

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.

([REDACTED]) : 1-2003-045

(CLOSED) :

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Thursday, June 10, 2004

Human Resources Dept

Building TB2

Salem Hope Creek Nuclear

Station

Hancock's Bridge, NJ

The above-entitled interview was
 conducted at 11:30 a.m.

BEFORE:

Senior Special Agent JEFF TEATOR

Information in this record was deleted
 in accordance with the Freedom of Information
 Act, exemptions 7C
 FOIA- 2005-194

1 2003-045

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1 APPEARANCES:

2 On Behalf of the Witness and PSEG Nuclear:

3 JEFFRIE KEENAN, Esquire

4 Assistant General Solicitor

5 PSEG

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

(11:30 a.m.)

SR. SPECIAL AGENT TEATOR: Today's date is June 10th. The year is 2004. My name is Jeffrey Teator. I am a senior special agent with the United States Nuclear Regulatory Commission Office of Investigations. It is approximately -- it is almost 11:30 in the morning, a little bit before then.

This morning I am interviewing Ms.

[REDACTED] Uh-huh.

SR. SPECIAL AGENT TEATOR: This interview is taking place in an office in the HR Department in building TB2 at Salem Hope Creek nuclear generating station.

And, [REDACTED] I'm -- can I call you [REDACTED]

[REDACTED] Yes.

SR. SPECIAL AGENT TEATOR: Okay. You are being interviewed today as a witness in an investigation I'm conducting into potential violations of NRC regulations, specifically the employee protection regulation, which is 10 CFR 50.7.

In plain terms, I am here to conduct an investigation into whether Kim Harvin's position was eliminated and whether her last day of work was moved

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1 up because she raised nuclear safety concerns to her
2 management. Again, you are being interviewed as a
3 witness in that investigation.

4 I didn't show you my credentials, but here
5 they are. And this is a voluntary interview. Do you
6 understand that?

7 (REDACTED) Yes.

8 SR. SPECIAL AGENT TEATOR: Knowing it is
9 voluntary, do you wish to go forward?

10 (REDACTED) Yes.

11 SR. SPECIAL AGENT TEATOR: Okay. And do
12 you have any objection this morning to providing sworn
13 testimony?

14 (REDACTED) No.

15 SR. SPECIAL AGENT TEATOR: Raise your
16 right hand for me, please. (REDACTED) do you
17 swear that the information that you are about to
18 provide to me is the truth, the whole truth, and
19 nothing but the truth?

20 (REDACTED) Yes.

21 SR. SPECIAL AGENT TEATOR: Thank you.

22 And you are being represented by counsel
23 today. If counsel could identify himself for the
24 record, please, and explain representation?

25 MR. KEENAN: Yes. My name is Jeff Keenan.

TK

1 I am Assistant General Solicitor with PSEG Services.
2 I am representing [REDACTED] and PSEG Nuclear in a joint
3 capacity. I have reviewed the file relative to this
4 issue, and I do not believe there is a conflict of
5 interest. If a conflict arises, we will take a break
6 from the record and figure out how to best handle
7 that.

8 We appreciate the opportunity to provide
9 the testimony. And we would like the ability to
10 review our transcript when it is available.

11 SR. SPECIAL AGENT TEATOR: Okay. All
12 right. [REDACTED] I have a few follow-up questions for
13 you regarding your representation today. Okay?

14 [REDACTED] Okay.

15 SR. SPECIAL AGENT TEATOR: Does your
16 employer require you to have an attorney represent you
17 when you are interviewed by the Office of
18 Investigations?

19 [REDACTED] No.

20 SR. SPECIAL AGENT TEATOR: Were you in any
21 way threatened with any type of adverse action by your
22 employer if you chose to not have counsel represent
23 you today?

24 [REDACTED] No.

25 SR. SPECIAL AGENT TEATOR: Do you

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1 understand that you have a right to a private
2 interview by me if you wanted one?

3 ([REDACTED]) Yes.

4 SR. SPECIAL AGENT TEATOR: Knowing all of
5 this, do you wish to go forward with counsel present?

6 ([REDACTED]) Yes.

7 SR. SPECIAL AGENT TEATOR: Okay. I'd like
8 to get some background information about you first.

9 ([REDACTED]) Okay.

