EXHIBIT 7

1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

3 + + + + +

4 OFFICE OF INVESTIGATIONS

5 INTERVIEW

6 ----------x

7 IN THE MATTER OF: :

8 INTERVIEW OF : OI Case No.

9 (b)(7)(C) : 4-2011-059

10 (CLOSED) :

11 ----------x

12 September 7, 2011

13

14 Meeting Room

15 NRC Resident Inspector's Office

16 San Onofre Nuclear Generating Station

17 San Clemente, California

18

19 The above-entitled interview was conducted

20 at 12:00 p.m.

21

22 BEFORE:

23 (b)(7)(C)

24

25

Information in this record was deleted in accordance with the Freedom of Information Act, exemptions (b)7C
FOIA- 2012-00238

1 APPEARANCES:

2 On Behalf of the Interviewee, Other Individuals

3 Involved in the Investigation and Southern California

4 Edison Company:

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7

8 of:

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10 (b)(7)(C)

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

2 (12:00 p.m.)

3 (b)(7)(C) We're on the

4 record. This is an interview of (b)(7)(C) Today's

5 date is September 7th, 2011. It is approximately 12:00

6 noon.

7 The location of this interview is in the

8 NRC Resident Inspector's Office at the San Onofre

9 Nuclear Generating Station in San Clemente,

10 California. Present at this interview are (b)(7)(C)

11 (b)(7)(C)

12

13 This investigation involves an allegation

14 of discrimination against a (b)(7)(C)

15 for reporting nuclear safety concerns to the NRC, and

16 it's reported under OI Case Number 4-2011-059.

17 (b)(7)(C) is (b)(7)(C) representing

18 you personally in regard to this investigation?

19 (b)(7)(C) That is correct.

20 (b)(7)(C) Do you understand

21 the purpose of her presence here this afternoon?

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

23 (b)(7)(C) Do you understand

24 that (b)(7)(C) also represents the Company, and

25 other individuals?

1 (b)(7)(C) That is correct, I do.

2 (b)(7)(C) Does your employer

3 require you to have an attorney present when you are

4 being interviewed by the NRC Office of Investigations?

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

6 (b)(7)(C) Were you in any

7 way threatened with an adverse action if you did not

8 request corporate counsel?

9 (b)(7)(C) No.

10 (b)(7)(C) Do you feel that

11 you would suffer any adverse consequences from your

12 employer if you would have elected not to have

13 personal representation here?

14 (b)(7)(C) No.

15 (b)(7)(C) Were you offered

16 the choice of any other attorney representative who

17 did not have the additional role as a representative

18 of Southern California Edison?

19 (b)(7)(C) Yes, I understand, I can choose

20 anybody I want.

21 (b)(7)(C) Would your

22 testimony in this matter be in any way inhibited by

23 the attorney's presence?

24 (b)(7)(C) No way.

25 (b)(7)(C) Do you understand

1 that you have a right to a private interview with me
2 at your convenience?
3 (b)(7)(C) I do now, yes.
4 (b)(7)(C) With that
5 understanding, do you still want (b)(7)(C) present
6 as your representative?
7 (b)(7)(C) Most definitely.
8 (b)(7)(C) Okay, thank you.
9 (b)(7)(C) for the record will you
10 please state your full name, your firm, and the scope
11 of your representation, please.
12 (b)(7)(C) My name is (b)(7)(C)
13 I'm with the Southern California Edison Company (b)(7)(C)
14 (b)(7)(C)
15 (b)(7)(C) Southern California Edison
16 Company, and other witnesses in this matter.
17 (b)(7)(C) (b)(7)(C) do
18 you anticipate a conflict of interest with respect to
19 your representation of (b)(7)(C) as an individual and
20 your concurrent representation of Southern California
21 Edison?
22 (b)(7)(C) I don't have any reason to.
23 (b)(7)(C) In the event that
24 a conflict were to arise during the course of this
25 interview or this testimony, what action would you

take?

(b)(7)(C) I would inform (b)(7)(C) that I could no longer represent her, that I would continue to represent SCE and others in this matter, that she would have the right to continue with this interview without representation, or to request an adjournment to obtain representation of her own choosing.

(b)(7)(C) Oh, good.

(b)(7)(C) Thank you.

(b)(7)(C) the NRC OI protocol includes the swearing in of witnesses. Do you have any objection to being sworn in this afternoon?

(b)(7)(C) No.

(b)(7)(C) Can you raise your right hand, please.

(b)(7)(C) Sure.

(b)(7)(C) Do you swear that the information that you're about to give is the truth, the whole truth, and nothing but the truth, so help you God?

(b)(7)(C) Absolutely.

(b)(7)(C) Thank you.

Ma'am, can you give for the record your full name, please.

