

# NUCLEAR REGULATORY COMMISSION

Title: Interview of 

Docket Number: 1-2003-051F

Location: Hope Creek Nuclear Power Station

Date: Sunday, October 26, 2003

Work Order No.: NRC-1190

Pages 1-69

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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 : Docket No.



: 1-2003-051F

(CLOSED) :

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Sunday, October 26, 2003

NRC Resident's Office

Salem/Hope Creek Nuclear Power  
Station

The above-entitled interview was conducted  
at 7:15 p.m.

BEFORE:

Special Agent Eileen Neff, OI/Region I

ALSO PRESENT:

Dan Orr, Senior Resident Inspector

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APPEARANCES:

On Behalf of the Witness:



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(7:15 p.m.)

SPECIAL AGENT NEFF: Today is Sunday, October 26, 2003, at 7:15 p.m. The location is the NRC Resident's Office at the Salem/Hope Creek Facility.

Speaking is Special Agent Eileen Neff, U.S. NRC, Region I, Office of Investigations, and also present is Dan Orr, Senior Resident Inspector. This interview will be with [REDACTED] and [REDACTED] at Hope Creek, and also a [REDACTED]. Also present is [REDACTED] and [REDACTED] from Hope Creek.

And I understand, [REDACTED], that your presence here was requested by [REDACTED].

[REDACTED] That is correct.

SPECIAL AGENT NEFF: Okay. And, [REDACTED] you understand that you can proceed with us, and it is your desire to have a [REDACTED] present here tonight? That's clear?

[REDACTED] That is correct.

SPECIAL AGENT NEFF: Okay. I explained to you before we went on the record that this is an interview regarding your assessment of the safety conscious work environment here on site. That there

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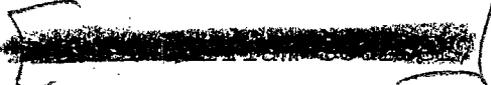
1 are no subjects of investigation, and that you are  
2 just being interviewed more or less as a witness to  
3 the environment, and that there is no potential,  
4 specific potential violation involved, and that is  
5 understood?

6  Understood.

7 SPECIAL AGENT NEFF: Okay. And we will  
8 conduct the interview under oath. If you would raise  
9 your right hand at this time.

10 (Whereupon  was worn.)

11 SPECIAL AGENT NEFF: Would you,  for  
12 the record state your name, your full name, and spell  
13 your last name?

14    
15 

16 SPECIAL AGENT NEFF: And your date of  
17 birth?

18  

19 SPECIAL AGENT NEFF: And your social  
20 security number?

21  

22 SPECIAL AGENT NEFF: Okay. Thank you. In  
23 that we are looking for your assessment of the work  
24 environment, the safety conscious work environment  
25 specifically, I will go overall, do you have any

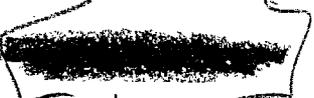
1 concerns regarding the safe operation of this site?

2  That is a very broad  
3 question.

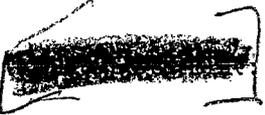
4 SPECIAL AGENT NEFF: That is a very broad  
5 question.

6  I mean, I took the watch  
7 tonight, and so obviously I feel that the plant is  
8 operating safely. If I did not take the watch, I  
9 would have had objections, which I did not have any  
10 objections. I don't know if that answers your  
11 question, but it is such a broad question.

12 SPECIAL AGENT NEFF: You are saying the  
13 fact that you are being here, is that what you are  
14 saying?

15  I took the watch as the  
16  of the plant tonight, and if I had  
17 concerns, then I would have raised them or refused to  
18 take the watch.

19 SPECIAL AGENT NEFF: Okay. And in terms  
20 of raising concerns, what I will ask you is what is  
21 your assessment of the safety culture on site; and in  
22 that, just consider do people feel free to raise  
23 concerns?

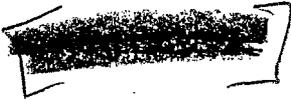
24  Well, we have a notification  
25 system, and in terms of a notification system, it will

1 do.

2 SPECIAL AGENT NEFF: Okay. Do you use the  
3 system to raise a concern? Have any events occurred  
4 that would cause somebody to hesitate to use the  
5 system?

6  Situations have happened  
7 where people say what is my boss going to think when  
8 I write this up, but I don't think that anybody has a  
9 concern that they have not written up and put into the  
10 system.

11 MR. ORR: So if you think that, do you  
12 think they have ever come to the conclusion that I  
13 won't write it up because my boss might think the  
14 wrong thing about me, or use it against me?

15  Well, it is human nature.  
16 If I am going to write something saying that my boss  
17 did whatever, and that was not the right thing, I  
18 would think that my boss is not going to be too happy  
19 about that.

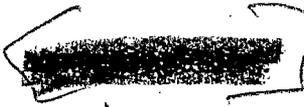
20 So it comes into the thought process, but  
21 I believe that people write up the problems that they  
22 find.

23 SPECIAL AGENT NEFF: And in your position  
24 as a  do people come to you and say I  
25 would rather you handle this. I don't want my name

1 associated with something for fear or retaliation or  
2 some other hesitancy?

3  I would say over the years  
4 that there have been people who have come to me and  
5 said, hey, I have this problem or whatever, and do you  
6 want to lead up this cause, in which case I would.

7 SPECIAL AGENT NEFF: And is that a fear of  
8 retaliation for being associated with a concern that  
9 does that?

10  A fear of the possibility  
11 that the supervisor being mad, and taking some kind of  
12 retribution at some point, but when somebody comes to  
13 me with that, I tell them, okay, what is the issue,  
14 and you look at it.

15 And if I feel that it is valid, which  
16 normally I would if somebody had that big of a  
17 concern, and I would either write the notification, or  
18 bring it up to the supervisor, and then write the  
19 notification.

20 Or if it is not on my shift, get the shop  
21 steward on whatever shift and say, look, this guy has  
22 got a problem, and let's make sure that this is  
23 followed through.

24 SPECIAL AGENT NEFF: And you had indicated  
25 that over the years. Did it happen frequently?

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[REDACTED]

It has happened over the years. I don't know that I would call it frequent, but it has happened.

SPECIAL AGENT NEFF: Okay. Did it happen or are you saying that it changed, or does it happen more frequently in the past, or less frequently in the past, and more so now? Is there any change in that with the hesitancy for somebody else to bring something forward; or every once in a while someone would prefer for you to bring something forward?

[REDACTED]

Yes.

SPECIAL AGENT NEFF: And how about for you? Do you personally feel that you are able to raise a concern, to push any kind of a concern?

[REDACTED]

If someone comes to me and says this is a valid issue, and I have no concerns of bringing it up to the supervision and writing a notification, because that puts it in the system, and it is in writing. So then it has been identified.

SPECIAL AGENT NEFF: To get handled. Can you give some examples, and specifically do you have any examples of a nuclear safety related concern that you had to raise and the handling that that received?

[REDACTED]

I can give an example, and I am sure that you are familiar with the Ofgas

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1 (phonetic) issue.

2 MR. ORR: Yes.

3 SPECIAL AGENT NEFF: Just give me a date  
4 for that, the Ofgas issue.

5 [REDACTED] March 31st, I believe, of  
6 this year, is when I became involved in that issue.

7 MR. ORR: Well, there is a few things  
8 going on right now. There was where Hope Creek had an  
9 elevator off-gas for a period of time.

10 [REDACTED] Yes, and that is the issue.

11 MR. ORR: And a refuel outage, but then  
12 there was also a -- well, there was a transient in the  
13 switch yard, right, where a celluloid valve fell to  
14 the transfer or the other off-gas train or something,  
15 and you lost your off-gas train for a period of time,  
16 right?

17 [REDACTED] Yes. I was not on that. I  
18 am talking about high off-gas flow.

19 MR. ORR: Yes.

20 [REDACTED] Specifically, that was an  
21 issue that I became involved in.

22 SPECIAL AGENT NEFF: And this specific  
23 event, what was your concern regarding that particular  
24 event?

25 [REDACTED] Well, I had watch that

1 night, and the [REDACTED] who I was relieving were not in a  
2 happy mood because what had happened was our off-gas  
3 had gone up in CFM, which is that the procedure says  
4 do not operate above 75.

5 So when I got there, they guys were like  
6 we are above 75, and I am taking the watch. They  
7 already have their books out, and saying it is above  
8 75, and they had out the SR, which is the design  
9 basis of the plant.

10 And procedure did not say what to do. All  
11 it said was do not. Okay. We are. What does that  
12 mean now. We are above the limit, and so they went  
13 into the SR and they found that it was saying in the  
14 SR that it was a design basis of the plant. So, okay,  
15 we are outside of the design basis of the plant on the  
16 Off-gas.

