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1 UNITED STATED OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

3 + + + + +

4 OFFICE OF INVESTIGATIONS

5 INTERVIEW

6 _____x

7 IN THE MATTER OF: :

8 INTERVIEW OF : Docket No.

9 [redacted] : 1-2003-051F

10 (CLOSED) :

11 _____x

12 Tuesday, December 16, 2003

13

14 Salem, New Jersey

15

16 The above-entitled interview was conducted

17 at 5:10 p.m.

18

19 BEFORE:

20

21 Special Agent Eileen Neff, NRC/RI/OI

22

23 Also Present:

24 SCOTT BARBER, NRC/DRP, Senior Project Engineer

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

2 (5:10 p.m.)

3 SPECIAL AGENT NEFF: Today's date is

4 December 16th, 2003, and the time is approximately

5 5:10 p.m., and speaking is Special Agent Eileen Neff,

6 Office of Investigations with NRC Region I. Also

7 present is Senior Project Engineer Scott Barber, also

8 from Region I, but Division of Reactor Projects.

9 This interview is taking place with

10 [redacted] Could you spell your last name,

11 please, for me?

12 [redacted]

13 [redacted]

14 [redacted]

15 SPECIAL AGENT NEFF: Thank you, and the

16 interview is taking place in the PSEG Nuclear Training

17 Center, in Salem, New Jersey. The subject of this

18 interview is information regarding the safety

19 conscious work environment at Salem and Hope Creek,

20 and as it has been explained to you before going on

21 the record, you are not the subject of this

22 investigation, and there is no specific potential

23 violation associated with it, and you being approached

24 essentially as a witness regarding this information.

25 Do you understand all of that?

1 [redacted] I understand.

2 SPECIAL AGENT NEFF: Are you here

3 voluntarily?

4 [redacted] I am.

5 SPECIAL AGENT NEFF: Okay. At this point,

6 what I would like you to do is provide some

7 identifying information; your date of birth and your

8 social security number, please?

9 [redacted]

10 and date of birth [redacted] and social security number

11 is [redacted]

12 SPECIAL AGENT NEFF: Okay. Thank you.

13 And I also would like to place you under oath, too,

14 before we go any further. Would you raise your right

15 hand.

16 (Whereupon, [redacted] was sworn.)

17 SPECIAL AGENT NEFF: What I would like to

18 do is cover some background information. Let's just

19 start with your education, okay?

20 [redacted]

21 [redacted]

22 [redacted]

23 [redacted]

24 [redacted]

25 SPECIAL AGENT NEFF: And what position did

All 7C

1 you start in [redacted]?

2 [redacted]

3 SPECIAL AGENT NEFF: Okay. And that

4 changed when?

5 [redacted] I am not going to be

6 very good with dates, but I was a [redacted] for

7 roughly 3 years, and then I became an [redacted]

8 [redacted] and was an [redacted] for roughly 5

9 years, and then I became a [redacted]

10 [redacted]

11 I was a [redacted] for roughly

12 4 years, and then I became an [redacted]

13 SPECIAL AGENT NEFF: And what year was

14 that in, [redacted] you said?

15 [redacted] in [redacted] time

16 frame, and I may have actually gotten my [redacted] in

17 [redacted] and have been an [redacted] since then, and became a

18 [redacted] in April of this year, and actually [redacted]

19 [redacted] in April of this year.

20 SPECIAL AGENT NEFF: Okay. So in your

21 position in April of [redacted] which [redacted]

22 have you been working with?

23 [redacted] [redacted] in

24 systems? Well, [redacted] and [redacted] have

25 been the [redacted] and [redacted] have

All 7C

1 been [redacted] and now [redacted]

2 SPECIAL AGENT NEFF: Okay. So two for

3 each position so far?

4 [redacted] Right.

5 SPECIAL AGENT NEFF: [redacted]

6 [redacted]

7 [redacted] Correct.

8 SPECIAL AGENT NEFF: Okay. And I should

9 point out that all of your experience here on site is

10 from the Salem side?

11 [redacted] Correct.

12 SPECIAL AGENT NEFF: And when we are

13 discussing any of this information it would all be

14 relevant to what you have gotten from the Salem side?

15 [redacted] Correct.

16 SPECIAL AGENT NEFF: Okay. In talking

17 about the safety conscious work environment, there is

18 a lot obviously that goes into that, and in

19 considering that, do employees raise concerns of a

20 nuclear safety nature, and do they do so without fear

21 of retaliation?

22 And when they do raise concerns how are

23 they handled? All the way through decisions that go

24 into -- you know, basic plant operations, what I am

25 asking you to consider is -- and I guess let's go back

1 to 2000, and this would be in your [redacted] time frame.

2 [redacted] Okay.

3 SPECIAL AGENT NEFF: In the past couple of

4 years have you seen any changes in what you consider

5 the safety conscious work environment, and have you

6 witnessed any changes one way or the other, for the

7 better or for the worse?

8 [redacted] I would say that I have

9 not seen any significant changes. I believe there is

10 probably a lot more issues with the plant now that are

11 brought up, only because I feel that the plant is now

12 suffering a little bit from maintenance in some

13 respects, and how we prioritize our work management.

14 That's about it.

15 I mean, I don't see any differences in

16 people's ability or how they bring issues to the

17 table.

18 SPECIAL AGENT NEFF: Do you think that has

19 been regular and consistent?

20 [redacted] Right. I think that

21 from what I see, yes, I think that is the same people

22 that bring up issues and bring them up to the same

23 people, and I get issues brought up to me by my

24 equipment operators, by the NCOs, and deal with them

25 as they come, and if I don't give them satisfactory

1 results, they continue on.

2 SPECIAL AGENT NEFF: And what kind of

3 issues? Can you give me an example?

4 [redacted] Just accepting a piece

5 of equipment back without all of the maintenance being

6 performed, and it is elective type maintenance, and it

7 is not maintenance to maintain the piece of equipment,

8 and bring it back to us, but to make it whole a

9 hundred percent.

10 You know, we may accept some things that

11 we know that we can get in the next work window if we

12 want to bring a piece of equipment back, but none that

13 affect operability of that equipment, but things that

14 we would do, and maybe reduce the outage time on

15 something.

16 There is just a lot of things out there to

17 do, like painting of equipment, or clean up, and stuff

18 of that nature.

19 SPECIAL AGENT NEFF: And so you are seeing

20 an increase in that kind of initiative with

21 maintenance?

22 [redacted] Yes. I would say, yes.

23 SPECIAL AGENT NEFF: And what do you

24 attribute it to? What is different now than how it

25 was before?

1 [redacted] Well, I think that we
2 had a reorganization now that is -- you know, that
3 people are getting comfortable with their positions,
4 and are learning their positions, and I just feel that
5 maybe moving our management around as much as we have
6 over the past couple of years, maybe leadership wise,
7 and direct wise within our departments, we are not
8 working together as well as we could.
9 But we do get things done, and we work
10 together, and the bottom line is that we work to the
11 same schedule.
12 SPECIAL AGENT NEFF: And the leadership
13 positions that you are seeing the movement in, which
14 ones affected this?
15 [redacted] Well, I just think the
16 whole leadership from managers and above, from
17 probably ops manager, and maintenance managers, and
18 VPs, directors, across the site have sort of been
19 moved around and changed.
20 SPECIAL AGENT NEFF: Across the board
21 [redacted] Correct.
22 SPECIAL AGENT NEFF: Okay. Those are
23 issues in terms of maintenance and repairs, and that
24 type of thing. In terms of nuclear safety issues, and
25 if there is an issue regarding plan operability, and

1 tech specs, and things along those lines, (a) have you
2 seen issues like that raised and addressed, and I will
3 ask it in two parts that way.
4 Can you think of an issue along those
5 lines?
6 [redacted] Well, yeah. We had an
7 issue come out of the outage with RHR heat exchange
8 operability, and we have had questions with regard to
9 CFCU operability. We have had Part 21 issues with
10 breakers that we have determined operability through
11 an operability determination.
12 And we have discussed it with appropriate
13 licensing and engineering people, and get that
14 involved, and come up with a decision, and I think it
15 is not made on a one person basis. It is pretty much
16 made with all the input that we could gather.
17 SPECIAL AGENT NEFF: And these issues that
18 you are throwing out there, are they -- what time
19 frame is this?
20 [redacted] This is within the past
21 year or two.
22 SPECIAL AGENT NEFF: Okay. And the issues
23 that you just mentioned, from what you have seen and
24 from what you have witnessed with them, are you fairly
25 well satisfied with how they are raised and handled,

1 and how they are answered?

2 [redacted] Yes. Yes.

3 SPECIAL AGENT NEFF: And are these issues

4 that you have had a direct involvement with?

5 [redacted] Yeah, I mean, there are

6 issues that require SRO approval before we move on,

7 and we accepted it and it goes to SORC (phonetic).

8 Not all operability determinations go through SORC,

9 but most of them will.

