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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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OFFICE OF INVESTIGATIONS

INTERVIEW

-----x

IN THE MATTER OF: :

INTERVIEW OF : OI Case No.

(b)(7)(C) : 4-2011-024

(CLOSED) :

-----x

Thursday, September 29, 2011

San Onofre Nuclear Generating Station  
San Clemente, California

The above-entitled interview was conducted  
at 9:41 a.m.

BEFORE:

[Senior Special Agent (b)(7)(C)]

[Special Agent (b)(7)(C)]

**2011-024**

EXHIBIT 9  
PAGE 1 OF 37 PAGE(S)

Information in this record was deleted in accordance with the Freedom of Information Act. Exemptions: b(7)(C)  
FOIA/PA 2012-0185

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APPEARANCES:

On Behalf of the Interviewee, Other Individuals  
Involved in the Investigation and Southern  
California Edison Company:

(b)(7)(C)

(b)(7)(C)

of: Law Department  
Southern California Edison Company (SCE)  
2244 Walnut Grove Avenue  
Rosemead, California 91770  
(626) 302-1212  
FAX -4393

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

9:41 a.m.

[SR. SPEC. AGENT (b)(7)(C)] For the  
 record, this is an interview of (b)(7)(C)  
 (b)(7)(C) who's employed by Southern California  
 Edison.

Today's date is September 29, 2011. The  
 time is approximately 9:41 a.m.

This interview is being conducted at San  
 Onofre Nuclear Generating Station.

(b)(7)(C) my name is (b)(7)(C)  
 I'm a [Special Agent] with the Office of Investigations,  
 Region IV. Also present is [Special Agent (b)(7)(C)]  
 And (b)(7)(C) is acting as your attorney  
 today.

(b)(7)(C) Right.

[SR. SPEC. AGENT (b)(7)(C)] This interview  
 is being recorded, and a transcript will be produced  
 from this recording.

I need to ask you do you have any  
 recording devices on you?

(b)(7)(C) No, I do not.

[SR. SPEC. AGENT (b)(7)(C)]

(b)(7)(C) No.

[SR. SPEC. AGENT (b)(7)(C)] Okay. The

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1 purpose of this interview is to discuss allegations  
2 raised by (b)(7)(C) regarding possible  
3 retaliation by San Onofre Nuclear Generating Station.

4 (b)(7)(C) Okay.

5 [SR. SPEC. AGENT (b)(7)(C) Okay.

6 Would you raise your right hand please,  
7 sir?

8 (b)(7)(C) Sure.

9 [SR. SPEC. AGENT (b)(7)(C) Do you swear  
10 the information you are about to provide is the truth,  
11 the whole truth and nothing but the truth, so help  
12 you, God?

13 (b)(7)(C) I do.

14 [SR. SPEC. AGENT (b)(7)(C) Okay. (b)(7)(C)

15 (b)(7)(C) does your company require you to have an  
16 attorney present here at the meeting?

17 (b)(7)(C) No.

18 [SR. SPEC. AGENT (b)(7)(C) Is (b)(7)(C)

19 (b)(7)(C) acting as your attorney today?

20 (b)(7)(C) Yes.

21 [SR. SPEC. AGENT (b)(7)(C) Did you select  
22 her or was she provided by the company?

23 (b)(7)(C) I -- I asked for (b)(7)(C) to  
24 represent me here. And it was provided by the  
25 company.

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1 [SR. SPEC. AGENT (b)(7)(C)] Okay. Were  
2 you threatened with any adverse action if you did not  
3 request an attorney to be present during this  
4 interview?

5 (b)(7)(C) No.

6 [SR. SPEC. AGENT (b)(7)(C)] Okay. Do you  
7 understand that you have the right to a private  
8 interview with me without an attorney present?

9 (b)(7)(C) Yes, I do.

10 [SR. SPEC. AGENT (b)(7)(C)] Okay. (b)(7)(C)  
11 (b)(7)(C) could you please identify yourself for the  
12 record?

13 (b)(7)(C)

14 (b)(7)(C) I'm a (b)(7)(C) with the  
15 Southern California Edison law department.

16 [SR. SPEC. AGENT (b)(7)(C)] Okay. And do  
17 you represent other people in this investigation?

18 (b)(7)(C) Yes, I do.

19 [SR. SPEC. AGENT (b)(7)(C)] Do you also  
20 represent Southern California Edison?

21 (b)(7)(C) I do.

22 [SR. SPEC. AGENT (b)(7)(C)] Do you foresee  
23 a possible conflict of interest?

24 (b)(7)(C) No, I do not.

25 [SR. SPEC. AGENT (b)(7)(C)] And if one

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1 arises, what would you do?  
 2 (b)(7)(C) I would inform (b)(7)(C)  
 3 that I could no longer be his personal representative  
 4 here, but I will continue to represent the company and  
 5 the other witnesses, that he would be free to continue  
 6 the interview without representation, terminate it or  
 7 request a postponement to select a representative of  
 8 his own choosing.

9 [SR. SPEC. AGENT (b)(7)(C) Okay. And (b)(7)(C)  
 10 (b)(7)(C) you understand that she represents other  
 11 people as well as Southern California Edison?

12 (b)(7)(C) Yes, I do.

13 [SR. SPEC. AGENT (b)(7)(C) And with that  
 14 understanding, you still want her here for this  
 15 interview?

16 (b)(7)(C) Yes.

17 [SR. SPEC. AGENT (b)(7)(C) Okay.