17 So what they told me was that they had  
18 tried talking to their shift supervisor and were  
19 senior, and they were not getting a good response in  
20 that, and they had gotten some response from the work  
21 control supervisor

22 SPECIAL AGENT NEFF: Now the [REDACTED] involved  
23 are who?

24 [REDACTED] I think it was (inaudible),  
25 but we could look that up to see who that was, but it

1 was the [REDACTED] They told me that  
2 they got him involved and he seemed to be receptive to  
3 their concern, and he was heading that up.

4 And he was trying to get a resolution on  
5 that and in driving that, and that was [REDACTED]  
6 because I remember them saying, look, this guy has  
7 been helping us out here to try to push this issue.

8 So after I looked at it, and I read the  
9 procedures on it, the guys were telling me, hey, we  
10 have got to do something. Look. This isn't right.  
11 We feel that we are outside of our procedures, and it  
12 has to do it off-gas, and we have a fuel defect, and  
13 that's not the right recommendation to shut the plant  
14 down because we are outside of our -- that is all the  
15 information that I had, was that it was outside of our  
16 design. And I verbally told them for verification.

17 SPECIAL AGENT NEFF: And who did you tell?  
18 [REDACTED] was the [REDACTED] and  
19 I believe it was [REDACTED] was the [REDACTED]

20 SPECIAL AGENT NEFF: [REDACTED]  
21 [REDACTED] He was the  
22 [REDACTED] and [REDACTED] was the [REDACTED].

23 SPECIAL AGENT NEFF: Okay. Now, let me  
24 just go back a little bit. On the shift before you,  
25 the NCOs, the shift supervisor, and the senior, and

1 you are unsure of who they are, they didn't like the  
2 response. What was the response that they were  
3 getting when they raised the issue?

4 [REDACTED] They feel that it was not  
5 getting the attention that they thought that it  
6 deserved, and that is what they told me. I mean, I  
7 wasn't there, and so that is what they told me.

8 SPECIAL AGENT NEFF: So you don't know if  
9 it was any response at all, and whether they thought  
10 it was getting the attention that it needed?

11 [REDACTED]: That's correct, except then  
12 that they got [REDACTED] involved and [REDACTED] was telling  
13 them, hey, this is an issue. I am going to follow up  
14 on this and start pushing it.

15 MR. ORR: How about [REDACTED]  
16 were they receptive to your concerns?

17 [REDACTED] I did not get the feeling  
18 that they -- they understood that it was an issue.

19 MR. ORR: Right.

20 [REDACTED] And they said, okay, now  
21 they have brought in a TARP team to start looking at  
22 it, and the team has it, and I wasn't -- my position  
23 was that I am the guy with the license and they guys  
24 have the SRO license, and we control the plant, and we  
25 should shut it down because we were outside our

1 design.

2 I mean, that is all the information that  
3 I had in front of me. Now, later on, they have done  
4 an engineering evaluation and they said, well, 75 is  
5 not really the limit. You could go up to 150 because  
6 we work with F-2 plants, but that night when we took  
7 the watch, all the information that we had was that 75  
8 was the limit.

9 MR. ORR: Okay.

10 SPECIAL AGENT NEFF: Did you tell -- what  
11 was your response with [REDACTED] and [REDACTED] that you  
12 are looking at the TARC team, and looking at it is not  
13 adequate in your opinion, because you were beyond the  
14 design basis?

15 [REDACTED] Yes, and then [REDACTED] a  
16 notification saying that we should shut the plant  
17 down.

18 SPECIAL AGENT NEFF: Okay. And what  
19 happened then?

20 [REDACTED] We were either at a level  
21 one or level two, which is our higher levels, and we  
22 have to present that to a senior. So when [REDACTED] it  
23 up, I gave it to the [REDACTED], which was [REDACTED], and I  
24 told him -- you know, I have already told him my  
25 opinion, and now [REDACTED] put it in writing that we

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1 should shut the plant down.

2 And here it is, and it is a level one, and  
3 his response is as I recall was I don't think it needs  
4 to be a level one. Make it be a level two.

5 SPECIAL AGENT NEFF: Which makes it an  
6 automatic shutdown?

7 [REDACTED] No, no, the lower level is  
8 the higher priority.

9 SPECIAL AGENT NEFF: That I understand,  
10 but in terms of the handling that it was going to  
11 receive the level one and level two?

12 [REDACTED] Level one or level two had  
13 nothing to do with shutting the plant down or not. It  
14 is just the priority of whether it is a higher concern  
15 or not a concern.

16 SPECIAL AGENT NEFF: And did you agree?

17 [REDACTED] If it was a level higher  
18 than level one, and I would have made it higher than  
19 level one, because I am telling to shut the plant down  
20 as a [REDACTED]

21 SPECIAL AGENT NEFF: And what did he say?

22 [REDACTED] He just said that a level  
23 two would be adequate.

24 SPECIAL AGENT NEFF: And what happens next  
25 with the TARP team? Are they still looking at this?

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1 [REDACTED] The TARP team is still  
2 looking at it, and then there was -- we were on the  
3 floor of the plant, and the [REDACTED] came out and we had  
4 a discussion about the off-gas, and the situation, and  
5 the [REDACTED] [REDACTED] the [REDACTED] which was [REDACTED]  
6 [REDACTED] and the [REDACTED]

7 And the [REDACTED] our position was that we  
8 were outside of our procedures and that we should shut  
9 down because (inaudible), and no, and you shouldn't be  
10 there. And that has always been my philosophy.

11 I mean, it is not a nintendo game. It is  
12 a nuclear power plant. So if you don't know, you  
13 should shut it down. That is safe that way. Now, as  
14 I recall, he wasn't saying to shut the plant down, but  
15 what he was saying very strongly was that by the FSAR  
16 we were outside of our design, and therefore we  
17 essentially are accepting a (inaudible) to our plant,  
18 and that is probably not the best thing to do. So the  
19 impression that I got from the [REDACTED] -

20 SPECIAL AGENT NEFF: Who is who?  
21 [REDACTED] [REDACTED] The  
22 impression that I got from him was that he certainly  
23 agreed that we were outside of our design. But I did  
24 not hear him say that we should shut the plant down.

25 And you were asking me about an instance,

1 and I was giving you an example.

2 SPECIAL AGENT NEFF: Ultimately, what  
3 happened here? Did it get shut down at a certain  
4 point in time, or --

5 [REDACTED] No.

6 SPECIAL AGENT NEFF: No?

7 [REDACTED] What happened was that they  
8 did an engineering evaluation, and said that the flow  
9 could go up to 150 and 75 was okay. This was what  
10 they got. That was a Monday night, and the procedure  
11 didn't get changed until Friday, which I worked  
12 Thursday and Friday, day work, and I was the [REDACTED]  
13 [REDACTED] on those days.

14 So we had the morning meeting and at both  
15 Friday morning and Thursday morning, and I don't  
16 remember if you were there or not, but I brought it up  
17 saying, okay, we have an engineering evaluation. I  
18 have got this piece of paper saying that I am okay,  
19 but my procedure says do not do this what we are  
20 doing, and we need to change our procedures, because  
21 that is how we operate the plant, by our procedures.  
22 And Friday afternoon, the procedure got changed.

23 SPECIAL AGENT NEFF: Okay. And to  
24 increase this to the zone where the flow would be  
25 okay?

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[REDACTED]

To let the procedure say --  
the procedure said do not operate above 75, and we  
were operating at 95. So they changed the procedure  
to allow us to go to where we were.

SPECIAL AGENT NEFF: Based on this  
engineering evaluation?

[REDACTED]

That's correct.

SPECIAL AGENT NEFF: Do you agree with  
that?

[REDACTED]

The engineering evaluation?

SPECIAL AGENT NEFF: Yes. Do you accept  
it?

[REDACTED]

I accept the engineering  
evaluation because the reason that I was told was that  
it was designed for two plants. So each one would be  
75 and 150. Okay. I can buy that. And maybe if I  
took the watch if they said that.

SPECIAL AGENT NEFF: If they had said that  
sooner rather than later, you would not have had those  
concerns throughout?

[REDACTED]

Okay. Right.

SPECIAL AGENT NEFF: That's what you are  
saying?

[REDACTED]

That's correct. If I had  
been told that at six o'clock that night, that the

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1 reason that 75 is okay to go above, because the off-  
2 gas is really designed for two plants and not one, and  
3 this SR was written with the likelihood that we were  
4 going to have two, and not one, then it certainly  
5 would have -- I certainly would not have had such a  
6 concern during that first half of that shift until I  
7 got an engineering evaluation.

8 SPECIAL AGENT NEFF: Okay.

9 MR. ORR: Did the senior reactor operators  
10 do anything to respond to your concern or did they  
11 seem genuine about your concern, or did they just  
12 dismiss it and say we will just let the TARP deal with  
13 it? I am just trying to understand what their  
14 response to your concern was, because in my mind, if  
15 a reactor operator says to me, and if I am a senior  
16 reactor operator that, hey, that is a pretty strong  
17 statement coming from a licensed operator.