1 (b)(7)(C) (b)(7)(C)
2 (b)(7)(C)
3 (b)(7)(C) What's your
4 current position?
5 (b)(7)(C) (b)(7)(C)
6 (b)(7)(C) Okay. And who are
7 you employed by?
8 (b)(7)(C) Southern California Edison.
9 (b)(7)(C) And how long have
10 you worked here at SONGS?
11 (b)(7)(C) (b)(7)(C)
12 (b)(7)(C) Can you give me
13 just a brief description of your (b)(7)(C)
14 (b)(7)(C)
15 (b)(7)(C) We're responsible for the
16
17 (b)(7)(C)
18
19
20 (b)(7)(C)
21 (b)(7)(C) Okay, thank you.
22 I was explaining off the record the
23 purpose of my interview here today, and how it
24 involved allegations made by a former employee, (b)(7)(C)
25 (b)(7)(C)

1 When (b)(7)(C) was working here, and a lot
2 of the questions I'm going to be asking you about this
3 afternoon go back to 2010, which would be -- I don't
4 know how familiar you are with -- it would be his
5 (b)(7)(C) here at SONGS.
6 (b)(7)(C) Okay.
7 (b)(7)(C) So, calendar year
8 2010. How much interaction did you have with (b)(7)(C)
9 during that time?
10 (b)(7)(C) You're asking me how much
11 interaction did I have with (b)(7)(C) during the year
12 2010?
13 (b)(7)(C) Yes.
14 (b)(7)(C) 2010, maybe once a week, at
15 least once monthly due to our (b)(7)(C)
16 that we were all required to attend as a group.
17 (b)(7)(C) Was he a peer, or
18 he was underneath you or above you?
19 (b)(7)(C) (b)(7)(C)
20 (b)(7)(C) Okay. Did you
21 report to him?
22 (b)(7)(C) (b)(7)(C)
23 (b)(7)(C)
24 (b)(7)(C) Okay. Who did you
25 report to?

1 (b)(7)(C) (b)(7)(C)

2 (b)(7)(C) Okay. And if I

3 understand the chain of command here, she reported to

4 (b)(7)(C)

5 (b)(7)(C) Yes, sir.

6 (b)(7)(C) Okay. All right.

7 During any time during that year, did (b)(7)(C) ever

8 complain to you about any type of issue here at the

9 plant?

10 (b)(7)(C) Complain to me directly about

11 any kind of issue at the plant?

12 (b)(7)(C) Yes.

13 (b)(7)(C) No.

14 (b)(7)(C) Did he ever

15 complain to you about (b)(7)(C) in any way?

16 (b)(7)(C) No.

17 (b)(7)(C) Okay. At one point

18 during that year, did any subordinate of your's ever

19 mention to (b)(7)(C) that there was a problem with the

20 (b)(7)(C)

21 (b)(7)(C) I hate that word "subordinate."

22 There was an employee who worked in our division who

23 had a concern that I found out through (b)(7)(C)

24 because she had talked to one of the other supervisors

25 about it.

1 (b)(7)(C) Okay. Who is the
2 employee that had the issue?
3 (b)(7)(C) At the time, I was told it was
4 (b)(7)(C)
5 (b)(7)(C) Okay. What was
6 the issue, specifically? Do you remember?
7 (b)(7)(C) They felt that they (b)(7)(C)
8 (b)(7)(C)
9 (b)(7)(C)
10 (b)(7)(C) Okay. And they
11 raised that issue to (b)(7)(C)
12 (b)(7)(C) They raised it in the beginning
13 prior to even when I (b)(7)(C) to other
14 supervisors, and they raised it again when I (b)(7)(C)
15 (b)(7)(C) and they raised it when (b)(7)(C) was their
16 supervisor.
17 (b)(7)(C) Okay. When did
18 you (b)(7)(C), so to speak?
19 (b)(7)(C) (b)(7)(C)
20 (b)(7)(C) Okay. So, it
21 sounds like this was an ongoing issue.
22 (b)(7)(C) Yes, sir. Basically because of
23 the (b)(7)(C) Whenever there's an (b)(7)(C)
24 (b)(7)(C)
25 (b)(7)(C) It's correct that it was

1 (b)(7)(C)

2 (b)(7)(C) No, when I became a (b)(7)(C)

3 (b)(7)(C) it was (b)(7)(C)

4 (b)(7)(C) (b)(7)(C) Okay. I misheard you.

5 (b)(7)(C) That's okay. Did I say (b)(7)(C)?

6 (b)(7)(C) You said (b)(7)(C).

7 (b)(7)(C) Oh, okay.

8 (b)(7)(C) That's okay.

9 Okay. So, staying within the 2010 time

10 frame, evidently this issue was raised again, and the

11 issue being (b)(7)(C) during a refueling outage. And

12 it was raised to (b)(7)(C) initially, or I

13 shouldn't say initially. I know it's an ongoing issue,

14 but it was raised to (b)(7)(C) Correct?

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

16 (b)(7)(C) Did (b)(7)(C)

17 raise it to your level at that time?

18 (b)(7)(C) Yes, she did.

19 (b)(7)(C) Okay. Just out of

20 curiosity, what did you do, if anything, regarding

21 that issue?