18 (b)(7)(C) Please.

19 [SR. SPEC. AGENT (b)(7)(C) Okay. (b)(7)(C)

20 (b)(7)(C) could you go over your background here and  
 21 employment here at SONGS?

22 (b)(7)(C)

23 (b)(7)(C)  
 24  
 25

(b)(7)(C)

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[SR. SPEC. AGENT (b)(7)(C)] Okay. So in

July of 2011, you came back to --

(b)(7)(C) July of 2011, I went back on shift. That's correct.

[SR. SPEC. AGENT (b)(7)(C)] What division?

(b)(7)(C) It's (b)(7)(C)

(b)(7)(C)

[SR. SPEC. AGENT (b)(7)(C)] Okay.. (b)(7)(C)

(b)(7)(C) do you know (b)(7)(C)

(b)(7)(C) Yes, I know (b)(7)(C)

1 [SR. SPEC. AGENT (b)(7)(C)] How do you  
2 know (b)(7)(C)  
3 (b)(7)(C) My first interaction with  
4 (b)(7)(C) he was one of the (b)(7)(C) or a  
5 (b)(7)(C) I don't know exactly which. But he  
6 was -- he was (b)(7)(C)

7 Then I recall there was some changes made.  
8 He went into the (b)(7)(C) And actually I kind  
9 of lost contact with (b)(7)(C) I'd see him in passing  
10 pretty much. But the latest is he's -- he's in the  
11 (b)(7)(C) now because (b)(7)(C) took over all  
12 the (b)(7)(C) So again, he was in (b)(7)(C)  
13 (b)(7)(C) I believe at some point. So I really  
14 didn't have a whole lot of contact with (b)(7)(C) until  
15 2010 when I -- I became the (b)(7)(C)  
16 (b)(7)(C) when we had some changes. And that was  
17 July -- late July of 2010 up until December 15th of  
18 2010, we (b)(7)(C) And then the  
19 only interaction with him then because I was the  
20 (b)(7)(C) -- (b)(7)(C)

21 (b)(7)(C) I had a direct report that really managed that  
22 group. So I didn't have a -- like a day-to-day  
23 interaction with (b)(7)(C)

24 [SR. SPEC. AGENT (b)(7)(C)] And during  
25 your stint as (b)(7)(C) is that

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1 the only time he ever worked -- I know he didn't work  
2 directly for you but he worked under your umbrella  
3 basically.

4 (b)(7)(C) That's the only time.

5 [SR. SPEC. AGENT (b)(7)(C) Did you ever  
6 work with him in the past?

7 (b)(7)(C) I -- I don't recall ever  
8 working with (b)(7)(C) other than maybe being at the same  
9 meeting when -- when I was in engineering but not in  
10 the same group, no.

11 [SR. SPEC. AGENT (b)(7)(C) Okay. From  
12 your exposure or your knowledge of (b)(7)(C) what  
13 type of employee do you consider him to be?

14 (b)(7)(C) I -- I've -- I've not had  
15 any bad experiences with (b)(7)(C) -- you know -- as far  
16 as his work. I don't have any issues at all. I mean,  
17 I've -- I've known him to be a good employee. And  
18 recently there's been some behavior issues I was --  
19 you know -- made aware of. And that was -- that's  
20 about the only thing I could say -- you know -- in a  
21 negative connotation.

22 [SR. SPEC. AGENT (b)(7)(C) Okay. You  
23 said you were made aware of them. But did he exhibit  
24 those in front of you -- those behaviors you were  
25 talking about?

1 [REDACTED] No. [REDACTED] always been  
2 very professional in front of me.

3 [SR. SPEC. AGENT [REDACTED] Okay. Do you  
4 know of [REDACTED] to raise safety concerns?

5 [REDACTED] It would -- it's hearsay.  
6 I -- I have heard. I don't know that for a fact.  
7 I've just -- you know -- I've -- I've heard that there  
8 has been some issues raised in the past. And I don't  
9 know that he has particularly raised any.

10 [SR. SPEC. AGENT [REDACTED] Okay. [REDACTED]  
11 [REDACTED] are you aware that [REDACTED] raised a concern  
12 or an issue regarding an unqualified individual being  
13 placed as a fill-in supervisor when he worked in the

14 [REDACTED]  
15 [REDACTED] Yes. I -- he com -- all I  
16 know is that he complained to the supervisors that she  
17 shouldn't have been put in charge.

18 [SR. SPEC. AGENT [REDACTED] Okay. Were  
19 you aware of the notifications that was written or did  
20 you read the notification that was written?

21 [REDACTED] No, I did not. I did not  
22 see the notification.

23 [SR. SPEC. AGENT [REDACTED] Okay. I'm  
24 referring to Notification [REDACTED] You said you  
25 haven't seen it?

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1 [REDACTED] No, I have not. This would  
2 be the first time I've read it.

3 [SR. SPEC. AGENT [REDACTED]] I just want to  
4 review. I know you said you haven't read it but just  
5 that that's the same issue that you had heard about.

6 [REDACTED] So it's dated [REDACTED]  
7 Okay. So this -- I -- I know the issue. This is the  
8 first I've seen -- I didn't know there was a  
9 notification written.

10 [SR. SPEC. AGENT [REDACTED]] Would you have  
11 been the [REDACTED] at that time?

12 [REDACTED] I -- I want to say no  
13 because at this time I know I was out of town. It  
14 wasn't until the end of July that I came in.