18  I agree.

19 MR. ORR: And whether it is right or  
20 wrong, whether the plant needs to be shut down or not,  
21 it is still a strong statement, right?

22  Correct.

23 MR. ORR: And so what was their response  
24 to that? Did they seem genuine with your concern, or  
25 did they just dismiss it, or what?

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1 [REDACTED] I would say that they  
2 recognized the concern with the response that [REDACTED]  
3 [REDACTED] gave me, and that it does not need to be a  
4 level one, and that certainly did not give me the  
5 impression that they were taking my request at the  
6 utmost seriousness.

7 But there was a TARP team, and [REDACTED]  
8 [REDACTED] or [REDACTED] was going over there and  
9 meeting with those guys, and I got a phone call from  
10 [REDACTED] that night asking me what is your  
11 concern, you know.

12 And I read him the procedure, because he  
13 was like, well, is there really a limit, and I was  
14 like our procedure says do not -- and I said wait a  
15 minute. I've got the procedure, and I actually read  
16 him what the procedure said.

17 SPECIAL AGENT NEFF: And how did he  
18 respond to that?

19 [REDACTED] He said we are looking into  
20 it.

21 MR. ORR: Did [REDACTED] tell [REDACTED]  
22 [REDACTED] about your concern, or how did [REDACTED] know that  
23 you had this strong concern?

24 [REDACTED]: I do not know how [REDACTED] knew,  
25 but I believe it was through the TARP team somehow.

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SPECIAL AGENT NEFF: He was off-site when he called? He wasn't present?

[REDACTED] He called me where he was, and I don't recall --

SPECIAL AGENT NEFF: Did you see him at all that night?

[REDACTED]: I do not recall seeing [REDACTED]  
[REDACTED]

MR. ORR: But he might have been over in the other room?

[REDACTED] I don't know. I don't recall seeing him.

MR. ORR: Was that usual for him to pick up the telephone and call the panel operators? I am trying to understand if it was out of the ordinary or ordinary for him to have --

[REDACTED] No, that is out of the ordinary. So somehow he was notified that this was going on, whether it was through the TARP team or [REDACTED] called him. I don't know. That does show that at least upper management was looking into it.

SPECIAL AGENT NEFF: What about afterward? Did you feel that you suffered any kind of criticism or any adverse action, or any uncomfortable pressure towards you for even raising the issue and saying this

1 should be a level one and pushing it that way?

2 [REDACTED] I would say no.

3 SPECIAL AGENT NEFF: The fact that this  
4 was not ordinary for [REDACTED] to call you and  
5 say, hey, I hear that you have a concern, had anything  
6 -- can you think of anything else happening like this,  
7 where you had to push and say this needs to be a  
8 notification, and --

9 [REDACTED] the notification.  
10 I mean, the --

11 SPECIAL AGENT NEFF: Right, [REDACTED] the  
12 notification that night?

13 [REDACTED] Correct.

14 SPECIAL AGENT NEFF: But did you have  
15 anything else eventual like this happen before? Had  
16 that happened before? Can you think of any other?

17 [REDACTED] Well, to me this was the  
18 most stressed that I can ever remember being in the  
19 control room, because I don't remember being in a  
20 situation equal to that, where I was saying, hey, you  
21 have to shut the plant down.

22 MR. ORR: How about issues of operability,  
23 and degraded conditions on equipment, and equipment  
24 operability.

25 [REDACTED] Operability is determined by

1 the shift supervisor, and that is not -- as an [REDACTED] I  
2 don't determine operability. I can give my  
3 recommendations.

4 MR. ORR: Yes, I understand that. But you  
5 know of equipment issues, right? So let's say you  
6 have something affecting an RHR pump, right? The  
7 equipment operator tells you about it, right? So you  
8 know that the senior reactor operator has got to  
9 consider that and factor that into operability.

10 [REDACTED] Right.

11 MR. ORR: Any examples where you feel like  
12 equipment issues were not properly characterized by  
13 the SROs?

14 [REDACTED] Well, we had diesel issues,  
15 and I am sure that you are familiar with diesel  
16 issues.

17 MR. ORR: Yes.

18 [REDACTED]: And at that time, I know  
19 that there was a lot of concern about the operability  
20 of diesels, and what I am specifically talking about  
21 is when we had leaks.

22 MR. ORR: When was that?

23 [REDACTED] When was that?

24 SPECIAL AGENT NEFF: March.

25 [REDACTED] May or June maybe.

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[REDACTED]

I mean, it was this year.

When exactly, I would have to look that up.

MR. ORR: It was this year.

[REDACTED]

It was June. We had leakage

of --

SPECIAL AGENT NEFF: Okay. June.

[REDACTED]

Not only (inaudible) leaks,

but environmental conditions that guys had gotten sick being in their room with the diesel running, and (inaudible) and he had to leave because of something that happened at home, and (inaudible) and he blacked out on the way home, and he believed that it was caused from the fumes of the diesel.

So after that, we certainly -- I mean, we had numerous meetings with the company and the safety, and running the diesel in scubas, and (inaudible), and running a diesel is beyond the normal duties of an operator to run a diesel.

And if you are talking about an operability questionability, I would have to put that in that category.

MR. ORR: And were those being raised and not properly addressed, or reactor operators, or even senior reactor operators complain about the operation of the diesels, and --

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1 [REDACTED] Well, I believe you were in  
2 meetings with me --

3 MR. ORR: I was in meetings with the  
4 industrial engineer.

5 [REDACTED] I mean, we had discussions  
6 with safety, and they were saying the CO2 is fine, and  
7 we were saying, okay, what else is there. You know,  
8 there has to be other gases, and maybe it is a  
9 different gas that is affecting these people.

10 There is only so many liquids and what can  
11 be made from these liquids, and I don't remember that  
12 night specifically, but they said that CO2 was the  
13 only thing, or CO, and the equipment operator got on  
14 the internet, and he found five other gases, and they  
15 were like, oh, yeah, we could test for them.

16 Well, we were like, well, then test for  
17 them, you know, because something is going on, and  
18 let's not risk anybody. So there was certainly a lot  
19 of discussions about that and concerns about the  
20 diesels and whether that is really the right thing to  
21 do.

22 But there is an LCO time limit, and they  
23 wanted to clear it up so that we can keep the plant  
24 running. I mean, there is electricity, too, and that  
25 is part of the business, you know.

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MR. ORR: And can people feel free to raise those concerns about the exhaust gases as such? [REDACTED] I would have to say yes, and I believe that there were numerous notifications written on that, and even the supervisor who passed out on the way home, he wrote that up.

SPECIAL AGENT NEFF: The way that you say that, and when you talk about electricity, it is almost like you are saying just so I understand, that they wanted to keep on going and there was an LCO time frame there.

But do you see that as appropriate? Was there inappropriate pressure on keeping the plant moving where they could have resolved where these issues were with the gases?

[REDACTED] There is certainly schedule pressure, and production pressure to keep the plant making electricity, because it is a business, but the reactor operator and the licensed operators have to keep the big focus that we are running a nuclear plant, and that if we have to shut it down, then we should shut it down.

That the electricity should not matter to us in the control room.

SPECIAL AGENT NEFF: Are there instances

1 where when the plant should be shut down that it  
2 doesn't get shut down?

3  Well, the only time that I  
4 felt that way was with the off-gas, and like I have  
5 told you, eventually they came up and testified that  
6 it was okay.

7 SPECIAL AGENT NEFF: Right. It seemed  
8 like your concern was more up front, and that you  
9 didn't get a good explanation of what was going on,  
10 and what the plant does could be early enough, so that  
11 you went through your shift with this concern.

12  That's correct.

13 SPECIAL AGENT NEFF: But in terms of this  
14 pressure as you understood it, it is a business, but  
15 in order to keep the plant on line, are you saying  
16 that you have not witnessed an inappropriate running  
17 of the plant, such as a failure to shut down, or to  
18 really start up whatever in order to keep production  
19 where it shouldn't have been?

20 Or that should not have been the case and  
21 have you seen any instances of that production over  
22 the safe running of the plant?

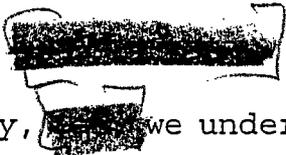
23  Well, the only instance that  
24 I feel that I have been involved in was this off-gas,  
25 because when I brought that issue up, nobody said to

1 me, well, you know, it is because it is designed for  
2 two plants.

3 SPECIAL AGENT NEFF: Right.

4  And I don't know that  
5 anybody knew that. I mean, I have to believe that the  
6 shift supervisor and the senior in the STA didn't know  
7 that, or they would have said it, because I was being  
8 very direct.