22 (b)(7)(C) At the time when it was raised

23 to me, I talked to (b)(7)(C) about how we handled the

24 (b)(7)(C) before I came. And it was her understanding

25 based on another supervisor's input who I also

1 obtained that we just (b)(7)(C) because there are
2 other divisions here at SONGS that required --
3 dictated very fervently that we be available (b)(7)(C)
4 (b)(7)(C)
5
6 (b)(7)(C)
7 So, I talked to (b)(7)(C) about it, and we
8 decided that we would keep an eye on it. She went and
9 talked to each employee that was in her group, because
10 the group that it affected the most was her group,
11 (inaudible) (b)(7)(C). And she did like a mini
12 survey of each employee saying okay, what do you want
13 us to do? How can we help? And we came up with some
14 ideas.
15 She maintained a schedule in her office
16 where they collaborated with each other, and they
17 arranged coverage so if one had a special occasion,
18 then the other would agree to fill in. So, that had
19 been ongoing even before I got there. And we decided
20 we would just keep an eye on it. And then we told
21 them if you really need to have (b)(7)(C)
22 (b)(7)(C) then come and see us, and we'll
23 see if we can arrange something. And we tried to also
24 implement a phased training program, but at the time
25 we didn't have the resources we needed to get people

1 trained to fill in.

2 (b)(7)(C) Do you remember

3 specifically when this was raised?

4 (b)(7)(C) Specifically? Oh, Lord. Are you

5 still talking about 2010?

6 (b)(7)(C) Yes.

7 (b)(7)(C) During -- I'm trying to -- I

8 don't have specific time lines in my head correct, I

9 don't believe, but the (b)(7)(C). It

10 was a really (b)(7)(C)

11 (b)(7)(C).

12 (b)(7)(C) All right. When

13 was the next time you heard anything involving this

14 issue again?

15 (b)(7)(C) I don't have the exact date in

16 front of me, but the next time I heard something was

17 when (b)(7)(C) came to me and told me that an employee had

18 come to her and informed her that that employee had

19 gone and talked to (b)(7)(C) about -- she was

20 concerned that we weren't moving fast enough with

21 giving them some (b)(7)(C) And she let me know

22 that.

23 (b)(7)(C) (b)(7)(C) let

24 you know that, or the employee?

25 (b)(7)(C) Yes, (b)(7)(C) let me know

1 that.

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

3 your response at the time?

4 (b)(7)(C) My response was we have this

5 (b)(7)(C) than we would like. What did

6 she say? She told me the conversation the employee had

7 with (b)(7)(C) And I said, "Okay, then let's go

8 talk to (b)(7)(C) and see if we can get him

9 involved to figure out what the employee's concerns

10 are." Because she had already had the conversation

11 with the employee, but now we wanted to hear his side,

12 what he had to say.

13 She did that; however, he wasn't here, and

14 she found out that he was on a training trip or

15 something. So, two days had past when I remembered to

16 ask her about it again, and she had said, "Oh, yes,

17 you know what, this happened." He's supposed to be

18 back today. I said, "Well, it's been two days so we

19 need to raise it to (b)(7)(C)" because at the time

20 (b)(7)(C) wasn't here. And my manager I do not

21 believe was here at that time, was not in place at

22 that time.

23 (b)(7)(C) Who is your

24 manager?

25 (b)(7)(C) (b)(7)(C)

1 (b)(7)(C) Okay.

2 (b)(7)(C) (b)(7)(C)

3 (b)(7)(C), or something like that.

4 (b)(7)(C) Okay. Is it out of

5 the ordinary for someone to go to another supervisor,

6 or another manager somewhere else and make a

7 complaint?

8 (b)(7)(C) I don't know if it's out of the

9 ordinary. I think it's kind of common. But she had a

10 special personal relationship with him that was

11 offsite, so I think she just felt comfortable getting

12 his feedback, and him being a supervisor also, maybe

13 he would give her a different opinion.

14 (b)(7)(C) Just out of

15 curiosity, did you feel like someone was pulling an

16 end around where they weren't happy with whatever your

17 response was, and they decided to go somewhere else.

18 How did you feel about that?

19 (b)(7)(C) Interesting you bring that up,

20 because when (b)(7)(C) brought it to me, I didn't feel

21 anything about it. I was concerned that she didn't

22 feel that we were handling it the way she thought we

23 should. That concerned me. As far as her trying to

24 pull anything, that never even entered my mind. I

25 just wanted to figure out what's the problem, how are

1 we going to fix it. It's a long-term problem. I'm not
2 sure how quickly we can do it, so maybe we need to
3 look at something totally different that we haven't
4 even considered before.
5 (b)(7)(C) Okay. And it was
6 your idea to present this problem to (b)(7)(C)
7 (b)(7)(C) No, I was going to take the
8 problem to (b)(7)(C) because --
9 (b)(7)(C) Oh.
10 (b)(7)(C) -- (b)(7)(C) was who I reported
11 directly to until (b)(7)(C) came. And to present it to
12 our team. I had been trying to handle that issue with
13 the supervisory team that reported to me at the time,
14 and with the employees, because we had regular
15 meetings with the employees. And we were keeping them
16 apprized of what we were looking at, how we would kind
17 of gauge the progress. We were soliciting their
18 input, their ideas. So, I was kind of surprised that
19 it came up again, because I thought everybody was kind
20 of like on board with what we had -- we were
21 implementing. But I was already surprised, but that
22 was --
23 (b)(7)(C) Looking at the
24 issue from the outside, there's probably only so much
25 you could do in that situation. Correct? I mean, this