15 I think -- I think [REDACTED]  
16 (phonetic) was still the [REDACTED] on 7/9.

17 [SR. SPEC. AGENT [REDACTED]] Okay.

18 [REDACTED] We could check the records  
19 to validate it. But I believe my time started at the  
20 very end of July, and it could have even been the  
21 first week in August.

22 [SR. SPEC. AGENT [REDACTED]] Okay.

23 [REDACTED] Because I know I was back at  
24 [REDACTED] in the July time frame. And it was after I came  
25 back which was the very end of July. So -- yes, I

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1 wouldn't -- you know -- so I mean, as far as --

2 [SR. SPEC. AGENT (b)(7)(C)] I guess I'm  
3 asking you you weren't made personally aware of the  
4 situation?

5 (b)(7)(C) No, I wasn't.

6 [SR. SPEC. AGENT (b)(7)(C)] Okay.

7 (b)(7)(C) And I -- I do the (b)(7)(C) the  
8 (b)(7)(C) once in a while when I'm here.

9 [SR. SPEC. AGENT (b)(7)(C)] That was (b)(7)(C)

10 --

11 (b)(7)(C) But I was out of town.

12 (b)(7)(C)

13 [SR. SPEC. AGENT (b)(7)(C)] Okay.

14 (b)(7)(C) So I -- (b)(7)(C) who  
15 actually was the manager of this group, he would do a  
16 lot of it. He'd do it most of the time. (b)(7)(C)

17 (b)(7)(C) (phonetic) or myself would -- would fill in  
18 when (b)(7)(C) couldn't do it. So I don't -- I don't  
19 recall this ever being shown to me or raised at any  
20 time.

21 [SR. SPEC. AGENT (b)(7)(C)] Okay.

22 (b)(7)(C) And as far as an unqualified  
23 person, I don't know that there's a -- there's a  
24 qualification in the (b)(7)(C) that says  
25 you have to be this -- this rank to fill in as a

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1 supervisor. I don't believe -- I believe that was  
2 strictly a personal development issue. I don't -- you  
3 know -- maybe maintenance had qualifications. But I  
4 don't -- you can look -- I don't believe there is  
5 still even today there's a qualification that says  
6 this person would not be allowed to act in his -- in  
7 her boss' place or his boss' place because they're not  
8 a qualified supervisor.

9 [SR. SPEC. AGENT (b)(7)(C)] Okay.

10 (b)(7)(C) I don't know of that policy.

11 [SR. SPEC. AGENT (b)(7)(C)] Okay. Along  
12 those terms, in the (b)(7)(C) you're not  
13 aware of any policies. Do you know if there would be  
14 different policies -- I'm just asking you from your  
15 knowledge --

16 (b)(7)(C) Yes.

17 [SR. SPEC. AGENT (b)(7)(C)] -- in  
18 maintenance or any other division that would have a  
19 policy that states you have to have these  
20 qualifications to fill in as manager or a supervisor?

21 (b)(7)(C) Maybe in the craft. I  
22 believe there's something in the craft if -- if I was  
23 going to pick a journeymen's craft and -- and fill in  
24 as the supervisor or a lead man -- however they want  
25 to term it. It's -- it's a little bit different

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1 craft. But as far as these (b)(7)(C)  
 2 (b)(7)(C) and -- I don't know that there  
 3 is one -- (b)(7)(C) I don't think there is one.

4 [SR. SPEC. AGENT (b)(7)(C) Okay. Would  
 5 you say it was a supervisor's or manager's discretion  
 6 as to who he would put in charge?

7 (b)(7)(C) I would -- I would say it's  
 8 totally up to the manager or the supervisor who they  
 9 put in charge.

10 [SR. SPEC. AGENT (b)(7)(C) Okay.

11 (b)(7)(C) Correct.

12 [SR. SPEC. AGENT (b)(7)(C) And at the  
 13 time that you were the (b)(7)(C)  
 14 (b)(7)(C) was one of these supervisors, is that  
 15 correct?

16 (b)(7)(C) was the  
 17 (b)(7)(C)

18 [SR. SPEC. AGENT (b)(7)(C) And did he  
 19 ever discuss with you or did you ever discuss with him  
 20 the process he uses to fill in when he's gone or who  
 21 he selects or how he selects anybody?

22 (b)(7)(C) No. No, I was -- I was  
 23 never a part of any of that. No.

24 [SR. SPEC. AGENT (b)(7)(C) Okay.

25 (b)(7)(C) So I -- I couldn't tell you

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1 honestly what process (b)(7)(C) used to select whoever he  
2 selected to do that. No.

3 [SR. SPEC. AGENT (b)(7)(C) Okay. All  
4 right. Now I'm going to ask you some questions about  
5 (b)(7)(C) regarding her qualifications of which you'd  
6 know about her and just we can say that you know her  
7 and you know her qualifications.

8 How long have you known (b)(7)(C)  
9 (b)(7)(C) Oh, I'm going -- she's been  
10 around probably (b)(7)(C) When I worked in  
11 (b)(7)(C) I know she was over in (b)(7)(C)  
12 She used to do some of the (b)(7)(C) She'd do the  
13 (b)(7)(C)

14 And if we had things, I -- I got involved with that  
15 group a little bit when I -- when I was a (b)(7)(C)  
16 (b)(7)(C) making some -- you know -- changes to  
17 (b)(7)(C) They would process it and then get it  
18 over to the (b)(7)(C) But that's really all  
19 I knew.