9 SPECIAL AGENT NEFF: Right. You would  
10 have expected it to be addressed in that way?

11  Right. Well, you know, to  
12 be told, hey,  we understand your concern, but her  
13 is why it is not a concern. It was just, well, we  
14 understand your concern. Okay. You understand my  
15 concern, but let's shut the place down. I mean, that  
16 was my response.

17 Unless you tell me why we shouldn't, then  
18 we should be shutting it down. Now, as it turns out,  
19 it was not -- it was okay engineering-wise, and it was  
20 okay; but during that period of time it wasn't okay to  
21 me anyway.

22 SPECIAL AGENT NEFF: But it was not okay  
23 to you, and you are questioning whether it was known  
24 to your shift manager?

25  I believe it was not.

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1 SPECIAL AGENT NEFF: Because it would have  
2 been -- then ne would have gotten enlightened at the  
3 same time that you got enlightened?

4 [REDACTED] That's correct.

5 SPECIAL AGENT NEFF: Okay. So what is the  
6 reason for being willing to be outside the design  
7 basis? What is the reason for that if they don't have  
8 the comfort level that you didn't have either?

9 [REDACTED] And this is -- well, that  
10 would be an opinion, right? I mean, that is not --

11 SPECIAL AGENT NEFF: I am just asking  
12 where do you think it is coming from.

13 [REDACTED] Some of our supervision  
14 don't have all that much experience. So they rely on  
15 the direction, and this is just my opinion, on their  
16 bosses. And this is just my opinion, but they are  
17 relying on people that don't have licenses to run the  
18 plant. They don't have that responsibility.

19 SPECIAL AGENT NEFF: At what level is the  
20 lack of experience? Are you talking about the [REDACTED]

21 [REDACTED] )  
22 [REDACTED] Which is the [REDACTED] -- well,  
23 this was [REDACTED]. He doesn't have a whole lot of  
24 experience. I don't want to paint [REDACTED] as I don't  
25 like him. I like [REDACTED] but he doesn't have a whole

1 lot of experience.

2 SPECIAL AGENT NEFF: So he relies on the  
3 next level above him, and not a licensed level?

4 [REDACTED] Well, he was relying on  
5 whoever was over there in that TARP team. That is the  
6 impression that I got.

7 SPECIAL AGENT NEFF: What position would  
8 have been running that TARP team then? Can you put a  
9 position or a name with it?

10 [REDACTED] Well, it might have been [REDACTED]  
11 [REDACTED] and he might have been over there. Like I  
12 said, he called me --

13 SPECIAL AGENT NEFF: So, [REDACTED]  
14 [REDACTED]  
15 [REDACTED] He might have been the guy  
16 who was over there. I do not know, but I know that he  
17 called me. So he might have been over there.

18 SPECIAL AGENT NEFF: At some point then  
19 that night he was involved, and you know that?

20 [REDACTED] That's correct.

21 SPECIAL AGENT NEFF: Okay. So --

22 [REDACTED] And with all of that said,  
23 [REDACTED] is not here anymore. I mean, we have [REDACTED]  
24 [REDACTED] who I believe is a different -- [REDACTED] has  
25 more experience. That is my impression. And just to

1 give you that bit of information, we have had a change  
2 in upper management.

3 SPECIAL AGENT NEFF: That is understood.  
4 Is it that you are saying that [REDACTED] is the [REDACTED]  
5 [REDACTED] is relying on [REDACTED] Did he  
6 have a lack of experience, and yet [REDACTED]  
7 doesn't have the experience? Is that where we are  
8 here?

9 [REDACTED] That was my opinion. Now,  
10 whether it was [REDACTED] over there, I do not know who was  
11 over there. But I believe he was relying on the TARP  
12 team, and I know that [REDACTED] called me, and so I am  
13 thinking that he was probably over there, but I don't  
14 know that.

15 SPECIAL AGENT NEFF: Okay. What about any  
16 other decisions that you have seen come from [REDACTED]  
17 [REDACTED] or [REDACTED] that you would question on  
18 the running of the plant? Can you think of anything  
19 else? I know this one weighed heavily.

20 [REDACTED]: Right. That one weighed --  
21 and like I said, I have never experienced that  
22 situation, and that's why it is in my mind, because it  
23 did weigh heavily on it. I am not on [REDACTED]  
24 shift, and so I don't work with him on a day to day  
25 basis.

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1 I would recommend that if you wanted to  
2 know that you could talk to the NCOs or the shift  
3 supervisors on this shift. But I am sure and I  
4 believe that there could be more examples given, not  
5 of this magnitude, but of decisions, safety decisions  
6 probably.

7 SPECIAL AGENT NEFF: Okay. You just don't  
8 know of anything further that you think might be  
9 there?

10 [REDACTED]: I don't have personal  
11 experience because I am not on that shift.

12 SPECIAL AGENT NEFF: Okay.

13 [REDACTED]: But again, if you talk to  
14 the people on that shift, I believe you could probably  
15 get examples.

16 SPECIAL AGENT NEFF: Okay. What shift is  
17 this one?

18 [REDACTED]

19 SPECIAL AGENT NEFF: Okay. You are  
20 pointing to this as a concern for you in keeping the  
21 plant running inappropriately, because they could not  
22 explain at an earlier point in time that it shouldn't  
23 be shut down?

24 [REDACTED]: That's correct.

25 SPECIAL AGENT NEFF: And under the

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1 circumstances that you understood at that time, it  
2 should have been shut down?

3 [REDACTED] That was my opinion.

4 SPECIAL AGENT NEFF: Okay. And you are  
5 also portraying it as the only one that comes to mind  
6 in terms of this keeping production over clearly where  
7 you had to go in another direction at that point?

8 [REDACTED] That's correct.

9 SPECIAL AGENT NEFF: Had you become aware  
10 at any time of other instances where it was -- where  
11 the decision was made to keep production going over a  
12 safety concern, or over an operating status that you  
13 should not have been in of other people?

14 Did you become aware at any point in time  
15 that other people had this production over safety  
16 concern, even if you thought that it was not a valid  
17 concern?

18 You are pointing to this one as one for  
19 you, but are there more out there that other people  
20 had, even though you might have thought, well, that  
21 really is not what happened here?

22 [REDACTED] Well, as far as keeping the  
23 plant running and production, I guess I would have to  
24 put the diesel into that category, because there was  
25 numerous people that thought -- and it is certainly

1 questionable in my mind whether running a diesel in  
2 scuba and you can say that diesel is operable, and  
3 that that is okay, and that that is going to provide  
4 all you need.

5 Because in order to check it, you are  
6 going to have to put a scuba on. To me, that went  
7 beyond the line of to say that, okay, that piece of  
8 equipment is a good piece of equipment.

9 SPECIAL AGENT NEFF: And where was that  
10 coming from? Where were the decisions being made on  
11 that?

12 [REDACTED] And this is only my opinion,  
13 but --

14 SPECIAL AGENT NEFF: I mean a level with  
15 a name? Who was involved?

16 [REDACTED] I would say [REDACTED] and I  
17 was not involved in conversations, but I was told  
18 about conversations.

19 SPECIAL AGENT NEFF: Okay. And who would  
20 know directly?

21 [REDACTED] The meetings that we had were  
22 with [REDACTED] and [REDACTED] what is his name?  
23 [REDACTED] is our [REDACTED]

24 SPECIAL AGENT NEFF: [REDACTED] is an [REDACTED]  
25 [REDACTED]

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[REDACTED] Yes.  
[REDACTED] Yes, and [REDACTED]

SPECIAL AGENT NEFF: Can you say his name again?

[REDACTED]: It is actually like [REDACTED] or something, but I am not sure how to pronounce it.

[REDACTED] He is our [REDACTED]

[REDACTED] But he is not here anymore either. He was their environmental -- there is a specific term for it. Oh, [REDACTED] I think is what they were billing him as.

SPECIAL AGENT NEFF: [REDACTED]

[REDACTED] And he is the one that told us that there was nothing else besides that.

SPECIAL AGENT NEFF: And when you say he is not here either, is [REDACTED] here?

[REDACTED] Yes.

[REDACTED]: Yes.

SPECIAL AGENT NEFF: And he is one of the other people who has since been gone?

[REDACTED] Yes, he went on to -- I forget where he is working now.

[REDACTED]: He still works for PSE&G doesn't he?

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[REDACTED]

I think he went north.

SPECIAL AGENT NEFF: Okay. Do you have any other firsthand information regarding the diesel leak in June? When I asked you if you were aware of any situation where people thought it was production over safety issue, this is what you came up with.

[REDACTED]

There was -- well, the leak was known months, and months, and months before, and it was thought that the repair was going to take greater than 72 hours. So that we did not have enough time to fix the diesel.

So when we found that the leak was so bad, and I remember having a discussion with [REDACTED] who is the [REDACTED] and when they found out that -- they relooked at it, and found out that they could do the repair in a less amount of time that would have fit in the window, I said, okay, good. Then we can do it.