10 SR. SPECIAL AGENT TEATOR: your date and
11 place of birth, please?

12 ([REDACTED]) ([REDACTED])

13 [REDACTED]

14 ([REDACTED])

15 SR. SPECIAL AGENT TEATOR: Your Social
16 Security number, please?

17 ([REDACTED]) ([REDACTED])

18 SR. SPECIAL AGENT TEATOR: Your home
19 address?

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 SR. SPECIAL AGENT TEATOR: And your zip
24 code?

25 ([REDACTED]) ([REDACTED])

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1 SR. SPECIAL AGENT TEATOR: And your home
2 phone number, please?

3 [REDACTED] Area code [REDACTED]

4 SR. SPECIAL AGENT TEATOR: At some point
5 were you hired to work here at PSEG Nuclear?

6 [REDACTED]
7 SR. SPECIAL AGENT TEATOR: [REDACTED] And what
8 was your first job here?

9 [REDACTED]
10 SR. SPECIAL AGENT TEATOR: Have you
11 remained continuously employed here at PSEG Nuclear
12 since [REDACTED]

13 [REDACTED] I have.

14 SR. SPECIAL AGENT TEATOR: What is your
15 current job title?

16 [REDACTED]
17 SR. SPECIAL AGENT TEATOR: Who do you
18 currently report to?

19 [REDACTED] Corporate.

20 SR. SPECIAL AGENT TEATOR: And prior to
21 reporting to [REDACTED] who did you report to?

22 [REDACTED]
23 SR. SPECIAL AGENT TEATOR: Excuse me?

24 [REDACTED]
25 SR. SPECIAL AGENT TEATOR: When was that?

7C

1 [REDACTED] He left here just a few
2 months ago, January, January of 2004.

3 SR. SPECIAL AGENT TEATOR: It's not a
4 trick question.

5 Okay. At any point did you report to a
6 [REDACTED]?

7 [REDACTED] Yes.

8 SR. SPECIAL AGENT TEATOR: All right.

9 [REDACTED] That was prior to [REDACTED]

10 SR. SPECIAL AGENT TEATOR: Can you give me
11 the dates on when you would have reported to [REDACTED]

12 [REDACTED] Approximate is fine. I guess it's more
13 important on the back side than the beginning side.

14 [REDACTED] Oh, it's probably around 2000
15 until January of '04 or -- June of 2003. I think
16 that's when [REDACTED] came in, June of 2003.

17 SR. SPECIAL AGENT TEATOR: Okay. All
18 right. The time period I'm going to be really talking
19 to you about, that I'm going to be focusing on, if it
20 goes beyond that, that's fine, but I'm going to be
21 really focusing on the March 2003 time period.

22 [REDACTED] Okay.

23 SR. SPECIAL AGENT TEATOR: You've got some
24 calendars of people and schedules of people out. Is
25 that correct?

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1 () Yes.

2 SR. SPECIAL AGENT TEATOR: Now, ()

3 () you know who () is?

4 (): Yes.

5 SR. SPECIAL AGENT TEATOR: Okay. At any
6 point do you recall him informing you that Kim
7 Harvin's last day here at the site was going to be
8 moved up?

9 () I don't remember him
10 specifically telling me. I was in a meeting between
11 () Now, we were actually
12 eating lunch. And the subject came up. We were in
13 the back room eating lunch. And that's when they were
14 -- they basically told () that they -- she needed
15 to go immediately.

16 SR. SPECIAL AGENT TEATOR: Looking at the
17 calendar you have in front of you, can you tell me
18 when you believe that lunch meeting was where you
19 heard that?

20 () On the 24th.

21 SR. SPECIAL AGENT TEATOR: March 24th?

22 () March 24th.

23 SR. SPECIAL AGENT TEATOR: Would that have
24 been the first time you would have heard that?

25 () Yes.

1 SR. SPECIAL AGENT TEATOR: Okay. Are you
2 positive of that?

3 [REDACTED] Yes.

4 SR. SPECIAL AGENT TEATOR: Think back to
5 the week before then.

6 [REDACTED] Okay.

7 SR. SPECIAL AGENT TEATOR: Okay? Friday
8 would have been the 21st. Do you recall if [REDACTED]
9 had called you to ask you to set up an appointment
10 with Kim Harvin for the next week?