20 And it wasn't -- I'll be honest with you  
21 -- it wasn't until this issue came up I even knew that  
22 she was in -- in as a (b)(7)(C) I didn't know  
23 that.

24 [SR. SPEC. AGENT (b)(7)(C) Okay.  
25 (b)(7)(C) So again, I knew her in

1 passing. And I would say hi.

2 [SR. SPEC. AGENT (b)(7)(C)] Okay.

3 (b)(7)(C) And that's about the extent  
4 of my -- my knowledge of --

5 [SR. SPEC. AGENT (b)(7)(C)] So if I asked  
6 you about her qualifications or capability of being in  
7 charge?

8 (b)(7)(C) I -- I couldn't tell you.

9 [SR. SPEC. AGENT (b)(7)(C)] Okay.

10 (b)(7)(C) I couldn't comment on it.

11 [SR. SPEC. AGENT (b)(7)(C)] Okay. And you  
12 touched on this a little bit earlier, but I was going  
13 to ask you if there's any special training required to  
14 fill in for (b)(7)(C) when he's not --

15 (b)(7)(C) I haven't -- I'll be honest  
16 with you. I am not aware of any -- any requirements  
17 that we have. They could be there. I'm -- I'm not  
18 aware of it.

19 And again, it's kind of a little weird  
20 situation because we were -- we were in the process of

21 (b)(7)(C) So

22 -- and that might have happened -- this -- we were  
23 already there. I know we were there when this  
24 happened. But it wasn't that far.

25 So as an (b)(7)(C) we weren't

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1 really used to these other people being under us. And  
2 we were -- we were trying to get -- we had our own  
3 issues with our own (b)(7)(C) Now we're  
4 -- we're branching out. We're taking on the whole  
5 thing. So (b)(7)(C) had his hands full trying to get  
6 everybody on board. We're going to a -- I guess if  
7 you want to call it -- like a (b)(7)(C) You  
8 get this slight standard so all the different  
9 (b)(7)(C) read identical -- you know -- look the  
10 same. So I could pick up a (b)(7)(C) a  
11 (inaudible) (b)(7)(C) and they would look the same.  
12 And that's really what the big effort was -- the --  
13 the whole conversion at the time. That's -- that's  
14 about the extent of my knowledge of what was going on  
15 with (b)(7)(C) at that point.

16 So as far as who -- I would leave that --  
17 I would say that's totally up to the supervisor and  
18 the manager which is (b)(7)(C) to decide who would --  
19 between the two of them. They would do it. And then  
20 if they couldn't figure it out, they could get (b)(7)(C)  
21 who was the actual (b)(7)(C) that was in charge of  
22 that group.

23 [SR. SPEC. AGENT (b)(7)(C) Okay.

24 (b)(7)(C) But I -- I -- I don't even  
25 -- I don't think that I would even get involved in

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1 that decision as a (b)(7)(C) -- as an (b)(7)(C)  
 2 or a (b)(7)(C) -- you know. That's kind of day-to-day  
 3 running of your -- your little organization.

4 [SR. SPEC. AGENT (b)(7)(C) Okay. And I  
 5 was just wondering if there was any procedure that you  
 6 were aware of -- any policy or any type of --

7 (b)(7)(C) Not for -- not for  
 8 (b)(7)(C) no.

9 [SR. SPEC. AGENT (b)(7)(C) Okay. (b)(7)(C)  
 10 (b)(7)(C) was suspended back in September 2010 -- actually  
 11 September 20th through September 24th. And you were  
 12 (b)(7)(C) at that time?

13 (b)(7)(C) Correct.

14 [SR. SPEC. AGENT (b)(7)(C) Okay.

15 (b)(7)(C) Correct.

16 [SR. SPEC. AGENT (b)(7)(C) How was his  
 17 suspension handled? Who took the lead on determining  
 18 he was going to be suspended?

19 (b)(7)(C) It was a bit of a group  
 20 effort. It was -- it started with (b)(7)(C) and (b)(7)(C) --

21 (b)(7)(C) and (b)(7)(C) -- with the  
 22 issues they were having. (b)(7)(C) was working through (b)(7)(C)  
 23 and through (b)(7)(C) And it seemed like they  
 24 weren't getting a lot of movement either way.

25 And HR talked to me -- (b)(7)(C) -- which is

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(b)(7)(C)

1

(b)(7)(C)

2

(b)(7)(C)

3

Yes. She -- she called me

(b)(7)(C)

4

and asked for a meeting. And

5

we talked. And we went over the -- the issue. She

6

laid down a -- kind of the facts -- here's what's

7

going on, here's what it is. Gave me a recommendation

8

that a suspension is in order. And that's basically

9

what I met with (b)(7)(C) and (b)(7)(C) and (b)(7)(C) and said -- you

10

know -- HR has recommended suspension. I agree with

11

this. If this is what you have and this is what has

12

happened, I agree a suspension's in order. And that's

13

-- that's really what it was.

14

[SR. SPEC. AGENT (b)(7)(C)

The

15

information that HR had -- (b)(7)(C)

-- who

16

provided it to her? Who provided that information to

17

her?

18

(b)(7)(C)

(inaudible). To the best of

19

my knowledge, it was -- it was (b)(7)(C)

-- to

20

the best of my knowledge.

21

[SR. SPEC. AGENT (b)(7)(C)

Okay. Did he

22

go through you with that information before he

23

provided it to HR?

