

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title:

Interview of [REDACTED]

7C

Docket Number:

1-2003-051F

Location:

Hancocks Bridge, New Jersey

Date:

Thursday, February 5, 2004

Work Order No.:

NRC-1315

Pages 1-146

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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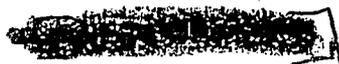
OFFICE OF INVESTIGATIONS

INTERVIEW

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IN THE MATTER OF: :

INTERVIEW OF : Case No.

 : 1-2003-051F

(CLOSED) *7C* :

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Thursday, February 5, 2004

Hancocks Bridge, New Jersey

The above-entitled interview was conducted
at 12:06 p.m.

BEFORE:

Special Agent EILEEN NEFF

ALSO PRESENT:

SCOTT BARBER, Senior Project Engineer

APPEARANCES:

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On Behalf of the Witness, [REDACTED]

JEFF KEENEN

Consumer Advocate

Office of Consumer Advocate

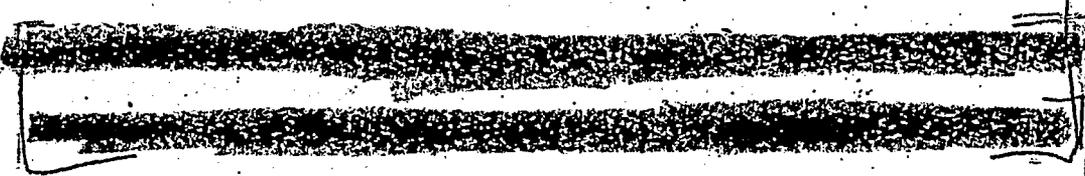
P-R-O-C-E-E-D-I-N-G-S

(12:06 p.m.)

SPECIAL AGENT NEFF: Today's date is February 5, 2004. The time is approximately 12:06 p.m.

Speaking is Special Agent Eileen Neff with NRC Office of Investigations, Region I. Also present from Region I, Division of Reactor Projects, the Senior Project Engineer, Scott Barber.

What follows will be an interview with



is accompanied by counsel; Jeff Keenen is also present. And Mr. Keenen will describe the purpose of his appearance shortly.

As agreed, this interview is being tape recorded, and it will be conducted under oath. The subject matter of the interview concerns the safety conscious work environment at Salem and Hope Creek.

 is being interviewed as a witness. It was explained to you that you're being approached as a witness.

You voluntarily appeared today to give us your assessment of the work environment, and your experience to date with PSEG Nuclear includes Hope

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1 Creek only. So we'll be addressing Hope Creek.

2 And also, I explained to you that there is
3 no specific potential violation associated with safety
4 conscious work environment. So you understand that
5 you're being approached as a witness?

6 [REDACTED] I do.

7 SPECIAL AGENT NEFF: Okay. As I explained
8 to you prior to going on the record, we'll conduct the
9 interview under oath. Would you raise your right
10 hand, please? Do you swear that the testimony you are
11 about to provide is the truth, the whole truth, and
12 nothing but the truth, so help you God?

13 [REDACTED] Yes.

14 SPECIAL AGENT NEFF: Okay. Jeff, could
15 you please describe the purpose of your appearance
16 here today?

17 MR. KEENEN: Yes. My name is Jeff Keenen.
18 I'm Assistant General Solicitor for PSEG Services.
19 Today I'm representing [REDACTED] and PSEG Nuclear in a dual
20 capacity. I'm not aware of any conflict of interest.
21 [REDACTED] is a fact witness today. Should a conflict arise,
22 we'll take a break from the record and best handle
23 that. TK

24 Also, we would like the opportunity to
25 review the transcript at a time and place that's

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1 convenient for the NRC.

2 SPECIAL AGENT NEFF: Okay. Do you
3 understand, [REDACTED] the purpose of the
4 representation as described?

5 [REDACTED] Yes, I do.

6 SPECIAL AGENT NEFF: Okay. Does your
7 employer require you to have an attorney present when
8 you are interviewed by NRC OI?

9 [REDACTED] No, they do not.

10 SPECIAL AGENT NEFF: The Office of
11 Investigations, I should explain. No?

12 [REDACTED] No.

13 SPECIAL AGENT NEFF: Okay. Were you in
14 any way threatened with any adverse action if you did
15 not request corporate counsel?

16 [REDACTED] No, I was not.

17 SPECIAL AGENT NEFF: Okay. Will the
18 presence of Mr. Keenen hinder your testimony in any
19 way?

20 [REDACTED] No, it won't.

21 SPECIAL AGENT NEFF: Okay. Do you
22 understand that you have the right to a private
23 interview with me at your convenience?

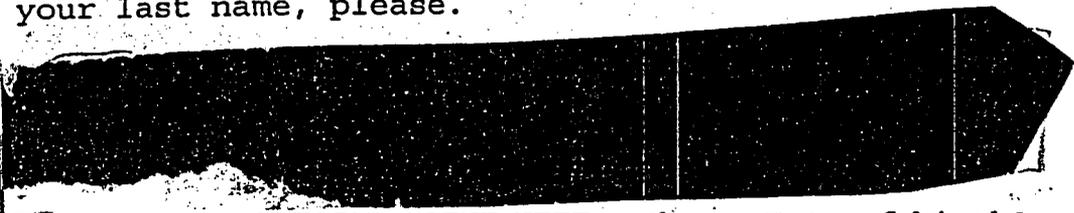
24 [REDACTED] Yes, I do.

25 SPECIAL AGENT NEFF: Okay. With that

1 understanding, do you wish to continue with the
2 interview at this time?

3  Yes.

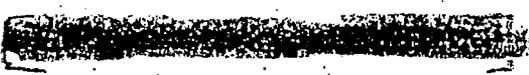
4 SPECIAL AGENT NEFF: Okay. For the
5 record, can we establish -- state your name and spell
6 your last name, please.

7 

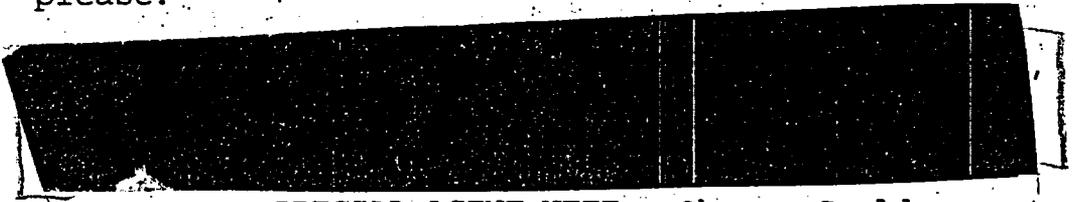
9 SPECIAL AGENT NEFF: Okay. Date of birth?

10 

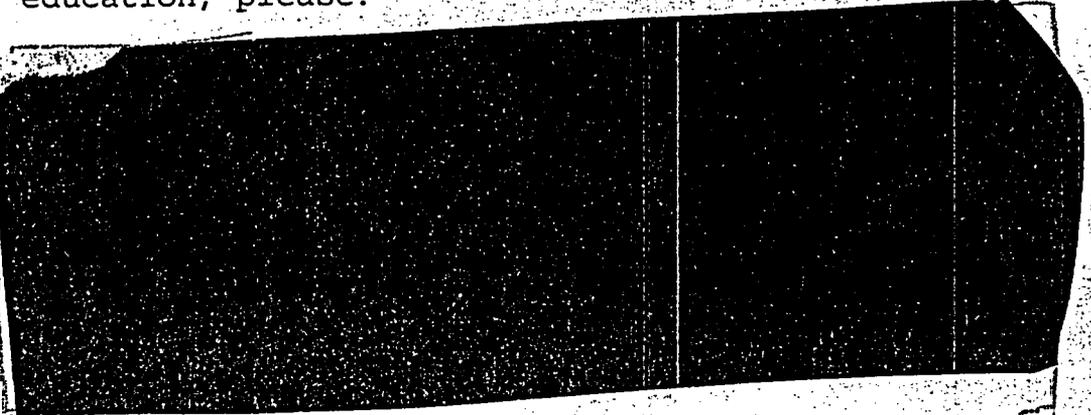
11 SPECIAL AGENT NEFF: And Social Security
12 Number, please?

13 

14 SPECIAL AGENT NEFF: And a home address,
15 please.

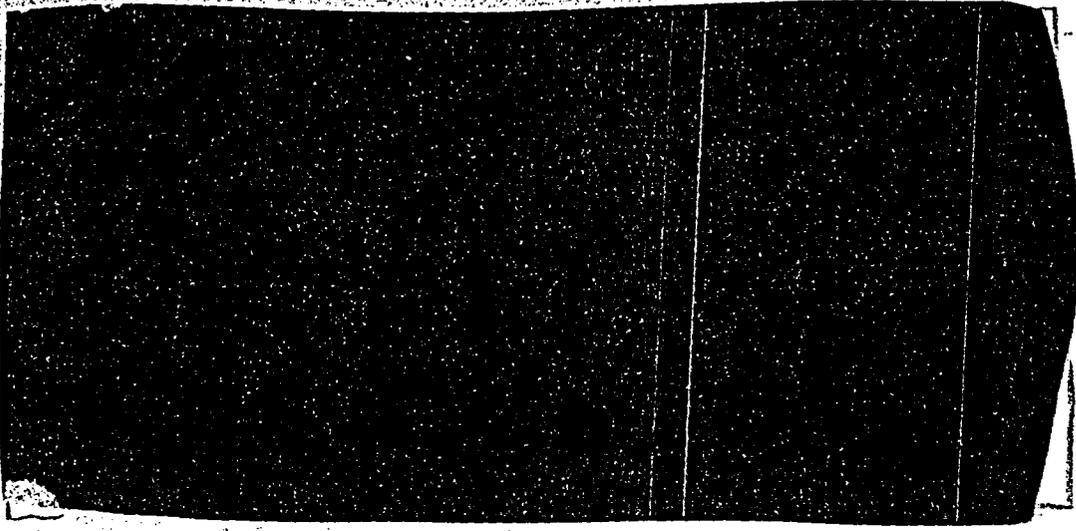
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18 SPECIAL AGENT NEFF: Okay. Could we get
19 some background information, a summary of your
20 education, please?

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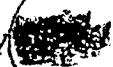
SPECIAL AGENT NEFF: In what capacity?



SPECIAL AGENT NEFF: Okay. How long in that position, then?

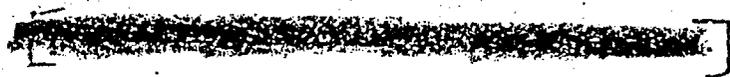
 Oh, gosh. About --

SPECIAL AGENT NEFF: You can roughly estimate.

 I'll say approximately 

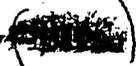


SPECIAL AGENT NEFF: Okay. And then, another position?



SPECIAL AGENT NEFF: Okay. (Inaudible)

 or so?

 Yes, approximately 

SPECIAL AGENT NEFF: Do you remember what year you were licensed?

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[REDACTED] Not -- no.

SPECIAL AGENT NEFF: Okay. So approximately [REDACTED] or so? How long were you in that position?

[REDACTED]: About -- about [REDACTED]
[REDACTED]

SPECIAL AGENT NEFF: Okay. And then you changed?

[REDACTED]

SPECIAL AGENT NEFF: Okay. [REDACTED] You don't have to be precise. Just --

[REDACTED] Yes. I'm just -- I can't remember what year.

SPECIAL AGENT NEFF: So about [REDACTED]
[REDACTED] and then you went to an [REDACTED]
[REDACTED]

[REDACTED] That's correct.

SPECIAL AGENT NEFF: Okay. So, then, how many years were you an [REDACTED]

[REDACTED] Until present.

SPECIAL AGENT NEFF: Oh, I'm sorry. Until you became a [REDACTED]

[REDACTED]

70

1 SPECIAL AGENT NEFF: Okay. Was that in
2 [REDACTED] or so that you were promoted?
3 [REDACTED] Maybe [REDACTED]
4 SPECIAL AGENT NEFF: So [REDACTED] maybe?
5 [REDACTED] Yes.
6 SPECIAL AGENT NEFF: Okay.
7 SR. PROJECT ENGINEER BARBER: So that
8 would mean you were a [REDACTED]
9 [REDACTED] plus or minus?
10 [REDACTED] That's about right.
11 SR. PROJECT ENGINEER BARBER: Okay. It
12 doesn't have to be exact. We just -- relative
13 timeframes are good enough.
14 SPECIAL AGENT NEFF: Yes. Don't let that
15 bog you down --
16 SR. PROJECT ENGINEER BARBER: Yes.
17 SPECIAL AGENT NEFF: -- in being too
18 precise. I'm just looking for --
19 [REDACTED] I know I should probably have
20 the month and year memorized, but I just --
21 SR. PROJECT ENGINEER BARBER: No, sir. 7C
22 SPECIAL AGENT NEFF: I can tell you most
23 people don't. So --
24 SR. PROJECT ENGINEER BARBER: Yes.
25 SPECIAL AGENT NEFF: -- just don't let it

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1 bog you down on being too --

2 [REDACTED] Okay.

3 SPECIAL AGENT NEFF: -- precise. I'm just
4 looking for a general idea. How about in terms of
5 your management that you've worked with, from '99 and
6 2000, in that timeframe, who was your -- what was your
7 ops management structure? By name, who were they?

8 [REDACTED] Well, starting in '99, I
9 believe that would have been [REDACTED]

10 [REDACTED] Because basically he got
11 promoted to [REDACTED] and then [REDACTED]

12 [REDACTED] And at that
13 point, our [REDACTED]

14 [REDACTED]

15 I -- I don't recall really, you know, who
16 was the [REDACTED] in what year, but -- and
17 then, let's see, [REDACTED]

18 [REDACTED] That was approximately, I'll say, almost two
19 years ago. Between a year and two years ago [REDACTED]

20 [REDACTED]

21 SPECIAL AGENT NEFF: So somewhere around
22 2001 probably?

23 [REDACTED]

24 [REDACTED]

25 SPECIAL AGENT NEFF: What position does

1 () hold, then? Where did he go from that ()
2 slot?

3 [] went over to []

4 [] He's --

5 SPECIAL AGENT NEFF: Okay.

6 [] He's basically in charge of
7 site outages at both Hope Creek and Salem.

8 SPECIAL AGENT NEFF: Okay.

9 []
10 []

11 SPECIAL AGENT NEFF: Brand new, right?

12 [] Yes. Yes, he just recently
13 replaced []

14 SPECIAL AGENT NEFF: Okay. And so, what
15 about in terms of site senior management at the VP
16 level or just above Ops Management? Who have you had
17 experience working with there?

18 [] It gets a little bit
19 confusing, because the structure has changed quite a
20 bit from -- I'll say from '99 to now.

21 SPECIAL AGENT NEFF: In terms of positions
22 held?

23 [] Not only that, but the actual
24 positions themselves. Not only the people, but the
25 positions themselves.

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SR. PROJECT ENGINEER BARBER: (Inaudible)

of organizations evolved or changed over that period of time?

[REDACTED] Yes.

SR. PROJECT ENGINEER BARBER: Okay.

[REDACTED] Pretty significantly. So going back to, say, around '99, we had a [REDACTED] [REDACTED]. And over top of [REDACTED] would have been, gosh, I'm not sure.

SR. PROJECT ENGINEER BARBER: That would have probably been, what, [REDACTED] And who else was here then?

[REDACTED]: Yes. ([REDACTED]) -- ([REDACTED]) was here back then and ([REDACTED]) --

SR. PROJECT ENGINEER BARBER: [REDACTED]

[REDACTED] See, I get mixed up, because [REDACTED] they -- and also [REDACTED] all at one time held the -- like the [REDACTED] position, because what ultimately ended up happening then after -- say after '99, [REDACTED] -- they changed the management structure, did away with the [REDACTED] [REDACTED]

And he was -- I believe it was him,

1 [REDACTED]

2 [REDACTED] And then those guys

3 rotated around over the next couple of years. And

4 ultimately [REDACTED]

5 [REDACTED]

6 [REDACTED] was in that position up

7 until, you know, last -- last year.

8 SPECIAL AGENT NEFF: [REDACTED]

9 [REDACTED]: Right. And, say, about three

10 years ago or so, they created a new position which was

11 -- [REDACTED] had that position, and he was -- he

12 was in charge of the -- both Hope Creek and Salem

13 units. And the actual title of that position was

14 [REDACTED]

15 SPECIAL AGENT NEFF: [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED] --

19 SPECIAL AGENT NEFF: So that's about 2000

20 or so?

21 [REDACTED] I'll say probably closer to

22 2001.

23 SPECIAL AGENT NEFF: And that, then, would

24 have replaced the [REDACTED]

25 [REDACTED]

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[REDACTED]
[REDACTED]: Yes, I believe -- I believe all that happened at about the same time. We did away with the Plant Manager position. We created the Director position. The Ops Manager's office moved down to the old Plant Manager's office.

SPECIAL AGENT NEFF: Okay. Okay. In terms of the safety conscious work environment -- it's rather broad, but what I can show you is -- or direct you with is we're focusing on a couple of key areas. One area would be the ability of employees to raise concerns, the response that they get to their concerns, and do they do so comfortably -- you know, freely, without fear of reprisal or retaliation. That's one area that we're looking at.

And then other aspects to it -- to the work environment get into operational decision-making. I can't cover them all in -- you know, as a nutshell. So what I'd like to ask you, and if you can think about, in terms of how long you've been on as a [REDACTED] [REDACTED] have you -- have you seen any changes in the work environment that would affect people's ability to raise concerns, either positively or negatively?

You know, the kinds of concerns that you are addressing yourself, and the kinds of things that

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1 are being brought to you -- radiological concerns,
2 industrial concerns, or nuclear safety concerns,
3 things along those lines.

4 [REDACTED] I can do that. That is a
5 very broad question.

6 SPECIAL AGENT NEFF: It is. It is. And
7 I'm trying to break it down, but if -- if there's
8 something you want --

9 [REDACTED] No, I understand.

10 SPECIAL AGENT NEFF: -- to focus on, go
11 ahead and --

12 [REDACTED] So I can give you like my
13 impressions and opinions, right?

14 SPECIAL AGENT NEFF: We're looking for
15 your assessment of how it works onsite, so yes --

16 [REDACTED] Okay.

17 SPECIAL AGENT NEFF: -- you can do that.

18 [REDACTED] And what I -- the other thing
19 that I would say is that, you know, it runs the gamut
20 of somebody being afraid to -- to raise a concern out
21 of fear of retaliation. And that -- I know of no
22 instance of that.

23 SPECIAL AGENT NEFF: Okay. So you have --

24 [REDACTED] Nothing that I have ever
25 experienced, like where somebody was afraid to -- to

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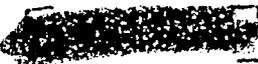
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1 raise a concern because either they had been
2 retaliated against, or they knew somebody had been
3 retaliated, or -- I'm not aware of that, and I've
4 never felt that way.

5 SPECIAL AGENT NEFF: Okay. So from --
6 from the perspective of reprisal or retaliation,
7 you're not aware of that as a reason someone would not
8 raise a concern.

9  That is correct.

10 SPECIAL AGENT NEFF: Do you have any other
11 reason -- do you have any other awareness of any
12 reason someone would hesitate to raise a concern?

13  Some -- what I have heard
14 people say at one time or another is they -- they feel
15 like nobody cares, nobody cares. So it's almost like
16 you -- in my position, I had to make sure that -- that
17 the fellows that report to me, the folks that report
18 to me, knew that that was their responsibility.
19 That's a part of their job is to -- is to identify
20 problems, conditions adverse to quality. TK

21 And if they didn't identify them, then
22 there's no other shot at getting them fixed. That's
23 the first step. And sometimes, you know, I would hear
24 that, right, as like, well, we've -- you know, we've
25 raised -- we've identified this in the past, and it

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1 hasn't gotten fixed.