10 And they get the review by a committee of

11 on site personnel that are able to educately (sic)

12 question what is being done.

13 MR. BARBER: Can you maybe describe some

14 of the details of those operability evaluations? You

15 mentioned RHR, and --

16 [redacted] Well, there was leakage

17 on the RHR heat exchanger, and the one that was most

18 recently done on Unit 2 with respect to leakage from

19 a gasket. The engineer and the boric acid corrosion

20 ISI got involved.

21 They determined the leakage amount, and

22 the long term effects, and the effects on ECCS leakage

23 in the auxiliary building, and when it would be an

24 issue, and when we would have to do something about

25 it.

1 The required compensatory actions that
2 would be required, and it is a document that you
3 follow procedurally, and make sure that you cover all
4 bases.
5 MR. BARBER: Have you ever felt that some
6 of those -- some engineering decisions were maybe on
7 the weak side, or maybe they covered some of the
8 bases, but not everything?
9 I mean, I don't know about the RHR one
10 would fit that bill, or CFCUs, or --
11 [redacted] We have probably had
12 some operability determinations or answers from
13 engineering that I personally may have questioned, but
14 it wasn't anything that they weren't willing to
15 research and then give me an answer on.
16 MR. BARBER: How does that typically go?
17 Let's say -- and you mentioned the leakage on the
18 (inaudible), and let's say an engineer brings you back
19 some information and says, okay, I think this is what
20 we ought to do, and we ought to do this, this, and
21 this.
22 [redacted] Right.
23 MR. BARBER: And in your own mind, you
24 think, well, that's a good start, but like we need to
25 do these additional things. How does the interaction

1 go? If you really feel like there is something else
2 that is necessary, how do you present that, and what
3 kind of feedback do you get?
4 [redacted] Well, we have a
5 technical issues process that we can follow, and in
6 which anyone that would be involved would be brought
7 into the room, and everyone that could speak to the
8 issue or the problem, and have input, maintenance,
9 engineering, and planning, and operations.
10 They would discuss the issue, and then
11 everyone would break and get some type of information
12 that they would need, and then we would come back and
13 see how the tech issues were resolved, or how we are
14 going to fix it.
15 And them more questions would come about
16 from that second meeting, and then we would break and
17 determine how that would be resolved, and then come
18 back. And then before anything would go on, that
19 problem would be taken care of, or those questions
20 would be resolved.
21 MR. BARBER: Okay. Let's talk some
22 specifics about RHR. What tech specs might apply to
23 RHR?
24 [redacted] Well, you have RHR
25 operability.

1 MR. BARBER: And that is 351, right, or
2 352, depending on what mode you are in, right?
3 [redacted] For ECCS, right.
4 MR. BARBER: Okay. What else?
5 [redacted] You also have the
6 requirements for control and habitability for ECCS
7 leakage outside containment.
8 MR. BARBER: Okay. And a GDC-19 type
9 thing?
10 [redacted] Right. It was
11 determined not to be an ASME leak, and so that would
12 not apply.
13 MR. BARBER: Okay. Now, that is a good
14 point. Now, why do you say that it would not be an
15 ASME leak?
16 [redacted] It is a gasketed
17 surface, and it is not degradation on the ASME vessel
18 itself.
19 MR. BARBER: The pressure boundary you're
20 saying?
21 [redacted]: Right.
22 MR. BARBER: And so it is mechanically?
23 [redacted] Correct.
24 MR. BARBER: And is there something in
25 that tech spec that specifically excludes pressure

1 boundary leakage? I'm sorry, that specifically
2 excludes mechanical joint leakage.
3 [redacted] I don't know. I would
4 have to look at the tech spec. I can't recall right
5 off the top of my head.
6 MR. BARBER: Okay. All right.
7 [redacted] I know that if you look
8 at the ASME tech spec, the ISBLE (phonetic) definition
9 is the first valve from the reactor cooling system,
10 and then thereafter is not considered if it is ISBLE
11 by a valve.
12 MR. BARBER: So that is Code Class I.
13 [redacted] Right.
14 MR. BARBER: And there is also Code Class
15 II, and Code Class III performance, right?
16 [redacted] Right.
17 MR. BARBER: And do you know what RHR it
18 would fall under?
19 [redacted] No, I would have to
20 look at it.
21 MR. BARBER: It is Code Class II.
22 [redacted] All right. (Inaudible)
23 pressure outage is Code Class I, and RHR and your ECCS
24 are all Code Class II, and your cooling water system
25 is like service water, and things of that nature, are

1 Code Class III. Okay.

2 MR. BARBER: Okay. Any other tech specs

3 that you can think of? I mean, I guess I am trying to

4 understand the thought process. So when something

5 like this comes up do you automatically get tech specs

6 out and refer to that, or do you rely on the CRS to do

7 that?

8 [redacted] Well, no, we all get

9 involved and look at it, and come up with what we feel

10 would be applicable.

11 MR. BARBER: Okay. All right.

12 [redacted] I mean, when you feel

13 and when you have reasonable assurance that it is

14 operable, okay, but then degraded, then you are into

15 the operability determination space.

16 MR. BARBER: Okay.

17 SPECIAL AGENT NEFF: And in which you get

18 the information and conclude that it is operable or

19 inoperable. Operable, but degraded, concludes

20 operable. In other words, it is operable for all its

21 functions.

22 MR. BARBER: Okay. For its entire mission

23 time?

24 [redacted] For what we consider,

25 yes.

1 MR. BARBER: Okay. Do you remember how
2 long that was, and what the mission plan was for RHR?
3 [redacted] No, I don't.
4 MR. BARBER: Okay.
5 [redacted] Not specifically I
6 don't, no.
7 MR. BARBER: How about the CFCU issue?
8 What was the nature of the problem there? You
9 mentioned CFCU.
10 [redacted] Well, we have the CFCU
11 valves with when we stroke time them, and sometimes we
12 have varying stroke times that are outside the
13 acceptable range.
14 MR. BARBER: Slow response time?
15 [redacted] Slow response time, and
16 there was a MENSTOP (phonetic) question on all of the
17 SW-65 valves, and with two engineers --
18 MR. BARBER: What are SW-65s? What are
19 they functionally?
20 [redacted] They are the back
21 pressure control valve, which allows flow in the high
22 speed to go to the motor cooler, or low speed, high
23 flow.
24 MR. BARBER: Okay.
25 [redacted] And engineers came up

1 with the issue and they stayed late one evening, and
2 they stayed late one evening, and they went in
3 containment, and they got the data that they believed
4 satisfied reasonable assurance, and it was not an
5 issue that made the fan cooling units inoperable.
6 And developed a plan to get them repaired,
7 and ensured that maintenance plans in the future were
8 repaired, and so when they actually worked these
9 valves, they did the MENSTOP set point on them, and I
10 believe we closed out the last fan cooling unit here
11 recently.
12 MR. BARBER: Okay. Thanks.
13 [redacted] That is just an
14 example, two examples of how the process is working.
15 MR. BARBER: Okay. Do you have any other
16 examples. Do you have any other examples where you
17 have had issues with the way that things have
18 unfolded? It doesn't have to be a big issue, but it
19 could be something even minor where you -- I don't
20 know. Like say brass, and brass tends to be a big
21 issue here.
22 Let's say you had a problem with the
23 position that the plant was in, and the brass
24 conditions, and either start up and shut downs and up
25 powers and down powers?

[redacted] We have been in a position where we have been shut down, and we tripped the plant, and --

SPEECIAL AGENT NEFF: When was this, [redacted] It was 2003, and it had to be the spring of 2003. I believe it was Unit 2. The plant was tripped based on grassing. The restart effort was delayed because we wanted to take some actions at circ water, and there may have been differences of opinion on where we were at with the hardiness of circ water prior to bringing it back.

SPECIAL AGENT NEFF: What was the range on that?

[redacted] The number of circulators that were available, and where we were at with the ones that were not back.

SPECIAL AGENT NEFF: Who was involved in the opinion? I mean, were you on shift or was somebody else on shift?

[redacted] I was on shift. I was on shift, and then anybody that was off shift that would be involved in the start up was there. I mean, it was a forced outage, and so there was a lot of people there. I can't remember who exactly was there.

SPECIAL AGENT NEFF: Where did you come

down on this outage? Where were you and where were others?

[redacted] I thought that we could have waited a little bit longer to get the circulators back.

MR. BARBER: Did you have a certain number that you were looking for?

[redacted] Well, initially we said that we were going to wait until we had a minimum, and we wanted all the circulators back.

MR. BARBER: Okay.

SPECIAL AGENT NEFF: Now, who is we? I'm sorry to do this to you, but --

[redacted] This was between -- I don't remember who my relief was. This was between me and -- I was on shift, and my relief was on shift and this circ water team, which was assembled in the OCC, said that we are going to come up with the six circulators, and I believe it was six, prior to start up.