24

(b)(7)(C)

That's -- I don't recall.

25

I don't recall that he did come to me. I know that

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1 there was a discussion. They had -- there was a  
2 couple of messages on my phone from (b)(7)(C) and (b)(7)(C)  
3 They wanted to talk. We talked a little bit. And  
4 then about the same time, I -- I got this call from HR  
5 that they wanted to meet with me. So I told them --  
6 I said let me get back to HR and then we'll sit down  
7 and we'll talk about your issue and -- and see. So --  
8 so that's really where it came from.

9 (SR. SPEC. AGENT (b)(7)(C) Okay.

10 (b)(7)(C) It developed in the group.

11 (SR. SPEC. AGENT (b)(7)(C) And again, I

12 want to ask you a process question. But is there a  
13 process that manager goes through or a supervisor goes  
14 to a manager through a director to get a suspension  
15 approved or to concur with suspension?

16 (b)(7)(C) Yes. There were -- yes. If  
17 (b)(7)(C) wanted to go, he would work through (b)(7)(C) and (b)(7)(C)

18 And that would come to the director for the final  
19 approval. Correct.

20 (SR. SPEC. AGENT (b)(7)(C) Okay. It  
21 wouldn't go to you before it went to HR? They'd get  
22 that information and then present it to you. Is that  
23 the process?

24 (b)(7)(C) I would get H -- I believe  
25 as a supervisor, I would get HR involved. That's what

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1 we tell them is get HR involved right in the  
2 beginning. So I believe the policy and the way we do  
3 business here is get HR involved right in the get-go  
4 -- right in the beginning. And then if -- then we'll  
5 work it through. And the director will get involved  
6 at a later date -- you know -- trying to solve the  
7 problem if we can or take the corrective actions. I  
8 agree with the corrective actions.

9 [SR. SPEC. AGENT (b)(7)(C)] Okay.

10 (b)(7)(C) I believe HR's involved  
11 right away. That's -- that's what's been preached to  
12 me. That's how we've done things in the past.

13 [SR. SPEC. AGENT (b)(7)(C)] All right.

14 The day (b)(7)(C) was suspended, were you present?

15 (b)(7)(C) I was present at the  
16 meeting, yes.

17 [SR. SPEC. AGENT (b)(7)(C)] Okay. What  
18 transpired at the meeting?

19 (b)(7)(C) It was very simple. (b)(7)(C)  
20 and myself and (b)(7)(C) -- the only reason  
21 (b)(7)(C) wasn't there, I think he was offsite, like  
22 he was on a -- a benchmark trip or something.

23 So I was there as the management  
24 representative. (b)(7)(C) just read a basic statement  
25 explaining -- you know -- what we're doing, why he's

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1 here, that we were going to suspend him for a week,  
2 here's why, and do you have any questions. And at  
3 that time, (b)(7)(C) said no. (b)(7)(C) was very respectful.  
4 We took his badge, escorted him offsite. And that was  
5 really the extend of the suspension meeting. It was  
6 pretty straightforward and to the point. Here's what  
7 it is. Here's what we're doing. Here's why. So --

8 [SR. SPEC. AGENT (b)(7)(C) Who prepared  
9 the remarks to present to (b)(7)(C) when he was  
10 suspended?

11 (b)(7)(C) with the  
12 help of HR.

13 [SR. SPEC. AGENT (b)(7)(C) Okay. And at  
14 the suspension meeting, to your memory, what reasons  
15 were (b)(7)(C) given for his suspension?

16 (b)(7)(C) My memory is -- is it was  
17 basically his unprofessional behavior was the main  
18 reason that he was suspended. He made some comments,  
19 and he was very -- what's the word -- towards the  
20 supervisor, he was unprofessional with his supervisor.  
21 So he was insubordinate. I think the insubordinate --  
22 insubordination was used.

23 [SR. SPEC. AGENT (b)(7)(C) Okay. Were  
24 there any particular examples given?

25 (b)(7)(C) At that meeting, no. It was

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1 just here's what it is, here's why. And -- and when  
2 asked questions, he didn't question it. He understood  
3 it. And the only thing (b)(7)(C) ever said that I can  
4 recall is he looked at me and said you and I need to  
5 sit down and talk when I get back. And I welcomed it.  
6 I said it's fine. We can sit down when you get back.  
7 That's fine. Just -- you know where I sit. Call me  
8 and we'll set up a meeting. That never happened. So  
9 --

10 [SR. SPEC. AGENT (b)(7)(C) Okay. Were  
11 there any other reasons given that you recall such as  
12 his performance or his performance appraisals?

13 (b)(7)(C) Well, his performance -- not  
14 -- not in that meeting. It was -- it was a basis for  
15 everything. But his -- I know (b)(7)(C) and (b)(7)(C) said his  
16 work was not really in question. It was the effect he  
17 was having on the rest of the group. It was -- it was  
18 almost like having -- having a cancer and it was  
19 spreading. It was affecting the work of the groups.

20 But his particular work, he was able to --  
21 you know -- go forward, do his thing and he -- he kept  
22 producing work. So as far as that goes, I believe if  
23 you look at his PDPs, there -- that would be the  
24 indication is that tactical performance is fine. But  
25 that's one part of it -- you know. It's the core

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1 values. It's -- he wasn't living up to the standards  
2 of an Edison employee. And -- and it wasn't just one  
3 thing. It wasn't one time. It was several  
4 occurrences that they had been documented. They'd  
5 been talked about in other PDPs. And it was just a  
6 continuing pattern that it appeared we weren't really  
7 doing a lot about.