2 So that -- that kind of conversation I've
3 heard in the past, but that's --

4 SPECIAL AGENT NEFF: Okay. Now, from --
5 [REDACTED] -- different than -- than,
6 you know, being afraid to identify something or
7 worried about retaliation.

8 SPECIAL AGENT NEFF: I see your
9 distinction. It's a reason to hesitate, you're
10 saying, but it's not a fear of retaliation or reprisal
11 for having had a concern.

12 [REDACTED] Yes. The way that I heard it
13 anyway was it's more like a -- why should we bother?

14 SPECIAL AGENT NEFF: Okay. Now --

15 [REDACTED] Or that type of thing.

16 SPECIAL AGENT NEFF: So from what level?
17 Where are you hearing that kind of -- that kind of
18 questioning coming from? And what examples can you
19 think of that go to them?

20 [REDACTED] Well, as far as from what
21 level, I would -- I'm primarily referring to equipment
22 operators and control room operators. And your second
23 -- second part of your question was a specific
24 example. I'm having trouble thinking of a specific
25 example. I guess I -- I could give you a for

1 instance. Maybe that would help to understand.

2 So we have our -- we have our shift briefs
3 in the morning and the afternoon, whatever. And
4 sometimes what'll happen is I'll say, okay, got some
5 feedback that, you know, we've been having trouble in
6 this area, and we need to do better writing
7 notifications. And at times the response would be,
8 "Well, you know, nobody -- nobody cares. Why do we
9 have to take the trouble to fix it?"

10 Oh, here's a good example. Diesel fuel
11 oil leaks. My goodness. When I -- I tell my guys
12 that they need to write up the diesel fuel oil leaks,
13 the first -- first response I would get a lot of times
14 is, "Well, why can't Maintenance just fix them?" And
15 then I would have to explain, "Well, the first part of
16 the process is we have to identify them, and then that
17 gets it into the system, and then we schedule the
18 work, and then Maintenance goes and fixes it."

19 So I -- I have -- I mean, I have heard
20 that and had that type of conversation with the people
21 that report to me.

22 SPECIAL AGENT NEFF: So like with the fuel
23 oil leaks, then, if -- if they're asking, "Well, why
24 can't Maintenance just fix them?" that indicates
25 they're aware of these -- the problems? Is it the

1 same problems or different problems?

2 [REDACTED] I don't understand your
3 question.

4 SPECIAL AGENT NEFF: Are the notifications
5 already in on those issues?

6 [REDACTED] Sometimes. Sometimes they
7 would be. Sometimes there's duplicate notifications
8 for the same problem. That does happen.

9 SPECIAL AGENT NEFF: Okay. So there's a
10 little frustration there with, why don't they just fix
11 the leak type of thing --

12 [REDACTED] Yes.

13 SPECIAL AGENT NEFF: -- is what you're
14 saying.

15 [REDACTED] Exactly.

16 SPECIAL AGENT NEFF: Okay. Any other --
17 I'm sorry. Go ahead, Scott.

18 SR. PROJECT ENGINEER BARBER: I mean, is
19 that a valid emotion in your view, to be frustrated
20 over the fact that Maintenance is not successful in
21 fixing the leaks?

22 [REDACTED] Well, it is what -- it is
23 what it is. I mean, it's -- that's the way that
24 person was feeling at that point in time. And, you
25 know, as their boss, right, I have to deal with that

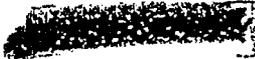
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1 and try and, you know, do whatever I can to -- to
2 address the concern and to -- you know, to make sure
3 that ultimately -- my intent with the example that I
4 gave here, ultimately is to make sure that my folks
5 are identifying, you know, the stuff that's -- that's
6 leaking, so that they can get put into the system and
7 fixed.

8 As far as were there times when things
9 were leaking when they -- they should have been fixed,
10 or we took equipment out, like to be fixed, oil leaks
11 to be fixed, and then they came back --

12 SR. PROJECT ENGINEER BARBER: Right.

13  -- and it still leaked, yes,
14 that happened.

15 SR. PROJECT ENGINEER BARBER: So that --

16  And that's something that is
17 very frustrating for the equipment operators. And
18 that -- you know, I think that drove some of that
19 conversation as well.

20 SR. PROJECT ENGINEER BARBER: So doesn't
21 that kind of add validity to their argument? I mean,
22 it -- it sounds --

23  Oh --

24 SR. PROJECT ENGINEER BARBER: -- like, you
25 know, they're describing a situation where they feel

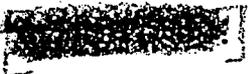
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1 personally frustrated --

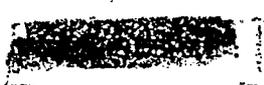
2  Absolutely.

3 SR. PROJECT ENGINEER BARBER: -- because
4 they say, "Hey, we identified these leaks.
5 Maintenance took the diesel out of service," assuming
6 for a work week or something, you know, they're on the
7 list to be fixed, they go work them, they come back,
8 put the diesel back in service. You know, they still
9 leak, or -- you know, maybe -- maybe they leak less,
10 but they're still leaking, or whatever.

11 But for whatever reason, they feel like
12 they're -- whatever they're asking for in terms of
13 maintenance it's not being successful. And then
14 they're telling you when you're -- when you're kind of
15 just talking about in general terms -- you may be
16 talking in general terms that you need to write
17 notifications when somebody raises the question. I
18 mean, they're, in fact, pointing out that, hey, we
19 raise these issues, we identify them, we give them to
20 Maintenance, they're not fixed. You know, why
21 should --

22  Sure.

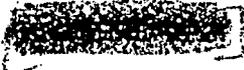
23 SR. PROJECT ENGINEER BARBER: -- we go out
24 and do it again?

25  Yes. If anything -- if

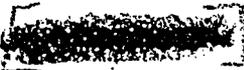
1 anything that I said, or the way that I said it, made
2 you -- made you think that I thought that their
3 concerns were not valid, that's -- that's not the
4 case. That was not what I was trying to communicate
5 to you.

6 SPECIAL AGENT NEFF: No, it's just --

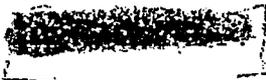
7 SR. PROJECT ENGINEER BARBER: No, I
8 understood that. I -- what I was trying to get at is
9 just to -- to understand their frustration and the way
10 they're describing why they don't want to write -- let
11 me ask it a different way. Do you feel any obligation
12 once you know that to take that forward and do
13 anything with that, as a supervisor or manager?

14  Sure. Absolutely.

15 SR. PROJECT ENGINEER BARBER: Okay. And
16 what would you do under those circumstances?

17  Under the circumstances, if
18 I had a -- say a diesel generator that was removed
19 from service to do maintenance, corrective maintenance
20 and repair a leak, and it came back and it was still
21 leaking, the first thing I would do is make sure that
22 it was properly identified again, which is either a --
23 you know, a failed retest or write a new notification.

24 SR. PROJECT ENGINEER BARBER: Okay.

25  And then, you know, that

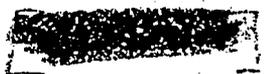
1 process includes and entails a review of operability
2 of the machine, and, you know, making a decision as to
3 whether we should go back into a maintenance window
4 and fix it or plan it out at a later date.

5 SR. PROJECT ENGINEER BARBER: Okay. But
6 how do those decisions get made? I mean, are you a
7 decision-maker in that process? Are you just an
8 inputter to the decision-making process, or --

9  I would say I am -- I am not
10 the decision-maker, but I get a lot of input into that
11 process, especially, you know, in terms of
12 operability. Right? I mean, that's my -- that's one
13 of my roles and responsibilities.

14 SR. PROJECT ENGINEER BARBER: Okay.

15 ~~MR. KEENEN~~ I mean, just to clarify, in
16 an operations role, you place things into a
17 notification process or a corrective action process,
18 is that correct?

19  Yes, that's -- generally,
20 that's the first step to getting something fixed or
21 taken care of, because it's from there, then, that you
22 assess operability, you determine the priority of the
23 -- you know, the maintenance that needs to be done,
24 and then the priority determines how it gets planned
25 and scheduled.

1 SR. PROJECT ENGINEER BARBER: Yes. I
2 understand. I was really talking about the -- the
3 rework side of things, where you're actually -- you
4 have something that's (inaudible) on the front end,
5 and you -- you know, the presumption is it will be
6 successful, the process will be successful, and it's
7 not.

8 And so it kind of puts you in an awkward
9 position, because then you have to make a decision
10 about whether you, you know, as you said, put a new
11 notification in, identify it as some -- you know, as
12 rework, as, you know, a PMT failure, however -- and
13 then you have to assess operability and all those
14 things.

15 But there is also other things that aren't
16 maybe in a process per se. I mean, they're more like
17 motivational type -- type things. What motivates you
18 as the supervisor or manager, how you deal with -- how
19 you interact with your -- you know, people on your
20 shift, whether it's, you know, nuclear equipment
21 operators or nuclear control operators, you know, and
22 how you follow through.

23 And I was just trying to get a sense of
24 how you would follow through, how you would -- how you
25 would, you know, follow through in that situation.

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1 [REDACTED] Well, depending on the
2 circumstances, I may go down and look at it myself.
3 I've done that in the past, especially for -- for
4 things that are significant. For example, you know,
5 like a diesel maintenance window, and the diesel comes
6 back and it's got a leak that potentially impacts
7 operability. That's something that I might go down
8 and look at myself, and I have in the past.

9 SR. PROJECT ENGINEER BARBER: Okay.

10 [REDACTED] Or I might send my work
11 control SRO or the -- we have field supervisors now --

12 SR. PROJECT ENGINEER BARBER: Okay.

13 [REDACTED] -- send, you know, one of my
14 -- you know, one of my team to go look at it as well.
15 Generally, you know, something significant like that
16 would be immediate notification to the Assistant Ops
17 Manager, and then he would make his calls up through
18 the Ops Manager.

19 For me, if it's on day shift, I would make
20 a call to whoever the Maintenance lead was. You know,
21 dependent on what timeframe we're -- we're talking
22 about, that could be the 12-hour shift maintenance
23 supervisor or it could be, you know, like today, for
24 example, in the middle of the week, in the middle of
25 the day, maintenance superintendent -- we'll call them

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1 and get them involved.

2 Engineering for -- especially for diesels.
3 We usually have very good engineering support, so
4 there's diesel system engineers.

5 SR. PROJECT ENGINEER BARBER: Okay.

6 ~~REDACTED~~ I'd get them involved.

7 SR. PROJECT ENGINEER BARBER: So you're
8 involving a lot of groups to try and get the problem
9 resolved.

10 ~~REDACTED~~ Right.

11 SR. PROJECT ENGINEER BARBER: In the 7C
12 instance that you offered -- I mean, this was your
13 example with the diesel leaks -- have you ever gone
14 through that, where you have in fact done that, and
15 then there's -- there's some outcome or some decision
16 made to -- to do something, whether it's do something
17 right away or at some time in the future, and you just
18 felt uncomfortable with -- with that?

19 You just felt like, you know, my guys have
20 a point, you know, they're a little frustrated by the
21 fact that they have to constantly write notifications.
22 You know, I've made -- I've contacted all the right
23 people, I've put them together, they should be able to
24 resolve the problem, and they're not. Have you ever
25 -- have you ever had that sense, that things weren't

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1 getting done the way they should have?

2 [REDACTED] I would -- I'll talk
3 generally first, and then I -- I could give you a
4 specific example. But generally, over the last couple
5 of years, there have been -- there have been times
6 when we as an organization just haven't been able to
7 -- to get stuff fixed. Either it's because we try and
8 fix it and for some reason it doesn't get fixed. You
9 know, it -- like it either still leaks or it still
10 doesn't work.

11 Or the other -- the other thing that I've
12 seen over the last couple of years is sometimes it
13 just seems like it takes a long time to get stuff
14 fixed. And it's all about, you know, the
15 prioritization that we -- that we assign to it. Now,
16 that's -- we went to this work week process where it's
17 a generalized work week, and there is a matrix of
18 stuff that gets loaded into the schedule. You've got
19 PMs and surveillance activities -- that's like a base
20 load -- and then you load up your corrective
21 maintenance activities.

22 SR. PROJECT ENGINEER BARBER: Okay.

23 [REDACTED] And based on the priority of
24 whatever it is that's -- you know, that's broke or
25 leaking, or whatever, that determines where it gets

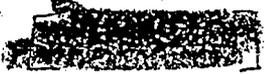
1 put into the schedule. And sometimes it can be
2 months, sometimes it can be years, before the next --
3 the next scheduled opportunity to fix it.

4 So, I don't know if I'm getting off track
5 or not, but the -- yes, there is times when that --
6 that was frustrating. And what I will say is if I had
7 something that was, say, prioritized for, you know, 12
8 months away, and something changed -- say, it was a
9 leak and it -- but it got worse, and it was steadily
10 getting worse, then, you know, one of -- one of my
11 roles and responsibilities, and something that we've
12 done, is we can -- we can pull it up. We can change
13 the priority and pull it up into the schedule.

14 SR. PROJECT ENGINEER BARBER: Okay.

15  And we have done that on
16 occasion. As far as a specific example, I'll give you
17 a specific example with a diesel generator. We had a
18 diesel generator that was out of service for a
19 scheduled maintenance window. It was a planned
20 maintenance window and --

21 SR. PROJECT ENGINEER BARBER: Do you have
22 a relative timeframe for that?

23  Yes. This would have been --

24 SR. PROJECT ENGINEER BARBER: It doesn't
25 have to be exact, but month and year, or even like

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1 quarter if it was like this summer or last summer.

2 [REDACTED] I can't even -- I can't even
3 get you that close.

4 SR. PROJECT ENGINEER BARBER: Okay.

5 [REDACTED] It was a year to two years
6 ago.

7 SR. PROJECT ENGINEER BARBER: Okay. Okay.
8 (Inaudible.) I'm just trying to get a relative
9 timeframe.

10 [REDACTED] Actually, it was -- it was
11 emergent -- it was emergent maintenance, and I believe
12 it was the alpha emergency diesel generator, and it
13 had a -- a jacket water leak on it that was pretty
14 bad, and actually impacted the operability of the
15 engine. We declared it inop, and went into an
16 emergent maintenance window.

17 SR. PROJECT ENGINEER BARBER: Okay.

18 [REDACTED] There was also -- that same
19 engine had a main shaft oil leak, and that had been
20 previously evaluated, was previously identified, was
21 determined to not affect operability of the engine.
22 But it just so happens we had the order planned up,
23 and we had the seal. So we decided to go after it
24 within the emergent window for the jacket water leak.

25 And when we came out of the maintenance

1 window and went into the retest activities, both of
2 those components leaked as bad, if not worse. And
3 that was one that I went and looked at personally.

4 SR. PROJECT ENGINEER BARBER: Okay.

5 [REDACTED] And we were -- we were
6 getting close to the -- to the end of the window, so
7 that -- that was a, you know, pretty significant
8 decision. So I looked at it. I was very unhappy with
9 the way the engine was performing, and it was late at
10 night, it was on back shift. And I initiated a call
11 to the -- to the management team, got, you know, the
12 engineering manager, the ops manager, got everybody
13 together on a conference call, and told them what was
14 going on.

15 SR. PROJECT ENGINEER BARBER: Okay.

16 [REDACTED] The -- if I remember right,
17 the action statement was going to run out at the end
18 of [REDACTED] and at that point we would be in a -- you
19 know, would be in hot shutdown within the following 12
20 hours. So the clock was -- was ticking.

21 And, you know, there was a lot of dialogue
22 and discussion on a conference call about operability
23 of the engine and, you know, potential strategies,
24 solutions, to either assess operability and determine
25 if it was operable, or operable but degraded, or

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1 inoperable. And, you know, talking about the time and
2 how much time we had left and whether we could get the
3 machine tagged out and ready for maintenance, and then
4 they could get in and repair it before we would have
5 to shut down.

6 And so that -- all those things were
7 occurring in this conversation. And it basically
8 ended up with I -- I told them, "I need help," and we
9 did go ahead and enter the hot shutdown action
10 statement, and actually started implementing the
11 shutdown schedule and started preparing for plant
12 shutdown.

13 And in the meantime, what -- out of the
14 conference call got a lot of response, you know,
15 everybody coming in to help out -- engineers,
16 maintenance folks.

17 And during the course of the day, they did
18 actually start shutting down the plant, but they were
19 able to -- to get enough technical and engineering
20 expertise that we assessed the operability of the
21 machine and determined -- we came up with an operable
22 but degraded -- wrote an operability determination
23 laying out the justification for why, and ultimately
24 did not have to go to hot shutdown. But I think we
25 got down as low as 40 percent power, so --

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1 SR. PROJECT ENGINEER BARBER: Did you feel
2 that was a good outcome? Or an appropriate outcome is
3 a better -- better term -- appropriate outcome.

4 [REDACTED] I was -- I was not happy with
5 oil leak and jacket water leak. So, you know, I was
6 disappointed in -- in the outcome of the maintenance
7 effort, obviously. And so were my -- so were my
8 people.

9 But as far as the -- the technical
10 adequacy of the operability determination, yes, I was
11 okay with that.

12 SR. PROJECT ENGINEER BARBER: So you were
13 on, what, the night shift for that evolution?

14 [REDACTED] Yes.

15 SR. PROJECT ENGINEER BARBER: And that was
16 -- was that in June of 2003? There was an event --
17 and it sounds very similar -- it was in June 2003. It
18 had to do with the jacket water leak, small -- small
19 leak, got -- there was repair activity, got worse, and
20 some testing was done. The LCO expired at like 0435
21 in the morning.

22 [REDACTED] That was it, yes. Yes, that
23 was it. TC

24 SR. PROJECT ENGINEER BARBER: And then you
25 were in 12 hours to hot shutdown, and so you -- you

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1 were off shift at 7:00 in the morning?

2 [REDACTED]: Yes.

3 SR. PROJECT ENGINEER BARBER: So when you
4 turned over the shift that day, what -- so you turned
5 it over. Was the plant actually moving down in power?
6 Had you down-powered yet, or were you just still like
7 getting procedures together and doing those kinds of
8 things?

9 [REDACTED]: We -- we had not actually
10 started moving power.

11 SR. PROJECT ENGINEER BARBER: Okay.

12 [REDACTED]: But my turnover to the
13 oncoming shift was, "Here's the shutdown schedule.
14 The diesel is inoperable. We're in the 12-hour hot
15 shutdown window." And, you know, gave them the
16 timeline, and told them what support was -- was coming
17 in. 7C

18 By that point, I'd say, you know, people
19 had started arriving -- you know, like the Engineering
20 folks and extra maintenance folks and all our experts
21 that knew a lot about diesels, and so on.

22 But to answer your question directly, no,
23 we -- we had not actually started shutting down at
24 that point.

25 SR. PROJECT ENGINEER BARBER: Who was in

1 the control room through the night with you? Did
2 anybody come in to talk to you? I mean, the people
3 I'm thinking about --

4 [REDACTED] I mean, just my crew -- you
5 know, my crews.

6 SR. PROJECT ENGINEER BARBER: No, I don't
7 mean those people. I mean managers. Was like [REDACTED]

8 [REDACTED]
9 [REDACTED] were any of those folks around before you
10 left in the morning? Did you see them before you
11 left? Or did any of them come in early to talk to you
12 about what happened, and the maintenance --
13 maintenance folks? Do you recall?

14 [REDACTED] I'm thinking. I don't
15 remember. I don't remember seeing [REDACTED] or, you know,
16 anybody above him. And I -- I probably would remember
17 that. I mean, it wouldn't be unusual for [REDACTED] or the
18 [REDACTED] -- I guess it was [REDACTED] -- I
19 believe it was [REDACTED] then.

20 It wouldn't be unusual for -- for those
21 guys to come in, you know, in the morning, especially
22 with something like that going on. But to be honest
23 with you, I -- I don't remember whether they made it
24 there before I left or not.

25 SPECIAL AGENT NEFF: Do you recall who was

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1 on -- who you were on the phone with when you had the
2 dialogue regarding the operability call? Somebody
3 from ops management, but you didn't name anybody.