So we believed that the commitment was six, and I think prior to start up that we were having trouble with the last circulator, and it was either a parts issue, or a maintenance issue that we were waiting on.

1 And we had been through several tide
2 changes, and one of the big things that I wanted to
3 see was how the circ water system handled the tide
4 change, and then once I saw that we handled the tide
5 change without any issues, then I was more
6 comfortable.
7 I mean, I was more towards waiting until
8 the sixth circulator was back, but we went to a tide
9 change, and we had no issues, and the screens handled
10 it, and the screen wash was fine.
11 I felt that the screens that we had were
12 hardy enough to where we could continue with the power
13 ascension.
14 MR. BARBER: Were you at a certain power
15 when you were making this evaluation?
16 [redacted] No, we were shut down.
17 We were just proceeding into the start up.
18 MR. BARBER: How about procedurally? Was
19 there a certain minimum that the procedure would call
20 for?
21 [redacted] It says that circ water
22 is, or the IOP says circ water is in surface, and I
23 believe a minimum of four pumps is what it says.
24 MR. BARBER: Does it actually say that in
25 there?

1 [redacted] I don't know for sure.
2 I would have to look at it.
3 MR. BARBER: But there was a number less
4 than six is what you are saying?
5 [redacted] There may not be. It
6 may just say circulating water is in service in
7 accordance with the operating procedure.
8 MR. BARBER: But if I went to the
9 operating procedure, what would it say? Would it tell
10 me --
11 [redacted] No. Less than two, or
12 if there is one out of service, then you are not in an
13 abnormal procedure. If you have two out of service,
14 then you are in an abnormal procedure.
15 MR. BARBER: Okay.
16 [redacted] So we were not in the
17 abnormal procedure from what I recall, and I don't
18 remember, but I mean there was a lot of -- some people
19 felt that they would rather not start up, and others
20 felt that we were satisfactory to start up. There was
21 definitely a difference of opinion between the group
22 of people that were on-site that evening.
23 SPECIAL AGENT NEFF: And who was thinking
24 that you could start up? Who was satisfied with it?
25 [redacted] I don't know. Really,

1 I can't remember. I don't remember specific names.
2 I mean, everyone that would be required to make the
3 decisions to start at the plant was either on the
4 conference phone call or at the site, and so it would
5 have been [redacted] who was involved, and who was
6 underneath [redacted] for [redacted] It would have been --
7 SPECIAL AGENT NEFF: [redacted]
8 [redacted] was
9 involved, and the [redacted] of course, was
10 involved, which at the time would have been [redacted] And
11 [redacted] and [redacted]
12 An additional shift manager was probably
13 there supporting the outage, and then of course the
14 control room team was brought into it, because they
15 are going to be starting up the plant, and so the CRS
16 was questioned, and the ROs were harassed. So there
17 was a lot of discussion that evening.
18 SPECIAL AGENT NEFF: And when you are
19 saying that there were differing opinions, and people
20 were more comfortable waiting until you had more
21 circulators, where was the other side of it? Who was
22 on that side of it; satisfied with what you had, and
23 go ahead and start up?
24 [redacted] Like I said, I went
25 through a tide change, and after I saw the tide

1 change, I was comfortable with starting the plant up.
2 I believe the CRS was comfortable. There was probably
3 two of the ROs thought maybe, hey, let's just wait.
4 Another one of the ROs said, hey, I think
5 we are okay. I mean, I don't remember specifics, and
6 I don't remember names.
7 MR. BARBER: Could it have been less than
8 five? Could it have been 4 or 3?
9 [redacted] It was probably 50-50
10 between the number of people that felt that we were
11 okay, and let's proceed, and --
12 MR. BARBER: No, no. I mean, you
13 described it as between 5 and 6 circulators. Could it
14 have been between 3 and 4 circulators?
15 [redacted] No, no, it was not. I
16 know that it wasn't three.
17 MR. BARBER: Okay.
18 [redacted] And it was definitely
19 at a minimum four, and I am pretty sure that it was
20 five, because we were waiting on one circulator.
21 MR. BARBER: All right.
22 SPECIAL AGENT NEFF: And something like
23 that would be documented, right?
24 [redacted] Yes.
25 SPECIAL AGENT NEFF: You should be able to

1 research something on that, in terms of the numbers
2 that you were dealing with?
3 [redacted] Right.
4 SPECIAL AGENT NEFF: You just seemed a
5 little fuzzy on that, on the specifics.
6 [redacted] I have been five, or
7 four, startups since then, and so they all kind of run
8 together.
9 SPECIAL AGENT NEFF: And in this
10 particular startup involving the grassing, do you
11 recall where [redacted] stood on the issue?
12 [redacted] Yeah, I believe that he
13 thought that we should wait.
14 SPECIAL AGENT NEFF: He wanted you to
15 wait?
16 [redacted] I believe he wanted to
17 wait, yes.
18 SPECIAL AGENT NEFF: It has been reported
19 that there was some level of frustration on his part
20 in trying to make that point.
21 [redacted]: Un-huh.
22 SPECIAL AGENT NEFF: And it has been
23 reported that it was because [redacted] was pushing
24 for the start-up. Do you recall that happening?
25 [redacted] I do recall that he and

1 [redacted] probably had a disagreement, but --

2 MR. BARBER: Were you involved with that?

3 I mean, did you see that?

4 [redacted] No, I overheard it, and

5 I did not get involved in the specifics. I know that

6 [redacted] probably felt that it wasn't -- I believe that he

7 left the room at one point, and I believe there was a

8 conference call in my office, and at that point, you

9 know, I was more involved in the startup in and out,

10 and I know that [redacted] ended up leaving the room from a

11 conference call.

12 SPECIAL AGENT NEFF: Due to the

13 frustration?

14 [redacted] Yes, I believe so.

15 SPECIAL AGENT NEFF: The direction that

16 [redacted] was pushing for, were you in agreement

17 with that?

18 [redacted] I believe initially,

19 no, I was not. I believe that [redacted] definitely went

20 through is points why he thought it was safe to start

21 up the plant. And then towards the end, he asked the

22 question that if anyone feels that they are being

23 pressured to start up the plant, then we have the

24 decision to start it or not start up the plant.

25 I mean, no one in the room, or no one came

1 to anybody that evening and said I don't care what you
2 say. You are starting up the plant, and that never
3 occurred.
4 SPECIAL AGENT NEFF: And then [redacted]
5 asked the question if anybody felt pressure?
6 [redacted] Correct.
7 SPECIAL AGENT NEFF: Was he looking for an
8 answer on that, or do you feel that --
9 [redacted] No, because actually I
10 needed to ask him for the sign-off in the IOP to start
11 the plant up, and he specifically asked me, and he
12 said that I should not sign this book or this
13 procedure under pressure to start up the plant.
14 SPECIAL AGENT NEFF: You shouldn't?
15 [redacted] Correct.
16 SPECIAL AGENT NEFF: Not him, but you
17 shouldn't?
18 [redacted] Correct.
19 SPECIAL AGENT NEFF: It was your decision,
20 right?
21 [redacted] Right. I am the [redacted]
22 [redacted] that evening, and so --
23 SPECIAL AGENT NEFF: And when you say
24 initially that you didn't agree with him?
25 [redacted] Correct.

1 SPECIAL AGENT NEFF: And then you
2 mentioned that there was a tide change, and you --
3 [redacted]: Correct. We went
4 through the evening, and we saw how the circ water
5 progressed, and how we handled the tide change, and we
6 got through the start up and into the morning, and as
7 a matter of fact, we turned over going into about 5
8 percent power I think it was to the next shift.
9 SPECIAL AGENT NEFF: And at the point when
10 you are in agreement and you are no longer waiting,
11 and you are going into the start-up, did you feel
12 pressure at that point?
13 [redacted]: No. I felt like there
14 was a difference of opinion between who thought we
15 were starting up the plant, and who thought that we
16 shouldn't start up the plant.
17 MR. BARBER: Was there any procedural
18 issues?
19 [redacted]: No, there were no
20 procedural issues, and there was no safety
21 significance. What it was is making the plant the
22 best that it could possibly be before you start the
23 plant up.
24 In other words, if we had a plan, [redacted]
25 point was that if we had a plan to get the plant

1 whole, i.e., all six circulators back a hundred
2 percent, and that plan is in place, and it is working,
3 then you parallel progress to get to the point of
4 where you would be.
5 Now, there have been some people that
6 thought that we should have gotten to that point
7 before we went into the start-up, and the plant is
8 designed where we can operate, or we can trip the
9 plant and be in Mode 3 where we were with no
10 circulators. We don't need the secondary plant at
11 all.
12 We have MS-10s and we have ox-feed water,
13 and so that --
14 MR. BARBER: But that is not the most
15 desirable limit to be in?
16 [redacted] Correct. We had cooled
17 down a Mode-5, which procedurally we could do.
18 MR. BARBER: And, yes, you can do all of
19 that, and you also can analyze for an accident, but
20 you don't want that. I guess the question that I have
21 is if you were at a hundred percent power and you lost
22 your circulator would you be required or --
23 [redacted] One circulator?
24 MR. BARBER: Yes. Would here be any need
25 for you to reduce power?

