

EXHIBIT 4

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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) : 1-2012-032

(CLOSED) :

-----X

Thursday, May 31, 2012

(b)(7)(C)

The above-entitled interview was conducted
at 12:56 p.m. Pacific Standard Time.

BEFORE:

Special Agent

(b)(7)(C)

1-2012-032

EXHIBIT 4
PAGE 1 OF 65 PAGE(S)

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

12:56 p.m.

SPECIAL AGENT (b)(7)(C): Today's date is

Thursday, May 31st, 2012. The time is currently 12:56 p.m., Pacific Standard Time. For the record, this is an interview of (b)(7)(C) who was previously employed at New World Technologies, and assigned to the Hunters Point Naval Shipyard in San Francisco, California.

The location of this interview with (b)(7)(C)

(b)(7)(C) is the (b)(7)(C)

(b)(7)(C) I am (b)(7)(C) a

special agent with the Office of Investigations, U.S. Nuclear Regulatory Commission, Region I Field Office in King of Prussia, Pennsylvania.

The interview today is to discuss NRC OI Case No. 1-2012-032, and it concerns (b)(7)(C) raising an allegation of complaint with the NRC indicating that he believes he was discriminated against by his former employees at New World, which for the record established, New World Technologies was a subcontractor to Tetra Tech EC, Inc., which is the main contracting organization assigned to do what they call dirt work at the Hunters Point Naval Shipyard decommissioning project, again in San Francisco.

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1 So we will refer, throughout the
2 interview, to Tetra Tech, as well as New World. As
3 the Tetra Tech leadership often made determinations
4 and decisions regarding New World personnel as the
5 primary contractor.

6 (b)(7)(C) I must strictly inform you that
7 the NRC prohibits the recording or transmitting of
8 this interview by any parties other than the NRC.
9 Having said that, are you in any way recording or
10 transmitting this interview?

11 (b)(7)(C): No, sir. I am not.

12 SPECIAL AGENT (b)(7)(C): Okay. If you could
13 please raise your right hand? Do you swear that the
14 testimony you're about to provide is the truth, the
15 whole truth and nothing but the truth, so help you
16 God?

17 (b)(7)(C): Yes, sir.

18 SPECIAL AGENT (b)(7)(C) Thank you. Please
19 state your full name for the record, and spell you
20 last name.

21 (b)(7)(C) Last name
22 spelling is (b)(7)(C)

23 SPECIAL AGENT (b)(7)(C): Okay. Thank you,

24 (b)(7)(C) Are you currently employed?

25 (b)(7)(C): No.

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1 SPECIAL AGENT (b)(7)(C) Whom were you
2 employed with prior to -- Who was your last employer,
3 basically?

4 (b)(7)(C) (b)(7)(C) at a
5 decommissioning, a nuclear plant decommissioning in
6 (b)(7)(C)

7 SPECIAL AGENT (b)(7)(C) And when was that --
8 (b)(7)(C) Oh, wait a minute. Oh, that
9 was October (b)(7)(C)

10 SPECIAL AGENT (b)(7)(C) : To when?
11 (b)(7)(C) It was (b)(7)(C) It was I
12 believe (b)(7)(C) to (b)(7)(C)

13 SPECIAL AGENT (b)(7)(C) Okay. And in what
14 capacity were you employed there?
15 (b)(7)(C) : ANSI 3.1 Health Physics, (b)(7)(C)

16 (b)(7)(C)
17 SPECIAL AGENT (b)(7)(C) : Okay. When did you
18 begin your employment in the nuclear industry?

19 (b)(7)(C) : (b)(7)(C)
20 SPECIAL AGENT (b)(7)(C) : And in what
21 capacity, and where at?

22 (b)(7)(C) : (b)(7)(C) beginning (b)(7)(C) at
23 the (b)(7)(C) nuclear generating station in
24 (b)(7)(C)

25 SPECIAL AGENT (b)(7)(C) What kind of

1 training have you received over the years germane to
2 your work in the nuclear industry?

3 (b)(7)(C) I minored in (b)(7)(C) in
4 college. And that, they felt that that equipped me
5 for my second assignment at (b)(7)(C) I worked a
6 (b)(7)(C) in the chemistry unit there. And then

7
8 SPECIAL AGENT (b)(7)(C) Are you a degreed

9 (b)(7)(C)
10 (b)(7)(C) My degree is in, I have a (b)(7)(C)
11 in (b)(7)(C) but not in (b)(7)(C)

12 SPECIAL AGENT (b)(7)(C) Okay.

13 (b)(7)(C) But I had mostly science
14 courses being an (b)(7)(C) person, so it worked well for the
15 nuke business. And then as far as training, I've had
16 -- The nuke plants used to train more than they do
17 now.