1 was an ongoing issue that's been going on long before
2 you became (b)(7)(C). And someone
3 presents the problem to you again, or not to you
4 personally, again, but they give you the problem, and
5 -- I mean, what was expected to happen? I mean, it
6 doesn't sound like you had a lot of options.
7 (b)(7)(C) I guess what I could have done
8 is I really could have pushed the issue and escalated
9 it.
10 (b)(7)(C) But if the
11 employees are (b)(7)(C) it isn't
12 like you would -- you could do anything. I mean, if
13 they're supposed to be (b)(7)(C) then they have to
14 be (b)(7)(C). I mean, other than (b)(7)(C)
15 (b)(7)(C)
16 (b)(7)(C) or whatever, I don't know exactly what the
17 employees wanted you to do.
18 (b)(7)(C) Well, in hindsight I look at it
19 now, I'm thinking --
20 (b)(7)(C) No, not in hindsight.
21 (b)(7)(C) Right now. Okay, but right then
22 this is what I was thinking. We could plan ahead. So
23 we had talked about okay, as soon as the (b)(7)(C)
24 (b)(7)(C) with, we're going to make sure we've got people
25 in place to train to take up some of the slack. And

1 one of the things that we had talked about in our
2 employee meetings was everybody in (b)(7)(C), so
3 instead of one group being funneled into doing all
4 (b)(7)(C) we have maybe 15 or 20 other employees
5 who can start training to take over small phases of
6 the work, who can do other things that could take the
7 load off of (b)(7)(C). So, that's what we were
8 looking at.
9 There were some short-term things we were
10 trying to do, but we knew it was going to be a phased-
11 in approach before we were finally up to the point
12 where we could have a wider pool to select from.
13 (b)(7)(C) Okay. So, when
14 you more or less referred this issue to (b)(7)(C) what
15 did you expect him to do about it?
16 (b)(7)(C) Anything. Anything he could,
17 anything that I couldn't think of.
18 (b)(7)(C) Okay. Do you
19 recall any conversations with (b)(7)(C) about it, or
20 was this just something you were delegating?
21 (b)(7)(C) I asked (b)(7)(C) to go and talk to
22 him, I was mostly concerned about the fact that we
23 hadn't followed up as quickly as we should have, even
24 though (b)(7)(C) wasn't available, we should have
25 just escalated it to the next level, just because it's

1 the proper thing to do.

2 He talked to (b)(7)(C) and then that was all

3 I heard, is the conversation she had with him. Then

4 the next day, or either the same day, might have been

5 the next day, he came up and told us that he had

6 talked to the (b)(7)(C) who was (b)(7)(C)

7 at the time, and he said, "You know what, they're

8 working really hard. They really need a break," yadda

9 yadda ya. "Do they have to be (b)(7)(C)

10 (b)(7)(C)" and he told us that

11 we could.

12 (b)(7)(C) Now, was this just

13 for (b)(7)(C) or was it for every (b)(7)(C)

14 after that?

15 (b)(7)(C) It was (b)(7)(C) but I did

16 ask (b)(7)(C) I said (b)(7)(C) that's one work group. We

17 have several work groups we have to consider. There's

18 a (b)(7)(C) and then there's (b)(7)(C)

19 (b)(7)(C) who are most affected. Did you talk to

20 them?" And he said, "No, I did not." I said, "Okay,

21 well we'll have to talk to them, because if they're

22 demanding that we be here, then we have to be here.

23 But maybe we can do (b)(7)(C) Do we have money for

24 (b)(7)(C)" So, we discussed some options, and then

25 that was -- he left the rest of it up to me.

1 (b)(7)(C) Okay. So, the
2 whole issue wound up back on your lap.
3 (b)(7)(C) Oh, yes. Yes.
4 (b)(7)(C) Okay. Did you ever
5 have any subsequent conversations with (b)(7)(C) about
6 that whole event, about how it transpired and
7 everything?
8 (b)(7)(C) I was really concerned because
9 (b)(7)(C) had not talked to me first before he went and did
10 what he did. I really wanted him to understand our
11 processes and the issues we were facing so that
12 whatever action was implemented, we could accommodate
13 it. I was really concerned about us not being here, so
14 I was concerned about that.
15 But other than that, I told (b)(7)(C) that it
16 bothered me that he didn't come and talk to me about
17 it, that he just went around me without involving me
18 in the process, because I would have liked as the
19 manager to be involved. I would have liked for him to
20 at least asked me, (b)(7)(C) what do you think? This is
21 what I want to do." That's the only conversation (b)(7)(C)
22 and I had about it.
23 (b)(7)(C) Okay. Did you have
24 any conversations with (b)(7)(C) about that?
25 (b)(7)(C) As a matter of fact, except for