4 [REDACTED] was on there, and [REDACTED]
5 Would have had the [REDACTED] but for some
6 reason I -- I can't remember for sure if it was [REDACTED] or
7 if [REDACTED] was away. And sometimes I could -- you know,
8 if [REDACTED] on vacation or whatever, there's -- you know,
9 he'll have somebody in his place. I just can't recall
10 who was acting as the AOM at that point.

11 [MR. KEENEN:] Are the operability
12 determinations documented? Would there be a document
13 that we could find and provide?

14 [REDACTED] Yes. Yes.

15 [MR. KEENEN:] Who maintains those?

16 [REDACTED] Active ones are maintained in
17 the control room. We have a hard copy binder. Every
18 operability determination has an SAP order associated
19 with it. So even if it's not active, there should be
20 a -- you know, a computer trail that we could -- we
21 could trace and find it.

22 [MR. KEENEN:] Oh, okay.

23 [REDACTED] It wouldn't be too hard.

24 SPECIAL AGENT NEFF: Do --

25 [REDACTED] So -- I'm sorry. As far as

1 people on the phone call -- so I definitely remember
2 [REDACTED] I'm sure I had an [REDACTED]
3 [REDACTED] but I --
4 I do not remember the names of the people that were on
5 that.

6 And I'm trying to think if there was
7 anybody above [REDACTED] I don't think that there was. I
8 think [REDACTED] was the --

9 SPECIAL AGENT NEFF: ([REDACTED])
10 [REDACTED] I don't remember [REDACTED] being on
11 that conference call. And I initiated it, so I'm --
12 I generally wouldn't -- wouldn't include, you know,
13 that high a level of management. Our protocol was
14 pretty much, you know, [REDACTED] and the [REDACTED]

15 SPECIAL AGENT NEFF: I guess I just have
16 a question on the two points that you made. You had
17 indicated that you weren't happy with the oil leak and
18 the jacket water leak. But the technical adequacy of
19 the operability determination you were okay with. How
20 do you reconcile that? I don't -- I'm not --

21 [REDACTED] Yes, that's a good -- that's
22 a great question. Here's -- here's the way I would
23 answer it. I would say that any leak on my emergency
24 diesel generator I'm not going to be happy with. I
25 mean, if I had my choice, those things would be

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1 spotless. They would have no leaks. They would have
2 nice, fresh paint on them. They would be all shiny,
3 just like it was my brand-new car.

4 Unfortunately, that's just not the way
5 that it is. There's always some minor leakage. In my
6 experience over the last 19 years, our diesels have
7 always leaked somewhere, some amount, and that's just
8 -- that's just the way that it is.

9 But I can also -- I can reconcile -- your
10 question is how you reconcile what you're not happy
11 with with -- that the engine is operable and capable
12 of performing its safety function, or in this case
13 operable but degraded.

14 A small drip of oil isn't going to keep
15 that engine from, in an emergency, starting up and
16 doing what it needs to do -- the loss of power.
17 That's not going to -- that's not going to prevent it
18 from doing that.

19 And there is -- so that's pretty easy --
20 drip, drip, drip. But then, as you get more and more
21 leakage, you get closer at your margin for -- you
22 know, the engine being able to do its function gets
23 less and less. There is some -- there is some
24 technical stuff with -- in a loss of power event, the
25 diesel has to be able to continuously provide

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1 emergency power for a set amount of time.

2 The design basis is seven days, and it has
3 enough makeup fuel oil and lube oil and jacket water
4 -- that's how they size those tanks is to make sure
5 that they had enough margin, you know, to -- to be
6 able to run for seven days without somebody having to
7 come from offsite to deliver you fuel, because, you
8 know, maybe they wouldn't be able to get here.

9 And there's margin in those calculations,
10 so -- and that's how -- when you end up getting into
11 operable but degraded, the way that process works is
12 you take a close look at, you know, what is the basis
13 for -- what is the design basis for the machine, and
14 what -- what does it take for it to be able to do its
15 safety function? And how much margin is there?

16 And initially the operators, you know,
17 make that -- we call that an operability
18 determination, and then we get Engineering involved.
19 And they do a followup assessment to the operability
20 determination, and the engineers are generally a
21 little -- you know, a little better at looking into
22 the calculations and stuff and figuring out tank
23 capacities and, you know, how much oil does the diesel
24 engine use when it's running. Did that answer your
25 question?

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1 SPECIAL AGENT NEFF: Yes, I think so. The
2 margin that you had, or that you were seeing at the
3 time that you were experiencing this, were you
4 comfortable with -- with the call that you were making
5 at that point in time? Which essentially was that you
6 didn't initiate a shutdown, right, by the time you
7 left shift?

8 [REDACTED] Not true. No, I -- I -- the
9 diesel was inoperable --

10 SPECIAL AGENT NEFF: Okay.

11 [REDACTED] -- because it was in a
12 maintenance window.

13 SPECIAL AGENT NEFF: Okay.

14 [REDACTED] Came out of the maintenance
15 window. We were running it for retest.

16 SPECIAL AGENT NEFF: Okay.

17 [REDACTED] And the same two problems
18 were still there. So my decision was actually pretty
19 easy. I needed enough information to be able to -- to
20 comfortably say, "The diesel is operable." Let me --
21 let me rephrase that. The diesel was already
22 inoperable, so I'm -- I'm running it for a retest to
23 make sure that the maintenance was effective at
24 correcting the problems.

25 SPECIAL AGENT NEFF: Okay.

1 [REDACTED] So that I can declare it
2 operable.

3 SPECIAL AGENT NEFF: Okay.

4 [REDACTED] And when I went down and
5 looked at it, I -- I didn't see that. I mean, it --
6 to me, it was leaking bad enough that I was very
7 concerned with operability of the engine, and I -- I
8 did not feel comfortable, at least initially, from
9 what I saw, with calling that diesel operable. And I
10 didn't.

11 SPECIAL AGENT NEFF: So what did you call
12 it?

13 [REDACTED] It was inoperable.

14 SPECIAL AGENT NEFF: Inoperable, not
15 operable --

16 (End of Tape 1, Side A. Beginning of Tape 1, Side B.)

17 SPECIAL AGENT NEFF: It's approximately
18 12:54.

19 And just clarifying a point, I think I
20 might have gotten confused in the -- at the point
21 where the operability called change to operable but
22 degraded. At your point when you were on shift from
23 the retest for the maintenance, it remained
24 inoperable. That was your call.

25 [REDACTED] That is correct.

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7C

1 SPECIAL AGENT NEFF: Okay. And you were
2 just explaining one thing further.

3 [REDACTED] Yes. The -- one of the
4 purposes of the conference call that I initiated was
5 to -- to get the experts in to look at it closer and
6 assess -- help me -- you know, help assess the
7 operability of the diesel.

8 SPECIAL AGENT NEFF: Okay.

9 [REDACTED] I was -- I specifically asked
10 for Engineering assistance to -- you know, to help
11 with that determination.

12 SPECIAL AGENT NEFF: Okay. When you were
13 on the call with your ops management, it was I think
14 [REDACTED] as far as you could
15 recall, and when you were looking for that assessment
16 to get additional assessment, did you explain to them
17 that it was -- it was your call that the diesel would
18 remain inoperable at that point?

19 [REDACTED] Yes.

20 SPECIAL AGENT NEFF: Were they supporting
21 you in that decision?

22 [REDACTED] Yes. Yes, I would say so.
23 I mean, we had a lot of discussion about, you know,
24 what -- what are the options, what are the
25 possibilities, what are the pros and cons of each.

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1 Yes, I -- I think that they were supportive.

2 They were certainly -- they were certainly
3 anxious to get me the assistance that I needed to help
4 with, you know, understanding the condition and
5 looking a little bit closer at, you know, how much --
6 how much leakage was acceptable.

7 SPECIAL AGENT NEFF: For the engineering
8 evaluation.

9 [REDACTED] Yes.

10 SPECIAL AGENT NEFF: Okay. Okay.

11 [REDACTED] One of the things that I --
12 I was really trying to impress upon him is when I went
13 down there and looked at it, I mean, it just -- it
14 looked -- it didn't look good, because if you can
15 picture -- I mean, as the oil was leaking out of the
16 -- the crank shaft seal, and the shaft is rotating,
17 it's -- you know, it's kind of spraying around.

18 And then, the -- in addition to the oil
19 leak there is this jacket water leak. And it just --
20 just didn't -- it didn't look very good. But, yes,
21 they were supportive. And, you know, at the end of
22 the conversation, they were real clear on who -- who
23 was coming in, who had what actions to -- you know, to
24 look at it and start helping us out with the
25 operability.

1 SR. PROJECT ENGINEER BARBER: Did you come
2 -- were you back on shift, then, that night --

3 [REDACTED] Yes.

4 SR. PROJECT ENGINEER BARBER: -- that same
5 night? What did you think when you got your turnover
6 and the diesel was considered operable but degraded?
7 I mean, did you get much of a turnover on that? What
8 was your impressions?

9 [REDACTED] Yes. That was -- the events
10 of that day was a significant part of our turnover.
11 And, you know, I was -- obviously, I was interested
12 in, you know, who -- you know, who came in to help and
13 how we -- how we arrived at the decision, and what --
14 you know, like the -- a little bit more of the
15 technical stuff about, you know, where is -- where is
16 the operability determination documented, and who did
17 it, and -- TC

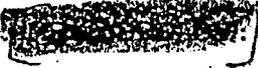
18 SR. PROJECT ENGINEER BARBER: You know,
19 the way you describe it is when you went out and
20 physically observed it, it sounded like you were a
21 little disappointed at what you saw, and you said,
22 well, you know, you obviously had enough concerns that
23 you didn't feel like you could declare the diesel
24 operable.

25 And then from a -- from a big picture

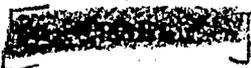
1 standpoint, if you just kind of frame that -- that
2 reference, that point of reference, and then you jump
3 ahead 12 hours or however many hours it was until you
4 came back, the physical -- the diesel itself hasn't
5 changed. The only thing that has changed is more
6 people have been involved --

7  True.

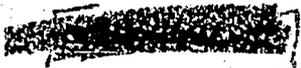
8 SR. PROJECT ENGINEER BARBER: -- with the
9 decision-making process. Were you disappointed?
10 Because it sounded like you were disappointed in the
11 morning. Why wouldn't you be disappointed at night
12 when you came back? The diesel is still not fixed,
13 and it's been declared operable but degraded.

14  Well, sure, I was still
15 disappointed that the leaks were there, and that they
16 didn't get fixed.

17 SR. PROJECT ENGINEER BARBER: Okay.

18  I mean, that -- that didn't
19 change.

20 SR. PROJECT ENGINEER BARBER: Okay.

21  To be honest with you, I was
22 a little surprised that we -- we had found enough
23 engineering justification to -- to make the diesel
24 operable but degraded. But as I remember it, you
25 know, as part of my turnover we discussed the basis

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1 for that. And I remember reviewing -- you know,
2 reviewing that document.

3 SPECIAL AGENT NEFF: The engineering
4 justification?

5 [REDACTED] Yes. If I remember
6 correctly, it -- you know, it was printed out and part
7 of the papers that we were turning over. And I
8 thought that they had done their homework and that
9 there was adequate justification there, so -- I mean,
10 I certainly -- let me -- you know, I didn't disagree
11 with it to the point where I was like, oh, my
12 goodness, you guys declared this diesel operable but
13 degraded, and there is no way that that's true. You
14 know, it wasn't like that.

15 SR. PROJECT ENGINEER BARBER: Okay. The
16 paperwork you reviewed, though, was that -- was that
17 -- did that address both the jacket water leak and the
18 oil leak, or just the jacket water? Do you recall?

19 [REDACTED] Well, I don't -- I don't
20 recall directly. But what I will say is that the oil
21 leak itself had been -- had been previously identified
22 and documented with an operability -- and I can't
23 remember now if that had an operability determination
24 before we got into the shutdown action or -- or not.

25 But what I will say is, you know, I didn't

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1 see any holes there where it's like, well, geez, they
2 didn't assess the operability of this leak that had me
3 concerned. I don't recall that.

4 SR. PROJECT ENGINEER BARBER: Okay.

5  I mean, when I looked at it,
6 I was comfortable enough with the engineering
7 justification for operable but degraded that I did
8 not, you know, feel a need to strenuously object or to
9 try and override the decisions that were made on day
10 shift.

11 SR. PROJECT ENGINEER BARBER: Okay. How
12 about your -- the rest of your crew. I mean, when you
13 got into doing your shift turnover or after that, was
14 there any discussion about the condition of the diesel
15 between you and the CRS, and between you and the NCOs,
16 and between you and the NEOs, or -- I mean, were you
17 -- was there any mentioning of, you know, what others
18 thought about the circumstances?

19  I'm sure there was. I'm sure
20 there was. I don't recall, you know, the -- any
21 specifics of the conversation.

22 SR. PROJECT ENGINEER BARBER: Do you
23 remember any -- like having a sense of whether it was
24 a positive, negative?

25  I would say what -- what I do

1 remember of the sense is that it was negative.

2 SR. PROJECT ENGINEER BARBER: Okay.

3 [REDACTED] I mean, it's -- it kind of
4 goes back to what we were talking about earlier. It's
5 like, gee whiz, you know, we took the thing out of
6 service to fix this leak, and we brought it back and
7 it's not -- it still leaks.

8 SR. PROJECT ENGINEER BARBER: Okay. All
9 right. Very good, thanks.

10 MR. KEENEN: Just one question, if it's
11 okay, Eileen.

12 Is there any post-maintenance run that's
13 done on the diesel when it's restored?

14 [REDACTED] Yes. And as a matter of
15 fact, that's what we were doing at the time. You
16 know, when I say that the diesel was inoperable, it's
17 tagged and drained, and then Maintenance goes and they
18 do their work, then they sign off the tags, we release
19 the tags, fill the systems up, warm them up, and then
20 the next step is you put the engine in service and you
21 run it to see and make sure that the maintenance that
22 you did fixed the problem.

23 SPECIAL AGENT NEFF: Is that what occurred
24 on your shift when you came back on that evening?

25 [REDACTED] Yes.

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1 SPECIAL AGENT NEFF: And how did that --
2 [REDACTED] Oh, no. I'm sorry. When I
3 came back on that evening? That was all -- that was
4 all done.

5 MR. KEENEN: It was actually that morning,
6 right, before you left?

7 [REDACTED] Yes, it was [REDACTED] that
8 started it after the maintenance window, and we had
9 the leak on the jacket water and the leak on the oil
10 system.

11 MR. KEENEN: It's kind of odd, because the
12 way -- because you're working midnight shift, you're
13 working from 6:00 or 7:00 at night until 6:00 or 7:00
14 in the morning, and you come back -- literally come
15 back the same day. So --

16 [REDACTED] Yes.

17 MR. KEENEN: -- it gets a little
18 confusing.

19 SR. PROJECT ENGINEER BARBER: Yes, I
20 understand.

21 MR. KEENEN: So what you're referring to
22 is if there was testing done, it would have been done
23 the morning that led into the LCO expiration, right?
24 Until you got into the 12 hours to -- to hot shutdown,
25 that's when the post-maintenance testing would have

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1 been done, right?

2 [REDACTED] In the wee hours of the
3 morning was when --

4 MR. KEENEN: Right.

5 [REDACTED] -- we were doing that, yes.

6 MR. KEENEN: Okay.

7 [REDACTED] Yes.

8 SPECIAL AGENT NEFF: So the -- when you
9 got back on shift and you reviewed the engineering
10 evaluation, and you were told it's -- it was going to
11 be deemed operable, did you go down and look at it
12 again? Did you take another look?

13 [REDACTED] Well, it wasn't running at
14 that time. So it --

15 SPECIAL AGENT NEFF: You would have seen
16 the same things you had seen before, then. You
17 weren't testing it.

18 [REDACTED] Yes. Well, to answer your
19 question directly, I don't remember if I did go down
20 there that night after I came back or not. But what
21 I will say is it wasn't running, so, really, the --
22 the two problems with the oil leak and the jacket
23 water leak, to the best of my recollection, that --
24 that was some -- a phenomenon that occurred while it
25 was running.

1 SPECIAL AGENT NEFF: Okay. So it's not
2 something that you would have seen or been able to
3 have observed when you were back on shift?

4 [REDACTED] I don't believe so, certainly
5 not to the magnitude that I had seen the evening
6 before when it was in service.

7 SPECIAL AGENT NEFF: Okay. I just want
8 to --

9 SR. PROJECT ENGINEER BARBER: Let me just
10 do a followup, though. I mean, Jeff had asked a
11 question about the -- doing the post-maintenance
12 testing. Wasn't there, in fact, testing that was done
13 a day or two prior? Wasn't there actually a repair
14 that was done this -- I mean, the diesel was declared
15 inoperable on a Monday, and there was work done on
16 like a Tuesday, and the diesel was run like Tuesday?
17 The timeframe we're actually talking about is like a
18 Thursday.

19 So it's not like there was a bunch of
20 repair activity, and then at the very end this
21 happened. There was actually -- there was a fix,
22 there was a run, it was unsuccessful, and then there
23 was --

24 [REDACTED] (Inaudible.)

25 SR. PROJECT ENGINEER BARBER: -- the

1 decision made to -- right, to go back in and go after
2 the problem again a second time. And there might have
3 been a second or even a third time. So it's not like
4 -- it's not like it was a -- you know, one shot and
5 you're -- one strike and you're out kind of thing. It
6 was -- there was at least two different repair
7 attempts.

8 [REDACTED] Yes.

9 SR. PROJECT ENGINEER BARBER: And there
10 was an intervening post-maintenance test.

11 [REDACTED]: Yes. And that -- and that is
12 how we used up the 72 hours. I believe that you are
13 -- you are correct.

14 SR. PROJECT ENGINEER BARBER: We --
15 because we -- I know the residents followed this issue
16 very closely at the time it happened, and we had a lot
17 of dialogue between them and the region at the time.
18 So that's why I know there was a lot of concern about
19 what was going on at the station at that timeframe.

20 [REDACTED] Yes. 7C

21 SR. PROJECT ENGINEER BARBER: Okay. Okay.

22 SPECIAL AGENT NEFF: I just wanted to go
23 back -- when we started getting into some of these
24 issues, you had indicated that -- that from some of
25 the -- primarily from the EOs and the NCOs you had

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1 seen the attitude of, why should we bother with
2 initiating some of their concerns or writing
3 notifications?

4 [REDACTED] Not all of them, you know.

5 SPECIAL AGENT NEFF: Okay.

6 [REDACTED] It's not like everybody does
7 that, but there were some.

8 SPECIAL AGENT NEFF: Some that you had
9 heard that from.

10 [REDACTED] Yes.

11 SPECIAL AGENT NEFF: And when you said
12 "primarily," I wondered if you had heard that sort of
13 an attitude at other levels -- SROs.

14 [REDACTED] No. No, I don't -- I don't
15 recall any SROs, you know, saying anything that -- I
16 do -- I do know, you know, that some -- you know, my
17 peers and my control room supervisors, I mean,
18 certainly they are disappointed just like everybody
19 else if something comes back from a maintenance window
20 that was -- you know, to fix certain things and
21 they're still broke. But never heard him say anything
22 like that..

23 SPECIAL AGENT NEFF: Okay. And -- okay.
24 So you're including your peers in that as well.

25 [REDACTED] Yes.

1 SPECIAL AGENT NEFF: Do you -- are you
2 aware of any hesitancy on the part of your peers to
3 raise concerns to management -- industrial safety,
4 nuclear safety, radiological, anything along those
5 lines?

6 [REDACTED] No.

7 SPECIAL AGENT NEFF: You're not aware of
8 any hesitancy there?

9 [REDACTED] No.

10 SPECIAL AGENT NEFF: Okay. What about for
11 yourself? What's your comfort level in doing
12 something like that?

13 [REDACTED] I'm certainly for nuclear
14 safety, radiological safety, industrial safety. I
15 have -- I have no concerns about raising an issue or
16 identifying an issue. I'm not worried about that.