18 SPECIAL AGENT (b)(7)(C) Right.

19 (b)(7)(C) They trained practically
20 continuously. So I've benefitted from that.

21 SPECIAL AGENT (b)(7)(C) You had what all the
22 rad tests --

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

24 SPECIAL AGENT (b)(7)(C) -- (b)(7)(C)
25 (b)(7)(C): Yes, yes. And then I, you

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1 know, passed the (b)(7)(C) exam.

2 SPECIAL AGENT (b)(7)(C): What plants did you
3 receive some of the training that you've gotten at?

4 (b)(7)(C) You should give me a heads up
5 on that one. Let me see. Well, (b)(7)(C), a plant
6 called (b)(7)(C)

7 SPECIAL AGENT (b)(7)(C) In (b)(7)(C)
8 (b)(7)(C) Okay, (b)(7)(C), in (b)(7)(C)
9 (b)(7)(C)

10 SPECIAL AGENT (b)(7)(C) In (b)(7)(C)
11 (b)(7)(C): Yes, sir. (b)(7)(C) in
12 (b)(7)(C) in (b)(7)(C) A lot of
13 training at (b)(7)(C) in (b)(7)(C) is (b)(7)(C)
14 (b)(7)(C) it's right on the (b)(7)(C)
15 (b)(7)(C), in (b)(7)(C)

16 SPECIAL AGENT (b)(7)(C): Okay. You've been
17 to a lot of plants.

18 (b)(7)(C) Yes. And that's not all of
19 them. That's just --

20 SPECIAL AGENT (b)(7)(C) That's fine. And
21 you've essentially, outside of the time in chemistry,
22 you've done (b)(7)(C) most of your career?

23 (b)(7)(C) I started out doing (b)(7)(C). And
24 then, as I say, then about a (b)(7)(C) in
25 chemistry. And then basic rad waste, and then (b)(7)(C)

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1 SPECIAL AGENT (b)(7)(C) Okay. When was your
2 tenure with New World? What was your dates of
3 employment with New World, which is the employer in
4 question now?

5 (b)(7)(C) I started in (b)(7)(C)
6 And I was told, adios, Jose, (b)(7)(C)

7 SPECIAL AGENT (b)(7)(C) So you were there
8 (b)(7)(C)

9 (b)(7)(C) Yes, sir. (b)(7)(C) actually
10 short of (b)(7)(C)

11 SPECIAL AGENT (b)(7)(C) Okay. What were
12 your -- What position were you in? And what were you
13 doing?

14 (b)(7)(C) (b)(7)(C) the whole time.

15 SPECIAL AGENT (b)(7)(C) Okay. What were
16 your duties and responsibilities?

17 (b)(7)(C) (b)(7)(C) and
18 (b)(7)(C) of radiological material. And, okay, that's
19 that same thing.

20 SPECIAL AGENT (b)(7)(C) Who did you report
21 to? Who was your boss?

22 (b)(7)(C) The site radiation safety
23 officer, Bert Bowers. Tetra Tech had little --

24 SPECIAL AGENT (b)(7)(C) And was Bert
25 employed with Tetra Tech at the time?

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(b)(7)(C) He --

SPECIAL AGENT (b)(7)(C) Or was he still New World?

(b)(7)(C) He was New World when I got there. At some point he moved to Tetra Tech. I don't know when. But he was my technical lead the whole time I was there.

Now Tetra Tech injected some little, what they called rad supervisors. But I think, to the man, none of them had enough HP time to even be seniors, 3.1 seniors, according to the Navy contract. They had prior nuclear experience. They'd been in power plants. But they'd been janitors or lead humpers, or something like that.

SPECIAL AGENT (b)(7)(C) Who was your HP supervisor?

(b)(7)(C) The last year I was there I think the Tetra Tech supervisor, my immediate supervisor, was a fellow named (b)(7)(C)

SPECIAL AGENT (b)(7)(C) Okay.

(b)(7)(C) But he had about (b)(7)(C) as much time as I've got. So it wasn't like, you know, he just, he usually deferred to me.

