF: What time frame is
11 this now?

12 [REDACTED] September.

13 SPECIAL AGENT NEFF: This year?

14 [REDACTED] Yes. And the thing I
15 didn't care for was having to basically walk [REDACTED]
16 up there and I'm thinking he's a pretty smart guy for
17 the position he holds and you see arcing in the switch
18 yard like that, once you see it, it's a no brainer at
19 that point, right? But he was more concerned that I
20 get a hold of experts up in Newark to assess our
21 situation and it was kind of like a -- to me, it was
22 like one obstacle after another being put in front of
23 me before I could shut down and when the 500 KV
24 breaker opened, that was it. I said okay, we're
25 shutting down.

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1 I gave direction to both units to start
2 shutting down. At that point, [REDACTED] flipped. He was
3 all for the shutdown and then he was calling VPs in
4 Newark and all and he was kind of -- at that point in
5 my opinion, he was dealing with the financial side of
6 it.

7 Who was going to pay for the repairs for
8 the switch yard and who's going to make up for the
9 lost generation? Who's going to be accountable for
10 all of that?

11 When he first walked in there, in my mind,
12 it wasn't "what's the right thing to do with the
13 plants, what do you got, we make our decision and we
14 go." All those other influences, they don't come into
15 the control room. We don't care about any of those
16 things. It's hey I've got salt (Phonetic) in the
17 switch yard. I got arcing. The fabricating grate
18 (Phonetic) was opening and closing. We shut down.

19 To me, two hours was quick. To other
20 people it might be a long time, but --

21 MR. BARBER: You mean two hours to reach
22 a decision to shut down?

23 [REDACTED] Right. Just giving
24 everybody the opportunity to talk to my chain of
25 command and say hey, here's what I've got. Do you

1 guys know anything?

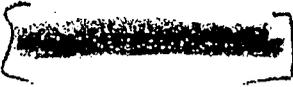
2 So that was the case where I didn't think
3 that initially the upper management guy walked in and
4 said hey, you've got arcing in the switch yard, I saw
5 it walking over here, what do you want to do? I want
6 to shut the plants down. Do it. Didn't go down like
7 that. It went down with KD. Here's some OE. This
8 isn't what we've got. Yes, it is. Call Newark,
9 there's some expert up there you can talk to about
10 what we got in the switch yard.

11 MR. BARBER: This is before the 500 KD
12 breaker opened?

13  Yes.

14 MR. BARBER: So other than the visual
15 image of seeing the arcing and sparking and what have
16 you, he didn't anything else, no plant status change,
17 nothing, no other breaker changes or anything like
18 that.

19 So once he saw the 500 KV breaker cycle,
20 you made a decision to shut down. He flip flopped
21 over and said yeah, okay, is this the right thing to
22 do?

23  The initial conversations,
24 in my mind, were like very similar to the ones that I
25 talked about earlier about with  in the past.

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1 It was just like that until I had the guts or whatever
2 to say hey, you know what, I'm shutting down because
3 that's what the right thing to do is shut down.

4 MR. BARBER: You made a comment about
5 who's going to pay for this, things like that. That's
6 what [REDACTED] is worried about, right?

7 Do you think that that's -- what kind of
8 influence do you think the cost pressures have on
9 these VPs by pushing one line of operation over
10 another? Is there something different about the
11 environment today than in the past?

12 [REDACTED] The past being?

13 MR. BARBER: Like being four or five years
14 ago. Is there some --

15 [REDACTED] There's obviously much
16 more focus on running the plants. There's much more
17 focus on being economical and cost effective and all
18 of that. So I do believe it influences our decisions
19 to a degree, but there's times like that where you
20 step back and you put that aside and it's what do you
21 what, here are the facts and here's where I'm going.
22 He's dealing with the rest of this stuff afterwards.

23 But you can't come into that, into the
24 control room or into that conversation with I really
25 don't want to shut down. I'm going to do everything

1 I can to keep us from shutting down. If that's the
2 right thing to do and you have other alternatives,
3 then sure, but in this case it was pretty straight
4 forward.

5 MR. BARBER: Was there any concern about
6 the reliability of the on-site power supplies? I mean
7 like the diesels or anything like that? Was there any
8 other rational reason that was given for why you
9 wouldn't shut down?

10 [REDACTED]: No.