17 SPECIAL AGENT NEFF: Has it --

18 [REDACTED]: But I didn't mean from a --
19 you're talking like from a retaliation or retribution,
20 like 50.7 type stuff?

21 SPECIAL AGENT NEFF: From that
22 perspective, or would you have any reason to hesitate?

23 [REDACTED] No.

24 SPECIAL AGENT NEFF: What about if -- if
25 you have raised issues, what kind of response do you

1 get? Are you satisfied generally with the response to
2 the issues that you've raised?

3  Yes, generally. The only --
4 the only thing that I would -- I would add is that I
5 can be pretty impatient sometimes, and sometimes, you
6 know, things didn't get resolved fast enough for me.
7 There were times when I'd say, "Geez, why does it take
8 so long to -- to do this stuff?"

9 And it's really -- it's not a function of
10 somebody, you know, deliberately delaying not being
11 responsive to my -- whatever it is that I might raise.
12 It's more like a product of the work management
13 process, and, you know, what it takes to go from a
14 notification to an order to getting it scheduled,
15 getting it planned, getting it scheduled.

16 So, but that -- that would not cause me
17 to, you know, to not -- that would -- I'm using a
18 double negative. I would still identify an issue or
19 raise an issue if I felt that there was an issue that
20 needed to be raised.

21 SPECIAL AGENT NEFF: Okay.

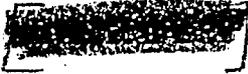
22 SR. PROJECT ENGINEER BARBER: And then
23 talk about -- stay on that just a moment.

24 SPECIAL AGENT NEFF: Sure, go ahead.

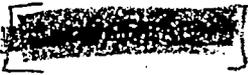
25 SR. PROJECT ENGINEER BARBER: What you're

1 describing -- you sort of described you framed the
2 work control process as being kind of the process, the
3 overriding process that dictates how fast something
4 gets done or doesn't get done. And you made or you
5 implied -- that's what I want to ask -- but you
6 implied that the delays that you may have seen on
7 certain issues are just inherent and just the way the
8 process works.

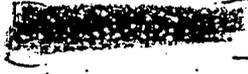
9 Couldn't that be perceived as a -- a flaw
10 or a source of some frustration? I mean, you know,
11 you're describing kind of in general how the process
12 works.

13  Yes.

14 SR. PROJECT ENGINEER BARBER: And you know
15 how it works at PSE&G.

16  Yes.

17 SR. PROJECT ENGINEER BARBER: But you may
18 not know how it works at Calvert Cliffs or Susquehanna
19 or Genay or somewhere else. And it may be -- work
20 very, very differently there.

21  Yes.

22 SR. PROJECT ENGINEER BARBER: So what you
23 have is you have -- you know what you know within the
24 organization. But what you may not know is how -- how
25 those processes function outside the organization.

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1 [REDACTED] Yes, that's accurate. I have
2 very limited experience outside here, yes.

3 SR. PROJECT ENGINEER BARBER: So is it
4 possible that -- that maybe some of the frustration or
5 some of the angst or some of the, you know, impatience
6 in getting equipment issues addressed is -- is valid?

7 [REDACTED] Yes. Again, I wouldn't
8 dispute the validity of anybody's concern over how
9 fast something did or, you know, did not get
10 addressed. I mean, if somebody has a concern that
11 they have -- you know, they have a concern, and if
12 it's based on their past experience with other plants,
13 sure. Sure, that would -- you know?

14 SR. PROJECT ENGINEER BARBER: Okay. Thank
15 you.

16 [REDACTED] Did that -- I don't know if
17 that answered --

18 SR. PROJECT ENGINEER BARBER: Yes, that
19 answered --

20 [REDACTED] -- your question.

21 SR. PROJECT ENGINEER BARBER: That
22 answered my question. It did. I was -- I was trying
23 to understand that.

24 SPECIAL AGENT NEFF: You've been an [REDACTED]
25 for I guess pretty close to [REDACTED] now. Is this

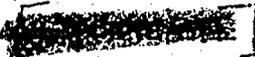
1 something that's been consistent for you? Or is this
2 something that you're seeing lately? Or is -- how do
3 you describe that?

4  There's been a really big
5 change -- a lot of changes over the last 10 years in
6 how we -- you know, the processes and how we go about
7 identifying things that need to be fixed and then
8 planning them, scheduling them, and repairing them.

9 And, you know, some of the changes have
10 been in the actual computer -- like the computer
11 systems, a pretty big change in the last -- or in the
12 two or three years we went from MIS to SAP. That was
13 a really big change, and there was -- you know, there
14 was a significant amount of -- what's the word I want
15 to use?

16 There were -- you know, there was issues
17 associated with going from MIS to SAP. The transition
18 wasn't perfectly smooth. There was -- you know, we --
19 everybody had to relearn a lot of different stuff, and
20 that -- so that was a pretty significant change.

21 SPECIAL AGENT NEFF: Was that '99/2000
22 timeframe?

23  Yes.

24 SPECIAL AGENT NEFF: So you're saying 7C
25 organizational changes, just in the way you do things,

1 just has an effect on how things get done.

2 [REDACTED] Sure. I mean --

3 SPECIAL AGENT NEFF: That's what --

4 [REDACTED] -- that was -- yes, that was
5 actually a -- you know, a hardware/software change.
6 In addition to that, there's been a lot of
7 organizational changes. We actually changed --
8 completely changed work management, let's see, at
9 least two times in the last five years. 7C

10 And along with, you know, the changes we
11 did in work management -- that's procedures --
12 procedures got changed and the actual process, and
13 also the people. We created new positions, got rid of
14 old positions, created different organizational
15 structures. So in the past 10 years there's been a
16 lot of change -- a lot of change.

17 And along with that change has come, you
18 know, problems in -- in managing the change, in
19 dealing with, you know, issues that come up as a
20 result of the change.

21 Another -- another thing that was pretty
22 significant is going from a one-site philosophy where
23 Hope Creek was Hope Creek, we had our own maintenance
24 folks, our own planners, schedulers, our own
25 management team, you know, up through plant manager.

1 And about the same time we were talking
2 about earlier when we changed that plant manager
3 structure around we -- you know, that was part of this
4 going to a one-site philosophy. And there was a lot
5 of growing pains with that.

6 SPECIAL AGENT NEFF: Was that around 2000,
7 too? 2000, also. I shouldn't say 2000, too.

8 [REDACTED] Yes. I would say
9 approximately around 2000.

10 SPECIAL AGENT NEFF: Okay. So in that
11 timeframe. So you had two pretty big changes at one
12 time -- going to SAP and the one-site philosophy.
13 That had some effect on how things got done.

14 [REDACTED] Yes. Yes. So between the
15 computer stuff and the procedures changing, the
16 organizational structure, people moving around, a lot
17 of new people coming in, because what happened was,
18 you know, we brought in some -- some -- in the
19 management team, pretty high up, we brought in some
20 new folks, and then it seemed like after they got here
21 a lot of new superintendents and managers. So the
22 people trying to learn the ropes of their job and
23 learn the plant. 7C

24 And to be honest with you, when you bundle
25 all of that stuff up -- I mean, this is my opinion,

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1 right? That all of those things combined together
2 really affected our ability to be able to get stuff
3 fixed. That's my opinion. And I can't put my finger
4 on any one person or, you know, any one of those
5 changes. It was kind of like a combination of stuff
6 that -- that happened at once.

7 And then, it seemed like, you know, at the
8 -- at the senior management level, so they knew that
9 it wasn't working real good, so we were trying to
10 change something else, you know, try and make another
11 significant organizational change or structure change
12 or bring new people in.

13 And we just didn't seem to be able to --
14 to, you know, really get our arms around this work
15 management process and be able to -- to make it work
16 real efficiently, like -- Scott, like what you said,
17 you know, at other facilities. And I had heard that
18 from, you know, some of the folks that came in from
19 other facilities. They're like, "This process works;
20 we use the SAP," you know, whatever plant they were
21 from. And --

22 SR. PROJECT ENGINEER BARBER: How about
23 today? Do you still -- what's your sense, if you
24 compare things, you know, in 2000, 2001, moving
25 forward in time kind of timeframe where all of these

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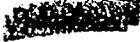
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1 changes were taking place, and you were saying that
2 there was some challenge to getting things fixed, how
3 is it today? Is it better or worse than it was then?
4 Is it improving? What's the trend?

5  It's -- it's definitely
6 better. And I'm glad you asked that question, because
7 in the last -- I'll say in the last six months I've
8 seen a big difference in -- in -- primarily in the
9 management structure. We changed the management
10 structure, went back to a plant manager, and basically
11 backed away from this one-site philosophy and went
12 back to a Hope Creek engineering staff and a Hope
13 Creek maintenance staff and a Hope Creek plant
14 manager.

15 And that seems to be making a difference.
16 That seems to be making a difference. In the last six
17 months we're doing a lot better at getting stuff
18 fixed, and we've made some -- you know, some tough
19 decisions about extending outages to get stuff fixed,
20 and coming down in power to get stuff fixed that
21 needed to be fixed.

22 And at least when -- when my shift -- I
23 mean, my -- my folks can clearly see that. They're
24 very encouraged by it. 

25  is his name. He's been spending a lot of time

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1 with them, talking about them, listening to their
2 concerns, and then acting on them and getting stuff
3 fixed. And I do think that that's making a real big
4 difference.

5 SPECIAL AGENT NEFF: Who -- prior to the
6 six months, who would have been in that decision-
7 making position before for [REDACTED]

8 [REDACTED] Well, it -- after -- [REDACTED]
9 was the last [REDACTED] before, you know, [REDACTED]
10 just recently. And what they did -- it kind of got
11 muddied up a little bit. But what they did was when
12 they decided to get rid of that position, they created
13 the [REDACTED]

14 SPECIAL AGENT NEFF: He was the single
15 occupant of that, right? You only had one [REDACTED]
16 [REDACTED] or am I wrong?

17 [REDACTED] Yes. I believe that was a
18 true statement.

19 SR. PROJECT ENGINEER BARBER: That was for
20 Salem and Hope Creek both.

21 [REDACTED] It was for Salem and Hope
22 Creek.

23 SPECIAL AGENT NEFF: Under the one-site
24 philosophy.

25 [REDACTED] Yes.

7C

1 SPECIAL AGENT NEFF: Okay.

2 [REDACTED] And I don't believe anybody
3 else ever -- ever was in that position, other than
4 [REDACTED] from the time that they created it. And then,
5 [REDACTED] who was the [REDACTED] he moved from the [REDACTED]
6 [REDACTED] down into the [REDACTED]

7 And they kind of rearranged the reporting relationship
8 for the other managers.

9 And basically, the way that I would -- the
10 way that I would paint it is, you know, they made the
11 -- like the manager, engineering manager, maintenance
12 manager, made them report to [REDACTED] as the [REDACTED]
13 But they didn't -- they didn't change [REDACTED]

14 They changed -- they changed his
15 responsibilities, changed the office, and in the --
16 you know, in the communications about the changes, the
17 way that it was presented was, okay, so [REDACTED] is
18 basically stepping up and taking over the
19 responsibilities that were previously done by the
20 plant manager. And then the [REDACTED] is
21 stepping up and taking over a lot of the
22 responsibilities previously done by the plant manager
23 -- by the [REDACTED]

24 And then, for us, you know, we needed to
25 step up and take over, you know, some of the stuff

1 that the assistant ops manager was doing and, you
2 know, become more of leaders of the station vice
3 leaders of our shift. So that's kind of like the
4 philosophy that we were implementing at that point in
5 time.

6 SPECIAL AGENT NEFF: Okay. So for the
7 decisions that you would attribute to [REDACTED] right
8 now, would that be [REDACTED] role in the -- in
9 the over six months ago timeframe? [REDACTED]
10 [REDACTED] Or someone else?

11 [REDACTED] It was -- it was a lot
12 different at that point in time. And what I'll say is
13 that [REDACTED] as the [REDACTED] had a lot of say in
14 those types of decisions. I mean, he had a lot of
15 influence in those decisions. But, then again, so did
16 [REDACTED]

17 So -- and I don't -- I'm not sure like,
18 you know, at one point I believe [REDACTED]
19 and then -- then later [REDACTED] So
20 exactly how [REDACTED] handled those kinds
21 of decisions I'm not real sure about, because I don't
22 -- I didn't see a lot of that at my level.

23 SPECIAL AGENT NEFF: Okay.

24 [REDACTED] I can -- I can give you my
25 impressions, and I would say that a lot of

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1 communication up the chain and then down the chain,
2 and then some consensus-type decision-making between
3 those three -- those three folks.

4 SPECIAL AGENT NEFF: At the OM, Director
5 of Ops, and VP level, right there.

6 [REDACTED] Yes.

7 SPECIAL AGENT NEFF: The question that I
8 would have is you said that you were seeing in the
9 past six months that outages are extended, and you
10 have more frequent down powers. So in comparing that
11 to the six months or the period of time before that,
12 what do you attribute that to? Was there some sort of
13 hesitancy to -- to extend your outages or to move for
14 a down power?

15 [REDACTED] I don't think that's what I
16 said. If that's what -- if that's --

17 SPECIAL AGENT NEFF: I have --

18 [REDACTED] -- the way you took it --

19 SPECIAL AGENT NEFF: Yes, let's straighten
20 it out.

21 [REDACTED] Sure.

22 SPECIAL AGENT NEFF: Because I have -- I
23 have in the past six months you more or less
24 attributed it to [REDACTED] that there were more --
25 you are extending outages and coming down in power to

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1 fix things. So my --

2 [REDACTED] Correct.

3 SPECIAL AGENT NEFF: -- question would be:
4 was there some sort of a hesitancy to do that prior to
5 the past six months?

6 [REDACTED] Okay. So to clarify what I
7 previously stated --

8 SPECIAL AGENT NEFF: Sure, let's go there
9 first.

10 [REDACTED] -- do -- do that first.

11 SPECIAL AGENT NEFF: Yes.

12 [REDACTED] What I was trying to convey
13 to you was that we were doing a lot better getting
14 stuff fixed and had made some -- some pretty tough
15 operational decisions, such as extending outages and
16 coming down in power to do certain repairs. TC

17 And that the folks that work for me could
18 see that and they were, you know, there encouraged
19 that we are fixing a lot of stuff. And in the last
20 six months we've done a lot better at fixing stuff.

21 Now, I don't believe that I said that
22 we're doing it -- doing more down powers and longer
23 outages now than in the past six months. If I said
24 that, that's not what I meant. What I meant was --

25 SPECIAL AGENT NEFF: Okay. We'll let that

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1 stand clarified, then.

2 [REDACTED] -- we're fixing -- we're
3 fixing more stuff now than we were in the past.

4 SPECIAL AGENT NEFF: You're fixing it more
5 now than you were in the past.

6 [REDACTED] Yes.

7 SPECIAL AGENT NEFF: Yes. I had -- I had
8 taken away in those six months you're extending
9 outages and coming down in power to fix things. Okay.
10 So you're just more recently fixing things better than
11 you were --

12 [REDACTED] Right.

13 SPECIAL AGENT NEFF: -- before.

14 [REDACTED] That's what I was trying to
15 communicate.

16 SPECIAL AGENT NEFF: Okay.

17 SR. PROJECT ENGINEER BARBER: Well, if we
18 back up to that timeframe before up, even though you
19 may have been doing the same number of outages or
20 roughly the same number on some basis, does it mean
21 you weren't -- when you had the outages, you weren't
22 fixing as much of the equipment during these outages?
23 You kind of imply that that is -- that's the
24 difference, when you --

25 [REDACTED] Yes.

1 SR. PROJECT ENGINEER BARBER: -- the way
2 you described it.

3 [REDACTED] I understand. I mean,
4 there's -- there's probably a combination of things
5 that work. So it's like, are we fixing things better
6 than we were fixing them before, like so less repeat
7 maintenance? It seems to me that there is less repeat
8 maintenance, so that's -- that's one thing.

9 As far as the amount of stuff that we
10 scope into an outage, what I saw -- what I saw in the
11 last outage that we did was that we were -- there was
12 a lot more emphasis on fixing the plant as opposed to
13 can we start up now and fix it in the next refuel
14 outage and avoid, you know, having -- avoid extending
15 our forced outage time.

16 SR. PROJECT ENGINEER BARBER: Okay. So
17 that sounds like that's a difference or a change from
18 the previous past practice.

19 [REDACTED] I would say yes.

20 SR. PROJECT ENGINEER BARBER: Okay.

21 [REDACTED] To me it was -- it was
22 evident.

23 SR. PROJECT ENGINEER BARBER: So you're --
24 and you're describing it as a positive change.

25 [REDACTED] Oh, yes. Yes.

1 SR. PROJECT ENGINEER BARBER: Because you
2 may -- you see now some small additional amount of
3 time to repair things that you could put off until
4 later, but you're actually doing them now. So you
5 would start back up and operate in better shape for
6 the remainder of the operating cycle.

7 [REDACTED] That's right. Even -- even
8 though we didn't have to. Even though there was, you
9 know, adequate technical justification, you know, that
10 -- it doesn't have to be fixed. You could start up,
11 but let's -- let's go ahead and get it fixed while
12 we're down. Yes.

13 SR. PROJECT ENGINEER BARBER: Okay.

14 SPECIAL AGENT NEFF: That's in the recent
15 months timeframe --

16 [REDACTED] Yes.

17 SPECIAL AGENT NEFF: -- you're saying.

18 [REDACTED] Yes.

19 SPECIAL AGENT NEFF: What do you attribute
20 that to before? I mean, who or what do you attribute
21 that to before if you -- if the focus was more on
22 let's reduce the forced outage time, and can't we
23 start up now, do you know where that was coming from?

24 [REDACTED] I -- I can't point to like
25 one person and say that, you know, that's the person

1 that -- that influenced that or that made those
2 decisions. It was -- for me, what I would attribute
3 it to is we've clearly changed out the management --
4 I mean, like almost wholesale change-out of people.
5 So there's a completely new cast of players.

6 So that's the dynamics of that and the
7 decisions, and the people involved in it are
8 completely different. So --

9 SPECIAL AGENT NEFF: You don't see it as
10 any one individual influence now missing that was
11 there before. You're seeing it as part of the total
12 changes that were made.

13 [REDACTED] Yes. Yes. What I would say
14 is previously, too, I think there was more of a -- I
15 think it was more of a group decision. My -- my
16 impression now is it was more of a group decision, a
17 consensus decision, like I said between, you know, say
18 [REDACTED] and -- and [REDACTED]
19 I'm not sure -- I don't know that anybody got
20 significantly involved above them, but I just didn't
21 have a lot of exposure to -- to those decisions.

22 Generally, for me, you know, the most
23 contact I had was with [REDACTED] and whoever the [REDACTED]
24 [REDACTED] was. That would have been [REDACTED]

25 SPECIAL AGENT NEFF: Okay. From his

1 perspective, and from your conversations with [REDACTED]
2 [REDACTED] where would he fall in on the philosophy?
3 Was he on shortening the outages and fixing it later,
4 or was he on the philosophy of extend the outage and
5 fix it now?

6 [REDACTED] I -- I always thought that
7 [REDACTED] had a pretty good balance between -- between
8 those two things, with -- you know, I mean, he -- he
9 was always in his conversations with me and with my
10 crew and stuff -- he was always very focused on safety
11 -- you know, nuclear safety, personal safety,
12 radiological safety.

13 And, you know, my dealings with [REDACTED] never
14 saw where he was -- he was willing to, you know,
15 sacrifice, make a significant sacrifice on those
16 things for production. I didn't see that. I'm not
17 sure -- you know, I just don't know exactly how, you
18 know, him and [REDACTED] interfaced. Sometimes it
19 seemed like there was confusion. 76

20 Like one of the things that I think caused
21 us some confusion is not being real clear in that
22 decision-making process and who -- who is the
23 decisionmaker for, you know, those types of
24 situations. And so, you know, everybody would have to
25 get together, and we'd have a conference call like I

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1 had described.