SPECIAL AGENT (b)(7)(C) Did you have anybody that worked under you?

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1 [REDACTED] No. Once in a while we had
2 some [REDACTED]. They appropriately deferred to the
3 [REDACTED] But that's not, I don't think, your
4 question.

5 SPECIAL AGENT [REDACTED] Okay. What policies
6 and procedures were you guided by? Was it ANSI? What
7 was the main reg that you worked under?

8 [REDACTED] 10 CFR 20. That was the
9 primary one. And then there's 10-24. And then
10 industry standards, industry standards.

11 SPECIAL AGENT [REDACTED] Okay.

12 [REDACTED]: NRC expectations.

13 SPECIAL AGENT [REDACTED] Okay. We talked
14 about protected activity earlier, prior to going on
15 the record. And I kind of explained to you how it's
16 viewed, what it is, and so forth.

17 So I want to spend a little time going
18 into that, as well as kind of management's
19 understanding and knowledge of your complaints. Did
20 you raise safety related concerns to Tetra Tech
21 management? If so, when and to whom?

22 [REDACTED]: I normally just did my job. If
23 I felt like some worker was not staying between the
24 lines, I would typically mention it to my Tetra Tech
25 lead, which was that [REDACTED]

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1 Before [REDACTED] it would have been Bert
2 Bowers. Bert was further up the food chain. So I
3 didn't have a lot of day to day interaction with him.
4 But he was the last word.

5 The day before I got fired, I had -- I
6 felt like one of the employees that had been hired as
7 a [REDACTED] but I knew was not, was acting in a
8 reckless fashion. Endangering the health and welfare
9 of workers, and both HP and laborers.

10 And of course, that translates to the
11 community outside the base. Because, you know, if rad
12 material is going where it's not supposed to be going
13 it's --

14 SPECIAL AGENT [REDACTED] It's going to get
15 out.

16 [REDACTED]: Yes. And that's -- You know,
17 the NRC was set up, I want to say in -- Oh gosh, I
18 can't remember, '74? And when the Atomic Energy
19 Commission went away, to safeguard Americans from
20 ionizing radiation.

21 And then the NRC had created, or allowed
22 to be created a class of workers, [REDACTED]

23 [REDACTED]

24 [REDACTED] around rad material. And that's what I've
25 been doing. Go ahead, sir.

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1 SPECIAL AGENT (b)(7)(C) So back to kind of
2 the original question --

3 (b)(7)(C) Sorry.

4 SPECIAL AGENT (b)(7)(C): Did you raise a
5 safety concern with Tetra Tech management?

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

7 SPECIAL AGENT (b)(7)(C) Okay. You did, and
8 to whom?

9 (b)(7)(C) Specifically, I would say it
10 would have been (b)(7)(C) About one worker, a
11 woman named (b)(7)(C)

12 SPECIAL AGENT (b)(7)(C): Well I'll get that
13 second. Who did you raise the issue to?

14 (b)(7)(C): Oh, (b)(7)(C) He was a
15 Tetra Tech (b)(7)(C) Now years
16 before this I told (b)(7)(C) (phonetic), the (b)(7)(C)
17 lady with New World, that this (b)(7)(C) had come on
18 board with New World with a completely phony resume.
19 She had no nuclear experience.

20 And in fact, (b)(7)(C) told me
21 that. I don't know if she'd admit that now. But she
22 called me up. (b)(7)(C) had worked at

23 New World as a (b)(7)(C) and was a good little (b)(7)(C)

24 (b)(7)(C) A good serious minded (b)(7)(C)

25 And she called me about a month before her

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1 (b)(7)(C) showed up and asked if I would tell New World
2 that her (b)(7)(C) that I'd worked with her (b)(7)(C) at
3 some sites.

4 Because (b)(7)(C) wanted to go to work
5 at Hunters Point and receive per diem. And I believe
6 New World had a policy of you couldn't just receive
7 per diem when you first, the first time you worked at
8 Hunters Point --

9 SPECIAL AGENT (b)(7)(C) Right.
10 (b)(7)(C) -- if you didn't have some
11 prior experience.

12 SPECIAL AGENT (b)(7)(C) Right.
13 (b)(7)(C): As it turned out, I did not
14 tell New World that I worked with the woman.

15 SPECIAL AGENT (b)(7)(C) So you didn't
16 endorse her?

17 (b)(7)(C) Did not. I did not.