1 [redacted] No, we routinely cycle
2 out circulators to clean the condenser and the water
3 boxes.
4 MR. BARBER: Okay. Was that some of the -
5 - was that also a point that [redacted] offered?
6 Did he say, hey, look, if we were at full power when
7 this happened, and we wouldn't even think twice about
8 it.
9 [redacted] I don't know if it was
10 him. I am sure that everybody discussed that.
11 MR. BARBER: Okay.
12 [redacted] I believe that everyone
13 discussed that at that point.
14 MR. BARBER: All right. So the difference
15 was between 5 and 6 circulators?
16 [redacted] I am not sure. I am
17 pretty sure it was between 5 or 6.
18 MR. BARBER: All right. And if it would
19 have been between 4 and 5, would that have changed
20 your opinion?
21 [redacted] If there were four
22 circulators, and there were no clear path within the
23 next 24 hours to get 2 of the 4 back, or two of the
24 remaining that were out of service back, then I
25 probably would have stood with that we need to stay

where we are at. Excuse me one second.

SPECIAL AGENT NEFF: Let's take a quick break. It is 5:41.

(Whereupon, at 5:41 p.m., the interview was recessed and resumed at 5:42 p.m.)

SPECIAL AGENT NEFF: It is 5:42 p.m., and we are back on the record after a brief break. We were discussing, or you were saying, and I think one of the last thoughts were that had you had only four circulators, and you were waiting on having the two restored, it would not have been a position that you would have been comfortable to start up in?

[redacted] Right. If there were no clear paths to get the two remaining back, I probably would not have been as comfortable starting it or seeing the tide change. As I said, I don't remember specifics.

It may have been four, and two were tagged, but then again I am pretty sure that it was five. And we may have cycled one out for cleaning, but like I said, the narrative logs would be available for that time frame.

SPECIAL AGENT NEFF: To see where you stood?

[redacted] To see exactly where it

1 was, right.

2 MR. BARBER: Did you say that you did

3 remember when that was or not?

4 [redacted] It was this year. It

5 was the spring of 2003.

6 MR. BARBER: All right.

7 SPECIAL AGENT NEFF: But I guess if you

8 have a succession of these grassing events, can you

9 put any more of a fine point on the date on that? I

10 mean, it is not like a once and done incident, right?

11 [redacted] No, I believe it was

12 March. It was definitely Unit 2.

13 SPECIAL AGENT NEFF: Unit 2 in March?

14 [redacted] Right, and I believe

15 that Unit 2 was the unit that we tripped due to

16 grassing.

17 SPECIAL AGENT NEFF: Okay. And overall

18 what you are saying is that you were comfortable and

19 not pressured to make that decision?

20 [redacted] I thought that evening

21 went and there were a lot of emotions, and a lot of

22 differences of opinion, and I believe that I signed

23 the book and I agreed to start the plant up.

24 So if I didn't feel that we procedurally

25 could handle any situation, and where we could safely

1 stop the start up and shut the plant down, I would not
2 have proceeded.
3 SPECIAL AGENT NEFF: Okay. But my
4 question was were you comfortable in the ability to
5 make that decision as the [redacted] and were you
6 comfortable an not pressured in that decision?
7 [redacted] Yes. I am fully
8 comfortable, regardless of what [redacted] or
9 present said, or [redacted] presently would now say to
10 me. I have an obligation, and I have a license, and
11 they do not.
12 So my obligation is to do what is right
13 for the plant, regardless of what they tell me,a nd
14 regardless of the pressure that I feel, and I
15 understand that responsibility. And I know that
16 everybody on my shift understands that responsibility.
17 SPECIAL AGENT NEFF: Okay. And it is your
18 testimony that though you may have started out more in
19 line with the conservative thought on that, it was the
20 tide change, the change in the water, that had you
21 change in thinking when the screen is clear?
22 [redacted] Correct. And I also
23 realized that the start up sequence would take the
24 whole shift, and so we would see how the circ water
25 system would handle the tide change or the grassing,

1 and we would be in a position in the morning to
2 determine how the evening went, and how the grassing
3 took place.
4 And everybody in management there that
5 could have viewed it, and would have said, hey, we are
6 not in a good condition, and we need to stop.
7 SPECIAL AGENT NEFF: In conversations with
8 shift management, and your peers and Crs, did you
9 indicate to anybody there that you had felt pressure
10 regarding this particular decision?
11 [redacted] We probably did, yes.
12 We probably felt like there was --
13 SPECIAL AGENT NEFF: When you say we, who
14 is we?
15 [redacted] Whoever was there that
16 evening.
17 SPECIAL AGENT NEFF: You, [redacted]
18 backup?
19 [redacted] Right.
20 SPECIAL AGENT NEFF: Your [redacted]
21 [redacted] Right, [redacted] correct.
22 We probably felt like there was some pressure from
23 above to start up the plant, right. There was never
24 that you are going to start the plant up, and I am
25 your boss, and that is what you are going to do.

1 It was tell me why you can't start up the
2 plant. It was always a questioning, and hey, tell me
3 why it is any different, or tell me what is going to
4 be different 12 hours from now, or it was always that
5 tone, and it was never I am this person, and you are
6 starting the plant up. It was never that.
7 SPECIAL AGENT NEFF: Okay. But now --
8 [redacted] I as the [redacted]
9 on duty that night had by all rights to say I am not
10 going to start up the plant, and you can relieve me,
11 and if you feel you need to start up the plant, then
12 go ahead.
13 But there would have been no one there on
14 shift that evening that would have said, okay, I am
15 going to relieve you, and you are going to start up
16 the plant. That was not the case.
17 MR. BARBER: And you felt like it was
18 coming to that?
19 [redacted] No.
20 MR. BARBER: Or were you heading in that
21 direction?
22 [redacted] No. No.
23 SPECIAL AGENT NEFF: I guess it is just a
24 little troublesome, because the picture that you are
25 portraying is we would say that we felt pressure, but

1 you are the decision maker and you are saying that you
2 weren't pressured in making that decision. So could
3 you just be a little more clear on who was feeling
4 that pressure then? You are saying that we
5 collectively, and yeah, you might have indicated to
6 somebody that there was some pressure.
7 [redacted] Right.
8 SPECIAL AGENT NEFF: But you are saying
9 that you made your decision independent of that.
10 There was pressure, but you made your decision
11 independently?
12 [redacted] Yeah. I mean, if we
13 are kicking back to say, hey, we want this, and this,
14 and this to occur, and us is the operations
15 department, ideally we want everything fixed a hundred
16 percent. Is that always going to occur? No. It
17 doesn't occur anywhere, right?
18 There is always a little bit of delta
19 between what you get and what you want. So based on
20 that, I felt like [redacted] was applying some pressure to
21 say, hey, what is any different 12 hours or 24 hours
22 from now. He felt that we could safely start up the
23 plant.
24 And he as the [redacted] of the site
25 wanted us to start up the plant.

1 MR. BARBER: Let me ask a question, a
2 related question, but slightly different. Have you
3 ever been in a situation previously, and maybe you
4 weren't the [redacted] or [redacted]
5 but with different leadership, and not [redacted]
6 and someone else, and one of his predecessors. Were
7 these kind of conversations taking place?
8 [redacted] No. No, I don't
9 remember anyone where this type of conversation was
10 taking place.
11 SPECIAL AGENT NEFF: You know what else I
12 see? Just a discrepancy. Did you say that you were
13 the [redacted] in [redacted] You just got on
14 in April?
15 [redacted]: March, April, yes.
16 SPECIAL AGENT NEFF: And so you had just
17 gotten on at this time?
18 [redacted]: Yes. It was like
19 within the first month that I was standing watch, yes.
20 Actually, I was qualified before that, and so I may
21 have even been standing watch for somebody. I got a
22 [redacted] in the March-April time frame.
23 SPECIAL AGENT NEFF: Was that in any way
24 a factor for you being a [redacted] and
25 being faced with this situation where you have your [redacted]

1 [redacted] on the
2 other?
3 [redacted] No, not at all. I
4 would not have taken the position if I was not
5 confident in my decision making capability.
6 SPECIAL AGENT NEFF: Okay.
7 [redacted] And I fully understand
8 that he can -- that [redacted] and [redacted]
9 [redacted] could have requested me to do
10 anything at that plant, and I had the right to tell
11 them no.
12 And if they so want me relieved, then that
13 is in their power to relieve me, but I can tell them
14 no, and not do it.
15 MR. BARBER: But it seems unusual. This
16 is the first time that you have been exposed to this,
17 and being in the control room for 6, 7, 8 years, and
18 you never seen anything like this?
19 [redacted] No.
20 MR. BARBER: Did it strike you as unusual?
21 [redacted] Yes.
22 MR. BARBER: Because you had never seen it
23 before?
24 [redacted] Yes. But maybe I had
25 never been in the position. The CRS typically does