2 And it just -- it just didn't seem like it
3 was real -- real well structured and laid out. I
4 think that probably did cause some confusion -- this
5 consensus decision-making thing.

6 SPECIAL AGENT NEFF: And how many people
7 are involved now when you're making an operability
8 call or a decision to down power or raise power? How
9 many people are involved in those at this point?

10 [REDACTED] Well, if it were to happen
11 today, you know, something were to happen today while
12 I was on watch, I would call [REDACTED] who is the [REDACTED]

13 [REDACTED] who is the [REDACTED]
14 [REDACTED]

15 Now, I'm not sure -- you know, I'm not
16 sure if [REDACTED] would -- would call any higher than that.
17 I'm sure certainly he would communicate it, you know,
18 like for information. "Okay. This is what is going
19 on. This is what I'm doing." TC

20 But it's real clear to me that he is the
21 decision -- you know, he is the decisionmaker for Hope
22 Creek, and that -- that's a little different I think
23 than it used to be.

24 SPECIAL AGENT NEFF: I just want to take
25 a look quickly at something. I have to check the

1 tape, too. It's approximately 1:33 p.m.

2 (Whereupon, the proceedings in the
3 foregoing matter went off the record at
4 1:33 p.m. and went back on the record at
5 1:43 p.m.)

6 SPECIAL AGENT NEFF: Okay. We're back on
7 the record. It is approximately 1:43 p.m.

8 And what we left off talking about were
9 the differences kind of -- and you were explaining how
10 it was, at one point in time, consensus decision-
11 making, and that it's a little different now. You
12 think that that might have led to some confusion in
13 certain events. Can you think of any -- of anywhere
14 that did cause some confusion?

15 [REDACTED] There was a couple instances
16 where [REDACTED] would call -- [REDACTED] had called (inaudible).
17 I can think of -- of two different times. I'm not
18 sure I can think of the specific events, but two
19 different times where like [REDACTED] would call into the
20 control room and give me, as [REDACTED] some
21 specific operational guidance.

22 That wasn't -- I mean, it wasn't anything
23 that would be -- you know, that would be against tech
24 specs or a violation of tech specs or illegal or non-
25 conservative. I'm not saying that at all. But just

1 from a -- from a communications protocol and chain of
2 command, that's something for me that's -- you know,
3 having been in the military, that's really important.

4 And sometimes we -- we didn't follow that
5 strict protocol and chain of command. So the way I
6 like -- the way that I like it to be is that, you
7 know, I get my orders from the assistant ops manager,
8 which generally come from the ops manager. And there
9 is -- that's the way that we always do business, and
10 that's the protocol for, you know, doing things with
11 the plant.

12 And there was a couple instances where
13 [REDACTED] it seemed, had actually gone around [REDACTED]
14 [REDACTED] and called me and gave -- gave me what
15 sounded like some, you know, fairly specific guidance
16 for taking action with the plant when it -- it seemed
17 that he hadn't included [REDACTED] in that.

18 And I actually had talked with [REDACTED]
19 [REDACTED] and maybe even [REDACTED] as well, about, you know,
20 hey, I would like you guys to talk to [REDACTED] and make
21 sure that he is straight on the communication
22 protocols and how -- you know, how we transmit those
23 types of decisions through the chain of command. 7C

24 And I've actually given him that feedback
25 myself, too. It's not like I -- I mean, I told him,

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1 I said, "I'd like you to give [REDACTED] a call, and then
2 have [REDACTED] call me, or have [REDACTED] and call me."
3 So that's an example -- that's an example. The
4 specifics --

5 SR. PROJECT ENGINEER BARBER: Do you
6 happen to remember, was -- did it have to do with
7 moving the plant, like either raising power or
8 lowering power? Or was it just --

9 [REDACTED] There was -- there was one
10 that was associated with -- with, yes, moving power
11 deep -- it was specifically about dropping power. I'm
12 trying to remember if it was that same conference call
13 we had with the diesel or not.

14 But there was a conference call where --
15 where [REDACTED] were -- and myself and a couple of
16 other people were talking about a situation with the
17 plant which had not corrected, would require us to
18 start shutting down.

19 And [REDACTED] said something to the effect of --
20 and it was directed to me -- what are the words he
21 used? It was kind of strange. It was, "Don't start
22 shutting down until you call me," or "don't start to
23 shut down until you call me first." He didn't say,
24 "Don't shut down without my permission." You know, he
25 didn't say that. He said something like, "Don't start

1 to shut down until you call me first," or something
2 like that.

3 And [REDACTED] jumped right in and said -- you
4 know, kind of like corrected him on the spot and said
5 something to the effect of, "I will talk to you about
6 that, and, you know, [REDACTED] and I will -- will discuss
7 the timing of the shutdown," or, you know, something
8 to that effect.

9 But it was almost like, you know, he --
10 even on a conference call, he had gone right around
11 [REDACTED] who was also on the same conference call, and
12 talked to me specifically about, you know, maneuvering
13 the plant. And I don't think that's what he -- you
14 know, I don't think that's what he meant. I think it
15 -- there wasn't -- in my mind, there wasn't anything
16 -- he wasn't doing it on purpose.

17 It was almost as though he were doing it
18 just because he didn't -- he didn't understand or
19 didn't know any better. It was like an honest
20 mistake. He was like, oh, and then [REDACTED] said -- you
21 know, [REDACTED] jumped into that conversation and then he
22 was like, "Oh, okay. Yes, all right." And he was
23 okay with that.

24 SPECIAL AGENT NEFF: So [REDACTED] took
25 it the way you took it, that he was setting himself up

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1 for concurrence before you moved the plant? It was
2 like you were going to have to check with him first,
3 is that it? And that's what [REDACTED] corrected?

4 [REDACTED] Yes. [REDACTED] basically
5 interjected himself and made it real clear that it
6 doesn't go [REDACTED] It goes [REDACTED]
7 [REDACTED] That's -- that was what [REDACTED] did. He
8 said that straight --

9 SPECIAL AGENT NEFF: Okay.

10 [REDACTED] -- as soon as -- as soon as
11 [REDACTED] said it. And I'm trying to think of another
12 specific example. There was two -- two or three times
13 where something similar like that happened, and it's
14 like, geez --

15 SR. PROJECT ENGINEER BARBER: Do you
16 ever --

17 [REDACTED] -- I should be getting that
18 from my boss, not my boss' boss' boss.

19 SR. PROJECT ENGINEER BARBER: Right. Do
20 you ever recollect that there was any kind of
21 conversation where either the AOM or ops manager was
22 not present in the -- in the -- as a part of the
23 communication? Because what you're describing is they
24 are present to kind of correct the circumstances.

25 [REDACTED] True.

1 SR. PROJECT ENGINEER BARBER: But when you
2 led into this, you also kind of described sort of
3 maybe the uneasy feeling about not following the chain
4 of command. Was there ever a situation that you
5 recall where [REDACTED] if talked to you, either directly in
6 the control room face to face --

7 (End of Tape 1, Side B. Beginning of Tape 2, Side A.)

8 SPECIAL AGENT NEFF: It's 3:50 p.m.

9 SR. PROJECT ENGINEER BARBER: I was just
10 asking if there was ever a circumstance basically
11 where it was just you and [REDACTED] whether it be face to
12 face or on the phone, without the others involved,
13 whether it be [REDACTED] or any of
14 those folks.

15 [REDACTED] I don't remember any specific
16 face to face. I remember one other time where [REDACTED]
17 called and gave me permission to come up in power.
18 And what I told him was, [REDACTED] you need to call [REDACTED]
19 and then have, you know, [REDACTED] calls
20 me, and then -- and then I will start coming up in
21 power," you know, gave him that feedback on the spot.

22 And, again, it -- I -- I really don't ^{TC}
23 believe that he was doing it deliberately. I think he
24 just didn't -- didn't understand what the protocol,
25 you know, should be or how important that protocol is,

1 because, I mean, like I've told you, to me that's very
2 important, and it helps eliminate confusion.

3 And I think that there was confusion at
4 times, because we weren't real straight on -- on those
5 communications and the decision-making -- and the
6 decision-making chain, and, you know, who is it that
7 makes that decision, certainly not as clear as we are
8 now.

9 SR. PROJECT ENGINEER BARBER: Who has the
10 license -- who had the license for the facility at
11 that time? Who was the "license holder" for the
12 [redacted] position at that time?

13 [redacted] Well, [redacted] was a previously-
14 licensed SRO. I mean, he was a [redacted] at one
15 time at Hope Creek.

16 SR. PROJECT ENGINEER BARBER: Okay.

17 [redacted] So when you look at the
18 requirements to be the ops manager -- I forget exactly
19 how it's worded. But basically, if you were a
20 previously-licensed SRO at Hope Creek, you can do it.
21 And obviously, the -- you know, the ops manager we
22 have now, he was -- he was never licensed at Hope
23 Creek. So, but he was a previously-licensed SRO at
24 another facility. He's got the technical background
25 to be able to fill that position.

TC

1 So, but [REDACTED] was not -- you know, he
2 wasn't going to requal, so he wasn't active. His
3 license wasn't active. [REDACTED]
4 [REDACTED] for the shifts, and he was -- he
5 was the senior active license guy at that point. [REDACTED]
6 ultimately -- he [REDACTED] and went inactive
7 probably three or four months ago, say three months
8 ago.

9 SR. PROJECT ENGINEER BARBER: So it sounds
10 like you felt comfortable taking direction from either
11 [REDACTED] but uncomfortable taking direction
12 from [REDACTED]. Did [REDACTED] ever have a license, to your
13 knowledge? Does he have a license?

14 [REDACTED] Not -- not here. And I'm not
15 sure about his past -- you know, his past background,
16 like if he was -- if he was an SRO at another
17 facility. I believe he was, but I'm not positive.

18 SR. PROJECT ENGINEER BARBER: Okay.

19 [REDACTED]: I don't know. But, yes, what
20 used to happen with [REDACTED] I know it sounds
21 like I'm making an exception for those guys, but --
22 but just so that they could have time off and not be
23 on call constantly, they would -- they would switch
24 back and forth. 7E

25 So on -- you know, on back shifts and the

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1 weekends, there were times when instead of it being
2 [REDACTED] -- he's the default,
3 right? But he needed time off. You know, he was --
4 he was going away to see his folks or something, and
5 then we would report directly to [REDACTED].

6 SR. PROJECT ENGINEER BARBER: Okay. Okay.
7 Were you ever aware of a situation that occurred in
8 August where there was a meeting between senior
9 management and operations regarding this exact topic
10 -- whose authority is needed to move the plant,
11 whether it be to move it up or move it down. Do you
12 recollect any meeting?

13 [REDACTED] In August -- this past
14 August?

15 SR. PROJECT ENGINEER BARBER: No. August
16 -- it would have been like August 2000, something like
17 that.

18 [REDACTED] Oh. There was -- there was
19 one in this building with -- it was like all of -- all
20 of the shift managers from Hope Creek and from Salem,
21 and the [REDACTED] was
22 there. I'm not sure if -- I think that [REDACTED]
23 [REDACTED] were probably there, although I can't remember
24 for sure. TC

25 SPECIAL AGENT NEFF: Did it include Salem,

1 too?

2 [REDACTED] Yes. Yes. And that was --
3 there was a -- there was a lightning strike that hit
4 Hope Creek and caused -- caused a power reduction from
5 a variety of things. The lightning strike did a lot
6 of stuff all at once, affected a lot of different
7 equipment, most of which was recognized by the
8 operating crew and they were able to -- to stabilize
9 the plant. 7C

10 But they missed the fact that there had
11 been effectively a silent trip of our number six
12 feedwater heaters, and extraction steam had isolated
13 to all three of the number six feedwater heaters. And
14 they didn't -- they didn't see that. They thought
15 that they had everything identified, stabilized,
16 corrected, and they were ready to come up in power.

17 There was a little bit of urgency because
18 there was another issue with turbine vibrations, where
19 turbine vibrations would -- would start coming up
20 after a power reduction. But it -- it was a short --
21 short ramp down and a short ramp back up. The turbine
22 vibration shaft would basically straighten itself out,
23 would stop rubbing, and the vibrations would -- would
24 go away.

25 So anyway, that -- that crew came up in

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1 power after talking with [REDACTED] who was the
2 [REDACTED] at the time. And then,
3 subsequently realized that they had this loss of
4 feedwater heating. And obviously, that was -- that
5 was a pretty big -- pretty big event for us as a site,
6 Hope Creek as a station. 7C

7 And that meeting I think that you're
8 referring to came shortly after that. And in -- in
9 that meeting, what we were told -- and this was by
10 [REDACTED] -- was that we did not have the authority to
11 raise reactor power, that that was not our decision to
12 make, that we do not own the reactor.

13 And he was actually very specific. What
14 he said was, "I own the reactors, and that's my
15 decision." And he was -- he was pretty upset. He was
16 pretty upset about that particular incident, and went
17 on for, you know, a little bit of time about how that
18 -- that wasn't our decision, and, you know, what in
19 the world were we thinking, you know, when we did
20 that.

21 So, yes, that -- that meeting I remember
22 really well. That was a pretty -- pretty intensive
23 meeting.

24 SR. PROJECT ENGINEER BARBER: What was
25 your reaction to that?

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1 [REDACTED] Well, I was -- I was a little
2 surprised with -- with the intensity of his reaction.
3 And the other thing was that the way that he was
4 presented to us was like that was something that we
5 should have known, that that was, you know, like,
6 "What were you thinking? You don't have the authority
7 to raise power."

8 And everybody got real quiet, and then I
9 actually -- I spoke up and I -- and I told him, I
10 said, [REDACTED] I said, "I understand what you're
11 saying, and I'm really clear on, as of now, I don't
12 have the authority to raise power. But no one ever
13 told us that in the past. No one has ever said that
14 that's not part of our responsibility and part of our
15 authority, until now."

16 And everybody was -- was really quiet.
17 That was -- that was, you know, pretty much what the
18 meeting was about.

19 SR. PROJECT ENGINEER BARBER: Was there --
20 was there any discussion about whether that extension
21 -- or a logical extension of that was that you didn't
22 have the authority to lower power?

23 [REDACTED] No. No. 7C

24 SR. PROJECT ENGINEER BARBER: Well, did he
25 specifically mention that you were -- you could lower

1 power? I mean, it sounds like there was a very -- as
2 you describe it a very intense reaction and --

3  No. I don't -- I don't think
4 that he made -- he made any -- I don't think that
5 anybody got that from -- from what he was saying.
6 Even though it was very intense, I don't think anybody
7 was unclear about the raise versus lower, because it
8 has always been really clear to me anyway that -- I
9 think to most -- most everybody, I've never heard
10 anybody say otherwise, that we always have permission
11 and authority and responsibility to lower power, I
12 mean, you know, in response to something bad
13 happening, right? 7C

14 Like an abnormal event or an equipment
15 malfunction. That's something that -- that we're
16 expected to do. And I -- I didn't hear anything in
17 his conversation that would have made me think that --
18 you know, that he was sending that message about
19 lowering power. I didn't get that.

20 SR. PROJECT ENGINEER BARBER: Okay.

21 SPECIAL AGENT NEFF: Did he -- when he was
22 saying that you didn't have the authority, and he
23 owned the reactor, was he reserving that right
24 strictly for himself? Or was it going to be delegated
25 to some other level?

1 [REDACTED] I didn't -- I'm not sure. I
2 mean, I guess when he first said it, I thought that it
3 was like -- like more of a theatrical effect. You
4 know, like to try and -- try and send us a message or
5 make a point.

6 But what ultimately ended up happening is
7 I believe that he did give -- he was the person that
8 gave permission. I think that that's the way that it
9 was.

10 SPECIAL AGENT NEFF: That became the
11 practice.

12 [REDACTED] Yes. Yes. So, I mean, that
13 went like when -- basically, the way it worked at my
14 level was, okay, we were all real clear after that
15 meeting that we didn't come up in power until we were
16 given permission to come up in power.

17 But that permission for me would -- would
18 normally come from either the AOM or the OM, with a
19 couple -- with the -- like the one exception where [REDACTED]
20 granted permission, and the genesis of that
21 communication with granting permission to raise power
22 is from that meeting. That's where that ultimately
23 came from.

24 So, you know, I assume that, you know, [REDACTED]
25 would call [REDACTED] or -- or [REDACTED] and then one of those

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1 guys would either call [REDACTED] or would have previously
2 been delegated that authority if [REDACTED] was away. I'm
3 not -- I'm hypothesizing. I don't know for sure, but
4 I believe that's the way that it worked.

5 SPECIAL AGENT NEFF: Okay. And you had
6 said that, at least from your perspective, it didn't
7 become an issue that affected down powering decisions.
8 It was strictly for -- for raising power, that
9 particular meeting or -- or fallout from that meeting.

10 [REDACTED] Yes. I've always been clear
11 that in -- in response to some type of abnormal event
12 or equipment malfunction, that we had the right and
13 responsibility to -- you know, to lower power, to
14 stabilize the plant, up to and including, you know,
15 scrambling the reactor. 7C

16 I was -- I don't think there was ever any
17 -- any cloudiness around that, not that I can
18 remember.

19 SPECIAL AGENT NEFF: Okay. Have you ever
20 been -- have you ever found yourself in a position
21 where you would make an operational decision in one
22 direction? You've made your operational decision, and
23 your management or senior management, anybody above
24 you, pushes you in a direction that you're not
25 comfortable with. Have you ever found yourself in

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1 that position?

2  No, not that I can recall.
3 Not that I can recall. I mean, a lot of times that's
4 -- you know, being put into that situation is avoided
5 by, you know, some of this consensus, decision-making,
6 and calling, you know, up the chain of command to let
7 them know when stuff was going on.

8 I mean, I'm trying to think. I can't
9 recall any like immediate decisions that I had to make
10 because they needed to be made right away that were --
11 you know, that were overruled or were changed or, you
12 know, that I was influenced or coerced into changing
13 something to -- you know, to somewhere where I wasn't
14 comfortable. I don't remember being put in a
15 situation like that.

16 SPECIAL AGENT NEFF: Okay. And
17 understanding that some of the calls that you're going
18 to make are -- in terms of operational decisions might
19 be described as in a gray area, okay? And you're
20 talking margins and gray areas. And in -- have you
21 ever been in a situation where you would, say, be in
22 that gray area more to the -- the more aggressive,
23 less conservative side, and have been pushed to be
24 more conservative by your management chain -- senior
25 management, ops management?

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1 [REDACTED] I'm not -- I'm not sure about
2 that. But there's been -- there has been times when,
3 you know, I thought I had something figured out, and
4 I had, you know, a course of action in mind, and then
5 I would call [REDACTED] and -- and those guys would
6 -- would ask me a question, or, you know, ask me,
7 "Hey, did you think about this? Or did you think
8 about that?" And help me to see -- to see, you know,
9 risk or something that I hadn't considered.

10 Again, that is one of the advantages, you
11 know, that -- that I saw, when time permits, to be
12 able to -- you know, to call. And the expectation was
13 that we would call for, you know, significant
14 malfunctions, significant plant events, and, you know,
15 talk -- talk to [REDACTED] because all
16 three of those guys technically were all very sharp,
17 very good operators. 7C

18 And there was -- there was a lot of times
19 when, you know, they would help me to think of
20 something that I hadn't thought of, just because they
21 had more experience than me, and, you know, they have
22 been doing it longer.

23 But that -- I don't -- so your question
24 was kind of a positive one, right? Was there a time
25 when I --

1 SPECIAL AGENT NEFF: Well, it would be --
2 it would be the flip of -- of --
3 [REDACTED] -- when I was going to make
4 a poor decision, and I got help in getting --

5 SPECIAL AGENT NEFF: Well, I don't even
6 know that you could say poor, good, you know, in that
7 light. Understanding that you're in a -- in a gray
8 area with margins of safety --

9 [REDACTED] Yes.

10 SPECIAL AGENT NEFF: -- you know, some
11 people would say that -- they've called it think
12 outside the box -- individuals, you know, more
13 aggressive individuals, or those who would be
14 comfortable with this margin of safety as opposed to
15 who want that margin of safety.