18 SPECIAL AGENT (b)(7)(C) So when you raised
19 the issue to (b)(7)(C) on --

20 (b)(7)(C) Oh, let me finish that. Okay.

21 So anyway, (b)(7)(C) had called me, asked me to,
22 you know, lie about (b)(7)(C) having worked with (b)(7)(C)

23 (b)(7)(C) some other places, to state that --

24 SPECIAL AGENT (b)(7)(C) And this was what
25 year?

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1 (b)(7)(C) This was in (b)(7)(C)
 2 SPECIAL AGENT (b)(7)(C) Okay.
 3 (b)(7)(C) And then not very long after
 4 (b)(7)(C) got out there, and had gone to work. (b)(7)(C)
 5 (b)(7)(C) on two particular days -- I don't want to say
 6 I was (b)(7)(C) in the -- I was --

7 Going back to some of my experience. In
 8 the police business an assault is if you threaten to
 9 do something, you know, to put your hands on somebody.
 10 Battery is if you actually do it.

11 SPECIAL AGENT (b)(7)(C) Correct.
 12 (b)(7)(C) So several weeks after (b)(7)(C)
 13 (b)(7)(C) arrived some (b)(7)(C) which she was classified
 14 as a (b)(7)(C) were sent out with some (b)(7)(C) to survey
 15 some Q blocks. And the woman kept running into me.

16 (b)(7)(C)
 17

18 SPECIAL AGENT (b)(7)(C) Okay.
 19 (b)(7)(C) -- which is, you know, doesn't
 20 happen all that often. And it's not something I would
 21 decry under normal circumstances. But this woman was
 22 supposedly (b)(7)(C) wearing a (b)(7)(C)

23 And, you know, after about the third time
 24 -- Actually about the second time I realized she
 25 wasn't just clumsy. And then the next day -- She

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1 must have thought I was really stupid, because I
2 didn't take the hint.

3 And a couple of times she [REDACTED]

4 [REDACTED] And actually never had that happen
5 before. And I -- So I after -- I didn't do anything
6 about it right away. I just felt sorry for her.

7 And then she kept doing this sort of thing
8 on site. And so I thought I better, just to protect
9 myself, I reported it to [REDACTED] Some months
10 later --

11 SPECIAL AGENT [REDACTED] In [REDACTED]

12 [REDACTED] I don't remember. I've asked
13 [REDACTED] three or four times, three times anyway, for
14 the copy of the report. And she's always been
15 apologetic. But she says she lost it.

16 But when I made the report, and this was
17 in a room like we're doing right here, Agent [REDACTED]
18 [REDACTED] was taking, took notes. And she had a
19 witness in there. Somebody who worked for New World
20 at the time, a fellow named Bert Bowers.

21 SPECIAL AGENT [REDACTED] Okay.

22 [REDACTED] And I figured that [REDACTED]
23 would deny this battery. So I told [REDACTED] at that
24 time, you know, this woman's in here on a phony
25 resume, totally phony.

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1 In other words, the reason I brought it up
 2 then was I figured she'd lie and say, no she hadn't
 3 (b)(7)(C) me. And I wanted to point out that, you
 4 know, she was already prone to, you know, lying.

5 SPECIAL AGENT (b)(7)(C): Okay.
 6 (b)(7)(C): So I told (b)(7)(C) at that time,
 7 that she was there on a phony resume. And (b)(7)(C) said
 8 to me that, well that's been handled. Whatever. I
 9 had no idea what that meant. Okay.

10 So, (b)(7)(C), maybe I ran on there too
 11 much. But I wanted to make sure -- I don't expect
 12 you to write all that down. But I want you to know
 13 about it.

14 SPECIAL AGENT (b)(7)(C) Okay. So that
 15 offers some historical data. That information is --
 16 (b)(7)(C): Yes, that's the first time that
 17 I said flat out, told them straight up, she's here on
 18 a phony resume. Phony, phony, phony.

19 SPECIAL AGENT (b)(7)(C) Now you told that to

20 (b)(7)(C)

21 (b)(7)(C) Right.

22 SPECIAL AGENT (b)(7)(C) That would be (b)(7)(C)

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

24 SPECIAL AGENT (b)(7)(C) What was the
 25 aftermath? What happened?

1 [REDACTED] There was no aftermath.