8 [SR. SPEC. AGENT (b)(7)(C)] And the reason  
9 for that?

10 (b)(7)(C) That -- it was -- it was  
11 being allowed to continue. It wasn't -- you know --  
12 being taken care of when it should have in the past --  
13 you know. So here's (b)(7)(C) a newer supervisor in that  
14 group, trying to get the respect of his team, trying  
15 to get his team to work as a team. All right? You  
16 know -- we have -- we had changing company values and  
17 we were looking at becoming -- you know -- getting  
18 more team work involved. That was what the -- yes,  
19 this is -- after that was part of where INPO had --  
20 had dinged us on is we just weren't working as a  
21 group. Or if you look -- you know -- the left hand  
22 doesn't know what the right hand's doing. So that's  
23 our big OR (inaudible). And so we're -- we're trying  
24 to develop these teams and get people that are going  
25 to play. You know -- if you don't want to play,

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1 there's other places for you. Let's -- let's work  
2 with -- let's see why don't you want to play with  
3 them. Let's see if we can work with you. But  
4 otherwise -- you know -- there's not going to be a  
5 place for you here very long if -- if you can't work  
6 to the same common goal. And that's where they headed  
7 is that he was not helping that group.

8 Although he could be a great producer, he  
9 was really affecting the rest of the group. And that  
10 was -- that was really the gist of why it's -- it's at  
11 the point where it needed to be -- you know. A wake-  
12 up call really is what it is -- is here it is. Here's  
13 what's going on. We're going to take some action.  
14 Then they put him on a performance improvement plan.

15 [SR. SPEC. AGENT (b)(7)(C)] Was he on a  
16 performance improvement plan before his suspension?

17 (b)(7)(C) As far as I know he was. I  
18 -- I have not seen it. I don't know that -- I -- I  
19 couldn't tell you what's in it -- you know -- to have  
20 -- I know that it had been documented whenever you get  
21 an NI -- a needs improvement -- then there is a  
22 requirement to put a performance plan in place. And  
23 so, I'm -- I'm making the assumption that they were  
24 there. I believe they were, but I -- I can't tell you  
25 that for sure.

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1 [SR. SPEC. AGENT (b)(7)(C)] Okay. And the  
 2 day he was suspended, you said that (b)(7)(C)  
 3 provided him the information that he was being  
 4 suspended?

5 (b)(7)(C) Yes. He read -- he read --  
 6 he didn't give him anything. He just read why.

7 [SR. SPEC. AGENT (b)(7)(C)] Okay.

8 (b)(7)(C) And we -- we took his badge  
 9 and escorted him offsite.

10 [SR. SPEC. AGENT (b)(7)(C)] So he was not  
 11 presented with any type of suspension letter at that  
 12 time?

13 (b)(7)(C) No. That's not the way it  
 14 works. It's -- you just -- you -- they told him come  
 15 back on -- I don't know if it was a Mon -- if we did  
 16 it on Monday and come back on the following Monday.  
 17 I wasn't present for the reinstatement. That was  
 18 given to him upon reinstatement --

19 [SR. SPEC. AGENT (b)(7)(C)] Okay.

20 (b)(7)(C) -- this -- this letter -- a  
 21 reinstatement.

22 [SR. SPEC. AGENT (b)(7)(C)] What  
 23 documentation were they reading from? Was it a  
 24 prepared statement or some type of --

25 (b)(7)(C) Yes. (b)(7)(C) just had some

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1 notes that he wrote that -- if what he used -- what he  
2 was going to say to him.

3 [SR. SPEC. AGENT (b)(7)(C)] Okay. Have  
4 you been present for suspensions in the past?

5 (b)(7)(C) No. I -- I'm trying to  
6 think if -- I've been present for a termination we had  
7 to do. But I think that's the only -- no, I have --  
8 I have been for some -- yes, for some suspensions for  
9 operators, yes. We had taken them and same thing.  
10 You escort them offsite, tell them why it was a safety  
11 issue and three days off without pay or five days off  
12 without pay. And then come back and we'll meet you  
13 here and we'll -- we'll re-badge. We'll talk and  
14 we'll reinstate you.

15 [SR. SPEC. AGENT (b)(7)(C)] And again for  
16 those suspensions, were they providing any suspension  
17 letter?

18 (b)(7)(C) No.

19 [SR. SPEC. AGENT (b)(7)(C)] Okay.

20 (b)(7)(C) No.

21 [SR. SPEC. AGENT (b)(7)(C)] So to your  
22 understanding, Southern California Edison or SONGS,  
23 their procedure doesn't require a letter of  
24 suspension?

25 (b)(7)(C) No. It's a letter of

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1 reinstatement. You -- you tell them why it's  
2 happening. And then they go home. When they come  
3 back, you give them a letter of reinstatement and you  
4 provide the stuff in there -- the information in  
5 there.

6 [SR. SPEC. AGENT (b)(7)(C)] Okay.

7 (b)(7)(C) That's my understanding.

8 [SR. SPEC. AGENT (b)(7)(C)] And again --

9 I just want to ask you this question again -- at the  
10 time he was suspended, was performance or any  
11 performance-based issue you had part of his  
12 suspension?