1 the one we had about did you DEO, did you contact
2 procedures group? He said, "No, I did not." And I
3 said, "Well, I'm going to have to do that to make sure
4 that we have the coverage." He said, "Well, fine,
5 you're manager, handle it." I'm like, "Oh, okay."
6 (b)(7)(C) Okay. When did
7 this conversation with (b)(7)(C) take place?
8 (b)(7)(C) About three days later,
9 something like that.
10 (b)(7)(C) Oh, so pretty
11 soon.
12 (b)(7)(C) Yes. It was like -- I remember
13 the weekend was coming up, so I think we found out on
14 Thursday that we didn't have to work that Thursday.
15 So, I think when I saw (b)(7)(C) again it was the following
16 week.
17 (b)(7)(C) Okay. What else
18 was discussed between you and (b)(7)(C) regarding that
19 issue, anything else?
20 (b)(7)(C) (b)(7)(C) just said that, "Just talk
21 to him. Just tell him how you feel, and what you --
22 how you would have preferred that he work with you,
23 and let me know what happens." I said, "Okay," but I
24 never did. I did not follow-up.
25 (b)(7)(C) Did (b)(7)(C) -

1 what was her disposition at the time, was she angry?
2 Did you sense that she was angry at (b)(7)(C) or was she
3 matter-of-fact about it?
4 (b)(7)(C) She was curious. She was
5 questioning. She was like, "Okay, so tell me what
6 happened, how did this transpire, what -- dah, dah,
7 dah, dah, and I told her. She says, "Oh, okay. All
8 right. So, what did you wind up -- I said, "We would
9 up calling in people over the weekend." And she said,
10 "Oh, okay, did you let (b)(7)(C) know?" And I said, "No."
11 She said, "Well, then I want you to go talk to (b)(7)(C)
12 about it."
13 She was just very matter of fact, very
14 even-tempered, very even keeled, like she always is.
15 (b)(7)(C) Okay. And when
16 you spoke with (b)(7)(C) -- scratch that. Let me ask
17 you this.
18 Did you get a sense that (b)(7)(C)
19 understood that there were other divisions that had to
20 support the outage, and that they were affected by
21 this work hour issue also, other than those that work
22 at (b)(7)(C)?
23 (b)(7)(C) I think he may have known about
24 it, but I don't think he understood the impact.
25 (b)(7)(C) Okay. Did anything

1 else happen regarding that whole event?

2 (b)(7)(C) No. All I can remember is after

3 the conversation (b)(7)(C) had, she said, "Okay, we just

4 need to monitor this to make sure it's going to work."

5 I said, "Yes, you're going to be on call for the

6 weekend in case we get any" -- two employees did come

7 to us and said, "No, we agreed to work. We want to

8 work. We don't want to be on call, and we've got to

9 get our schedule set." And so we said, "Okay, just

10 come on in." So, there was only one day where there

11 was no coverage, and that Sunday is when we had to

12 call in three people.

13 (b)(7)(C) Do you remember

14 any other conversations you might have had with (b)(7)(C)

15 (b)(7)(C) about (b)(7)(C)

16 (b)(7)(C) Let me think about this really

17 hard, (b)(7)(C) (b)(7)(C) did not talk to me about (b)(7)(C) I

18 was always going to her or (b)(7)(C) whenever I had an

19 issue with (b)(7)(C)

20 (b)(7)(C) Well, that sounds

21 like you had more than one issue with him.

22 (b)(7)(C) Oh, that one, and one other time

23 when (b)(7)(C) and I had a conversation, we had a

24 disagreement.

25 (b)(7)(C) Can you tell me a

1 little bit about that?

2 (b)(7)(C) Oh, I have to relive it again.

3 To make a long story short, another supervisor who did

4 not report to me but reported to one of my peers came

5 to me after a meeting, an MD leadership meeting that

6 we had, and she seemed very angry about something.

7 And I asked what was wrong, and she said, "Well (b)(7)(C)

8 is just really upset with us. He thinks we don't know

9 what we're doing," you know, dah, dah, dah, dah, dah.

10 So, I probed and she sounded very irritated and

11 frustrated, and she gave me the impression that he was

12 also angry, or frustrated, or disappointed. And I

13 thought hmm, this is interesting because why is he --

14 if he's doing this, why is he confiding in a

15 supervisor, and shouldn't he be talking to the

16 leadership team if he has those kind of frustrations?

17 So, I asked to meet with him. We had a discussion. It

18 did not end well, and I left.

19 (b)(7)(C) I know that's the

20 long story short but --

21 (Laughter.)

22 (b)(7)(C) I asked him if he had a

23 conversation with -- I told him the conversation I had

24 with (b)(7)(C) I told him I was trying to assume best

25 intent, but she seemed very sure that these are some

1 of the things that he said, and all the time that I'm
2 discussing this with him, he's leaning across the
3 table looking at me like this, and he's doing the --
4 (b)(7)(C) Describe what this is. So,
5 we're clear. The recording won't tell what this is.
6 (b)(7)(C) Oh, I'm sorry. Okay. So, he's
7 sitting at his desk, behind his desk and I'm on the
8 other side of the table, and while I'm talking to him
9 he's leaning forward looking at me very intently. And
10 I perceived to be angrily. And his right leg was
11 thumping like this. And he did not say one word while
12 I was talking.
13 When I finished, he got closer to me
14 across the table, and he said, "First of all, I've got
15 something to say. You didn't assume best intent," and
16 he just went dah, dah, dah, dah, rapid fire, gun fire,
17 just boom, boom, boom, boom, boom. And it really took
18 me by surprise because the intensity of the response.
19 He accused me of being unfair. He accused
20 me of being disrespectful. He implied that he could
21 have me disciplined because of the concern that I
22 brought before him.
23 At that time, I became very concerned
24 because I thought this is truly an overreaction to me,
25 so I just shut down, didn't say anything else and I

let him finish. And then I apologized to him at the end. I said, "Well, if you thought I was being disrespectful, I was not. I was just concerned that here is an employee that's going on saying these things about you, and I thought you would want to know that."