11 MR. BARBER: How about discussions about
12 going to 30 or 40 percent power, keeping the turbine
13 on line, was that even discussed?

14 [REDACTED]: Yes, we had those
15 discussions.

16 MR. BARBER: Okay.

17 [REDACTED]: I had them with my [REDACTED]
18 I didn't have that with [REDACTED]

19 MR. BARBER: How did you feel about that?

20 [REDACTED]: About staying at 30?

21 MR. BARBER: Yes, 30 or 40 or whatever?

22 [REDACTED]: At the time, we were able
23 to make cases for staying at various places.

24 MR. BARBER: Okay.

25 [REDACTED]: But the bottom line was,

1 what we resulted to was hey, the reactor is better
2 shut down because we don't know what's going to
3 happen. In the case of Brunswick, they (Inaudible)
4 power.

5 MR. BARBER: Okay.

6 [REDACTED] So I'm better off shutting
7 the reactor down and using the dumps and then if I
8 lose power from there, I know what to do. I don't
9 want to put myself in a situation where I have to
10 react to the plant and trip and shut the reactor down
11 and go through that. I'm better off just cooling
12 down.

13 MR. BARBER: Actually, it would trip them,
14 right? If the turbine tripped and you get below a
15 certain power, you get a reactor trip, right?

16 [REDACTED] If I lose off-site power,
17 I lose reactor coolant pumps --

18 MR. BARBER: Okay, so you're thinking
19 total loss?

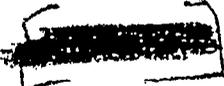
20 [REDACTED] Right, which was -- which
21 I believe could have happened that night easily.

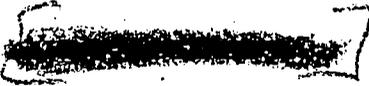
22 MR. BARBER: Okay.

23 [REDACTED] You're sitting there with
24 OE in front of you saying hey, Brunswick lost power.
25 Thinking worse case, yes, especially with a reactor

1 down.

2 In hindsight, you could have waited three
3 days and waited for it to rain, crossed your fingers
4 and waited until it rained and then it probably would
5 have gone away.

6 SPECIAL AGENT NEFF: How much time did
7  questioning add to the situation? You kind
8 of indicated you were having problems getting in touch
9 with your whole chain of command there?

10  I would say his
11 questioning cost me at least an hour. Because we had
12 a conference call at around 11. Let's have a
13 conference call at 1 and I think it was the second
14 conference call was where I said hey, I'm just
15 shutting down.

16 And too, it was like you guys are sitting
17 at home. You're not seeing what I'm seeing, so you
18 come in and look at it and give me your expert opinion
19 or -- no, I'm shutting down.

20 MR. BARBER: Would it ever be conceivable
21 that under the circumstances that someone in his
22 position or someone else would say no, I don't want
23 you to shut down or I really think we can ride this
24 out? Does that ever come up, things like that? Maybe
25 not for this, but in other instances, has it ever come

1 up where you've been like on the verge of making a
2 decision or said something and been contradicted?

3 [REDACTED] Me personally, I don't
4 think so.

5 MR. BARBER: Someone else?

6 [REDACTED] I think [REDACTED] went
7 through something a couple of years ago associated
8 with circ. water where -- I think he brought the unit
9 down and brought one of the units off-line and then
10 hindsight was do we really have to do that?

11 SPECIAL AGENT NEFF: Whose hindsight?

12 [REDACTED] In a case like that we
13 would have a TARP team and the TARP team would
14 evaluate the actions that were taken and then they
15 would come back and say hey, did you follow the
16 procedure? Was there guidance in the procedure? Did
17 the procedure allow you to not come down, to come off
18 line or whatever?

19 I'm pretty sure [REDACTED] went through something
20 associated with bringing Unit One down that had to do
21 with circ. water. You'd have to ask him.

22 SPECIAL AGENT NEFF: How about [REDACTED]
23 [REDACTED] position in this time frame, is this
24 September you say of this year? [REDACTED] is not
25 there any longer, right?

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[REDACTED]

Right.

SPECIAL AGENT NEFF: What is his position then? Was he in an acting capacity or?

[REDACTED]

I believe -- it was the weekend. I believe that weekend he was acting.

MR. BARBER: Like a management contact or --

[REDACTED]

Um, he might have been the guy that had the duty that weekend for EP.

MR. BARBER: Okay.