2 SPECIAL AGENT [REDACTED] Okay.

3 [REDACTED]: There was no aftermath.

4 SPECIAL AGENT [REDACTED] Were you, at that
5 point were you bothered, harrassed any, after telling

6 [REDACTED]
7 [REDACTED] No, no. No, but then I avoided
8 that woman. When she walked in --

9 SPECIAL AGENT [REDACTED] You mean [REDACTED]
10 [REDACTED] Yes, [REDACTED] When she
11 walked into a room, I walked out of the room. And,
12 you know, that's all I could do to protect myself. I
13 wasn't getting any kind of protection.

14 I mean, New World didn't say, okay you're
15 out of here, to that woman, or something. Or check
16 her resume or something. She meanwhile, that [REDACTED]
17 [REDACTED] was making herself popular with Tetra Tech
18 people, and other New World people.

19 SPECIAL AGENT [REDACTED] Okay.

20 [REDACTED] And so I just had to try to
21 give her a wide berth. That was how I handled it.

22 SPECIAL AGENT [REDACTED] Now when you went to
23 [REDACTED] in [REDACTED] you went to [REDACTED], the
24 [REDACTED] for Tetra Tech. What was your issue?

25 [REDACTED] How did that go down?

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1 SPECIAL AGENT (b)(7)(C) Yes. What issue did
2 you report to him?

3 (b)(7)(C) Okay. I was (b)(7)(C)
4 (b)(7)(C) to approximately a ten acre rad site. The
5 storage where we dumped the material that was either,
6 it was going to be sampled to determine if it was rad
7 or if it wasn't.

8 And (b)(7)(C) I didn't go to him, he came by
9 the gate. He was just being sociable, just asked me
10 what was new? So I told him that the, excuse me, that
11 (b)(7)(C) was in there using laborers, which I knew
12 were not trained rad workers, to take --

13 SPECIAL AGENT (b)(7)(C) Samples.
14 (b)(7)(C) -- take samples, excuse me.
15 And that that could endanger, besides the --

16 SPECIAL AGENT (b)(7)(C) Was she a (b)(7)(C)
17 at that point? Did she have the authority to direct
18 laborers or other personnel as to what to do?

19 (b)(7)(C) She had, oh I might say
20 vicarious (b)(7)(C) She was at the time (b)(7)(C) with
21 the (b)(7)(C) Tetra Tech, the (b)(7)(C)

22 SPECIAL AGENT (b)(7)(C) Is that (b)(7)(C)
23 (b)(7)(C) That was (b)(7)(C)

24 SPECIAL AGENT (b)(7)(C)
25 (b)(7)(C) And so she got what she wanted.

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1 And everybody knew it. Anyway, I was concerned that,
2 besides endangering the health of the workers -- I
3 felt that if someone in your capacity, an NRC
4 inspector came by and saw this, you know, non rad
5 workers handling rad material, it could get the whole
6 site shut down. So I told [REDACTED] you know, that's
7 just going too far. And when he realized who I was
8 talking about, he bugged out. And the next day I was
9 fired.

10 SPECIAL AGENT [REDACTED] Okay. So you told
11 [REDACTED] and you said he bugged out. What was his
12 response? How did he kind of act when you told him it
13 was [REDACTED] What was his demeanor?

14 [REDACTED] always been polite to
15 me. And he made no derisive -- Well, he said, oh --
16 He said, when I was describing who it was, he said, oh
17 you mean the [REDACTED] Or oh, you mean the [REDACTED]

18 And then I want to say quickly, in [REDACTED]
19 defense, he wasn't calling her those things. He had
20 heard her referred to in that fashion. And so he was
21 being kind of jovial about it.

22 And then my response was, I said, I don't
23 even want to go there. We had, by that time, three or
24 four years of we all knew how [REDACTED] rolled. So
25 it was no reason to talk about it.

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1 It would be like talking about the water
 2 in the bay, in the Sanfransico Bay being salty. I
 3 mean, how many times do you have to say it? And I
 4 said, no I don't even want to go there, as far as that
 5 --

6 But the next day (b)(7)(C) came out,
 7 and she said that she had been told by (b)(7)(C)
 8 that I had called (b)(7)(C) a whore. And that I had
 9 gone off on this (b)(7)(C) Or gone off on a supervisor.
 10 And then I --

11 The only supervisor I had talked to in a
 12 day or two was (b)(7)(C) And I told (b)(7)(C) that I
 13 didn't "go off" on him. I haven't gone off on anybody
 14 at Hunters Point. And (b)(7)(C) like I said, he's not --

15 In my estimation he has very little
 16 nuclear experience. He has no business being a
 17 supervisor. But he has always been polite. So I've
 18 always been polite to him.