1 not get involved in the here is what we are going to
2 do with the plant decision. He more gets involved in
3 where the shift manager will come in and say, hey,
4 here is what we are going to do at the plant, and this
5 is what you need to do.
6 And then as a CRS, you then say, well, I
7 don't agree with that, and then he is not involved in
8 the large scale decision making on where we are going
9 to be with the plant. He implements the plan.
10 MR. BARBER: Okay.
11 [redacted] And when I am not
12 there, then he makes the decision. He is an SRO, and
13 he has input into the decision, sure.
14 MR. BARBER: Would he normally be a part
15 of the technical review team that you described?
16 [redacted] Sure. Yes.
17 MR. BARBER: So it is conceivable in the
18 past that you could have been exposed to a similar
19 circumstance if it were to occur?
20 [redacted] Right.
21 MR. BARBER: But it just never occurred?
22 [redacted] Correct. There was
23 never a -- not that I can recall, where there was a
24 difference in, hey, here is where we are at, and here
25 is what we should do with the plant. I mean, as the

1 ROs, the union guys, you know, they at times would
2 feed back, hey, I think we should do this.
3 And then we would tell them no, and this
4 is what we are going to do and why. I mean, there is
5 always some differencing there. A little bit of back
6 and forth sometimes between them. But never of the
7 scale of this.
8 MR. BARBER: How about with, say, [redacted]
9 [redacted] was [redacted] for a number of
10 years. Did you ever have any interactions with him
11 where -- and maybe not on grassing, but in other
12 instances where there were situations where he was
13 pushing for something that just seemed like --
14 [redacted]: No, quite the opposite.
15 I remember that [redacted] was adamant, and yelled
16 at us one day when we were isolating condencency, and
17 he thought there was some equipment operators that
18 were doing some things unsafe.
19 You know, he came in, and he shut down the
20 job. I never had that kind of incident with [redacted]
21 MR. BARBER: Okay.
22 SPECIAL AGENT NEFF: What about any other
23 incidents before or since this one earlier this year
24 where plant management was not aligned with the
25 direction that you were getting from senior management

1 or the push, and not direction, but questioning from
2 senior management. Can you think of any other
3 instances where that has occurred?
4 [redacted] No.
5 SPECIAL AGENT NEFF: Have you been
6 involved in anything since?
7 [redacted] No.
8 SPECIAL AGENT NEFF: And so grassing is
9 just a unique situation?
10 [redacted] Right.
11 SPECIAL AGENT NEFF: And considering that
12 in terms of whether if plant management differed with
13 senior management, was senior management taking a more
14 conservative approach than plant managers were? Can
15 you think of any incidents of that?
16 [redacted] Not specifics, but I
17 can say that in the outage that there is several
18 directions that you can take with regard to bus
19 availability, and equipment availability, and whereas,
20 me being personally involved, I would be a little more
21 aggressive with where we would want to move the plant,
22 and senior management would say no and be more
23 conservative about what we want to do with equipment
24 and moving the plant.
25 SPECIAL AGENT NEFF: And in senior

1 management who would that be? Can you be -- you are
2 saying non-specifics, and --
3 [redacted]
4 yes.
5 SPECIAL AGENT NEFF: But you don't have
6 like any incidents?
7 [redacted] No, I can't remember
8 anything specific.
9 SPECIAL AGENT NEFF: Do you have anything
10 further on this?
11 MR. BARBER: No, I don't think so. Not on
12 this.
13 SPECIAL AGENT NEFF: I guess in general
14 what I would like to ask you is the environment, and
15 we will go back to my original question on whether you
16 have seen any changes, and we will go and say 2 or 3
17 years until now.
18 The ability for people to -- if they have
19 an issue, or a concern, to raise that, and do they?
20 [redacted] Yes.
21 SPECIAL AGENT NEFF: And we are interested
22 in both industrial safety and where the union
23 sometimes gets involved and has issues.
24 [redacted] Yes.
25 SPECIAL AGENT NEFF: As well as

1 operability type of issues, and somebody has a
2 concern, and are they able to raise it. Do you see
3 people do that?
4 [redacted] Yes.
5 SPECIAL AGENT NEFF: On a regular basis?
6 [redacted] Yes.
7 SPECIAL AGENT NEFF: Do people have -- are
8 they able to do that without fear of being retaliated
9 against?
10 [redacted] I believe so, yes.
11 SPECIAL AGENT NEFF: And are you aware of
12 any instances where somebody might claim that they
13 were mistreated or somehow adversely affected because
14 they raised a concern?
15 [redacted] There may be some
16 equipment operators that feel that they were treated
17 wrongly for bringing up industrial safety concerns.
18 But I know that the equipment operators bring up
19 industrial safety concerns all the time and we resolve
20 them.
21 I mean, we have an equipment operator that
22 is specifically assigned to safety issues, and their
23 sole purpose is to resolve, and correct, and identify
24 safety -- industrial safety consequences in the plant.
25 SPECIAL AGENT NEFF: So in spite of their

1 belief that that night be what happened to them, it
2 did not hinder anybody from continuing to raise
3 concerns?
4 [redacted] No. No, because like
5 I said, there are safety concerns raised almost every
6 day on issues that -- you know, maybe there is a
7 knowledge deficiency, or hey, this valve we can't get
8 to, and what is the best way to do it. We will build
9 scaffolding.
10 I mean, that happens on a day to day
11 basis. Every day something like that occurs, and to
12 where someone thinks there is a safer way to do it,
13 and we do it differently.
14 SPECIAL AGENT NEFF: Anything along that
15 line?
16 [redacted] There is never a "just
17 do it anyway" attitude when it comes to safety.
18 Never. I have never seen that.
19 MR. BARBER: Have you ever been exposed to
20 a situation where a senior manager would have tried to
21 exert any kind of influence about following a
22 procedure a certain way?
23 Like either a surveillance procedure, or
24 an operating procedure, where you or your shift are
25 moving towards step wise, and there has been a

1 situation where someone has said that you don't need
2 to do that step, or that is unimportant, or you can do
3 it out of order or sequence?
4 [redacted] Well, yeah, there is
5 probably -- you know, during plant start ups or
6 whatever, there is some steps that some people think
7 are required, and they interpret it differently.
8 MR. BARBER: Have you got compliance
9 levels, or if you are --
10 [redacted] Yes, Category I, and
11 Category II.
12 MR. BARBER: And what exactly is Category
13 I and Category II?
14 [redacted] Category I is step by
15 step as written, or if not --
16 MR. BARBER: What about substeps? Like if
17 there is a Step 5.3, and it has an (a), (b), and (c)
18 below it. Can you do those in any order?
19 [redacted] No.
20 MR. BARBER: They have to be in order?
21 [redacted] Correct.
22 MR. BARBER: What if they are bulleted?
23 [redacted] Then they can be done
24 in any order.
25 MR. BARBER: Okay. So can you give us

1 some examples of things that have come up that --

2 [redacted] Well, one that comes to

3 mind right now is regarding a circ order. Oh, placing

4 circulators in service. The procedure used to say

5 that the priming system is in service for the water

6 boxes, and the priming system is no longer required

7 for circulators or water boxes to go in service.

8 MR. BARBER: Okay.

9 [redacted] So there were probably

10 lengths of time where people were just, hey, either

11 NAing that step, and then people brought it to the

12 attention that that is probably a compliance issue,

13 and we changed the procedure.

14 MR. BARBER: Okay. And how about any more

15 or any other procedures?

16 [redacted] Well, like in the IOPs,

17 there may be certain pieces of equipment that can be

18 bought back in different times within the procedure,

19 and other procedures may conflict and bring that back

20 earlier, or allow you to do that sooner, and there may

21 be a difference there, and I can't be specific. I

22 can't think of anything specific.

23 MR. BARBER: Is there a consequence

24 because of that?

25 [redacted] No.

1 MR. BARBER: I mean, if it breaks up the
2 vac in the wrong order, is there any consequence?
3 [redacted] No. No, I can't think
4 of any. I believe our procedures are well written.
5 SPECIAL AGENT NEFF: We are now on Side B,
6 and it is approximately 5:59 p.m.
7 [redacted] I believe our
8 procedures are well written, and I believe we have the
9 full support to stop at any time and get the procedure
10 changed, and get the proper support for our
11 procedures.
12 MR. BARBER: All right. How about --
13 well, have you ever been a party to any kind of
14 discussions? Do you have like routine meetings with
15 the shift managers?
16 [redacted] Yes.
17 MR. BARBER: And are they led by anybody,
18 or they are just --
19 [redacted] They are typically led
20 by [redacted]
21 MR. BARBER: Okay. And is that just done
22 as a part of a routine part of your shift schedule?
23 I mean, is there a certain -- just tell me how that
24 works.
25 [redacted] We have it like every

1 other Thursday, from 4:30 to 6:30.