[REDACTED]

(Inaudible) kept coming in for the Hope Creek trip, but that weekend, he was --

see, I don't remember [REDACTED] -- I'm not sure where

[REDACTED]

(Phonetic) were at that point in time.

[REDACTED]

at the time.

[REDACTED]

MR. BARBER: [REDACTED] has been gone now,

right? I mean he's been gone since March-April time frame or a little later than that?

SPECIAL AGENT NEFF: Later.

[REDACTED]

[REDACTED]

just came in in September-October time frame.

MR. BARBER: Okay. I guess it was last year.

1 SPECIAL AGENT NEFF: It might have been
2 closer to August. July-August was [REDACTED]
3 leaving?
4 [REDACTED] I know [REDACTED] got here in
5 October. [REDACTED] was here until [REDACTED] left. Now how much
6 influence he exerted was diminishing at least back to
7 August.

8 SPECIAL AGENT NEFF: I might be off by a
9 month or something.

10 [REDACTED] But that was an example of
11 where I thought we took the obviously conservative
12 approach to shut the plants down, but we were shutting
13 down regardless of any influences. I think upper
14 management -- and I'm speaking in the past -- it
15 would always seem like there was resistance to shut
16 the plants down or whatever, especially in a scenario
17 like that.

18 I don't expect, if you're going to make me
19 the shift manager, and I tell you I need to shut down,
20 that should be the end of the story, right? I'm the
21 guy with the license, not you, so at that point you
22 need to back off, if you're the VP or the director or
23 whatever, and under [REDACTED] and a lot of those guys, that
24 wasn't the environment we were in. It was I want to
25 shut down, well, I don't know if I want you to -- why

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1 do you want to shut down? I want to shut down because
2 of this. And then from there we go into technical or
3 something like that. That's an exaggerated example,
4 but --

5 SPECIAL AGENT NEFF: Where you were on the
6 defense on your decision.

7 [REDACTED] Correct.

8 SPECIAL AGENT NEFF: But you're saying
9 that's in the past, but this is just three months ago
10 and [REDACTED] is still there?

11 [REDACTED]: Right.

12 SPECIAL AGENT NEFF: So he's a part of the
13 senior management team that didn't change out, who is
14 still giving that example, pushes in that direction.

15 [REDACTED] Right.

16 SPECIAL AGENT NEFF: Pushing against the
17 shift manager decision in the face of what you were
18 seeing.

19 [REDACTED]: Right. In my mind calling
20 somebody in Newark that's an expert on the switch
21 yard, in our view, at that point in time is not doing
22 me any good. It's not a suggestion he should have
23 made.

24 MR. BARBER: What's your perception of
25 that, why he wanted to do that?

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1 [REDACTED] My first impression was he
2 thought we were blowing things out of proportion,
3 okay? And then when I took him up there and we stood
4 there and we watched the switch yard, [REDACTED] kind of
5 changed a little bit. And then when we came back
6 down, so at that point I think he was believing me or
7 believing the crew. And you say okay, Hope Creek
8 tripped. I got OE sitting in front of me. A few
9 minutes later the brake room opens and closes, what
10 more do you need? At that point is where everything
11 flipped.

12 MR. BARBER: Okay. Do you think he
13 actually kind of just made -- I don't know how to --
14 the decision he made at the time, was it because of
15 the facts he actually saw? The fact that he actually
16 saw the switch yard, saw the arcing and sparking for
17 himself, saw the breaker cycle and then -- was it a
18 change of heart or was it because you made the
19 decision, he just decided "I'll go along with it"?

20 [REDACTED] My opinion is okay, he saw
21 the arcing so he knew it was real, right? He's got me
22 saying hey, I want to shut down, I want to shut down,
23 I want to shut down. And once the problem was out in
24 the switch yard, okay, that falls under Team D. That
25 falls under our corporate departments. It's not

1 inside RD.

2 So at that point in time I think his --
3 the whole financial thing was hey, it's not nuclear's
4 fault, it's probably out at the switch yard.

5 SPECIAL AGENT NEFF: So his concern being
6 who's going to pay for this and who is going to make
7 up for this lost money here is now not on you?