And we didn't have the parts to fix it, and so we couldn't do it, which I can remember. I mean, that disturbed me from wait a minute, diesels are very important for the shutdown of the plant, and we should always keep the priority high on them, and how can we not have the parts.

I don't know where I am going with this

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1 point, except that I had that discussion with [REDACTED]  
2 [REDACTED] about keeping or fixing the diesel.

3 SPECIAL AGENT NEFF: And you should have  
4 had these parts on hand?

5 [REDACTED] And we should have had the  
6 parts. We had months, and months, and months to know,  
7 and we didn't do it. We didn't keep that as the  
8 priority.

9 MR. ORR: I don't believe you will find  
10 anyone that would say that that situation was handled  
11 well.

12 [REDACTED] Well, I am sure that the  
13 company is not happy with that at all.

14 SPECIAL AGENT NEFF: Okay. Anything else,  
15 [REDACTED] Any other issues where -- and even if you didn't  
16 think it was a production over safety directive, per  
17 se, other people thought so?

18 [REDACTED] I am sure that there is, but  
19 none are coming to mind, you know. Over the years, I  
20 am sure, but I cannot think of any at this time.

21 MR. ORR: On the diesel generator do you  
22 know if anybody believed that the diesel generator  
23 should be considered inoperable because of undue  
24 pressures or perceived pressure that they did not  
25 declare the diesel generator inoperable?

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1 [REDACTED] I have to believe that there  
2 are numerous people that did not think that the diesel  
3 was operable. But the call is made by the shift  
4 supervisor. I mean, that is who makes the call.

5 MR. ORR: Those numerous people, do you  
6 think they include senior reactor operators?

7 [REDACTED] Yes, but that is just my  
8 opinion, but I mean, the guy who is running the shift  
9 that day is the guy who makes the call.

10 MR. ORR: Right.

11 SPECIAL AGENT NEFF: And had you heard  
12 that from anybody [REDACTED] that there was undue pressure  
13 on anyone to not declare them inoperable? Is it  
14 something that you think might be there, or is it  
15 something that somebody told you?

16 [REDACTED] I do not remember being told  
17 by any SROs that they thought that the diesel was  
18 inoperable. I do have to say that I don't think that  
19 anybody -- I think that it was an understood thing  
20 that they were going to declare it inoperable, and we  
21 were going to keep running it.

22 SPECIAL AGENT NEFF: And that's why you  
23 are saying that nobody would think that this was  
24 handled well?

25 [REDACTED] Correct. All 7c

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SPECIAL AGENT NEFF: And it is fairly well documented is it?

[REDACTED]: Yes.

SPECIAL AGENT NEFF: Okay.

[REDACTED] And I think that the company also recognizes that it was not handled correctly. I mean, I don't think that would be a surprise to the company. I mean, if you brought company people in here, I don't think that they would say, oh, that is a fine way, and we would handle it the same way again, because it was not handled correctly. I think that everybody agrees with that.

MR. ORR: I would like to ask him if at the time if it was Charlie or Delta Diesel if it would be operable, and I would think they would say that it would be inoperable. That is my opinion, but I am just saying it is a bigger window for Charlie and Delta.

SPECIAL AGENT NEFF: Okay.

MR. ORR: I mean, they had three people get sick over this.

[REDACTED] And one went to the hospital. [REDACTED] went to the hospital and was on the verge of passing out in his car.

[REDACTED] Well, he did pass out. He

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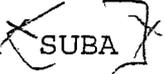
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blacked out.

 And it should not have taken as long as it did to get it fixed. And my personal opinion from the meeting that I was in with you,  and with the safety and our boss, I felt that the answer that came out of that meeting was misconstrued.

The reason that  SUBA came into play is because he said to get me to go in that diesel room with it running, you need me to be in a  SUBA basically. We came back to work, and it was that the Union said that it was all right to run it in an  SUBA. That is what I heard.

 But it is not the same at all.

SPECIAL AGENT NEFF: No, it is not the same thing. He was making some sort of exaggerated statement and they took it literally and said here you go.

MR. ORR: That is my take on it. I couldn't talk to people that day. I was very, very mad.

 I believe that was the A shift who actually ran it, right? So if you wanted to talk to somebody about the diesels, it would be the A shift.

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SPECIAL AGENT NEFF: Who was involved in the decision that took it and twisted it that way? [REDACTED] I can't say. I only know who we were in a meeting with, which was [REDACTED] I don't know how that meeting translated to the next meeting of just supervisors, or however, and then came back. It could be an honest thing where it was just a game of telephone, and it was mistranslated on the other end. I would like to believe that.

SPECIAL AGENT NEFF: Okay. Your assessment of the culture here, and we will talk about, let's just say, in the past six months to a year or so, do you see any strengths in the safety culture here?

[REDACTED] On every shift, we have a shift safety rep, a union guy, and I like to think that that is a strength, because at least there is somebody on shift who is the safety guy to go to union wise, and so he should not be able to be pressured.

But sometimes there is pressure, but I like to think that is worth having at Salem/Hope Creek. I like to think of that as a good thing, because then it is somebody anybody can go to and say, hey, look, take a look at this from safety, and see if we are really doing the right thing.

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We had a guy get hit in the head with a wrench. When was that, last year, right?

[REDACTED] About 3 years ago. It was 2001, I believe.

[REDACTED] 2001?

[REDACTED] Right, March.

SPECIAL AGENT NEFF: Was this a near fatal accident?

[REDACTED] Yes, it was.

SPECIAL AGENT NEFF: And where they made some sort of an adjustment, and was not using equipment like he was supposed to be? Is it something that he made an adjustment to?

[REDACTED] It was a tool that was adapted, and it was used by everyone. That could have been anyone. He didn't do anything different than everybody else.

SPECIAL AGENT NEFF: It is the way that the equipment was being used?

[REDACTED] It wasn't the proper use for that tool, but that is what we did. I did it, and I am sure that you did it. I mean, everybody did it, and it could have been anybody, and he got hit in the head. There have been precursors that we should have stopped at, but we didn't.

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And after that happened, I think that there was certainly a step change in safety from everybody, because everybody knew that this guy almost died. So from a personal safety, there was --

SPECIAL AGENT NEFF: Like an occupational point of view, there is more of a focus on safety on the job?

[REDACTED]

Absolutely. Absolutely.

SPECIAL AGENT NEFF: So those are some strengths that you are talking about, and I don't know why we didn't get a date for that incident.

[REDACTED]

I believe it would be around March or February of 2001, because I was on at the same time.

SPECIAL AGENT NEFF: So, 2-1/2 years ago. And has that remained? Has that focus stayed pretty tight on that since?

[REDACTED]

I think that from a personal point of view that the guys realized that you have to be responsible for your safety and watch what you are doing. And if you don't feel that you are doing something right, stop.

I mean, last night, we had something where it was a tie out, and the guy just said I can't get to there. Okay. No problem.

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SPECIAL AGENT NEFF: No problem, no pressure?

[REDACTED]

No, none at all. When we send the guys out, hey, if you find something, come on back. If it is not right, don't put yourself in a personal risk situation.

SPECIAL AGENT NEFF: Part of what you just mentioned before when you said that there is a safety on each shift.

[REDACTED]

A safety rep.

SPECIAL AGENT NEFF: A safety rep on each shift, and you said or you kind of indicated that sometimes there is pressure on those individuals. What kind of pressure are you talking about?

[REDACTED]

Well, now I am going to speak about --

SPECIAL AGENT NEFF: Okay. We are on Side B, and it is approximately 8:10 p.m. Okay. You were going to mention an incident regarding a safety rep, I think?

[REDACTED]

Yes, and I was not present, but it just happened within the last two weeks. So it is fresh in my mind because guys have told me what has happened, and so it is not firsthand.

SPECIAL AGENT NEFF: Okay. Just tell me

1 who is involved and what happened, and we will go from  
2 there.

3 [REDACTED] Okay. It was [REDACTED]  
4 and it was a switch yard tagging, and we have  
5 interlocks out in the switch yard that are there for  
6 personal protection. So the interlocks prevent  
7 somebody from closing on the ground on a live wire,  
8 and a key broke off, and they wanted to bypass the  
9 interlocks so that they could continue switching.

10 And the shift safety rep said no, we are  
11 not going to do that, and it was certainly pressure,  
12 and a lot of discussion to try to get them to do that.  
13 Now it did not happen.

14 SPECIAL AGENT NEFF: And who is the [REDACTED]

15 [REDACTED]  
16 [REDACTED] It was [REDACTED]  
17 [REDACTED] And this was Wednesday or  
18 Thursday of this week.

19 [REDACTED]: Yes, a couple of days ago.

20 SPECIAL AGENT NEFF: And the pressure  
21 would have been from the [REDACTED]

22 [REDACTED]: That is my understanding.  
23 Again, I was not there, but that is my understanding.