2 MR. BARBER: And how does it work from a

3 coverage standpoint? I mean, is everybody expected to

4 be there, or is it --

5 [redacted] Yes, everybody is

6 expected to be there.

7 MR. BARBER: Okay. And then some people

8 are on days off and things like that?

9 [redacted] Days off, right.

10 MR. BARBER: Is there ever any discussion

11 during those meetings about interactions with senior

12 management, and what senior management has asked you

13 to do?

14 [redacted] No, none that I can

15 recall. It has typically been departmental issues or

16 where we are going with the department, or union

17 management issues. Those types of natures, you know,

18 outage planning, and --

19 MR. BARBER: There has never been any

20 feedback given through ops management about either

21 good things or bad things that have been done and

22 noted by senior management? Like we did a really good

23 job with the start up, or we were slow on this, or

24 slow on that, or we didn't address this very well?

25 [redacted] Yes, yes. I mean, it

1 is never said specifically, hey, senior management.
2 [redacted] is usually there. If [redacted] feels that something -
3 - you know, that he brings something up where we could
4 have done better, then that is where it is addressed.
5 MR. BARBER: How is that taken?
6 [redacted] It is taken well.
7 MR. BARBER: Okay.
8 [redacted] The feedback.
9 MR. BARBER: Has there ever been any kinds
10 of meetings or discussions like that that were held
11 off-site to your knowledge?
12 [redacted] No, not to my
13 knowledge. I have never been a part to one that has
14 been off-site.
15 MR. BARBER: Have you ever heard of any
16 that were held off-site?
17 [redacted] Shift managers
18 meetings?
19 MR. BARBER: Either shift managers, or
20 CRS, operator meetings?
21 [redacted] No.
22 MR. BARBER: Because of either any
23 perceptions that there would be pressure from above to
24 do something a certain way, or a fear of being pushed
25 to do something that really didn't seem quite right,

1 or safe, or --

2 [redacted] No, I am not aware of

3 any meetings off-site of that nature, no, or on-site

4 of that nature.

5 SPECIAL AGENT NEFF: Can you recall any

6 meeting, wherever it may have occurred, among your

7 peers where it was felt that it was necessary to

8 present a united front?

9 [redacted] Yes, I think like we

10 always discuss like we need to get aligned on issues

11 regarding departmental stuff, like where we are at

12 with union type issues, and where we are at with

13 personnel, and where we are going to be, you know,

14 with regard to requirements or procedure changes that

15 each person is responsible for.

16 I mean, that is why we are all together,

17 to unify everybody, and to make sure that we are all

18 in alignment and a communication tool.

19 SPECIAL AGENT NEFF: And in terms of

20 getting together to create a united front to counter

21 something that is being presented to you from senior

22 management, some direction?

23 MR. BARBER: Or from another department,

24 either engineering or maintenance? Have you ever had

25 a discussion like that where you felt like --

1 [redacted] Not that I am aware of.
2 They may have gone right over my head that that is
3 what they wanted, but to be honest, I can't remember
4 anyone saying, hey, this is what such and such is
5 trying to do, and we need to do this to counteract
6 that, and we can't allow that to occur, because it is
7 going to affect us this way.
8 SPECIAL AGENT NEFF: The big concern is
9 this. It is very broad, a safety conscious work
10 environment issue.
11 [redacted] Right.
12 SPECIAL AGENT NEFF: With a lot of issues
13 to it, and a lot of gripes to the problems that were
14 pointed out for the region. We are not here to make
15 you uncomfortable about having to answer these
16 questions.
17 [redacted] Oh, I'm not.
18 SPECIAL AGENT NEFF: Good. But what we
19 are saying is there is a lot around production over
20 safety, and where pressure was coming from, and
21 specifically on people in your position is what we are
22 hearing, and that it was an across-the-board concern
23 with Salem shift managers.
24 We are not hearing that from you, and so
25 you had one incident to point out, and you said there

1 was pressure from senior management, but it wasn't
2 pressure that you reacted to. You made your own
3 decision apparently.
4 [redacted] I did make my own
5 decisions.
6 SPECIAL AGENT NEFF: And you were not
7 feeling pressure is what your testimony is?
8 [redacted] Correct. I mean, I did
9 feel the pressure, but I made my decision based on my
10 ability to handle the situation. I mean, when I am at
11 the plant, I take it seriously. I am the person that
12 makes the decision on what happens at the plant when
13 I am there.
14 When I am not there, I don't do that,
15 right? I can't do that because I am not there. I
16 don't want to influence everybody, but I make my
17 decisions on what I am comfortable with.
18 SPECIAL AGENT NEFF: And I think we got
19 that from you when we discussed that whole scenario.
20 [redacted] Right.
21 SPECIAL AGENT NEFF: What I am asking you
22 is, that in your knowledge, if it didn't happen to you
23 specifically, to your peers, to an[redacted] are you aware
24 of any other incidents that would lend any credibility
25 to the allegations that there is this production over

safety mindset? And I realize that --

[redacted] It is a generalized term.

SPECIAL AGENT NEFF: We are talking a gray area.

[redacted] Right. Since deregulation, that has been, hey, we can't put production ahead of safety, right? Deregulation, and cut costs, and we need to be more productive, and we need to get costs down. I mean, that environment is there across the board. No doubt.

And the results are not being seen that we should. The plant has not received the results based on our outage time and bard on our force loss rate, and all that stuff, and our performance indicators, and in our See Performance indicators, and our ECCS equipment availability, and all of that is not where it should be, and we want it to get better.

And from that standpoint, us as the [redacted] and I can't speak for all of them, we look at that and we just say that maybe the money isn't being spent where it should. Maybe we are not doing this and we should be.

And we don't hold the ultimate decision on where all the money is spent, and what everybody does,

1 and what everybody fixes.

2 SPECIAL AGENT NEFF: And this ties back to

3 your earlier stated maintenance concerns on issues

4 that --

5 [redacted] That's exactly right,

6 and if it were up to me, I would want the plant a

7 hundred percent. I wouldn't accept it unless it was

8 a hundred percent on every single issue.

9 MR. BARBER: But you have accepted it with

10 less than that?

11 [redacted] I have accepted it with

12 less than a hundred percent, right, knowing in my mind

13 that I have been convinced that I am on shift, and I

14 can take actions within our procedures, and I am not

15 outside our license, and we could perform actions to

16 put the plant in a safe condition.

17 SPECIAL AGENT NEFF: And outside of that

18 incident that we talked about with you, if your gray

19 area is here, and you as a [redacted] or another

20 [redacted] is far to the right in this gray area,

21 are you aware of any other situations where senior

22 management is on the opposite end of that, and where

23 they are to the left?

24 [redacted] Not right now, no.

25 SPECIAL AGENT NEFF: You can't think of

1 anything else?

2 MR. BARBER: Let me ask about a couple of

3 other specific instances that I just thought of. You

4 know, I was talking earlier about procedures and

5 whether there had been any input from senior managers,

6 or ops management for that matter, to kind of push the

7 procedure one way or another, and maybe against your

8 will, or against your better judgment. Were you ever

9 aware of a procedure for reactor vessel vent valve

10 surveillance that there was a senior manager that came

11 into the control room and suggested to a senior

12 operator that they N/A a step for a vent valve?

13 [redacted] No, I am not aware of

14 that.

15 MR. BARBER: So it didn't or nothing like

16 that ever happened to you, or you have never been

17 exposed to anything like that?

18 [redacted] No, that never happened

19 to me.

20 MR. BARBER: Okay.

21 [redacted] Not that I am aware

22 of.

23 MR. BARBER: Okay.

24 [redacted] No.

25 MR. BARBER: Okay. How about -- I mean,

1 other than the grassing incident that we have already
2 discussed, have there been any other grassing
3 incidents that maybe there was some debate over what
4 to do with the plant, and what direction to take?
5 [redacted] No, no. As a matter of
6 fact, there was a grassing incident on Unit 1, and
7 [redacted] was in the control room, and he fully
8 supported the direction. We reduced power on the
9 plant and we brought the plant down, and we didn't
10 come off-line, but we took action.
11 He was there, and right now there is on a
12 basis of when the grassing is serious from the recent
13 weather that we had, and there was a discussion of do
14 not hesitate to reduce power in the plant, and bring
15 the plant down, and put it in a safe condition.
16 SPECIAL AGENT NEFF: Whose direction was
17 that?
18 [redacted] That was from [redacted]
19 [redacted] and [redacted] and I am sure that [redacted]
20 [redacted] fully supports that right now.
21 MR. BARBER: How about -- were you
22 involved with the (inaudible(valve, the VF-19?
23 [redacted] No, I was not on shift
24 then. I was involved in the outage.
25 MR. BARBER: Okay. How about the -- there

1 was a leak from the main feed pump, a steam leak?

2 [redacted] Yes. I was not there

3 on that, no.

4 MR. BARBER: You were not involved with

5 that at all?