8 [REDACTED] Right. So now it's more
9 like hey, it's okay. Let's shut down. You know what
10 I mean? So again, it's my opinion we had our relay
11 guy in, [REDACTED] (Phonetic) and he actually put [REDACTED]
12 [REDACTED] on the spot on the phone through conversations
13 more or less saying, more or less getting [REDACTED] trying
14 to get [REDACTED] to shoulder the responsibility for what was
15 going on out in the switch yard. And then [REDACTED] is a
16 low level guy, so he's just -- I felt, I don't know --
17 he deflected it, but that's what gives me the
18 impression on what I'm saying and why I'm saying what
19 I'm saying.

20 SPECIAL AGENT NEFF: Did you have any
21 follow up conversations with [REDACTED] about the
22 position he took on this versus your position on it?

23 MR. BARBER: How about your reaction about
24 his position?

25 [REDACTED]: I talked to [REDACTED]

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MR. BARBER: What did [REDACTED] say?

[REDACTED] I think he just chalked it up to more or less not wanting to pursue anything further as far as a conversation with him.

SPECIAL AGENT NEFF: That's [REDACTED]

[REDACTED] Right.

SPECIAL AGENT NEFF: Do you have any confidence that you're not going to be in the same position again, you or [REDACTED] won't be up against the senior manager who is in the face of what you're saying clearly has to be done in the face of what you're looking at, are you going to be in that position again?

[REDACTED] I'm not going to say that none of us will ever be in that position. My confidence level right now is a lot higher that we won't be in that position. From what I've seen from [REDACTED] so far and [REDACTED] and I know [REDACTED] (Phonetic), so I don't -- I believe as long as I'm dealing with one of those guys, I'm not going to be in that position.

MR. BARBER: What did you think of it? We're kind of towards the end of the interview, but after all the discussion we've had here this afternoon, what's your impression, thinking back about the discussion we just had about the work environment

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1 that existed over the last two years under [REDACTED]
2 [REDACTED] what -- how would you
3 describe that work environment?

4 [REDACTED] It's a work environment
5 that people don't want to work in. You want to go to
6 work and you want to do your best and you want to walk
7 away feeling satisfied and you don't want to be
8 ridiculed or coached every bit along the way. So the
9 environment was not conducive to everybody putting
10 their best effort forward and in some cases it was
11 just you do what you have to do so you didn't get
12 coached or you didn't get a phone call or -- so to me,
13 the environment was not one that I wanted to work in
14 and now the environment has become more one that I
15 want to work in as far as dealing with the management
16 people that we have.

17 But any time you have an employee who is
18 reluctant to talk to somebody like I was, I don't
19 think that's a good environment. I don't think it's
20 in the best interest of the plant or however you want
21 to look at it.

22 Keep in mind, too, like I said, we went
23 from having [REDACTED] there as our [REDACTED] and
24 eventually or general manager who was very personable
25 and who was very involved in everything that went on.

1 Then he left. So we saw a delta.

2 If he had never been there, then my
3 conversation with you about everything that happened
4 over the last few years, it might have just been
5 normal to me and I might be saying, hey, it was a
6 great environment or hey, it was just a normal
7 environment.

8 But to look at the delta, it was an
9 environment that we didn't want to be in. It was an
10 environment that we didn't like. Nobody wanted to
11 work for [REDACTED]. Nobody wanted to work for [REDACTED] either.
12 And [REDACTED] was just a messenger or figure, whatever, that
13 we had to deal with.

14 MR. BARBER: Okay. I don't have any more.
15 [REDACTED] Actually, this interview,
16 I thought you guys were more familiar with facts or
17 like you had the MS-42 and a couple of things. I
18 thought it was going to be a lot more than that.

19 MR. BARBER: We have some things. The
20 other thing is in all the interviews we've done,
21 different people have different issues about different
22 things. Things come up and we're just trying to cover
23 as much ground as we can and it's very difficult
24 because it is like Eileen said, it's really not --
25 we're not looking at a specific incident or two or

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1 three incidents.

2 We're looking at a series of events over
3 a long period of time. We're looking at different
4 people's involvement and trying to get a formal
5 picture of what the safety conscious work environment
6 was like at both Salem and Hope Creek.

7 [REDACTED] I know that [REDACTED]
8 and [REDACTED] I know they had -- if you look across
9 the shift managers who probably had dealings with [REDACTED]
10 or [REDACTED] or whatever, those guys either had the
11 misfortune of being on shift on the wrong day and
12 having something happen and getting lost in some
13 dealings with those guys more than I did.