11 [REDACTED] Yes, he did. He called me on
12 the 21st. He was in arbitration. He called me from
13 the arbitration to say that he needed to set up a
14 meeting with Kim Harvin.

15 SR. SPECIAL AGENT TEATOR: Did he tell you
16 why he needed to set the meeting up?

17 [REDACTED] No, I don't believe so. No.

18 SR. SPECIAL AGENT TEATOR: Did you set up
19 that meeting with Kim?

20 [REDACTED] Yes, I did.

21 SR. SPECIAL AGENT TEATOR: How did you do
22 that?

23 [REDACTED] I called her on the phone,
24 but I believe I got her voice mail. I don't think I
25 ever really talked to her. You know, it's been a

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1 while.

2 SR. SPECIAL AGENT TEATOR: Okay.

3 [REDACTED] I don't think I ever talked
4 to her.

5 SR. SPECIAL AGENT TEATOR: Do you remember
6 when the meeting was scheduled for? Was it Monday,
7 Tuesday, Wednesday?

8 [REDACTED] I think I scheduled it for
9 this Monday, the 11:00 o'clock, between [REDACTED]
10 [REDACTED]

11 SR. SPECIAL AGENT TEATOR: Are you looking
12 at [REDACTED] calendar now, [REDACTED] calendar?

13 [REDACTED] Yes, yes.

14 SR. SPECIAL AGENT TEATOR: Monday, the
15 24th does show an 11:00 a.m. to 11:30 meeting.

16 [REDACTED]: Yes.

17 SR. SPECIAL AGENT TEATOR: [REDACTED] and
18 [REDACTED]

19 [REDACTED] Yes.

20 SR. SPECIAL AGENT TEATOR: Think back to
21 that lunch meeting.

22 [REDACTED]: Uh-huh.

23 SR. SPECIAL AGENT TEATOR: All right?

24 Were you there for the whole --

25 [REDACTED] No. No, I was not.

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1 SR. SPECIAL AGENT TEATOR: Tell me what
2 was said and who said it again surrounding Kim's last
3 day needing to be moved up. Can you tell me as best
4 you can who said what and what they said?

5 [REDACTED] I think it was mostly [REDACTED]
6 [REDACTED] who may have gave the direction that they wanted
7 -- they felt that Kim's date should be moved up, that
8 she should be gone immediately.

9 SR. SPECIAL AGENT TEATOR: Do you recall
10 them saying during -- [REDACTED] or them saying anything
11 that -- about [REDACTED] should have made that occur the
12 week before, anything to that effect? Did that give
13 you an indication that that direction had been given
14 the week before to get her out even then?

15 [REDACTED]: No. I don't remember any of
16 that.

17 SR. SPECIAL AGENT TEATOR: Any discussion
18 from [REDACTED] or [REDACTED] to -- was [REDACTED] there, first
19 of all?

20 [REDACTED] At the meeting or at the
21 lunch?

22 SR. SPECIAL AGENT TEATOR: This lunch
23 meeting.

24 [REDACTED]: Yes, [REDACTED] was there.

25 SR. SPECIAL AGENT TEATOR: Do you recall

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1 there being any questions from (b) or (b) to (b)
2 as to why he hadn't scheduled Kim's last day to be
3 March 21st? Now you're at March 24th.

4 (b) I don't remember.

5 SR. SPECIAL AGENT TEATOR: Do you recall
6 anything like that?

7 (b) No, I don't. Nol.

8 SR. SPECIAL AGENT TEATOR: Do you recall
9 there being any discussion which gave you an
10 indication that Kim Harvin's last day was supposed to
11 have been March 21st?

12 (b) No.

13 SR. SPECIAL AGENT TEATOR: All right.

14 (b) Like I said, I didn't stay
15 for the whole meeting after I heard -- you know, they
16 said that they wanted Kim out of here soon than, you
17 know, what her separation agreement was supposed to
18 be, that I kind of got up and left. I really didn't
19 want to hear any more of it.