(b)(7)(C) What was the issue?

(b)(7)(C) The issue was -- what she told me was he did not think that the (b)(7)(C) leadership or SONGS leadership was qualified enough, those were her words, that they were doing the right thing, that they were not consulting with him because he had (b)(7)(C) (b)(7)(C) and he could bring all these different techniques, and ideas, and recommendations, and we weren't consulting him, and that he just thought we weren't -- her words were we were not stepping up to take on additional responsibility as a leadership team.

(b)(7)(C) Was this person another employee, or supervisor, or manager?

(b)(7)(C) She was a supervisor in (b)(7)(C).

(b)(7)(C) What's her name?

(b)(7)(C)

(b)(7)(C) Okay. So, (b)(7)(C)

1 evidently had a problem with the qualifications of
2 those on the leadership?
3 (b)(7)(C) I guess with the whole (b)(7)(C)
4 leadership team. At the time, I believe he was filling
5 in for (b)(7)(C) intermittently because (b)(7)(C) was taking care
6 of some personal matters, and he was upgraded to her
7 level. He was the person you went to when you had a
8 problem. And that's one of the reasons why we went to
9 (b)(7)(C) because (b)(7)(C) wasn't here.
10 (b)(7)(C) Okay, so this
11 individual knew that he had a problem, or had an
12 issue, and she brought it to your attention.
13 (b)(7)(C) Yes.
14 (b)(7)(C) And then you
15 discussed it with (b)(7)(C)
16 (b)(7)(C) Yes.
17 (b)(7)(C) Okay. There
18 wasn't anything personal between you guys?
19 (b)(7)(C) We were cordial and everything
20 before. We were great. We always got along.
21 (b)(7)(C) All right. But it
22 sounded like --
23 (b)(7)(C) At that point, whoa, that was
24 clearly a surprise to me. I was really thrown for a
25 loop. That was totally unexpected for me. I never

1 would have imagined it. Before we had always got
2 along, we were very cordial. You know, he's (b)(7)(C) I
3 knew he liked to get things done. He's very confident.
4 He's high energy, but I was not expecting that
5 reaction.
6 (b)(7)(C) I don't want to
7 spend a lot of time on this particular issue, but I'm
8 just kind of curious as to if he had a problem with
9 the qualifications of the people on the leadership,
10 what do you call it again, leadership?
11 (b)(7)(C) Our whole leadership team?
12 That's all the managers and supervisors in (b)(7)(C) because
13 we would meet at least once a week in meetings.
14 (b)(7)(C) And then you met
15 with him regarding that issue. Correct?
16 (b)(7)(C) Yes, sir.
17 (b)(7)(C) And then it
18 sounded like emotions got a little high. I mean, I'm
19 just wondering if there's anything else involved.
20 That's all.
21 (b)(7)(C) Not as far as I can tell. And
22 if I knew, I would tell you.
23 (b)(7)(C) Okay. Were there
24 any --
25 (b)(7)(C) I was totally thrown off guard.

1 (b)(7)(C) Well, why was he -
2 - I know you're not him, but why did he get so -- it
3 sounded like he was kind of agitated about the whole
4 thing. How did -- why did he get so worked up over
5 this?
6 (b)(7)(C) I still don't know.
7 (b)(7)(C) Okay. Were there
8 any other issues that you had with him?
9 (b)(7)(C) No.
10 (b)(7)(C) Okay. Were there
11 any other conversations you had with (b)(7)(C) about
12 (b)(7)(C)
13 (b)(7)(C) No, I was actually really afraid
14 of that encounter. Actually, I felt threatened.
15 (b)(7)(C) When did that
16 happen?
17 (b)(7)(C) Oh, gosh. Okay, it was -- oh,
18 April 7th, I believe, because I still have the email.
19 I sent him an email saying, "I'd like to talk to you
20 about something. Do you have time to talk to me
21 today?" I think it was April 7th, but I can check my
22 emails for the exact date.
23 (b)(7)(C) All right.
24 (b)(7)(C) Did you feel physically
25 threatened?