13 (b)(7)(C) Not that I -- not his  
14 individual performance. Strictly his effect on the  
15 group and his -- I want to call it values. It's the  
16 behavioral things. But his own performance, no, I  
17 don't recall anything being said that he was -- he was  
18 underproducing, he wasn't performing up to standard.  
19 I don't remember that.

20 [SR. SPEC. AGENT (b)(7)(C)] Okay. So  
21 during the meeting from what you recall his mid-year  
22 exam or his mid-year performance appraisal -- his  
23 overall performance were not included in the reason  
24 why he was suspended?

25 (b)(7)(C) I -- I believe --

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1 [REDACTED] I think that assumes  
2 information because I think he already said he didn't  
3 see that mid-year performance.

4 [SR. SPEC. AGENT [REDACTED]] Well, that's  
5 not what I'm asking. I'm asking him if he was told  
6 when he was suspended -- not what you saw -- but what  
7 he was told by [REDACTED] when he was suspended.

8 [REDACTED] Well, I know he was told it  
9 was strictly on the -- the behavioral things. So  
10 there may have been a mention of his PDP, but -- but  
11 it wasn't any of his technical skills -- you know --  
12 his technical abilities. It was more of the -- of the  
13 behavioral issues that was -- that was the problem.

14 It was not his ability to do -- to be a [REDACTED]  
15 [REDACTED] No. It wasn't based on that that -- that I'm  
16 aware of.

17 [SR. SPEC. AGENT [REDACTED]] Okay. Do you  
18 know or do you feel that his suspension was at least  
19 in part because he raised a concern about this [REDACTED]  
20 [REDACTED] being in charge?

21 [REDACTED] No. I don't -- I don't  
22 believe that. I mean, it's -- there -- there's  
23 accusations that were made and things that he said in  
24 meetings with different people. But I don't believe  
25 that the reason -- you know -- because he didn't -- he

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1 didn't approve of her being the supervisor  
 2 (inaudible). We're entitled to our opinions. That's  
 3 fine. I'll take that under advisement. That's got  
 4 nothing to do with why he got suspended. Why he got  
 5 suspended was his behaviors -- you know -- as a result  
 6 of that. It was lack of -- you know -- showing the  
 7 respect that he would show his -- his own supervisor  
 8 and then just the lack of respect he even showed his  
 9 own supervisor. That's really what this was about.

10 [SR. SPEC. AGENT (b)(7)(C)] Was there any  
 11 investigative procedure or process done prior to his  
 12 suspension that you're aware of?

13 (b)(7)(C) Other than getting HR  
 14 involved, I -- they went through the -- the discipline  
 15 policy at the time. And that's -- that's as far as I  
 16 know. And they had HR involved. And -- you know --  
 17 my whole thing is here is -- I get -- I get called up  
 18 to talk to HR about this issue and -- and so it's well  
 19 under way. So I got pulled into the middle of it --  
 20 you know -- not really aware of all the issues.

21 [SR. SPEC. AGENT (b)(7)(C)] Were you  
 22 interviewed by HR or just --

23 (b)(7)(C) Yes. We're -- not  
 24 interviewed. It wasn't really an interview. It was  
 25 more of a discussion with -- with (b)(7)(C) looking --

70

1 again, I -- there's not a whole lot I can offer to  
 2 this whole investigation. I didn't interact with  
 3 (b)(7)(C) I barely interacted with (b)(7)(C) --  
 4 you know -- the supervisor as a director. That's  
 5 really my -- my director (b)(7)(C) would have done  
 6 that with (b)(7)(C) You know -- it's -- it's several  
 7 layers down. So I wouldn't expect that directors  
 8 would be that heavily involved in this until it got to  
 9 the point of hey, we're reaching and we have a problem  
 10 here and we -- we can't resolve it. So let's -- let's  
 11 go up for help.

12 [SR. SPEC. AGENT (b)(7)(C) Would you  
 13 consider your meeting with HR more of a directional  
 14 meeting with directions you needed to take or it's  
 15 something that when you provided information on (b)(7)(C)  
 16 (b)(7)(C) or you were being provided information about --

17 (b)(7)(C) I was being provided  
 18 information about (b)(7)(C) and the situation.

19 [SR. SPEC. AGENT (b)(7)(C) Okay. All  
 20 right. Did you meet with (b)(7)(C) upon his return?  
 21 I know you said he requested a meeting?

22 (b)(7)(C) No, I did not. He -- I was  
 23 not on -- I want to say that I think I was off at the  
 24 time when he came back. I think I made that clear  
 25 when -- when he left that I won't be here but (b)(7)(C)

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1 (b)(7)(C) will. Then he told me he wanted to sit down and  
2 meet with me after he returned. And I said  
3 absolutely, that's not a problem. We can sit down and  
4 talk because I've known (b)(7)(C) for -- you know -- a  
5 number of years. So I don't have an issue -- issues  
6 with sitting down and discussing -- I always like to  
7 see both sides -- you know. You could have an  
8 argument, right? You're going to think one thing or  
9 you're going to think another thing. I'd like to get  
10 them both together, at least hear both sides and then  
11 put them together. Now we should talk and find out  
12 what's the real issue. But this never happened.

13 [SR. SPEC. AGENT (b)(7)(C)] Had you had a  
14 discussion with (b)(7)(C) not involving what happened  
15 but just day-to-day discussion with him?

16 (b)(7)(C) No. Nothing. I -- I've  
17 maybe run into him once or twice in passing. That was  
18 it. I never -- never have sat down and talked to him.  
19 No.