16 Just looking at your experience, what I'm
17 trying to understand is if you've ever found yourself
18 in a position where you're saying, "I want that
19 margin," and somebody wants to reduce it for you, or
20 you're here and they go, "No, no, no. We want you
21 here." I'm looking at, you know, both ends of it.

22 [REDACTED] Yes. 7C

23 SPECIAL AGENT NEFF: And it doesn't sound
24 like you have anything in the first category where you
25 were pushed or overruled or otherwise made

1 uncomfortable in your operational decision from your
2 management chain. And you're dealing primarily, from
3 what I'm getting, is your AOM and OM level.

4 [REDACTED] Yes.

5 SPECIAL AGENT NEFF: You don't have that
6 kind of direct contact with [REDACTED]

7 [REDACTED] You don't have that firsthand
8 experience with them?

9 [REDACTED] No.

10 SPECIAL AGENT NEFF: Okay.

11 [REDACTED] No.

12 SPECIAL AGENT NEFF: So what you're saying
13 is, then, if -- if you're proposing something, what
14 your [REDACTED] had been doing in
15 the past would be they could propose considerations of
16 different risks. They would throw out -- are you
17 looking at this, or are you looking at that? That was
18 your experience.

19 [REDACTED] Yes.

20 SPECIAL AGENT NEFF: Okay. Unless you
21 have anything else on that, Scott, I -- or you have
22 anything to add to it, that covered it for me.

23 [REDACTED] Talking about margins, back
24 to that diesel -- that alpha diesel and the jacket
25 water leak, one of the things that -- you know, that

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1 as a group we -- we had gotten together the shift
2 managers and [REDACTED] and I guess it was [REDACTED] and talked
3 about, you know, the decision-making around that and
4 what -- you know, what could we learn from it, so that
5 we could do better if we were to, you know, get into
6 a situation like that in the future.

7 And one of the things that didn't sit real
8 well with me when we were talking about margins was we
9 -- we did get some criticism which came from [REDACTED]
10 [REDACTED] was passing it on to us.
11 And it was -- I said criticism, but it was feedback,
12 that we -- we didn't push Engineering to give us as
13 much margin as they could give us.

14 In other words, when for that -- that
15 forced outage on that diesel, when it was first
16 identified that there was a jacket water leak, they
17 quantified it, and they went to Engineering and they
18 said, "This is how much is leaking." And they did
19 some calculations based on head tank capacity, and
20 Engineering said that -- or there may have -- it may
21 have been an old engineering evaluation. It had a
22 limit, and they were beyond that limit.

23 And that's why that shift initially made
24 that diesel inoperable is based on a previous number
25 that Engineering had given them.

1 Well, as it turns out, there was actually
2 a little bit more margin there that Engineering hadn't
3 given us, and --

4 SPECIAL AGENT NEFF: [REDACTED] can I just ask
5 you, who was the shift on before you that made that
6 inoperable call -- the [REDACTED]

7 [REDACTED] I think that was -- that was
8 [REDACTED] I'm pretty sure it was [REDACTED]

9 SPECIAL AGENT NEFF: Okay. I'm sorry to
10 interrupt you there.

11 [REDACTED]: That's okay.

12 SPECIAL AGENT NEFF: It's something I
13 thought of before, and I don't think we covered it,
14 and I just wanted to make sure we had it. Okay.

15 [REDACTED] So the -- one of the lessons
16 that -- that we learned from that, based on the
17 feedback that was given at this meeting, was that when
18 we go to Engineering and ask them for margin, they
19 need to tell us what the limit is, like this is the
20 line in the sand. Go past that, no good. Stay this
21 side of it, you're okay. 7C

22 As opposed to them giving us little --
23 little chunks, and the more, you know, like -- the
24 more important it is, the more margin they come up
25 with. Does that make sense?

1 SR. PROJECT ENGINEER BARBER: It does.
2 But do you know -- do you know how they did the
3 calculation? You probably don't, because you said you
4 don't remember the details of the operability
5 determination.

6 [REDACTED] Yes. Like what in the
7 calculation made the difference between the first
8 margin number and the second margin number?

9 SR. PROJECT ENGINEER BARBER: Yes.

10 [REDACTED] I don't remember.

11 SR. PROJECT ENGINEER BARBER: I remember.

12 [REDACTED] Do you?

13 SR. PROJECT ENGINEER BARBER: Yes, it was
14 time. The first calculation was based on not filling
15 the -- the diesel generator expansion tank, the jacket
16 water expansion tank, for seven days. And the -- the
17 calculation that gave you the answer that resulted in
18 the diesel being operable but degraded was in one day.

19 So, I mean, the limit went up by a factor
20 of seven. I mean, that's the pure and simple --

21 [REDACTED] Yes, I had forgotten --

22 SR. PROJECT ENGINEER BARBER: That's a 7C
23 pure and simple change. But the interesting thing is
24 that number could be anywhere. You know, the argument
25 was is that you could station an operator at the --

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1 you know, in the -- near the facility you could have
2 water staged, and you could fill the day tank within
3 a 24-hour period. Or you could make that argument for
4 seven hours or eight hours or three hours.

5 So I'm not sure -- I'm not sure where the
6 line really was. I mean, I think at the time the --
7 when the NRC reviewed it, we didn't have an issue with
8 it, because of the circumstances. But there wasn't --
9 there wasn't an absolute right answer or wrong answer.

10 But it's interesting that, in your earlier
11 discussion, you provided that the basis for the diesel
12 for the tank capacities was seven days. So this, in
13 fact, was in fact a deviation from that. It's a
14 lessening of margin.

15 So, you know, your ideal margin would have
16 been the seven-day --

17  Sure. That's the design --
18 that's the design. 7C

19 SR. PROJECT ENGINEER BARBER: Right. And
20 so you, in fact, were -- were eating away at that
21 seven-day margin. You were -- you were taking it down
22 to a day, so -- and I actually don't think the -- I
23 don't think the oil leak was evaluated at all. I
24 think it was just the jacket water leak. I think you
25 went back and looked at the operability determination

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1 (inaudible.)

2 [MR. KEENEN: [REDACTED] just to clarify the
3 record, you never did any detailed evaluation or
4 determination on the operability determination on your
5 own, the engineering aspects.

6 [REDACTED] For the jacket water? I
7 mean, I know that I reviewed it. Certainly, I -- I
8 did review it, and I was familiar with it at the time.
9 And there -- and, as you said, there's been a couple
10 of them, so I have -- I have been involved with at
11 least one.

12 I can't remember off the top of my head if
13 I actually did the review and approval. There's a --
14 there's a very specific process with the operability
15 determinations, and I just don't -- don't recall.

16 SPECIAL AGENT NEFF: The message that
17 you're getting, then, is you first called it criticism
18 or feedback from [REDACTED] that came to you from
19 [REDACTED] Well, what's the message? What's your
20 -- what are you taking away from that?

21 [REDACTED] The message was when we're in
22 a situation like that, we need to understand how much
23 margin we have. We need to know all the margin that
24 is available, and then we, as operators, make the
25 right decision about whether we are operable, or

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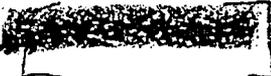
1 operable but degraded, or inoperable.

2 And we, as operators, make the decision as
3 far as the urgency and the priority for, you know, the
4 activities to correct the condition. But -- but that
5 -- you know, what is undesirable is for Engineering to
6 take -- see, it might be -- it might take them, you
7 know, a day's worth of work to do the calculations to
8 tell you exactly how much margin.

9 But they can give you a quarter of that or
10 a half of that with, you know, very little effort,
11 easily. And that's what the message was. We need to
12 push Engineering to tell us what the number is, not
13 give it to us in little chunks that -- that skew our
14 decision-making.

15 Because we can make a better decision,
16 that was the message -- we can make a better decision
17 if we know exactly what we're up against. We can
18 decide whether we need to shut down or, you know,
19 whether we're operable but degraded. We can better
20 understand the risk associated with it.

21 SR. PROJECT ENGINEER BARBER: But isn't
22 there a risk that that approach could lead to a non-
23 conservative decision?

24  I would say yes. 7C

25 SR. PROJECT ENGINEER BARBER: Because if

1 they give it to you in small amounts, if the amount
2 that they could end up giving, knowing everything they
3 would know and they might find out along with
4 troubleshooting activity, that -- not having the
5 benefit of experience that if they give it to you in
6 small amounts, as they learn more and more they can
7 inform their judgment more and more and have a better
8 idea of -- of the basis for extending a previous
9 limit.

10  Yes. I mean, it's -- it's --
11 we're hypothesizing. You know, it varies circumstance
12 by circumstance. I think that there is -- there is a
13 valid case to be made that the more information you,
14 as the decisionmaker, and us -- and we're taking for
15 granted that it's accurate, good information, the more
16 that you have up front, then the better decision that
17 you can make. And I think, really, that was -- that
18 was the message. So --

19 SR. PROJECT ENGINEER BARBER: Do you
20 recall any cases like that, where the -- the one I
21 just described where there was an extension of a limit
22 and then a subsequent extension and a subsequent
23 extension?

24  There was a -- we had some
25 trouble with off-gas flow, and that was -- that was a

1 similar situation where we had a procedural limit of
2 -- I think it was like 75 SCFM. And we were having a
3 lot of trouble with in-leakage into the condenser, and
4 we asked Engineering for some -- some help. And, you
5 know, what's the -- what's the basis for the 75 SCFM?

6 And we got that, and we got a new number
7 and then the leakage got worse. And we went over it,
8 and we reevaluated it, got a new number, and I think
9 there was, you know, a couple of iterations of that.
10 But very similar type thing where, you know, you're
11 talking about how much margin and what -- what really
12 is the number? What is -- what is the number? What
13 is the ultimate number that is a go/no-go number?

14 And I think we might have even talked
15 about that. The reason why that popped into my mind
16 so readily is that we might have even talked about it
17 in that same context as another example. I don't
18 remember the timing of those two things, which came
19 first, but that was a similar situation.

20 SPECIAL AGENT NEFF: Is this a situation
21 -- you say go/no-go number. Did it -- was there a
22 go/no-go number for this?

23  For the off-gas flow? No, I
24 -- ultimately, we -- if I remember right, we -- we put
25 a number in the procedure, and it was -- when you got

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TC

1 that number, it didn't -- it didn't say, you know,
2 like shut down the plant. But it had you monitoring
3 some additional parameters for, you know, evidence of
4 degradation in the system.

5 And if I remember correctly, it had some
6 notification requirements, like to -- to get more
7 people involved in assessing the condition. That's
8 about as much as I can remember of that.

9 SPECIAL AGENT NEFF: Are you pretty
10 certain it didn't call for a shutdown?

11 [REDACTED] I'm not -- I'm not sure. I'm
12 not sure. Perhaps it did.

13 SPECIAL AGENT NEFF: Did that become an
14 issue, do you recall?

15 [REDACTED] No. That -- that we had --

16 SPECIAL AGENT NEFF: That you were at a
17 point where -- where procedurally it called for a
18 shutdown.

19 [REDACTED]: I'm trying to think of the
20 words that were used. There may have been something
21 about a -- not operating the system. I just don't
22 remember. But, yes, that was -- I mean, as far as it
23 -- did the off-gas flow become an issue, that was --
24 that was, you know, a fairly significant issue that it
25 was coming up, and it exceeded the procedure -- the

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1 procedural guidance.

2 And like I said, I don't remember exactly
3 what that procedure said, if you went above the -- the
4 number. But that -- you know, that -- we had to get
5 Engineering involved, and that was -- you know, that
6 was a pretty big -- big --

7 SR. PROJECT ENGINEER BARBER: If you were
8 operating the plant at full power, could you take the
9 off-gas system out of service? Could you -- would you
10 be allowed to do that?

11  No.

12 SR. PROJECT ENGINEER BARBER: Would the
13 plant continue to function? I mean, even if there was
14 -- let's say there -- notwithstanding what the
15 procedure requirements are, if you physically isolate
16 the off-gas system, what would happen?

17  You can't -- you can't --
18 you'd get a high condenser vacuum and --

19 SR. PROJECT ENGINEER BARBER: Okay. So
20 you'd get a turbine trip, and then a reactor scram
21 from that?

22  Yes.

23 SR. PROJECT ENGINEER BARBER: If the
24 procedure said, in the precaution and limitation step,
25 if it said, "Do not operate above 75 SCFM," if that's

1 what the step said, and you read that step, as a part
2 of -- part of the procedure for the off-gas system,
3 how would you interpret that?

4 [REDACTED] Do not -- you know, and it's
5 funny, because I think that may have been something
6 along the lines of what that said. And how would I
7 interpret that? So it's not telling me -- it's
8 telling me, "Do not operate the off-gas system."

9 SR. PROJECT ENGINEER BARBER: Above
10 75 SCFM.

11 [REDACTED]: But it's not telling me
12 immediately scram the reactor, and it's not telling me
13 do a controlled shutdown. It's not giving me any
14 other guidance. 7C

15 I would be making a lot of phone calls and
16 getting a lot of people involved and looking at, what
17 is the basis behind that number? Why -- why is it
18 telling me, do not operate? Is there a sound
19 technical reason? Should I be starting a controlled
20 shutdown? And I'm not going to -- I'm not going to
21 scram the reactor.

22 If everything else is -- looks okay, and
23 there's a lot of other stuff that I could look at for
24 -- for that parameter, to make sure that things were
25 operating properly. I don't have to make an immediate

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1 decision whether, you know, I need to scram the
2 reactor or not. I've got time to -- to assess and
3 understand and look at other, you know, possibilities
4 on, you know, why that number is there and what's the
5 impact.

6 SR. PROJECT ENGINEER BARBER: Okay.

7 [REDACTED]: And what's the best course of
8 action.

9 [MR. KEENEN:] Yes. Just for the record,
10 we're not looking at any procedures or any tech specs
11 or any operating manuals here for purposes of this
12 discussion. So it's just a -- just an example you
13 threw out.

14 [REDACTED]: Right.

15 [MR. KEENEN:] So --

16 SR. PROJECT ENGINEER BARBER: Okay.

17 SPECIAL AGENT NEFF: This incident, the
18 off-gas incident, is that before or after the meeting
19 involving [REDACTED] message to go more into the
20 design basis, get an understanding of the design
21 basis. Is that before -- does that precede it, or
22 does that come after that?

23 [REDACTED]: I don't know. That's what --
24 that's what I said. I'm not sure which came first --
25 the diesel or the off-gas flow. I don't know.

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1 SPECIAL AGENT NEFF: You're not sure
2 where. Does -- the meeting where you got this
3 feedback, were you -- I think what we got from you was
4 an understanding of you can see what you were being
5 told was reasonable, to get an understanding of -- of
6 where the margins are. Were you in agreement with how
7 that would affect your making the operability calls?
8 Were you in agreement with that message?

9 [REDACTED] Yes.

10 SPECIAL AGENT NEFF: It would seem --

11 [REDACTED] Yes, I was. What --

12 SPECIAL AGENT NEFF: It would seem --

13 so --

14 [REDACTED] What bothered me about it was
15 it -- it seemed -- it felt like the crew who had made
16 that initial decision, they had a number from a -- if
17 I remember correctly, a previous engineering
18 evaluation from a previous jacket water leak. And
19 they referred to that number, and they made the
20 decision to call the diesel inoperable. TC

21 And what -- what I took exception to, at
22 least initially, was that it felt like we were saying
23 that they made a bad decision, and that they made a
24 decision on incomplete information, instead of trying
25 to get complete information.

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1 And that -- and that was my initial
2 reaction. But as -- you know, as we talked as a
3 group, I -- you know, I -- I was comfortable with the
4 feedback that we were getting, and I -- I think that
5 there is a case to be made that the more information
6 you have about something the better decision you can
7 make.

8 And that was really -- that was the
9 message that I carried away from that meeting, to push
10 Engineering to tell -- you know, to give us as much
11 information as they can, instead of giving it to us in
12 little bits and pieces.

13 SR. PROJECT ENGINEER BARBER: Have you
14 seen any changes since that message was given, either
15 positive or negative, from your vantage point?

16 [REDACTED] I would -- I would say that
17 I have seen -- since then, I have seen better support
18 from Engineering on technical issues. And I think
19 that we do -- we do push a little bit harder to make
20 sure that we're getting what we need from the
21 Engineering Department. TC

22 There's been some pretty significant
23 changes there, too, you know, like with the structure
24 and personnel, went back to more of a Hope Creek-
25 specific Engineering Department. I do believe that

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1 that has helped.

2 SR. PROJECT ENGINEER BARBER: Well, when
3 these situations come up and the guidance is not
4 clear, like -- like the -- you know, we talked in kind
5 of general terms. As Jeff pointed out, we don't have
6 the procedure in front of us about, you know, what
7 procedures might say or what they might not say.

8 But if the procedure is very specific, if
9 it says, okay, if you hit this limit, you take this
10 action, do you think there's any reservations that any
11 of the operating shifts would have about doing that?

12 [REDACTED] No.

13 SR. PROJECT ENGINEER BARBER: Okay. And
14 does the desire to involve Engineering -- is it only
15 for those things where maybe there's a limit or some
16 discussion, but the actions are not clear? In other
17 words, you know, there's like do not do something, but
18 there's not -- and if you do, do this. Is that -- is
19 it -- is that the circumstance?

20 [REDACTED] Yes. That -- I would say
21 that, and I would also add that if there's something
22 that doesn't make sense, if there's something that
23 just doesn't make any -- any sense like, well, it
24 appears that -- 7C

25 SR. PROJECT ENGINEER BARBER: (Inaudible.)

1 [REDACTED] Wait. It appears that
2 there's a technical inadequacy or, you know, something
3 that appears to be incorrect. Then, certainly we
4 would get Engineering involved in that situation as
5 well.

6 SR. PROJECT ENGINEER BARBER: Okay. So
7 your expectation would be if there's -- if there's a
8 limit, if there's something that's exceeded, like
9 maybe there's an enunciator that directs an action in
10 an alarm response procedure, you would take that
11 action without consultation with Engineering?

12 [REDACTED] Yes.

13 SR. PROJECT ENGINEER BARBER: Do you think
14 that would be true of all shifts in general?

15 [REDACTED] Yes. I would say that --
16 that that -- that is the standard, and to do otherwise
17 is the exception.

18 SR. PROJECT ENGINEER BARBER: Okay. All
19 right. How about -- wasn't there an issue back in
20 November/December timeframe with a feed pump, a
21 reactor feed pump turbine, a vibration problem? Do
22 you recall anything of that nature? No?

23 [REDACTED] No. 7C

24 SR. PROJECT ENGINEER BARBER: Okay. What
25 about a startup from September at Hope Creek, coming

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1 out of one of these short duration outages? I think
2 it was after the hurricane there was -- I don't know
3 if you were involved with either on-shift or maybe
4 just prior to. It would have been the middle of
5 September where there was a startup done with some
6 reductions in the available nuclear instrumentation.
7 Do you recall anything of that nature?

8  For the -- the forced outage
9 after the hurricane, I was there for that -- for that
10 event, for the shutdown. The startup -- I don't
11 remember any specific controversy. What I -- what I
12 will say is that, organizationally and
13 philosophically, what we've said is that we will do
14 our best to have all nuclear instrumentation operable
15 for the startup. JK

16 And there have been times when we haven't
17 been able to -- you know, to meet that -- I'll call it
18 a goal. But, you know, from -- just from tech specs,
19 that's okay. You can -- you know, you can do startups
20 with inoperable nuclear instrumentation. It's just
21 not the most desirable thing, and there is some risk
22 that if, you know, something additional fails you
23 might have to turn around and shut the plant back
24 down.

25 So that's why, you know, the goal is to --

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1 is to do your best to get all nuclear instrumentation
2 operable. But there have been times when we -- we
3 couldn't get that.