24 SPECIAL AGENT NEFF: And the end result  
25 was that it didn't get done, and they did not bypass

1 the interlocks?

2 [REDACTED] It did not get done. But  
3 there was certainly a lot of back and forth is my  
4 understanding to try to get them to bypass the  
5 interlocks, because --

6 SPECIAL AGENT NEFF: Because why?

7 [REDACTED] Well, again, I was not  
8 there, but the quote is that the procedure says that.  
9 The procedure does not say that I can't bypass the  
10 interlocks.

11 [REDACTED] The switching was --

12 [REDACTED] So the mission was that does  
13 not mean that you can. The safety rep said, no, we  
14 are not bypassing the interlocks because that is there  
15 for our safety.

16 SPECIAL AGENT NEFF: And the point of  
17 bypassing the interlocks would gain somebody what?

18 [REDACTED] You could finish the tagging  
19 release.

20 [REDACTED] I actually got the story  
21 pretty well firsthand, and not from [REDACTED]

22 [REDACTED]

23 SPECIAL AGENT NEFF: Have you been  
24 interviewed yet, [REDACTED]

25 [REDACTED] No.

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SPECIAL AGENT NEFF: Okay.

[REDACTED] But I am a [REDACTED] and -

MR. ORR: Well, the switching, was it to bring a line back in or to take a line out?

[REDACTED] The 2 to 6 breaker had been taken out, and so they wanted to restore it just to restore grid stability is my understanding. But the idea was to -- once they broke the key off, he wanted to get the job done, and his idea was -- and this being [REDACTED] that if I bring the breaker back, the grid is more stable. That was his logic.

The error in his logic is that our safety procedures say for key interlocks, which is the safety interlocks in the switch yard, shall not be overridden unless you have -- there is like three things.

But one of them -- well, basically the only thing that applies to operability is emergency situations. So if I needed a switch to take something out, I would imagine that would be the only way I would have to do that, and I think it was just the wrong mind-set, where you could do it, but you don't have to do it. So you shouldn't do it.

SPECIAL AGENT NEFF: Okay.

[REDACTED] I don't think that he was

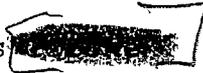
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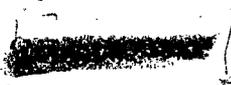
1 trying to do anything to put anybody in jeopardy, and  
2 I don't think he was -- and this is my opinion, but he  
3 just was not seeing that just because I have the  
4 ability to do it, the conditions don't warrant me  
5 doing it.

6 SPECIAL AGENT NEFF: It did not apply to  
7 this situation that you had?

8  That is my -- from the story  
9 that I got, that is my take on it.

10 SPECIAL AGENT NEFF: If the interlocks  
11 aren't bypassed, and the stability to the grid then is  
12 in question or left the way that it was, does   
13 have to do something? Is he required to take some  
14 action, something else? I mean, what effect does it  
15 have?

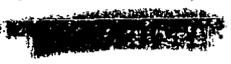
16  Well, the grid is not  
17 unstable because the breaker is open.

18  Right.

19  But if there is another  
20 fault, you could lose some sections.

21 SPECIAL AGENT NEFF: Then you might have  
22 a problem?

23  That's correct. So if  
24 another fault happens while you have that --

25  Then you may lose something.

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1 [REDACTED] -- then you might lose  
2 something, a piece.

3 SPECIAL AGENT NEFF: I see, and so he was  
4 trying to prevent it from going into the next level?

5 [REDACTED]: Yes, if there was a fault,  
6 but I mean, it was tagged out for work, and it wasn't  
7 that it was broken and tagged out. It was a scheduled  
8 maintenance, and --

9 [REDACTED] They just wanted to bring it  
10 back in the window.

11 [REDACTED]: -- just like we do scheduled  
12 maintenance on the plant, and we say, okay, it is  
13 better to take this piece of equipment out and work on  
14 it, and then put it back in for overall stability.

15 SPECIAL AGENT NEFF: Okay.

16 [REDACTED] Now during that period of  
17 time, you don't have that piece of equipment, but  
18 overall it is better.

19 SPECIAL AGENT NEFF: And that is the way  
20 to do it?

21 [REDACTED]: Absolutely.

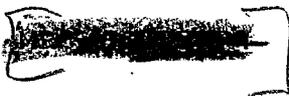
22 SPECIAL AGENT NEFF: How much time -- you  
23 know, when you are talking pressure? Was it just him,  
24 or was there somebody else involved, or how much time  
25 was this debate going on over we will not bypass the

1 interlocks?

2  To my knowledge, I would say  
3 it was probably somewhere in the neighborhood of half  
4 the shift. I don't know when it was supposed to come  
5 back, and they did resolve it within their shift, and  
6 so assuming it was not the first thing in the morning,  
7 which switching usually isn't, and they did resolve  
8 it.

9 I mean, they put the paper in front of  
10 him, and he realized, yeah, okay, this is something  
11 that I didn't look at. So to my knowledge, that took  
12 care of it.

13 SPECIAL AGENT NEFF: Okay. And you  
14 brought this up answering my question about pressure  
15 on safety during shifts. Do you have anything else  
16 that you can think of? That type of thing?

17  Nothing comes to mind at  
18 this time.

19 SPECIAL AGENT NEFF: Okay. And in terms  
20 of weaknesses in the safety culture, do you see  
21 anything there that could be done better; and again,  
22 that is considering are people encouraged, and are  
23 they willing to raise concerns, and do they use the  
24 appropriate avenues they are supposed to, whether it  
25 is going to a supervisor and documenting a

1 notification, or going to ECP?

2 Are you considering that, or is there  
3 something that could be made stronger? Do you see  
4 weaknesses?

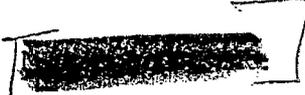
5  Well, for the strong side,  
6 I think people do identify problems and they bring  
7 them up, and they write notifications if there is a  
8 safety issue.

9 To make it a weakness, I would say again  
10 would be the experience level of some of our  
11 supervision. Just not having the experience, you  
12 don't have that history of okay, in this situation  
13 here is the danger. You have to stay out of that.  
14 They just don't have a lot of experience, and that is  
15 just my opinion.

16 SPECIAL AGENT NEFF: You brought up two  
17 instances involving  and do you  
18 have that for anybody else, and any concerns about  
19 anybody else?

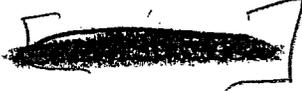
20 : Well --

21 SPECIAL AGENT NEFF: Or is there a certain  
22 level of experience that you would say that if you  
23 have X-number of --

24 : Well, it is not just  
25 experience in that position, but where you gained your

1 experience.

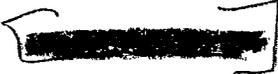
2 SPECIAL AGENT NEFF: Site specific?

3  The site or in running a  
4 plant, any kind of plant, and just having the  
5 experience of running a plant.

6 SPECIAL AGENT NEFF: Well, what level is  
7 your concern? I am trying to get an idea of where you  
8 are going. How high of a concern is this for you, if  
9 you are saying that your shift managers don't have  
10 adequate experience, on a scale of 1 to 10, are you  
11 low, at a one, or are you pretty upset about it at a  
12 10? Where would you put that?

13  The limit that I have is  
14 that I don't see -- well, if they move some guys out  
15 who would they put in there.

16 SPECIAL AGENT NEFF: So you see no backup  
17 experience; is that what you are saying?

18  There is some, and this is  
19 just my opinion again, but on shift I don't know that  
20 there is a lot of experience that could step in and  
21 make it stronger. There is some experience off-shifts  
22 that could certainly I think make it stronger if they  
23 were put in the positions.

24 SPECIAL AGENT NEFF: What do you mean,  
25 like their work management or something?

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[REDACTED]

Yes.

SPECIAL AGENT NEFF: They are in another location?

MR. ORR: Are you talking about -- just to clarify, because you keep saying our supervision, and you keep saying shift managers. Are you talking about the OS's or the CRS's?

[REDACTED]

I was talking about OS level, but there is also some --

SPECIAL AGENT NEFF: Shift manager and OS would be one and the same, right?

[REDACTED]

That is correct.

SPECIAL AGENT NEFF: Two titles.

[REDACTED]

And the CRS is the control room supervisor.

SPECIAL AGENT NEFF: And the CRS is a level below that?

[REDACTED]

Right. And there is some new guys in that position, too, but to me that does not bother me as much as the seniors, because the senior is -- he is the SRO who is responsible for the overall responsibility.

So having a weakness in the senior position is certainly -- it hurts the operation of the plant more than a weakness in a CRS. That is my

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1 opinion. Now, you asked me about other weaknesses,  
2 and [REDACTED] (phonetic), he was the [REDACTED]  
3 involved, and I am sure you know with that power of  
4 discouraging on that, and I would certainly put him in  
5 that category.