14 And I think my effort to put somebody
15 between me and [REDACTED] made things better for me to where
16 I didn't have like a big controversial conversation
17 with him or whatever.

18 MR. BARBER: One of the things you
19 mentioned earlier, you talked about their -- I think
20 you made a comment about they were -- maybe [REDACTED] was
21 never licensed or didn't appear that he could ever
22 have a license because he was asking questions that
23 somebody who had an SRO license would never -- would
24 understand better.

25 And I don't know if you made this same

1 analogy with [REDACTED] if you said anything to him like
2 that or not, but does not weigh into the rapport that
3 you have at all?

4 [REDACTED] Absolutely, because I'm
5 okay with somebody in upper management not having the
6 technical knowledge of the plant, but they should
7 understand at least the situation that we're in in the
8 control room and when you don't see them understanding
9 that, then that affects the rapport, it affects it in
10 a negative way.

11 It's like hey, this person is passing
12 judgment on something that we did or he's making phone
13 calls at the inopportune time or it's just plain as
14 day they don't now or they don't understand what we're
15 up against in here. And yeah, if after the fact you
16 call up and say hey, how is the switch yard designed
17 that this happened to us, hey, we'll explain it to
18 you, but don't call up and ask us why is it designed
19 that way in the middle of the event. You know what I
20 mean?

21 Typically, I think what you find with
22 operators is once they realize the person they're
23 working for, the person making the decisions isn't
24 either qualified which is a strong word or the person
25 really doesn't know or understand and then they lose

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1 respect for them pretty quickly and you have a very
2 difficult time working for them from that point
3 forward.

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4

5 [REDACTED] I know that was some of the things that
6 [REDACTED] wanted us to do and what not, it was just obvious
7 that he really didn't understand what was going on in
8 control. And Salem can be a little different animal
9 too. I've done a few bench marking trips where we
10 seemed to have a little bit more emerging stuff than
11 most plants do and upper management really doesn't
12 want to hear that, right? So like they wanted the
13 shift manager out in the plant walking around
14 supervising everybody and at Salem, he needs to be
15 around the control room because things are constantly
16 popping up where the CRS needs some sort of a back up
17 or CRS is looking for advice or experience or just a
18 conversation.

19 So to transform us into like a site
20 manager is what they wanted to do, doesn't really work
21 at Salem. And that was like an example of a situation
22 that we fought tooth and nail, more or less. Yes, to
23 answer your question, it influenced the rapport.

24 MR. BARBER: Okay, thanks. I don't have
25 anything else.

SPECIAL AGENT NEFF: I don't have anything

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1 further other than some closing questions.

2 Is there anything that you would like to
3 add?

4 There is one question that comes to mind
5 though, sorry. You said you thought we were going to
6 have more facts, rather than just asking you some
7 general --

8 [REDACTED] Yes, I thought it would be
9 more like hey, this event happened and here was the
10 decision that was made, why do I think it was made
11 that way or did I think it was right or wrong,
12 something like that, more than my opinions on the work
13 environment, I guess is all.

14 SPECIAL AGENT NEFF: Are there incidents
15 that occurred that you think we should be aware of and
16 asking questions about that fall in line with decision
17 making, questionable decision making? Is there
18 something we're not covering?

19 [REDACTED] No, I don't think so.

20 SPECIAL AGENT NEFF: Okay, do you have
21 anything else you'd like to add at this point?

22 [REDACTED] I don't think so.

23 SPECIAL AGENT NEFF: Have I or any other
24 NRC representative offered you any promises or reward
25 or threatened you in any manner in exchange for

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today's information?

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[REDACTED]

No.

SPECIAL AGENT NEFF: And you stated earlier that you appeared here freely and voluntarily?

[REDACTED]

Yes.

SPECIAL AGENT NEFF: At this point, we'll go off the record. It's approximately 3:27, 3:28 p.m. and I have to thank you for your time. It was a good bit of your time and I thank you.

[REDACTED]

Thank you.

(Whereupon, at 3:28 p.m., the interview was concluded.)

CERTIFICATE

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

Name of Proceeding: Interview of

[REDACTED]

Docket Number: 1-2003-051F

Location:

[REDACTED]

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and, thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings as recorded on tape(s) provided by the NRC.

Francesca Zook

Francesca Zook
Official Transcriber
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