1 (b)(7)(C) felt physically threatened. I
2 really did. And I'm a (b)(7)(C), I'm not easily
3 intimidated. I'm not a shy person either, but I
4 actually felt physically threatened. That's why I
5 just went to immediate shutdown mode.
6 (b)(7)(C) During this
7 particular meeting that we're discussing?
8 (b)(7)(C) Yes. Yes. I can't explain it to
9 you any better than when you're leaning across over
10 your desk and you're looking at me like this, and the
11 right leg is going like this, and you don't say one
12 word, and you're just staring at me bullseye, you
13 don't say one word, and the look on your face is one
14 of anger, and then when you do say something, you just
15 light into me?
16 (b)(7)(C) That's why I'm
17 wondering how he was getting so worked up over this
18 issue, because it -- there must have been something
19 else going on, either between you two, or with him.
20 (b)(7)(C) The only thing that I can think
21 of is -- what's your name again, (b)(7)(C)
22 (b)(7)(C) (b)(7)(C)
23 (b)(7)(C) (b)(7)(C)
24 (b)(7)(C) Call me (b)(7)(C)
25 (b)(7)(C) Sorry, (b)(7)(C)

1 (b)(7)(C) That's okay, I've
2 been called worse.
3 (b)(7)(C) The only thing that I can think
4 of is he said that I came at him, and I did not see
5 myself doing that. I didn't, but that's why I
6 apologized. I said, "You know, if I came to you in a
7 manner that was disrespectful at all, or if I sounded
8 like I was angry, I was not. I'm just very concerned."
9 (b)(7)(C) And this whole
10 meeting centered around him -- or at least initially
11 it started with him not appreciating the
12 qualifications of the leadership team.
13 (b)(7)(C) Yes, and based on what the
14 concerns that I brought to him, what that employee
15 told me that he said. And he -- because he didn't
16 say, "I didn't say it like that. This is what I said.
17 You didn't assume best intent," and I'm thinking
18 that's why -- I'm thinking to myself that's why I'm
19 here. I'm trying to get clarification, and just also
20 inform you that this employee is telling other
21 employees about what you said.
22 (b)(7)(C) All right. I'm
23 reading between the lines here, but it sounds like
24 this other employee might have said some -- or
25 repeated some inflammatory remarks that (b)(7)(C) made

about the leadership team.

(b)(7)(C) I don't know if the word "inflammatory" would fit, because when she was discussing it with me, she -- I got the impression that she agreed with him that we as a team were not stepping up. I got the impression from her that she agreed with him, because she was working with him on several projects. And in our meetings, she would often raise her hand and say, "I'll do it." So, maybe she was feeling frustrated that the rest of us weren't saying I'll do it, and I got the impression she was agreeing with his assessment.

(b)(7)(C) Once again for the record, what was her name?

(b)(7)(C) (b)(7)(C) (b)(7)(C)

(b)(7)(C) Okay. All right. Did (b)(7)(C) ever ask you for any type of input into (b)(7)(C) appraisal?

(b)(7)(C) Never.

(b)(7)(C) As I'm sure you're aware, (b)(7)(C) was later terminated from his position here at the plant. Did you take part at all in the decision making to terminate him?

(b)(7)(C) Never. It was a total surprise

1 to me.

2 (b)(7)(C) All right.

3 (b)(7)(C) I was totally flabbergasted.

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

5 understanding that there was some type of meeting that

6 took place here in August of 2010. It was a meeting I

7 believe in (b)(7)(C), and you addressed the employees, and

8 you made some comments about chain of command. Do you

9 remember that at all?

10 (b)(7)(C) Was that August? I don't think

11 that was -- I thought that was earlier than that. I'm

12 unclear about the time lines.

13 (b)(7)(C) Yes, let's wipe

14 out the time, because I got some conflicting

15 information on that. But did you ever have meetings

16 in which you communicated that any issue to be

17 resolved should be raised through the chain of

18 command, as opposed to this individual, or that

19 office, or anything like that?

20 (b)(7)(C) This is what happened. We had

21 regularly scheduled standups on Tuesday, and we had

22 employee meetings on Thursdays. In one of those

23 meetings, I believe it was the standup, we were

24 discussing -- there's a script. Have you been here

25 before?

1 (b)(7)(C) Yes.

2 (b)(7)(C) There's a script, and they ask

3 the question. And one of the questions is -- one of

4 the things at that time for several weeks is trust

5 permeates the organization. And I asked the question,

6 "Do you guys trust us? Where are we doing well, and

7 what are we not doing so well?" And they were very

8 forthright and honest and said, "Well, no, we don't

9 trust you guys because you don't always do what you

10 say you're going to do. You don't always get back to

11 us," and they just ran a litany of reasons why they

12 didn't completely trust the supervisory team.

13 And I said, "Okay, do me a favor. Please

14 come and tell us when that happens. If you don't tell

15 us immediately, you can go to any supervisor, you can

16 come to me, you can go wherever you want to go,"

17 because somebody made a comment about, "Well, what

18 about" -- somehow, ECP or Nuclear Safety Concerns, or

19 whatever -- because we actually had them as guest

20 members at our standups, so everybody knew -- I said,

21 "That's fine, but I would prefer that you would come

22 to us first. Just give us a chance to try to handle it

23 first here. If you can do that, I will really

24 appreciate it, because we can get you an answer

25 quicker than if you go anywhere else. Just give us an

1 opportunity. And if you really don't feel comfortable
2 say going to (b)(7)(C) or (b)(7)(C) or (b)(7)(C) come see me.
3 You don't feel comfortable seeing me, see (b)(7)(C) see
4 (b)(7)(C). I don't care, just see somebody, but try to give
5 us a chance. Give us a chance first."
6 (b)(7)(C) Just so I'm
7 covering all the bases here, during that meeting did
8 you ever say that any concerns should be addressed by
9 your chain of command, as opposed to going to ECP, or
10 NRC, or anything like that?
11 (b)(7)(C) No. NRC, I can tell you for a
12 fact never even came up. Nuclear Safety Concerns, if
13 it did come up, I don't remember what I said, but I
14 told them, "I don't care who you go to, but I would
15 prefer that you come to us first." As a matter of
16 fact, I said, "You know, you can file a grievance.
17 You can file a Focus. There are so many other things
18 you can do, but just give us an opportunity to fix the
19 problem first."
20 (b)(7)(C) I know we're going
21 back many months, but was that pretty close to your
22 exact words at the time?
23 (b)(7)(C) Yes.
24 (b)(7)(C) Okay. That you
25 prefer that they go through the chain of command, but