6 SPECIAL AGENT NEFF: Less experience?

7 [REDACTED] He has more experience than  
8 [REDACTED] but I would certainly put him in that area of  
9 a level of concern.

10 SPECIAL AGENT NEFF: Okay. That was a  
11 different March incident; is that what you are talking  
12 about?

13 [REDACTED] Yes, that was earlier. It-  
14 was a power excursion when they were doing a test, and  
15 there was a bolt stuck in a bypass valve, and they  
16 were using a test, and they didn't go over the  
17 termination criteria.

18 SPECIAL AGENT NEFF: And incidents that  
19 you are concerned about with this -- if not lack of  
20 experience, but weaknesses in the OS level, for  
21 whatever reason, for experience or whatever, what else  
22 adds to your concern? Do you have other events, or  
23 poor decisions made?

24 [REDACTED] Well, like he was the [REDACTED]  
25 during that special test, and he was the guy leading

1 that, and it ended up where it shouldn't have been.  
2 So that is an example that sticks in my mind.

3 But if you wanted discussion on [REDACTED]  
4 [REDACTED] (phonetic), you should talk to Echo Shift and  
5 that is whose shift that is.

6 SPECIAL AGENT NEFF: People who are  
7 working directly with him?

8 [REDACTED] That's correct.

9 SPECIAL AGENT NEFF: Okay. What about any  
10 other people? That is one, and a pretty significant  
11 one.

12 [REDACTED] I would say right now we  
13 don't have an ops manager, and we have not had one for  
14 almost 2 months, and that is a hole in the leadership  
15 that should be filled, and there is nothing that you  
16 guys can do about that, but you are asking me, and so  
17 I am giving you my opinion.

18 SPECIAL AGENT NEFF: Right. And  
19 specifically regarding the safety culture and the way  
20 it works, and how concerns are handled, is there  
21 anything else there that you see that would be in your  
22 opinion a weakness?

23 [REDACTED] Well, in my opinion,  
24 conservative decision was always something that was --  
25 or most, I mean, and I am a believer in that, that you

1 run the plant safely by being conservative, and it  
2 seems acceptable risk now is the key phrase, instead  
3 of conservative decision.

4 SPECIAL AGENT NEFF: Since when?

5 [REDACTED] Acceptable risk. Well,  
6 within the last year-and-a-half in my estimate.

7 MR. ORR: Did you hear that term being  
8 used by anyone?

9 [REDACTED] I think they used risk  
10 assessment.

11 [REDACTED] Right, and acceptable risk  
12 management, and --

13 SPECIAL AGENT NEFF: Well, what is risk  
14 assessment and acceptable risk?

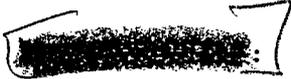
15 [REDACTED] Right. Well, I mean, there  
16 is acceptable risk. I mean, there is, and when we  
17 take a diesel out and tag, and the diesel didn't have  
18 anything wrong with it, and we have decided to take it  
19 out because over the long haul, it is better to  
20 maintain it and if we do it on line, compared to the  
21 outage, and maybe our outages won't be as long.

22 But that is what we do, and that is  
23 acceptable risk. We have decided that we are taking  
24 a perfectly good piece of equipment, and taking it out  
25 of service, and from what I understand, we are not the

1 only ones that operate that way.

2 All the nuclear plants do it, and so there  
3 is acceptable risk. There is risk assessment that  
4 happens, but it seems to me that is more discussed now  
5 than conservative decision making.

6 SPECIAL AGENT NEFF: What brought about  
7 the change?

8 : Well, I would have to say  
9 that it just didn't happen today. Deregulation is  
10 real, and it is the competitive environment, and it is  
11 not a utility that is guaranteed a profit anymore, and  
12 even though their quasi is still, but that is  
13 certainly that it is a busy.

14 SPECIAL AGENT NEFF: And you time it with  
15 that, just hearing more about acceptable risk and with  
16 the deregulated environment?

17 : Yes, at that point, and then  
18 there was more. Everybody wants to do the best that  
19 they can do. I mean, if we can have shorter outages,  
20 then that's great. If we can keep the plant running  
21 that's great, but our job is to keep the public safe.

22 SPECIAL AGENT NEFF: Anything else?

23 : No.

24 SPECIAL AGENT NEFF: About the environment  
25 or any comment on safety and how it works here at the

1 site? And I am going to limit your comments to Hope  
2 Creek, or you are limiting your comments to Hope  
3 Creek?

4  Right.

5 SPECIAL AGENT NEFF: You don't really have  
6 detailed knowledge on the Salem side, right?

7  That's correct.

8 SPECIAL AGENT NEFF: Okay.

9  I mean, I talk to shop  
10 stewards over there sometimes, but I don't have the  
11 knowledge of Salem and all that goes on.

12 SPECIAL AGENT NEFF: Okay. It looks like  
13 you were going to say something else there.

14  No.

15 SPECIAL AGENT NEFF: The outspoken, are  
16 you considered someone who is an outspoken individual  
17 on site? If you see a safety concern, you raise it?

18  Yes. I don't know so much  
19 outspoken as I am certainly not afraid to bring up an  
20 issue.

21 SPECIAL AGENT NEFF: Okay. What about  
22 that --

23 : Because outspoken almost  
24 seems like it would be over the edge, you know.

25 SPECIAL AGENT NEFF: Over the edge of?

1 [REDACTED] Well, that you would be  
2 almost bringing up things that aren't true concerns  
3 maybe.

4 SPECIAL AGENT NEFF: Oh, you mean making  
5 concerns out of nothing?

6 [REDACTED] Right.

7 SPECIAL AGENT NEFF: In order to just do  
8 that for whatever reason?

9 [REDACTED] Right, and that is why I am  
10 saying that I believe I am somebody that brings up  
11 issues when they need to be brought up, or somebody  
12 else has a concern, and brings it to me, and I bring  
13 it up.

14 SPECIAL AGENT NEFF: Okay. And [REDACTED]  
15 [REDACTED] before, maybe about 10 months ago. I  
16 think it was last December. A trait that you  
17 associated with the individual that I was talking to  
18 you about, and that was that [REDACTED]  
19 specifically about an [REDACTED] a former [REDACTED] here, who was --  
20 the allegation involved discrimination for having  
21 raised a safety concern, specifically regarding the  
22 work clearance module and tag outs, and so forth.

23 And a word that you used to describe him  
24 was outspoken, and you also told me that you --

25 [REDACTED] I didn't mean that in a

1 negative term when I said that.

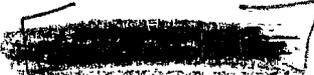
2 SPECIAL AGENT NEFF: Now I have to figure  
3 out were you telling me outspoken in terms of making  
4 concerns up that were not appropriate?

5  No.

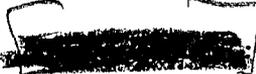
6 SPECIAL AGENT NEFF: And in this instance,  
7 I don't think so. You saw this individual as an  
8 outspoken individual, and you also told me that you  
9 thought that based on what you heard from two people,  
10 one being that individual, the  and one being  
11 another people in   
12 that you believed that he had been retaliated against  
13 because of that trait.

14  Correct.

15 SPECIAL AGENT NEFF: And because he raised  
16 concerns regarding the work clearance module.

17  Correct, and that was  
18 outspokenness in a good way.

19 SPECIAL AGENT NEFF: For that individual?

20  That's correct.

21 SPECIAL AGENT NEFF: And was outspoken.  
22 When we were talking about that, that was an event  
23 that happened in 2000 is what we were talking about  
24 for that individual.

25  Correct.

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1 SPECIAL AGENT NEFF: Are you aware of any  
2 other situations like that where you feel the same  
3 way, that somebody raised a concern, and in this case  
4 it was a strong concern about a program that didn't  
5 work, and there were safety concerns tied to it.

6 But you were telling me that you believed  
7 that because of what he did in that instance, you  
8 believe that there was retaliation involved.

9 [REDACTED] Un-huh.

10 SPECIAL AGENT NEFF: There was [REDACTED]  
11 [REDACTED] involved in that situation who is still here,  
12 and that would be [REDACTED].

13 [REDACTED] Right.

14 SPECIAL AGENT NEFF: Do you see that as an  
15 ongoing situation, where people who raise concerns  
16 receive that type of treatment, whether it is from [REDACTED].  
17 [REDACTED] or somebody below him?

18 Let me put it this way. That was a 2000  
19 situation.

20 [REDACTED] Yes.

21 SPECIAL AGENT NEFF: Have you seen that  
22 happen since that time to anybody else?

23 [REDACTED] Not that comes to the front  
24 of my mind, no. I have not really given that a lot of  
25 thought, and I would have to think about it.