6 MR. BARBER: No.

7 SPECIAL AGENT NEFF: You were an[redacted] at

8 that point?

9 [redacted] Yes. [redacted] was

10 involved, and I believed that he was involved in the

11 isolation of the steam link.

12 SPECIAL AGENT NEFF: And that was in

13 September of 2002?

14 [redacted] Yes, and I was not

15 there. I was not involved.

16 MR. BARBER: Let me check my notes on some

17 things.

18 SPECIAL AGENT NEFF: You were not on shift

19 for that?

20 [redacted] No, I was not there

21 that day. No.

22 SPECIAL AGENT NEFF: That has been a part

23 of some concern. Were you aware of that, and did that

24 cause some -- apparently there were some meetings and

25 everything?

1 [redacted]: Yes, he personally
2 isolated the valve because no one else felt safe to do
3 it, yes. Yes, I am aware of that.
4 SPECIAL AGENT NEFF: Was that done at his
5 -- was that his own decision to do that?
6 [redacted] Yes, I believe so.
7 SPECIAL AGENT NEFF: We will just go off
8 the record briefly while you check your notes.
9 [redacted] Okay. Can I make a
10 quick phone call?
11 (Brief recess.)
12 SPECIAL AGENT NEFF: Okay. We are back on
13 and it is about 6:11.
14 MR. BARBER: I had some questions to ask
15 you. I asked you about if you were ever aware of any
16 N/A step (inaudible), and you said you were not?
17 [redacted] I was not.
18 MR. BARBER: Okay. How about the treating
19 of leakage from the spent fuel pool? Have you been
20 involved with that at all?
21 [redacted]: No, only that I have
22 gotten tons of information about it, and our stance on
23 it and what we are doing, and to tell you the truth,
24 I could not speak on specifics, and just that I know
25 that we are taking corrective actions, and we are

1 digging some wells, and we are doing monitoring, and
2 we believe the leakage has stopped.
3 We are doing additional monitoring on the
4 leakage, and we have cleared out the telltale leakage
5 on the spent fuel pool, and on the liner, and we take
6 additional readings, and we are down there every shift
7 to observe any additional leakage.
8 MR. BARBER: Has there been any change in
9 the leakage?
10 [redacted] Not that I am aware of,
11 no.
12 MR. BARBER: Okay. Are you doing anything
13 other than monitoring at this point? Is there any
14 plan for corrective action?
15 [redacted] Yes, I believe there
16 is. Yes. Like I said, there is a long plan, and
17 there is a whole organization, a whole group of people
18 that are involved in it. I know that they are doing
19 monitoring, additional monitoring of wells, and they
20 are doing well digging, and additional well digging on
21 site.
22 MR. BARBER: Have you ever asked to have
23 that presented at your Thursday meetings?
24 [redacted] I believe it was, and
25 I believe what happened is that we got into the

1 outage, and then we have not revisited that. And in
2 the interim, they did send us a large e-mail with a
3 plan with everything that has been done up to this
4 point.
5 There is like I said documents based and
6 that have given a time line on what we found, and what
7 we are doing, and where we are going to be.
8 MR. BARBER: And another issue that has
9 come up is -- I guess a comment or question about use
10 of temporary logs, and there is an indication that
11 there may be an excessive use of that. And really I
12 think what the real underlying concern is not so much
13 the temporary logs, but the temporary logs are
14 indicative of equipment problems.
15 [redacted] Right.
16 MR. BARBER: And that is why you have to
17 use temporary logs to compensate for the equipment
18 that is not operating properly.
19 [redacted] Right.
20 MR. BARBER: What is your sense of that?
21 [redacted]: I was an equipment
22 operator and I remember any temporary log that I was
23 given as an equipment operator, it was just something
24 that you did and you complained about it. Now whether
25 it was personal laziness, or if it was just, hey, what

1 are we doing here.

2 We are taking additional logs on something

3 because it is broken, and we can't fix it. My opinion

4 is that the operators monitor the equipment, and if we

5 give them an additional set of logs to take, we are

6 doing it for a reason.

7 We are monitoring that piece of equipment

8 to identify a problem that is going to occur, and yes,

9 we do look at it if it is excessive, and there is

10 conversations at times if it is excessive.

11 I know recently that we have reduced the

12 number significantly on Unit 2. I believe we are only

13 down to maybe half a dozen on Unit 2, and less than

14 that on Unit 1 probably right now. So there is

15 discussions, and whether it becomes excessive -- I am

16 a proponent of additional logs.

17 I think if we are additionally monitoring

18 something on a more frequent basis, that we are taking

19 action, and we are logging it, and retaining it, but

20 I am not a proponent of having additional logs out

21 there to compensate for faulty equipment.

22 MR. BARBER: All right. And do yo know

23 how many are open on Unit 1?

24 [redacted] I don't know the

25 specifics.

1 MR. BARBER: You said less than six.

2 [redacted] Yes, I believe so.

3 MR. BARBER: And how does that compare to

4 when you were a [redacted]

5 [redacted] Well, it is comparable.

6 We probably have more now than we did then. We

7 probably have more now than we did then.

8 MR. BARBER: And what kind of equipment

9 are they on?

10 [redacted] It is leakage

11 monitoring more or less, valve leakage. The RHR heat

12 exchanger leakage, and some secondary plant stuff, and

13 valves that are in manual.

14 MR. BARBER: And what is the concern with

15 the RHR valve leakage?

16 [redacted] The heat exchanger

17 leakage.

18 MR. BARBER: Is that the concern that we

19 were just talking about earlier?

20 [redacted] Yes. Every 24 hours,

21 we go down there and take a look.

22 MR. BARBER: And I assume that there are

23 steps that you would take if the leakage increases by

24 a certain amount?

25 [redacted] Correct.

1 MR. BARBER: Okay. How about if you are
2 ware of anything related to Salem ISI relief request
3 regarding some piping UT, and whether something was
4 processed properly or not?
5 [redacted] No, I am not aware of
6 that.
7 MR. BARBER: Okay. Our details on that
8 are kind of sketchy. But another Salem issue, and
9 this is going back to when you were not a [redacted]
10 [redacted] but a [redacted]
11 This had to do with the Spring 2001
12 outage, or at least that is what we think the time
13 frame is.
14 [redacted] Okay.
15 MR. BARBER: There was a Salem I reactor
16 trip that was caused by a main generator current
17 transformer failure.
18 [redacted] Okay.
19 MR. BARBER: That's what it says.
20 [redacted]: Okay. I think I
21 remember that.
22 MR. BARBER: And the [redacted] at the time
23 was [redacted] and he apparently told operations, and
24 I don't know if it was through the operations
25 management, or through the shift management, that

there was a need to get the reactor started up by a particular date, or an NRC performance indicator was going to turn the light.

[redacted] I am not aware of that.

MR. BARBER: [redacted] apparently had some discussions, some very vocal and maybe slightly intimidating discussions with Ops daily. He kept asking them when are you going to start the plant up, and --

SPECIAL AGENT NEFF: Were you involved in any of the decision making discussions surrounding that?

[redacted] No.

MR. BARBER: Does any of this sound familiar at all?

[redacted]: No, not at all.

SPECIAL AGENT NEFF: Do you know who was on shift or anything like that?

MR. BARBER: No, I do not.

SPECIAL AGENT NEFF: So you don't know anything?

[redacted] No. I remember the trip, and that is about it. I remember that we did trip, but I don't remember anything or specifics about [redacted]

1 MR. BARBER: And maybe it wasn't [redacted]

2 and maybe it was somebody else. Do you remember any

3 discussion about pressure from senior management to

4 start the unit up?

5 [redacted] No, not from that trip,

6 not that I remember.

7 MR. BARBER: Do you know if this would

8 have been, as far as why a PI would turn white? Do

9 you guys get involved with discussions about NRC PIs?

10 [redacted] Yes. Yes, we look at

11 the INPO indicators and also the NRC indicators.

12 MR. BARBER: Okay. And is that a factor

13 in why you do things?

14 [redacted] No, not at all. Not a

15 factor in anything.

16 MR. BARBER: When you say you look at

17 them, why do you look at them?

18 [redacted] To say, hey, we have a

19 trend here or we need to address this area. We need

20 to do something about it.

21 MR. BARBER: Okay. And how is that --

22 like, for example, if it was on down powers, what

23 would the discussion be? Let's say that one of the

24 Salem units was approaching a white PI for, say, down

25 powers.

1 [redacted] That would never be a
2 discussion, and we would not down power because we
3 were close to a performance indicator, an NRC
4 performance indicator.
5 MR. BARBER: Well, there is a couple of
6 different variables that goes with that, and one is a
7 scheduling of more than 20 percent, right? That is
8 one of the criteria?
9 [redacted]: Right.
10 MR. BARBER: And the other one is if it is
11 planned, then it doesn't count.
12 [redacted] Right.
13 MR. BARBER: So if you wait 72 hours, and
14 you say, hey, we have a problem on feedwater here, and
15 if we wait 3 days --
16 [redacted] I have not been
17 involved in any discussions where we have adjusted
18 what the plant is going to do based on a performance
19 indicator.
20 MR. BARBER: Okay. So are yo saying that
21 it doesn't come up in the discussions that you have
22 been a party to?
23 [redacted] No, I would say after
24 the fact that they would say, hey, we did this down
25 power, and hey, we had this occur, and it made our

1 performance indicator white.