20 [SR. SPEC. AGENT (b)(7)(C)] Okay. Again,  
21 no emails, no (inaudible) traffic between you and him?

22 (b)(7)(C) No. Not that I'm aware of  
23 and not that I recall that any emails ever came to me  
24 from (b)(7)(C) requesting it. Not even a phone message or  
25 anything. Because at the time, (b)(7)(C)

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1 (phonetic) the (b)(7)(C)

2 She would have arranged a meeting. And if he just  
3 said I need to meet with (b)(7)(C) she would have looked  
4 at the schedules and said -- said here's the time,  
5 here's the place.

6 [SR. SPEC. AGENT (b)(7)(C) Okay.

7 (b)(7)(C) And it never happened.

8 [SR. SPEC. AGENT (b)(7)(C) do you  
9 have any questions?

10 [SPECIAL AGENT (b)(7)(C) No.

11 [SR. SPEC. AGENT (b)(7)(C) Do you have  
12 any final ones?

13 (b)(7)(C) Did you have any  
14 discussion with (b)(7)(C) (inaudible) about (b)(7)(C)

15 (b)(7)(C) No, I did not. I mean,  
16 (b)(7)(C) left kind of sudden terms. And I did meet with

17 (b)(7)(C) outside of Edison after he left more or less

18 because they named me to fill in. I -- I mean, I  
19 respected (b)(7)(C) I worked for him. So I sat down and  
20 talked to him. And this issue never came up at all.

21 So I mean, if it had I -- no, I mean, I even still  
22 have a little list of things that (b)(7)(C) wrote --

23 things that I want to look for -- look at. And I kept  
24 that and just went through it. And he had some  
25 recommendations. But no, the issue of (b)(7)(C)

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1 never -- never came up that -- that I remember.

2 (b)(7)(C) Okay.

3 SR. SPEC. AGENT (b)(7)(C) (inaudible)?

4 (b)(7)(C) He did. Columbia.

5 (inaudible).

6 SR. SPEC. AGENT (b)(7)(C) Okay. I only

7 have a few other questions and we'll be completed, (b)(7)(C)

8 (b)(7)(C)

9 Have I or any other NRC employee  
10 threatened you or promised you anything in return for  
11 your testimony here today?

12 (b)(7)(C) Absolutely not.

13 SR. SPEC. AGENT (b)(7)(C) Have you given  
14 your statement freely and voluntarily?

15 (b)(7)(C) Yes.

16 SR. SPEC. AGENT (b)(7)(C) Okay. We're  
17 about to go off the record. Is there anything else I  
18 haven't asked you about this issue that you think is  
19 important that you want to bring up?

20 (b)(7)(C) The only thing I would say  
21 about this whole situation was this had started some  
22 time during the year of 2010 or maybe before. I mean,  
23 there -- there was issues going on. I was outside of  
24 this, I picked up the (b)(7)(C) job and -- you know --  
25 one of the first I get is I get involved in this thing

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1 with HR.

2 HR's really the -- (b)(7)(C) and (b)(7)(C) had  
3 mentioned it. And they really want -- it didn't seem  
4 like a big deal to be honest with you in the  
5 beginning. And HR pushed for the meeting. We  
6 discussed it. And so it was -- that's what I say, I  
7 don't have a whole lot of really good details one way  
8 or the other because I didn't have meetings with  
9 (b)(7)(C) I barely met with (b)(7)(C) and (b)(7)(C) on the issue.  
10 I met with HR. And then we -- we made the decision to  
11 -- to suspend. And then we -- we had the suspension  
12 meeting, and that really was the end of it. And then  
13 to have no other discussions on the matter after that  
14 -- after he returned on his reinstatement.

15 (SR. SPEC. AGENT (b)(7)(C) Did (b)(7)(C)  
16 (b)(7)(C) or (b)(7)(C) go into any of the previous  
17 history when you came on in 2010 -- when you came on  
18 in July 2010 -- late July 2010? Did they give you the  
19 history or any history of the performance -- not  
20 performance but attitude by (b)(7)(C) that they felt  
21 were detrimental to the group before you became  
22 involved in this issue?

23 (b)(7)(C) No, not prior to me -- you  
24 know -- starting as the (b)(7)(C) As like an (b)(7)(C)  
25 (b)(7)(C) no, I didn't -- I wasn't even aware there was

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1 an issue.

2 [SR. SPEC. AGENT (b)(7)(C)] Okay. So they  
3 didn't bring up any performance? I keep saying  
4 performance. What I mean is his interaction.

5 (b)(7)(C) Behavior? No. I hadn't --  
6 I hadn't heard anything of it because I really didn't  
7 interact with that group very much.

8 [SR. SPEC. AGENT (b)(7)(C)] Okay. So your  
9 first exposure was when you --

10 (b)(7)(C) When I walked in the  
11 (b)(7)(C) job, right. Right.

12 [SR. SPEC. AGENT (b)(7)(C)] Okay.  
13 Anything else?

14 Okay. Well, this interview is concluded  
15 at approximately 10:16 a.m. on September 29, 2011.

16 (Whereupon, at 10:16 a.m., the interview  
17 was concluded.)

18

19

20

21

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CERTIFICATE

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

Name of Proceeding: Interview of

(b)(7)(C)

Docket Number: 4-2011-024

Location: San Clemente, California

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.

(b)(7)(C)

(b)(7)(C)

Official Transcriber  
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4-2011-024

EXHIBIT 9

PAGE 37 OF 37 PAGE(S)

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