4 SR. PROJECT ENGINEER BARBER: Do you have
5 a sense of how you would handle a situation like that?
6 If you had an operator that -- that you wanted to
7 start the reactor up and -- and he had a concern -- he
8 or she had a concern about the available nuclear
9 instrumentation, saying, "I know we meet tech specs,
10 but it's not -- there's too much that's not right
11 here." What would you do if -- if -- under those
12 circumstances?

13  Well, I would look at it
14 myself and -- and make sure that I understood what --
15 what the person was telling me, and that I understood
16 their concern. I would look at the tech specs and
17 see, you know, what's allowed and how -- you know, how
18 much we -- we have as far as -- you know, margin for
19 tech specs would require you to take an action, such
20 as shutting the plant down. TC

21 The -- if -- if it was, you know,
22 something that we -- we had not been talking about as
23 a team, and it was something new, something that I'd
24 say, "Ooh, yes, you're absolutely right," then I would
25 start making some phone calls, and I would be talking

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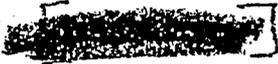
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1 with the AOM and the OM and saying, "Hey, look, you
2 know what? This is the -- this is what we're seeing
3 as far as nuclear instrumentation. And can you -- you
4 know, do you understand that this is where we're at?"
5 Make sure that they understand the facts and that
6 they're real clear on, you know, what's -- what the
7 issue is and how much margin there is.

8 SR. PROJECT ENGINEER BARBER: Do you think
9 you'd ever take a stand where you felt like even if
10 you met the tech specs that you wouldn't feel
11 comfortable with the startup, and just tell them that?

12  Perhaps, if -- again, you
13 know, it depends on the situation. I mean, if I
14 really saw that there was -- there was risk there,
15 that, you know, we could get ourselves into a
16 situation where we're in the middle of a startup and
17 we end up below the tech spec minimum and we have to
18 shut down, I would -- I would advocate -- I mean, I
19 would advocate my position.

20 SR. PROJECT ENGINEER BARBER: Okay.

21  Now, if -- you know, it gets
22 interesting, right, because if -- what do you do when
23 there's two different positions being advocated? I
24 mean, that's kind of what you're asking me, right?

25 SR. PROJECT ENGINEER BARBER: That's true. 7C

1 [REDACTED] So would I -- would I refuse
2 to start the plant up if, clearly, I had the minimum
3 amount of instrumentation required? And the
4 management team had said that we've done all we can to
5 fix this instrumentation, and the -- we're going to
6 fix it in the next outage, because, say, you have to
7 (inaudible) containment and go in -- you know, go
8 under vessel? Would I make a stand that I'm not
9 starting a reactor up? I don't think so. I don't
10 think that I have -- I would have a sound basis to --
11 (End of Tape 2, Side A. Beginning of Tape 2, Side B.)

12 SR. PROJECT ENGINEER BARBER: Sorry. Go
13 ahead.

14 [REDACTED] So that's different, though,
15 than, you know, advocating a position and taking a
16 strong stand. I mean, but if it -- if it gets down to
17 it's a direct order -- and, again, this is
18 hypothetical. It has never happened to me. But in --
19 my boss tells me, "You meet the tech spec minimum
20 instrumentation. It's identified, it's scheduled in
21 the next refuel outage. Once you get up past IRM
22 Range 3, you don't -- you know, you don't need it
23 anyway." I don't -- wouldn't really have a leg to
24 stand on. 7C

25 SR. PROJECT ENGINEER BARBER: Well, it

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1 depends on your view of nuclear safety and safety
2 margins, right? I mean --

3 [REDACTED] Sure.

4 SR. PROJECT ENGINEER BARBER: I mean, you
5 could argue -- like you said, you could advocate a
6 point, and it's -- it's really up to you. It's a very
7 personal decision on how --

8 [REDACTED] It is.

9 SR. PROJECT ENGINEER BARBER: -- how
10 strongly you feel about something. How would you feel
11 if somebody else felt that way? I mean, what if it
12 was the operator telling you, "I'm not starting the
13 plant up"? And he's telling you that, and he's
14 saying, "I don't care what you tell me. I don't care
15 what management says. If you want to start it up, you
16 do it without me. You get me a relief."

17 [REDACTED] I don't want to be in that
18 situation.

19 SR. PROJECT ENGINEER BARBER: It could
20 happen, though, couldn't it?

21 [REDACTED] So, you know, take another
22 extreme, for example. In the paper there was an
23 article about, you know, the letter from the NRC to
24 Mr. Furland, and Mr. Furland's response, and the paper
25 basically painting three positions. TC

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1 They painted the NRC's position, PSE&G's
2 position, and then they also included the -- there was
3 another group led by a fellow named Norm Cohen, and
4 his position was immediately shut down all three
5 reactors, because everything is dangerously unsafe.
6 And that's an extreme position, right?

7 The response from the NRC spokesperson
8 was, "Well, we're concerned with what's going on down
9 there, and we do need to understand the impact. But
10 it's not -- it's not an imminent threat to safety."

11 So, I mean, that's kind of where you're at
12 with -- when you're talking about tech spec
13 instrumentation, and if you're below the minimum tech
14 spec instrumentation that you need to be able to start
15 up, tech specs tells you what you need to do. That's
16 pretty cut and dry. And would I take a stand on that?
17 Absolutely. Absolutely.

18 If someone tried to tell me to start the
19 reactor up with less than what's allowable by tech
20 specs, I would not do that. And I'm real clear that,
21 you know, I've got protection by way of, you know, the
22 Code of Federal Regulations and other -- you know,
23 other avenues that would support me in that -- support
24 me in that decision.

25 But, you know, it gets a little bit grayer

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1 when you do have the minimum, and you're -- you know,
2 you're meeting that requirement, you're above that
3 requirement. And there are some people who would say,
4 "Well, geez, you need to have everything operable."
5 Everything in the plant ought to be fixed. There
6 ought to be no leaks coming out of a refueling outage.
7 Everything should be perfect, but it's not that way.

8 So that, you know, there's a lot -- a lot
9 of extremes here. If I really felt that there was --
10 that there was an imminent threat to nuclear safety,
11 or radiological safety, even if I did meet tech spec
12 minimum for whatever, and that the plant shouldn't be
13 started up, I would -- I would make a stand on that.

14 SR. PROJECT ENGINEER BARBER: Okay.

15  And I -- I don't see that as
16 a -- you know, an imminent threat to plant safety,
17 being one above the tech spec minimum. 7C

18 SR. PROJECT ENGINEER BARBER: What if you
19 were -- if you take like -- if you look at your
20 instruments, you say you've got four SRMs. Let's say
21 you only had three or four, one of -- and one of them
22 is spiking. So even -- the operability, that was
23 questioned. You need six of eight IRMs. Let's say
24 you have six (inaudible), you have two (inaudible).

25 And say APRMs, you have 12, 16 -- 16 LPR

1 inputs to APRMs that are not -- that are not operable.
2 And then you have five control rods or what -- that
3 have excessive rod speeds. And then you have a whole
4 series of balance of plant problems that are
5 unaddressed that have the potential to effect the
6 ability of the controls -- control the steam load
7 during the startup. Would you feel comfortable
8 starting up under those circumstances?

9 [REDACTED] I think that's a leading
10 question.

11 (Laughter.)

12 SR. PROJECT ENGINEER BARBER: Yes, I -- I
13 -- if you don't understand the question, or, I mean --

14 [REDACTED] I don't.

15 [MR. KEENEN:] What's the -- is there a way
16 to rephrase that to clarify it for [REDACTED] Because I --
17 it seems like you threw a lot -- a number of things
18 out there. TC

19 SR. PROJECT ENGINEER BARBER: Okay. All
20 right. The source range -- the source range -- number
21 of channels for source range is at the tech spec
22 minimum. The number of source channels for
23 intermediate range is at the tech spec minimum.
24 There's an impact on APRMs with -- that's impacting
25 tech specs, and you have a series of other problems.

1 And it's -- it's just related to what we
2 were just talking about. We were just talking about,
3 well, how the -- your comfort zone for doing a
4 startup.

5 [REDACTED] Yes.

6 SR. PROJECT ENGINEER BARBER: I mean, I'm
7 giving you a for instance. I mean, is this something
8 that would cause some concern?

9 [REDACTED]: Sure. Sure. Yes. At some
10 point what happens is, you know, you start looking at
11 a minimum here, a minimum here, a minimum here, a
12 minimum here, and then I've got these other problems.
13 And when you look at it in aggregate --

14 SR. PROJECT ENGINEER BARBER: In the
15 aggregate.

16 [REDACTED] Yes. In aggregate, then it
17 -- it is different than looking at each one
18 specifically.

19 SR. PROJECT ENGINEER BARBER: Would you be
20 surprised if I -- if I said that the plant started up
21 in September with that exact configuration?

22 [REDACTED] No. That's -- that's why I
23 said I thought that was a leading question, because I
24 -- I kind of thought that that's what you were -- that
25 you were painting a previous picture that, you know --

1 SR. PROJECT ENGINEER BARBER: Well, you
2 weren't involved with the startup, so you're not --
3 you know, you weren't involved, right? So -- so it's
4 not -- what I was trying to get an understanding of is
5 what you do when you're, as Eileen said earlier,
6 you're in the gray area. You know, you're not -- you
7 know, there's always margins, and there's a matter of
8 how much margin you have.

9  Yes.

10 SR. PROJECT ENGINEER BARBER: But what --
11 there are certain times when things are at minimums,
12 and minimums in a number of different ways. And at
13 some point if somebody expresses concern, they've got
14 to feel they have an avenue. They've got to have a
15 recourse. They've got to think they want to -- think
16 they would be listened to.

17 And so that's what I was trying to
18 understand -- first of all, how you would deal with
19 the situation, and then how you would deal with an
20 operator that felt uncomfortable with the situation.

21  Yes. So generally, I would
22 -- I would do my own, you know, independent look at
23 what the -- what the concern is, what the person is
24 telling me. And what really gets me thinking is if --
25 especially if there's more than one operator that's

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1 expressing the same thing, right, because then I'm not
2 just dealing with one person's opinion. There's --
3 there's two people.

4 And I would be talking with -- you know,
5 with [REDACTED] and with the ops manager, and saying, "Hey,
6 here's -- here's the situation that we're in. Here's
7 the potential risks as I see them. Here's the input
8 that I'm getting from -- from the control room
9 operators." And, you know, we'd make a decision.

10 And I would advocate whatever -- whatever
11 position I chose, I would advocate that position. And
12 whichever way we decided to go, I would -- I would go
13 back to my NCOs, my control room operators, and -- and
14 talk to them about why we're doing it the way that
15 we're doing it.

16 SR. PROJECT ENGINEER BARBER: Okay.

17 [REDACTED] And, you know, they -- they
18 may be okay with that; they may not be okay with that.
19 There are times when we make decisions that they don't
20 agree with. And that happens. That happens.

21 SR. PROJECT ENGINEER BARBER: You know,
22 one of the things that we talked about earlier on was
23 we talked about some changes that took place in like
24 the '99 and 2000 timeframe. We're kind of moving
25 forward in time.

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1 Was there any -- in your experience and
2 what you've seen over these -- over the years since
3 then, has there been any discussion or -- or talk
4 about the effects of deregulation, economic
5 deregulation of the -- of the utility industry and
6 what the impacts are in the way you operate the
7 station? Has there been any -- anything that you've
8 noticed that you could -- you could attribute a change
9 to that?

10 [REDACTED] Yes. When I made my list of
11 things that have changed, I omitted that, not
12 intentionally. But that's -- that has been a pretty
13 significant change in -- within the industry. As far
14 as the specifics of what -- what that has caused for
15 us, a lot more -- I would say there's a lot more
16 emphasis on our communications with the trading floor.

17 That was something -- that's something ^{7C}
18 really that's new since we went to -- to deregulation.
19 Before we always just dealt with the system operator,
20 and now there's two distinct entities there -- you
21 know, one being the trading floor and the other one
22 being the system operator. And then there's also
23 (inaudible) with, you know, how you -- how you deal
24 with each.

25 So you've got to be careful, you know,

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1 about the information that you provide and the timing
2 of the information. I would -- I would say that there
3 -- there has been a little bit more emphasis on
4 production as a result of deregulation.

5 Outage -- we've spent a lot of time and
6 effort into, you know, managing and controlling our
7 outage scope and making our outages as short as
8 possible, and being real picky about what things we
9 work in an outage, like basically the philosophy is
10 you only do the things that you have to in an outage.
11 And anything that you can do online you do online.
12 And that -- that I believe is -- you know, is a result
13 of, you know, deregulation.

14 What else?

15 SR. PROJECT ENGINEER BARBER: Has it
16 changed the way that -- that individuals interact with
17 each other, either from the management to staff level
18 or -- or, you know, ops management to maintenance or
19 -- do you see any changes in that regard?

20  There has been some specific
21 changes with -- with the communications to the trading
22 floor of planned power maneuvers and -- and the
23 schedules and the profiles for that. And that
24 involves the reactor engineers and work management and
25 the ops -- ops work control -- work control SROs.

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1 They all get involved in that.

2 I'm not sure that's -- you know, that's
3 what you were asking about as far as --

4 SR. PROJECT ENGINEER BARBER: No. I was
5 -- really more kind of the way that -- the way you
6 interact, whether it's with -- between yourself and
7 Maintenance, yourself and your operations management,
8 what the -- you know, what the -- you know, what the
9 effect of that has been.

10 Is there something -- you know, if you
11 were to move back in time to before deregulation and
12 think about how -- the way the different groups
13 interacted, and compare it to the way they're
14 interacting since deregulation, has there been a
15 significant change in the way decisions are made --
16 you know, what the priorities are, things like that?

17  Here's what I think. I think
18 that the deregulation drove the changes in the
19 organizational structure and the processes, because we
20 basically -- I mean, the whole company, all of PSE&G,
21 restructured. And along with that the nuclear --
22 nuclear restructured. 7C

23 You know, we were the Nuclear Business
24 Unit for a while, and it -- in with that we changed
25 our organizational structure and our processes,

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1 including work management. And as, you know, the
2 change with the management information system, the SAP
3 figures into that as well.

4 So -- so what I would say, I mean, that's
5 a great question you're asking. But I think what
6 happened is deregulation drove those other changes,
7 and then those other changes did change the way that
8 we interact with each other and the way that --
9 reporting relationships, organizational structure,
10 and, you know, processes, and that type of thing.

11 SPECIAL AGENT NEFF: Along with in this
12 time period where you're feeling the effects of
13 deregulation, and more emphasis, you had indicated, on
14 -- on production and how you manage your outages to --
15 to fit the most into an outage, with that, what's
16 communicated to you by your management chain, by your
17 operations management and your senior management, in
18 terms of a safety conscious work environment message?

19 What -- what -- are you getting anything?
20 Any communications to you from -- from that end?

21  Yes. Yes. I would say that
22 the safety conscious work environment and the
23 importance of placing nuclear safety and industrial
24 safety and radiological safety over production, that
25 has always been -- been clearly communicated, and I

1 would say communicated on a regular basis, too.

2 And -- and throughout the deregulations,
3 I don't -- I don't see that that message has ever
4 changed -- ever changed. I mean, it's been our -- you
5 know, in our -- our mission statement for -- for some
6 time, and that hasn't changed.

7 But in a lot of different communications,
8 you know, whether it be paper, you know, the -- what
9 do you call it? The outlook. I think that message
10 has been pretty consistently communicated and
11 reinforced over the last couple of years.

12 I really think that the -- you know, some
13 of the problems that we've talked about over the last
14 couple hours is more along the lines of, you know, not
15 really changing philosophy, but just problems --
16 problems with getting through changes and making
17 things work smoothly, and everybody understands what
18 they're supposed to do and what their role is and how
19 the process works. And everything clicks real
20 smoothly, you know, like -- like a nicely integrated
21 machine.

22 The changes there that were driven by the
23 deregulation I believe are at the root of, you know,
24 some of our performance issues. But I -- like I said,
25 I don't think -- in my mind that message hasn't --

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1 hasn't changed over the years.

2 SPECIAL AGENT NEFF: The message and --
3 and, in practice, do you believe that's -- overall
4 that's what you're seeing in practice as well, in
5 spite of some of the problems that we talked about?

6 [REDACTED] I think there's -- there's
7 probably -- there's been some opportunities where we
8 -- we did things, like the one that you just talked
9 about with the startup. So that -- and that's
10 something that I've heard from, you know, the
11 operators at times. They find that frustrating. When
12 you say one thing, and this is the message that you
13 put out to us, but then this is what you do. And they
14 see that as a conflict. 7C

15 So I -- there's -- there's been times when
16 maybe we were not consistent in our actions. You
17 know, our words were not consistent with our actions,
18 and that's probably at least one example of that.

19 SPECIAL AGENT NEFF: When you talked about
20 having reviewed in the paper recently the NRC letter
21 to Mr. Furland regarding the work environment, PSEG's
22 response to that letter, and then what you had
23 described as an extreme position by -- taken by
24 (inaudible) Salem, where do you -- do you align
25 yourself with any one of those three positions? Are

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1 you -- are you looking at them and seeing one as more
2 valid than the other?

3 [REDACTED] I thought that the newspaper
4 article was very well written and presented a balanced
5 -- I thought it was interesting, the approach that
6 they took. 7C

7 I read the NRC letter a couple times, and
8 my reaction was that it was -- it was accurate and on
9 the money. And I don't really have an issue with --
10 with that position. I don't -- you know, I think that
11 it's accurate.

12 I also thought that it was a little bit
13 late, and my initial reaction was, you know, geez,
14 probably could have used this about a year ago. But
15 better -- you know, better late than never to look at
16 it, make sure we understand -- you know, we understand
17 what the consequences were of our past issues that
18 we've had and the impact that that has had on the
19 workers and, you know, what do we need to do to make
20 sure that we're okay going forward? I think that
21 that's -- that's very valid.

22 And then, the -- immediately shut down all
23 three nuclear units -- I'm not aligned with that
24 position. I think that that's an extreme position
25 that's without merit. But it's America, so they're

1 entitled to their piece of the press.

2 SPECIAL AGENT NEFF: The -- in terms of
3 corrective action I guess is probably the best way to
4 put it, but if the letter came late, but there's
5 things that can be addressed, what would -- how do you
6 see what PSEG can do to correct what's there to
7 correct?

8 [REDACTED] Gosh. Well --

9 SPECIAL AGENT NEFF: And have they done
10 anything? I mean, are you aware of anything being
11 done?

12 [REDACTED] Yes. I mean, I do believe
13 that the changes that have been made with backing away
14 from one-site philosophy, going back more towards a
15 unitized structure --

16 SPECIAL AGENT NEFF: Okay. So this six
17 months or so ago has -- has started to address.

18 [REDACTED] Yes. I think that we're just
19 beginning to see the dividends of that. And in the
20 short period of time that's been in effect, I -- it
21 seems to me that it has improved things. So that's
22 good. TC

23 There has -- there has been some
24 significant changes in management team, too, from top
25 to just above my boss' level. And I'm pretty

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1 encouraged with -- with that, too. The interactions
2 I've had with the new OM and the new plant manager
3 have been very positive.

4 They're spending a lot of time with --
5 with the people and listening to what they have to say
6 and taking action, and doing a lot with, you know,
7 around fixing the plant. So that's having a positive
8 effect, that -- I can see it, and I can -- I'm hearing
9 it from my -- my people.

10 And then, [REDACTED] seems to have a
11 pretty basic philosophy that -- that I think is good.
12 You know, he's part of the changes in the management
13 team. I haven't really had much interaction with [REDACTED]
14 just a couple brief meetings. I've listened to him
15 talk. But he's very down to earth and, you know, he
16 seems to be -- seems to be keeping us pointed in the
17 right direction. TC

18 So those are things that we've done. I
19 guess the hard part of that question is, you know,
20 what -- what can we do in the future? And I don't
21 know, I -- I do believe that if we can -- if we can be
22 consistent in the actions that we're taking and show
23 the workers that we are sensitive to their concerns,
24 and that -- and not just tell them that, but actually
25 show them that we're doing stuff to address them and

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1 fix them or make them go away or, you know, do
2 whatever it is that needs to correct the issue, and
3 then make sure that they're aware of it and they
4 understand what we did, and that that did satisfy
5 their concern, I think that's -- you know, that's a
6 lot of the work that we need to do is to -- is to just
7 show, you know, by our actions that we're doing that.