2 MR. BARBER: Okay.

3 [redacted] It would be an after

4 the fact, and it wouldn't be, hey, if we do this, it

5 is going to make R, and so therefore we should not.

6 It has never been that.

7 MR. BARBER: Okay.

8 SPECIAL AGENT NEFF: Thank you. I am

9 going to wrap it up here. Did you advise your

10 management that you were going to be meeting with us

11 today?

12 [redacted] I didn't advise them.

13 I mentioned it to someone that, hey, I had a meeting,

14 and did you know anything about it. That's all.

15 And all that I was told was that other people have had

16 the meetings. [redacted] I think, was another

17 person that had a meeting.

18 SPECIAL AGENT NEFF: So just what I told

19 you that we would be talking to other people?

20 [redacted] yes.

21 SPECIAL AGENT NEFF: Were you in any way

22 coached regarding your testimony tonight?

23 [redacted]: No, not at all.

24 SPECIAL AGENT NEFF: Okay. Have I or any

25 other NRC representative offered you any promise of

1 reward or threatened you in any manner in exchange for
2 your information tonight?
3 [redacted] No, not at all.
4 SPECIAL AGENT NEFF: Okay. And again we
5 covered earlier that you appeared here voluntarily?
6 [redacted] Correct.
7 SPECIAL AGENT NEFF: Do you have anything
8 else that you would like to add at this point?
9 [redacted] No.
10 SPECIAL AGENT NEFF: Okay. Scott, are you
11 finished?
12 MR. BARBER: Yes, I'm done.
13 SPECIAL AGENT NEFF: Okay. I would like
14 to thank you for your time. We appreciate it. Thanks
15 for meeting with us.
16 [redacted] Okay. No problem.
17 SPECIAL AGENT NEFF: It is about 6:20
18 p.m., and we are just briefly wrapping up, and you
19 made a point about there being some union management.
20 [redacted] Yes, I think there is
21 some unit management issues, and I think there is some
22 emotions that get involved, and I think that issue
23 creates the lack of communication, and it creates
24 animosity, and there is definitely a feeling from some
25 people in the union -- and some people, and not all --

1 that we purposely disregard their issues or whatever
2 just for production purposes, and that's not true.
3 We listen to everything that they tell us,
4 and I know for a fact that I listen to everything that
5 is told them, and I don't know of anybody that is in
6 my immediate management that has ever said that we are
7 not -- that's bull, and we are not going to look at
8 that issue, okay? I don't.
9 Now, if a guy is complaining about his
10 work hours, or he is complaining because we swapped
11 him shifts or we are complaining about a meal that he
12 didn't get, or something like that, then yeah, we are
13 going to say that guy is whining or complaining.
14 You know, there are other places where
15 they don't get meals, and there is other places that
16 don't get paid this much, you know.
17 MR. BARBER: Well, what would you say
18 though to the home team NEOs that we have interviewed
19 that say, hey, we document issues, and we put them in
20 the corrective action process, and we write
21 notifications, and we send them up to management, and
22 we get told the stuff will be fixed, and it is not
23 fixed, and we are told that we are working on it.
24 But yet in their view, they would say no.
25 It is just that they are trying to make us go away.

1 They are telling us a story to make us go away and to
2 have us stop bugging them to stop raising issues.
3 [redacted] Well, we sit in mid-
4 shift briefs, we have, and the EOs will be in the
5 room, and we will say, hey, we want this piece of
6 equipment fixed, you know, and this is what we want
7 them to do, we want them to fix this, and we are going
8 to hold them to fix this.
9 And maintenance will do their best, or it
10 will come down to a part, or it will come down to,
11 hey, you need to wait until this outage, because it is
12 going to take a little bit longer, and then we will
13 accommodate that.
14 We will say, okay, the piece of equipment
15 is hardy, and it will make it until its next window,
16 and it does not affect safety, and it is not
17 significant in any way to tech specs, but this is what
18 we ares going to do, okay?
19 And sometimes they don't feel our
20 frustration, and we are just as frustrated at times
21 with them. Repeat work, you know, and you see that we
22 do a lot of repeat work at this plant. We are just as
23 frustrated as those guys are on repeat work.
24 You know, when they repack a valve, or
25 they fix a valve that leaks by, or they repack a pump,

1 or when they replace valves, and it comes back and the
2 system leaks. That is the example.
3 And if we say, hey, we tag out this TAC
4 heat exchanger, and a secondary cooling system, and we
5 allow them to go in and clean it, and when we bring it
6 back the end belt may leak a little bit. We say, hey,
7 we need the heat exchanger back, you know.
8 I would rather have two heat exchangers go
9 to the next window, and then replace the leak, than
10 take it back out now because I want that heat
11 exchanger back. It gives me a better margin of us
12 being successful.
13 MR. BARBER: And what would the
14 maintenance side to that be? And would they say they
15 are doing the best that they can, or that -- I mean,
16 you are pointing a finger and saying it is
17 maintenance, and --
18 [redacted] I am not pointing a
19 finger at maintenance. They are no doubt struggling
20 with supervision, with what they have with equipment.
21 I mean, they need help. They don't have a lot of
22 experience, operational experience right now, and I
23 think that they are struggling with the experience
24 level in their supervision right now. No doubt.
25 And whether there was a reorg, or where

1 they are at with their union management relationship,
2 I think they are struggling there also. We know that
3 their schedule compliance is not good, and whether
4 they plan their work well enough, and whether their
5 resources are not what they say they are based on
6 illnesses or disabilities, or whatever it is. There
7 is definitely a delta between what we want and what we
8 always get.
9 Now, they do some good work, and they do
10 good work also, and they are all sealed windows, and
11 when they need to get something fixed, they go into
12 it, and they do the best that they can, and pretty
13 much they bring it back the way that we want it back.
14 And we can always say no, and we are not
15 going to accept it and force them to do something
16 different. Well, station air compressor. The number
17 one station air compressor has been tagged for
18 probably over a month now, and first they got into it
19 for this maintenance window, and then the calibration
20 went awry, and they had to get a part, and they got a
21 part and it was the wrong part.
22 They put the part in, and there was
23 another issue bringing it back, and that is the kind
24 of stuff that we deal with.
25 MR. BARBER: And who is accountable for

1 those problems? I mean, those sound like either
2 maintenance, or procurement, or whatever, but --
3 [redacted] Exactly.
4 MR. BARBER: -- where is the
5 accountability? Maybe the NEOs come to you and say,
6 hey, this thing is not working very well, and you are
7 going, yeah, you're right, and I acknowledge it. We
8 will try and get maintenance to fix it. And
9 maintenance comes back and tells you what?
10 [redacted]: That I don't have the
11 resources or I can't do it right now, or we don't have
12 the money, you know. If we tell them that it
13 absolutely has to happen, then it will happen.
14 SPECIAL AGENT NEFF: So they can
15 prioritize, but then something else is going to slip?
16 [redacted] Correct.
17 SPECIAL AGENT NEFF: And they can address
18 it immediately if you have that kind of need?
19 [redacted] Correct. I mean, the
20 equipment operators want it ideal to. They want
21 everything fixed a hundred percent. They are no
22 different than us. They just have the luxury -- and
23 they can be more vocal or they can say that they don't
24 have to accept it, all right?
25 They don't have to say, okay, I am going

1 to accept that from you. They can always say no. But
2 then again us as the management of the plant, we make
3 the decision to bring the equipment back, or bring the
4 system back, or bring the component back.
5 They can't say, no, we are not going to
6 release that piece of equipment. They can, and we can
7 say, okay, that's fine. You are not going to release
8 it and you refuse to. Okay. I am asking you to do
9 it, or I can ask somebody else, or they can greet it,
10 or they can take it up to concerns, or whatever they
11 need to do.
12 And I don't know of anything that has ever
13 come to that, you know. We have never said that you
14 are going to release that piece of equipment no matter
15 what.
16 That has never come to that. It is always
17 that I see your point, and I will release it, but I
18 think it could have been better. And that is their
19 frustration level, and we share it with them.
20 SPECIAL AGENT NEFF: Okay. Anything else?
21 MR. BARBER: No.
22 SPECIAL AGENT NEFF: Thanks again.
23 (Whereupon, the interview was concluded.)
24
25

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CERTIFICATE

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

Name of Proceeding: Interview of [redacted] 72

Docket Number: 1-2003-051F

Location: Salem, New Jersey

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

Paul Intravia

Paul Intravia
Official Transcriber
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