20 SR. SPECIAL AGENT TEATOR: Why?

21 (b) I just -- I don't feel
22 comfortable with that kind of stuff. Like I said, I'm
23 the (b) here. And a lot of times people don't
24 like to say too many things around me. I'm the
25 (b). And I just felt that it was my place to

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1 get up and leave. I just didn't feel like I wanted to
2 hear what else they had to say.

3 SR. SPECIAL AGENT TEATOR: Did any of them
4 say why they wanted Kim's last day moved up?

5 [REDACTED] I don't remember. If they
6 did, I don't remember.

7 SR. SPECIAL AGENT TEATOR: At some point
8 after the 24th, did [REDACTED] ever say in your presence
9 that he had been directed to move up Kim's last day
10 and have her out of there by March 21st or no later
11 than March 21st, which would have been the previous
12 Friday?

13 [REDACTED] I don't think so. Not that
14 I can remember. [REDACTED] doesn't usually discuss too
15 many things like that. He's pretty closed-mouth when
16 it comes to confidential things. So he doesn't
17 usually say too much. If he was directed to do
18 something, he doesn't usually say too much.

19 SR. SPECIAL AGENT TEATOR: You mean to you
20 about that?

21 [REDACTED] Right, to me. To me, yes.

22 SR. SPECIAL AGENT TEATOR: All right. Can
23 you speak to a little bit about trying the attempts by
24 HR to try and schedule Kim's out-processing?

25 [REDACTED] I know that we -- her last

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1 day was actually the 28th, correct?

2 SR. SPECIAL AGENT TEATOR: That's correct.

3 [REDACTED] Okay. I know that we had her
4 set up for an exit interview. I don't know what time
5 it was, though. But I know that she called over here.

6 And I don't think -- I can't remember. I
7 can't remember who she talked to, whether it was [REDACTED]
8 or [REDACTED] I'm pretty sure she didn't leave it for my
9 -- a voice mail for me, but she kept putting it off.

10 And when I left here between 4:00 and
11 4:30, something like that, on the 28th, she still
12 wasn't over here. And they were still waiting for her
13 to come over and out-process.

14 SR. SPECIAL AGENT TEATOR: Who was waiting
15 for her?

16 [REDACTED] [REDACTED]
17 [REDACTED] And I believe [REDACTED] was still here, [REDACTED]
18 [REDACTED]

19 SR. SPECIAL AGENT TEATOR: Anything more
20 you can add about that, scheduling her out-processing
21 something?

22 [REDACTED] No. It's usually done
23 between the client consultants, which is [REDACTED] or
24 [REDACTED] They usually do the exit interviews, and they
25 usually do the scheduling of the out-processing.

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1 SR. SPECIAL AGENT TEATOR: Switch back for
2 a minute. Her position was eliminated. Do you know
3 why her position was eliminated?

4 [REDACTED] Well, in most cases, when
5 they're eliminated, it's because they don't need the
6 person around anymore. They just don't need the job.

7 SR. SPECIAL AGENT TEATOR: Do you know
8 specifically why her position was eliminated?

9 [REDACTED]: No. No, I don't.

10 SR. SPECIAL AGENT TEATOR: Jeff, I don't
11 have anything else to add. Have you got a passage or
12 something you want to review with her?

13 MR. KEENAN: I think we're good. Well,
14 let's take a quick break.

15 SR. SPECIAL AGENT TEATOR: Okay. It's --
16 what time is it?

17 MR. KEENAN: 11:37.

18 SR. SPECIAL AGENT TEATOR: Okay. That's
19 what I have there. All right. It's 11:37. We'll
20 take a short break.

21 (Whereupon, the foregoing matter went off
22 the record at 11:37 a.m. and went back on
23 the record at 11:40 a.m.)

24 SR. SPECIAL AGENT TEATOR: We're back on
25 the record after a short break. It's approximately

1 11:40 in the morning.

2 [REDACTED] I don't have any other questions
3 for you. Is there something you want to add for the
4 record?

5 [REDACTED]: No. I have nothing else.

6 SR. SPECIAL AGENT TEATOR: Jeff, is there
7 something you want to go over with your client?

8 MR. KEENAN: Nothing further. Thank you.

9 SR. SPECIAL AGENT TEATOR: Okay. This
10 interview is concluded. Thank you.

11 (Whereupon, at 11:40 a.m., the foregoing
12 matter was adjourned.)
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