1                   SPECIAL AGENT NEFF: I would like you to  
2 think about it. I mean, that is a situation where you  
3 have somebody at the [REDACTED] level who you think was  
4 retaliated against for being outspoken, and it was  
5 specifically regarding safety concerns.

6                   [REDACTED] Correct.

7                   SPECIAL AGENT NEFF: It falls right into  
8 the work environment issue. I mean, you see what I am  
9 looking at here.

10                  [REDACTED] Right.

11                  SPECIAL AGENT NEFF: Since that time frame  
12 are you seeing similar things, or did that in any way  
13 have an effect on how the [REDACTED] behave and raise  
14 concerns? Do you see that as having some sort of an  
15 adverse effect on anything?

16                  And I am not saying that is what happened,  
17 but it was your belief that is what happened here?

18                  [REDACTED] That was my belief, is that  
19 is what happened, and do I see anybody who has been  
20 retaliated against or know of anybody, and I would  
21 have to say no that I can think of.

22                  Do I think it affected the environment and  
23 whether that affected the environment? Well, I spoke  
24 about inexperience more, and that is what I believe it  
25 is, more so than they are afraid or intimidated.

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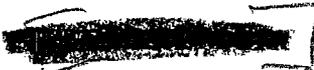
SPECIAL AGENT NEFF: So you just think that it is inexperience in decision making?

 In decision making, and influenced by their bosses on production. You know, that we have to make money. We are a business. And I think that that influences them.

SPECIAL AGENT NEFF: The combination of inexperience and they don't know to resist the input on the production?

: From upper bosses for production. That is my opinion.

SPECIAL AGENT NEFF: But you don't think it is a hesitancy due to a fear of retaliation?

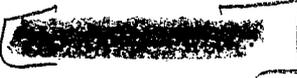
 I do not think so. Now, we just had a hundred and some people laid off, and were there people who were concerned? I am sure there were. I am sure there was a lot of people concerned in operations, in supervision, that were concerned.

Now as it turned out, nobody -- they really didn't get rid of anybody, except one, I guess, who now has a job. But for a period of time there when it was happening, where they were going through this reorg, they didn't know that their jobs were okay.

So there was certainly a lot of concern

1 for people for their jobs. So when you are concerned  
2 for your jobs, you are going to make sure that you  
3 are doing whatever it is that your boss wants you to  
4 do, you know.

5 SPECIAL AGENT NEFF: Sure.

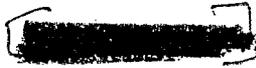
6  So I think that that period

7 --

8 SPECIAL AGENT NEFF: You want to be seen  
9 in a favorable way.

10  Absolutely. When there is  
11 going to be a job cut, you don't want to be the guy  
12 bringing up negative things, or shutting the plant  
13 down.

14 SPECIAL AGENT NEFF: Do you know of any  
15 that should have been raised that weren't because of  
16 that environment when they were making cuts?

17  The only thing that comes to  
18 my mind is what I have already explained, and I can't  
19 think of another instance like that.

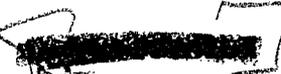
20 SPECIAL AGENT NEFF: But in terms of what  
21 we were just talking about, about this other  
22 individual, where we had the prior contact about, you  
23 can't think of anything else that has happened along  
24 those lines?

25 It is a unique incident in your mind then

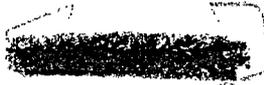
1 that this happened to this one person?

2  I would have to go back  
3 years and years to think of another.

4 SPECIAL AGENT NEFF: I guess I would not  
5 want you to go back too far beyond 2000, because that  
6 would be pointless.

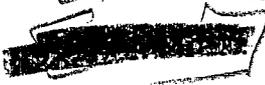
7  That's correct.

8 SPECIAL AGENT NEFF: 2000 forward though.

9  2000 forward, I cannot think  
10 of somebody being harassed or intimidated because of  
11 bringing concerns.

12 SPECIAL AGENT NEFF: Okay.

13  Can you think of anything?

14  I can't think of anything  
15 specific, that somebody was in trouble for bringing up  
16 concerns. The only thing, like going back to that  
17 diesel thing, where I had heard -- and I had never  
18 actually heard it from an actual supervisor, or  
19 anything like that, but I had heard, and the feeling  
20 that I got from talking to the operators that ran it,  
21 is the reason that they ran SEBAs is because they were  
22 afraid for their job.

23 I have heard it to that effect that a  
24 ~~senior manager~~ and not an ~~OS~~ but a ~~senior~~ -- they  
25 will run the diesel by a ~~senior~~, and at that point you

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1 are between a rock and a hard place.

2 Are you turning down work or are you in a  
3 position where you are legitimately able to turn down  
4 work. So they ran them.

5 SPECIAL AGENT NEFF: And at some point  
6 from the meeting that you attended that involved union  
7 people, and --

8 [REDACTED] And that did not come out in  
9 that meeting.

10 SPECIAL AGENT NEFF: No, but that there  
11 was management meeting involving -- the [REDACTED] name was  
12 [REDACTED] and this [REDACTED]  
13 [REDACTED] That is what we -- myself,  
14 [REDACTED] were in one meeting.

15 SPECIAL AGENT NEFF: Okay.

16 [REDACTED] That was the night before  
17 they ran it.

18 [REDACTED] That was the night before they  
19 ran it, and then just after the run, I heard from the  
20 guys that it was not necessarily their choice to run.

21 SPECIAL AGENT NEFF: And where was it  
22 coming from? Who was making the decision at SCBA?

23 [REDACTED] I don't even want to say what  
24 I heard because it is like third-person.

25 SPECIAL AGENT NEFF: Just put me on to who

1 would know. If we needed to follow up on something,  
2 who do I follow up with?

3 [REDACTED] A shift.

4 [REDACTED] A shift. Some of the safety  
5 guys may know, too.

6 MR. ORR: We can find out.

7 SPECIAL AGENT NEFF: Do you have enough  
8 information on that?

9 MR. ORR: Yes.

10 [REDACTED] It was A shift.

11 MR. ORR: What month was that diesel --

12 [REDACTED] I would have to look.

13 SPECIAL AGENT NEFF: Is that the June  
14 incident?

15 [REDACTED] It is not that recent, but it  
16 was this year wasn't it?

17 [REDACTED] I believe so.

18 MR. ORR: The diesel was fixed during the  
19 outage, right, during the forced outage, right?

20 SPECIAL AGENT NEFF: It could have also  
21 been March.

22 MR. ORR: The diesel was fixed during the  
23 forced outage, and then they are surprised, like, oh,  
24 gee, we could have fixed this on-line. It only took  
25 like a couple of days, or a day-and-a-half. So it

1 must have been just before a forced outage when it was  
2 last --

3 [REDACTED] It is all heavily documented.

4 [REDACTED] We can look and get that for  
5 you.

6 MR. ORR: You don't have to.

7 [REDACTED] Okay.

8 SPECIAL AGENT NEFF: I think that might be  
9 the March time frame, too.

10 MR. ORR: Yes. But the equipment  
11 operators were the ones who were fearful that they  
12 need to do it because --

13 [REDACTED] I cannot speak for what they  
14 experienced, but I heard rumblings to the effect.

15 MR. ORR: Okay.

16 SPECIAL AGENT NEFF: Okay. Quick break.  
17 (Brief recess.)

18 SPECIAL AGENT NEFF: Okay. We are back on  
19 after a brief break. It is approximately 8:36 p.m.  
20 And what you gave me, [REDACTED] here are narrative logs on  
21 the off-gas issue that you talked about from March of  
22 this year?

23 [REDACTED] That's correct.

24 SPECIAL AGENT NEFF: All of these relate  
25 to that?

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[REDACTED] Yes.

SPECIAL AGENT NEFF: Okay. These are all notifications?

[REDACTED] It is the notification, and it is the order, and it is all the (inaudible).

SPECIAL AGENT NEFF: Okay.

[REDACTED] That is all the information on it.

SPECIAL AGENT NEFF: All right. Thank you.

[REDACTED] You're welcome.

SPECIAL AGENT NEFF: Is there anything else that you would care to discuss at this point that either I have not asked or we just didn't get to here?

[REDACTED] No.

SPECIAL AGENT NEFF: Have I or any other NRC representative offered you any promises of reward or threatened you in any manner in exchange for this information today?

[REDACTED] No.

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

[REDACTED] Yes.

SPECIAL AGENT NEFF: Okay. Thank you. At this point, we will close the interview, and it is

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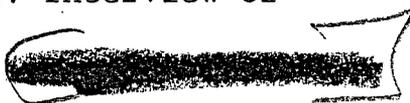
about 8:37 p.m

(Whereupon, the Interview was concluded at  
8:37 p.m.)

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



Docket Number: 1-2003-051F

Location: Hope Creek Nuclear Power Station

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.

Handwritten signature of Paul Intravia.

Paul Intravia  
Official Transcriber  
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