8 SPECIAL AGENT NEFF: Okay.

9 [REDACTED] I'm not sure what else. The
10 action plan will be out in 20-some days.

11 SPECIAL AGENT NEFF: Yes. Yes, I guess.

12 The --

13 [REDACTED] So that -- that'll be -- I
14 haven't been asked specifically to input into that.
15 That -- that could be coming soon. I mean, I wouldn't
16 be surprised. Actually, I have a meeting with [REDACTED]
17 [REDACTED] in two hours to talk about some stuff, and that
18 may be one of the things that we talk about.

19 The VPs are going around talking to all
20 the workers over the -- I know they're doing it today.
21 They may have started yesterday, but they're basically
22 meeting with everybody on site to talk about the
23 issues and, you know, the letter from the NRC, and to
24 reinforce the importance of having a safety conscious
25 work environment.

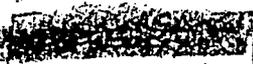
TC

1 SR. PROJECT ENGINEER BARBER: Are you --
2 SPECIAL AGENT NEFF: Well, then, having
3 spent three hours with us should work to your
4 advantage in --

5 (Laughter.)

6  Yes.

7 SR. PROJECT ENGINEER BARBER: Have you
8 been able to talk to him as a part of a group? Is
9 that what it is?

10  Yes, it's a shift manager
11 meeting. And I think Salem will be there as well as
12 the Hope Creek managers.

13 SPECIAL AGENT NEFF: Okay. I'm pretty
14 close to the end, but what I'd like to ask you is, I
15 mean, you did spend a considerable amount of time with
16 us, and you've seen the kind of issues that we're
17 going over, and the kind of issues that we're
18 exploring. Are we missing anything that we should be
19 aware of, anything that you'd like to make us aware
20 of, or do you have any other outstanding concerns that
21 we haven't addressed?

22  I think -- I think you're on
23 the mark, and I -- I don't -- I cannot think of
24 anything that you're missing. And I do not have any
25 concerns that are unaddressed at this point.

7C

1 SPECIAL AGENT NEFF: Okay. All right.
2 Well, then, I just have a few basic closing questions
3 for you. Okay?

4 MR. KEENEN: Can we take a quick break
5 from the record, and maybe we could talk and see if
6 there's anything else we'd like to add before you
7 close?

8 SPECIAL AGENT NEFF: I think that would be
9 -- that would be a good idea.

10 MR. KEENEN: Okay.

11 SPECIAL AGENT NEFF: We can do that. It's
12 approximately 3:03 p.m.

13 (Whereupon, the proceedings in the
14 foregoing matter went off the record at
15 3:03 p.m. and went back on the record at
16 3:14 p.m.)

17 SPECIAL AGENT NEFF: Okay. We're back on
18 -- it's approximately 3:14 p.m. -- after a brief
19 break.

20 You were going to go to some technical
21 issues, Scott. So you might as well go ahead with
22 that.

23 SR. PROJECT ENGINEER BARBER: Okay. Just
24 a couple of quick technical questions. Did you -- do
25 you have any knowledge or involvement of a couple

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1 incidents around the March 2003 timeframe? One was
2 related to an issue with the turbine bypass valve
3 where it stuck in about a half open position, and then
4 there was subsequent activity to -- to take the unit
5 offline, kind of an unusual alignment, and there was
6 a reactivity management problem. Were you involved
7 with either one of those issues, either on shift or in
8 a support role for either one?

9 [REDACTED] I was not actually on -- on
10 shift for that. I am familiar with the event. We
11 studied it at -- you know, at length as a, you know,
12 case study/lessons learned type of thing.

13 SR. PROJECT ENGINEER BARBER: Okay.

14 [REDACTED] And so I am -- you know, it's
15 been a while since I looked at it, but I am familiar
16 with the basic details of what happened.

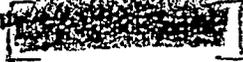
17 SR. PROJECT ENGINEER BARBER: Do you have
18 any insights or anything that you specifically want to
19 share, since you weren't maybe directly involved? Is
20 there anything that you felt that either was handled
21 really well or poorly, or anything else that you felt
22 you wanted to share on either of those two issues?

23 [REDACTED] Hmm. Well, that was -- that
24 was a significant event for us as a station. And I
25 think we did good in -- you know, after we -- after we

1 -- I think we were a little bit slow at first to
2 really understand the significance. And there was a
3 small delay in communicating it up the management
4 chain.

5 And -- but, you know, once we -- we got
6 past that, we did good at communicating the
7 significance of it, and, you know, learning from it.
8 We did a lot with, you know, in training talking about
9 it, and a lot of -- a lot of effort spent on really
10 looking close at the decision-making, you know,
11 surrounding the procedure to shut the plant down,
12 basically wrote a new procedure, and how we went about
13 validating that procedure. And just really trying to
14 -- trying to learn as much as we could from what --
15 what we could have done better with that. So I'd say
16 that part was done good.

17 SR. PROJECT ENGINEER BARBER: Do you have
18 any firsthand knowledge or any special insights of
19 either one of those activities or issues that you want
20 to share? Or was most of what you have to share from
21 -- from your perspective, is it more based on what you
22 either heard through training or -- I mean, is there
23 anything unique that you would -- that you could add?

24  I don't believe so. I mean,
25 it's -- my insights from that are, you know, what I

1 learned from -- from training and from analyzing the
2 types -- the tapes. I looked at the traces for the --
3 you know, the different critical parameters.

4 I did get involved by way of [REDACTED]
5 [REDACTED] saw me at training, and we started
6 talking about that. And he asked me what I thought --
7 what I thought about it. I forget what we had. I
8 think we had a writeup, like a one-page writeup about
9 what had happened. And that was how I learned that we
10 were -- we were slow communicating it up the -- you
11 know, the management chain. That was at the Training
12 Center in the cafeteria. 7C

13 And he asked me -- he asked me to
14 independently look at that and tell him what I
15 thought. And I -- and I --- which I did. And my
16 insights to him were that I was -- I was surprised
17 that there was a delay in communicating it, and, you
18 know, that it looked like something that was, you
19 know, pretty significant and warranted further -- you
20 know, further investigation, like we have what we call
21 a TARP team, which will get people from Maintenance,
22 Engineering, you know, Licensing, whoever we need for
23 whatever specific problem we have. And then they all
24 get together and they'll look real close at the
25 circumstances around the event.

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1 And then he -- he asked me to call -- it
2 was kind of strange, because he -- he basically asked
3 me to call -- I think he asked me to call [REDACTED]
4 and give [REDACTED] the same insights that I had just given
5 him.

6 So the strange thing was that instead of
7 him doing it, he had me call [REDACTED] and tell [REDACTED] that I
8 had been talking with [REDACTED] and that [REDACTED] had looked at
9 this and I had looked at this, and [REDACTED] had asked me
10 what I thought about it, and this is what I thought
11 about it, and then I told [REDACTED] that. So that was a
12 little bit unusual.

13 SR. PROJECT ENGINEER BARBER: Did you look
14 at the sequence of the way things unfolded? It sounds
15 like you're primarily focused in on the reactivity
16 management event, not so much the turbine bypass
17 valve. That kind of led into it, but it -- what
18 happened with that and the way that was communicated
19 within the organization, and the delay and things of
20 that nature. What about the actual event itself? Did
21 you have anything -- I mean, was there something you
22 shared out of that? Or was this --

23 [REDACTED] Oh, when the valve actually
24 was stuck part way open?

7C

25 SR. PROJECT ENGINEER BARBER: Yes.

1 [REDACTED] No. What I was sharing with
2 you was after that. That was like the reactivity
3 event that followed during the plant shutdown.

4 SR. PROJECT ENGINEER BARBER: Right. That
5 went -- power went from like six or seven to like 14
6 or 13 or --

7 [REDACTED] Yes.

8 SR. PROJECT ENGINEER BARBER: -- 13 or 14?

9 [REDACTED] Yes.

10 SR. PROJECT ENGINEER BARBER: Okay. Okay.

11 SPECIAL AGENT NEFF: Now, was your focus
12 on what caused that excursion? Or was -- was your
13 focus on what caused the delay in reporting that, the
14 fact that it had occurred? Or was it both?

15 [REDACTED] From what I remember, he was
16 really looking for me to give him an independent read
17 on how significant of an event or issue was it. And
18 I -- what I was looking at -- I know I had a writeup,
19 you know, like words to describe the event. And I
20 can't remember if I had the charts at that time, the
21 graphs that showed like power pressure level. I may
22 have had them. I know I looked at them shortly
23 thereafter, if I didn't have them at that point.

24 And he just was tell me -- he asked, "Tell
25 me what you think." I said it looked good, looks like

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1 that was pretty significant and would warrant some
2 additional investigation, so that we're real sure we
3 understand what happened.

4 SPECIAL AGENT NEFF: Okay. And did that
5 occur, then?

6 [REDACTED] Oh, yes.

7 SPECIAL AGENT NEFF: A TARP team on it?

8 [REDACTED] I -- I don't know for sure if
9 that -- if they used the TARP process to do it. But,
10 I mean, there was big -- a pretty decent investigation
11 after that on the details of, you know, what happened
12 and why it happened and what we did.

13 SPECIAL AGENT NEFF: Okay. Do you have
14 anything further?

15 [REDACTED] See, because what happens is
16 when you're in -- when you're in an outage, it's a
17 little different process. We may not have actually
18 used a TARP team to do that. TC

19 SPECIAL AGENT NEFF: Okay. Anything else
20 to add on that?

21 SR. PROJECT ENGINEER BARBER: No, thank
22 you.

23 SPECIAL AGENT NEFF: Technical issues?
24 Are you -- are you done?

25 SR. PROJECT ENGINEER BARBER: We talked

1 a little bit about the off-gas issue. Did you have
2 anything else you wanted to share as far as you said
3 that there were times when the limit was increased.
4 You mentioned 75, and then you said it was increased,
5 and then you kind of portrayed it as maybe a -- on a
6 couple of occasions. Do you have any other insights
7 or anything else you wanted to share on that event or
8 that issue?

9 [REDACTED] Yes. I believe it was -- it
10 was increased at least once. I know that for sure.
11 When we went above 75, we increased to -- I'm pretty
12 sure that it was increased again.

13 SR. PROJECT ENGINEER BARBER: Did anyone
14 on [REDACTED] express any concern with multiple
15 increases in the load, that that --

16 [REDACTED] Yes. We talked about that.
17 We talked about that as a crew, and we talked about
18 why -- you know; why is it okay to keep operating and
19 what -- what are we going to do about it? We
20 ultimately ended up revising the procedure. We ended
21 up revising the procedure after looking -- you know,
22 looking at the technical basis for the number, is how
23 I remember that -- that going.

24 SR. PROJECT ENGINEER BARBER: Okay.

25 [REDACTED]: But I do remember, you know,

1 talking about it with the NCOs.

2 SR. PROJECT ENGINEER BARBER: Okay.

3 That's it.

4 SPECIAL AGENT NEFF: That's it, then?

5 SR. PROJECT ENGINEER BARBER: Yes. Thank
6 you.

7 SPECIAL AGENT NEFF: I'm going to go into
8 my closing questions, unless you have something else
9 you'd like to add.

10 [REDACTED] One other thing I'll share
11 with you, when we were talking about [REDACTED] And some of
12 the -- one of the philosophies that he had talked to
13 us about in a -- in a meeting or a presentation was he
14 drew a graph of -- I guess maybe it would be easiest
15 for me to draw it on the board. That's -- can I do
16 that?

17 SPECIAL AGENT NEFF: Sure, if you want,
18 and we'll just give a description of it.

19 [REDACTED] It was something like this
20 where the X-axis was productivity or performance, and
21 then on the Y-axis this was --

22 SPECIAL AGENT NEFF: You know what, [REDACTED]
23 Can you do me a favor? Can we put it on paper?

24 [REDACTED] Yes.

25 SPECIAL AGENT NEFF: Let's do it that way,

1 and then I don't have to awkwardly describe what it is
2 for the record. If you can do it on a piece of paper
3 for us, then we can all take a look at it.

4 And you know what? We'll take a quick
5 break off the record while you do that. It's 3:26.

6 (Whereupon, the proceedings in the
7 foregoing matter went off the record at
8 3:26 p.m. and went back on the record at
9 3:29 p.m.)

10 SPECIAL AGENT NEFF: It's approximately
11 3:29 p.m. after a quick break.

12 Okay. So you're showing us a chart, and
13 it's an X- and Y-axis graph.

14 [REDACTED] So this -- this is basically
15 a representation of something that [REDACTED] had drawn like
16 on a white board at the Training Center during --
17 during a meeting.

18 SPECIAL AGENT NEFF: What timeframe was
19 this?

20 [REDACTED] I do not -- I do not recall.

21 SPECIAL AGENT NEFF: Can you go to a year
22 or --

23 [REDACTED] I would say longer than a
24 year, within the last two, though.

25 SPECIAL AGENT NEFF: Okay. 7C

1 [REDACTED] And basically, what it was
2 showing us --

3 SPECIAL AGENT NEFF: Was he [REDACTED] at
4 the time?

5 [REDACTED] Yes.

6 SPECIAL AGENT NEFF: Okay.

7 [REDACTED] Yes. And what he was showing
8 us was -- and I've seen this before, like in a
9 textbook. But what he was showing us was that to --
10 as you raise a person's stress level, their
11 performance initially goes up. And that, you know,
12 there is some optimum place on the curve where you
13 want people to have a certain level of stress. 7C

14 And he -- he told us that this is his
15 philosophy. And so sometimes I think, though, we
16 ended up over here at times, and, you know, got on the
17 steep side of that curve. But I -- I just -- I
18 remember real clearly him showing us that and talking
19 about that management philosophy and drawing the
20 picture.

21 And I -- I think that, you know, I told
22 that he -- the way he had me handle that situation
23 with the -- the bypass valve and the reactivity event,
24 I think that sometimes the reason he did those -- that
25 type of thing was to -- you know, because of this

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1 philosophy.

2 SPECIAL AGENT NEFF: And what was he
3 driving toward with that? You're talking about when
4 he had you analyze it and then feed that through to

5

6 [REDACTED] Yes. A different period of
7 time when he shared this with us and when he, you
8 know, had me do that. But what I was saying was I
9 think sometimes the reason he did something like that,
10 which was a little bit -- I told you that that seemed
11 unusual, a little bit different, was to try and -- you
12 know, that was kind of like the philosophy is that if
13 you keep people a little bit off balance, then maybe,
14 you know, have them do things that they wouldn't
15 normally do, or handle things differently than they
16 would normally, to raise their stress level, then you
17 can increase performance by doing that. TC

18 SPECIAL AGENT NEFF: How do you think that
19 philosophy fits with running a nuclear plant? Keeping
20 people's stress levels high and keeping them off
21 balance and having them do things differently than
22 they normally do? I have to point out for the record
23 you sort of chuckled there. It won't pick that up,
24 but I -- I'm just looking for your assessment of, how
25 does that philosophy fit in with -- as it was applied

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1 to you, how did you feel?

2 [REDACTED] Yes. The reason I chuckled
3 was because I thought it was -- initially when you
4 were saying it, it was a little bit of a leading
5 question. But the -- I will tell you how I feel about
6 it. I think that there is some validity to that, in
7 that if you make things super easy for people, and
8 that there is a zero stress environment, that you're
9 probably down lower on the performance and
10 productivity curve than you should be, and that there
11 needs to be some. 7C

12 So it's debatable as to where on this
13 curve is the ideal place to be, specifically to -- to
14 operating a nuclear plant. Some of it is unavoidable.
15 There has to be some. People have to understand that
16 there is consequences for, you know, not following the
17 rule, not following procedures. That there is
18 consequences that if you, you know, don't do the right
19 thing, that you could cause something that would have
20 an adverse effect on nuclear safety, industrial
21 safety, radiological safety.

22 But sometimes I felt like we operated on
23 the wrong side of the curve, like we were -- were on
24 the back side, and there was too much. Too much.

25 SR. PROJECT ENGINEER BARBER: So what

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1 you're describing --

2 [REDACTED] That's my opinion.

3 SR. PROJECT ENGINEER BARBER: -- is
4 there's some amount of stress that a person might have
5 to perform at their optimum level. But if you -- if
6 you impose additional stress, in fact, it has a
7 negative effect. You get -- actually get less
8 production.

9 [REDACTED] And it drops quick.

10 SR. PROJECT ENGINEER BARBER: And it's
11 just -- you just feel stressed.

12 [REDACTED] Yes.

13 SR. PROJECT ENGINEER BARBER: You just
14 feel the additional stress, but it's not beneficial.

15 [REDACTED] Right.

16 SR. PROJECT ENGINEER BARBER: Okay.

17 [REDACTED] Right.

18 SR. PROJECT ENGINEER BARBER: And that's
19 what you described, that we were on -- at times you
20 were on that opposite side of that -- of the curve.

21 [REDACTED] Yes. K

22 SR. PROJECT ENGINEER BARBER: Okay.

23 SPECIAL AGENT NEFF: Is this a philosophy
24 -- this philosophy that you're describing is something
25 that you feel now? I mean, you're showing where you

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1 said the steep side of the curve is where you
2 sometimes felt you were. Is this something that you
3 have in place now?

4 [REDACTED] I would say it -- it comes
5 and goes. You know, I mean, for me personally, that's
6 -- I think that is a very -- it's very different for
7 different people, and that, you know, everybody has a
8 different capability for how well they handle stress.

9 For me, I would say that recent -- you
10 know, recently over the last few months we've -- I
11 have not felt that way, although there have been bad
12 days, you know, days when things aren't going right,
13 where, you know, the stress level is high.

14 MR. KEENEN: Could I ask a question about
15 this? Shouldn't stress be down here and performance
16 productivity up here? Because if you increase stress,
17 although you get performance productivity increased to
18 a point, and you continue to increase stress, and then
19 it drops.

20 [REDACTED] You're right.

21 SR. PROJECT ENGINEER BARBER: That's what
22 I was -- I was struggling with. I kept looking at it.

23 [REDACTED] You're right.

24 MR. KEENEN: The Engineering in me was
25 going to (inaudible). TK

1 SR. PROJECT ENGINEER BARBER: I was
2 looking at it as an X/Y function.

3 [REDACTED] You're right. You're right.
4 You're right.

5 SR. PROJECT ENGINEER BARBER: So you just
6 -- we reversed the axes. The philosophy is still the
7 same.

8 MR. KEENEN: Right.

9 [REDACTED] Yes.

10 SR. PROJECT ENGINEER BARBER: I mean, I
11 understood it when you were describing it. Just -- we
12 just have to --

13 [REDACTED] My curve didn't match my
14 words. My words were correct; the curve is --

15 SR. PROJECT ENGINEER BARBER: Okay.

16 SPECIAL AGENT NEFF: Okay. Anything
17 further on that, Scott?

18 SR. PROJECT ENGINEER BARBER: No.

19 SPECIAL AGENT NEFF: Anything else?

20 [REDACTED] No.

21 SPECIAL AGENT NEFF: Okay. I have a 7C
22 couple of closing questions for you, then. Have I or
23 any other NRC representative offered you any promises
24 of reward or threatened you in any manner in exchange
25 for today's information?

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[REDACTED]: No.

SPECIAL AGENT NEFF: Okay. Have you appeared here freely and voluntarily?

[REDACTED]: Yes.

SPECIAL AGENT NEFF: Okay. We covered that we have nothing further to add. So at this time, which is 3:36 p.m. approximately, we'll conclude the interview. And I would like to thank you for the substantial portion of your time, for both of you.

[REDACTED]: You're welcome.

SR. PROJECT ENGINEER BARBER: Thank you. *K*

(Whereupon, at 3:36 p.m., the interview was concluded.)

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