1 you weren't keeping them from going elsewhere.

2 (b)(7)(C) No. No, I would have never said

3 you cannot go to anyone but us. I never would have

4 said that. And I don't care how many times it gets

5 morphed and twisted, I never would have said that.

6 As a matter of fact, (b)(7)(C) one of the

7 things I said is, "I've been here a long time. The way

8 I've always dealt with things is I've always gone to

9 my supervisor, and if they don't help, I go to the

10 manager. I just keep going until I get an answer. So,

11 just start with us first. Give us a chance to help

12 fix the problem first, because we can probably fix it

13 right away, especially if it's a safety issue.

14 (b)(7)(C) There was nothing

15 personal going between you and (b)(7)(C)

16 (b)(7)(C) No. After that -- when you mean

17 personal, you mean like --

18 (b)(7)(C) You know, was

19 there any animosity between you guys?

20 (b)(7)(C) Not until after we had that

21 conversation. Not until after that meeting. Oh,

22 there was one other incident at one of the standups.

23 (b)(7)(C) Okay.

24 (b)(7)(C) Because we would invite special

25 guests to our standups, and we invited him. I invited

him several times, "Come to us" -- because our (inaudible.) He said, "Sure, okay."

(b)(7)(C) was on board then because I remember (b)(7)(C) was there, he was there, I was there, the whole (b)(7)(C) team was there including the supervisory team. And again the question came up again about what are going to do about the hours? They wanted to be considered covered workers. That's a long story. And (b)(7)(C) was trying to explain why that probably could not happen, but that he would certainly look into that. And I don't know the exact words, what triggered it, but then he said, "You know, I know some of you have come to see me about these issues already, and don't worry, (b)(7)(C) and I are here now. We're here to fix it. (b)(7)(C) and I are here. We can help you." And I thought okay, so I guess we're just chopped liver, but that was my thought.

And after the meeting I asked (b)(7)(C) I said, (b)(7)(C) I felt a little uncomfortable with him making that remark." It was basically saying just bypass your supervisory team because we're here, we're here now.

(b)(7)(C) When was the first time you heard that (b)(7)(C) was terminated?

(b)(7)(C) The day of his termination (b)(7)(C)

1 called a meeting with (b)(7)(C) and
2 she told us. I was with at that time (b)(7)(C)
3 (b)(7)(C) and myself. We were in (b)(7)(C) office. And when
4 she told us we were like actually dumbstruck. I did
5 not see that coming. I had no idea.
6 (b)(7)(C) Were you aware of
7 any performance shortcomings with (b)(7)(C)
8 (b)(7)(C) I had heard a rumor about an
9 incident with the analyst that he had handled
10 (inaudible), but it was just a rumor, and I try to not
11 involve myself in that. But, no, nothing I was aware
12 of.
13 (b)(7)(C) Did you ever hear
14 any off-the-cuff casual comments by (b)(7)(C) about
15 (b)(7)(C) performance?
16 (b)(7)(C) Never. She would never say
17 anything like that to any leader.
18 (b)(7)(C) Okay. Counselor,
19 do you have any questions?
20 (b)(7)(C) No, I do not.
21 (b)(7)(C) All right. (b)(7)(C)
22 (b)(7)(C) have I or any other NRC representative
23 threatened you in any manner or offered you any
24 rewards in return for this statement?
25 (b)(7)(C) No, you have not.

1 (b)(7)(C) Have you given the
2 statement freely and voluntarily?
3 (b)(7)(C) Absolutely.
4 (b)(7)(C) Is there any
5 additional information that you're care to add for the
6 record?
7 (b)(7)(C) One thing. I've worked with (b)(7)(C)
8 directly since 2007. I've known of her and interacted
9 with her on an occasional basis for many, many years.
10 And what I can tell you is this, that (b)(7)(C) is very
11 fair. She's results oriented. And she is extremely
12 fair. That's all she wants. She wants everybody to
13 be happy and to get along, so she gives you every
14 opportunity, every opportunity to do what you need to
15 do in order to meet -- to deliver. So, if you don't
16 do it, then that's on you.
17 (b)(7)(C) Okay. Anything
18 else?
19 (b)(7)(C) That's it.
20 (b)(7)(C) Okay. The
21 interview is concluded. The time is approximately
22 12:40 p.m.
23 (INTERVIEW CONCLUDED.)
24
25

4C

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: 4-2011-059

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)

Official Transcriber
Neal R. Gross & Co., Inc.