19 So I said, I didn't go off on him. And I
 20 didn't call that woman, you know, a (b)(7)(C) It was a
 21 (b)(7)(C) But (b)(7)(C) said that well, (b)(7)(C) still
 22 wanted me gone. Simple, simple.

23 SPECIAL AGENT (b)(7)(C) being (b)(7)(C)
 24 (b)(7)(C) the (b)(7)(C) --
 25 (b)(7)(C) : Yes, sir.

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SPECIAL AGENT (b)(7)(C) -- for Tetra Tech?

(b)(7)(C) Right.

SPECIAL AGENT (b)(7)(C): (b)(7)(C)

(b)(7)(C)

(b)(7)(C) Whatever they call it. They certainly are not in the nuke -- He's not a nuke.

SPECIAL AGENT (b)(7)(C): You know what, we're going to get to that too. Okay. So did you have an appeal process? How did that -- they just fired you? Kind of walk me through how that process.

(b)(7)(C) Well I had been told that morning, on the (b)(7)(C) to go up, that (b)(7)(C) was on site and go talk to (b)(7)(C) And that's never a good sign.

SPECIAL AGENT (b)(7)(C) It's like the Turk in sports --

(b)(7)(C) I don't know about that.

SPECIAL AGENT (b)(7)(C) -- during training camp. The Turk comes and gets you. If they call or looking for you, it's probably not a good thing.

(b)(7)(C) All right. Yes. Then it's just exactly like that. And then, (b)(7)(C) was polite. But, you know, she was obviously doing what she was supposed to be.

She took me into a little room similar to

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1 this one. And she asked me about this going off on
2 some supervisor. She wasn't even clear who. And
3 then, did I call [REDACTED] a [REDACTED] And I said, no
4 I didn't go off on anyone.

5 I've explained why several times. First
6 of all, I have never gone off on anybody at Hunters
7 Point. And number two, [REDACTED] has always been polite.
8 Always been polite, very professional in his demeanor.
9 And then I said, no.

10 But, I said, you know, I did tell [REDACTED]
11 that since he was the newest of the Tetra Tech
12 [REDACTED] I said that, you know, [REDACTED]
13 success at Hunters Point had more to do with where she
14 would, where she stayed, than her credentials.

15 And then [REDACTED] said, well that's the same
16 as calling her a [REDACTED] Well I said, I didn't think
17 it was. Anyway, that's what [REDACTED] said. And then
18 she said, well I'll talk to [REDACTED] again. And so I
19 returned to my work area.

20 And a couple of hours later, which was at
21 access control gate, [REDACTED] came down. And he was
22 just saying things like, well, I'm sorry. And, you
23 know -- Then he was actually, bless his heart, seemed
24 a little teary eyed. Because we had gotten along just
25 fine.

1 And in fact I was trying to console him a
2 little bit. I said, well it's not your fault, da, da,
3 da, da. And then it was adios. Now I can't -- I
4 know some time later, maybe it was even later that
5 day. I talked with (b)(7)(C), and she --

6 Oh, I had (b)(7)(C) -- I guess I should
7 mention this. I had (b)(7)(C) since I was working in
8 a rad area. I know what to do with (b)(7)(C) you
9 know, when you're released from a plant.

10 But I had been at Hunters Point for (b)(7)(C)
11 (b)(7)(C) So I went to see the head nuke, which was Bert
12 Bowers. And I said, I told Bert, well they fired me,
13 and, you know, to give him the (b)(7)(C). Because I
14 couldn't be carrying it around.

15 SPECIAL AGENT (b)(7)(C) Right.

16 (b)(7)(C) And apparently, he had no
17 flipping idea what I was talking about. So this idea
18 to fire me had gone completely around the head nuke on
19 site.

20 SPECIAL AGENT (b)(7)(C) He didn't even know
21 about it.

22 (b)(7)(C) He didn't even know about it.

23 SPECIAL AGENT (b)(7)(C) And you were
24 technically one of his guys?

25 (b)(7)(C) Yes.

1 SPECIAL AGENT (b)(7)(C) Under his --

2 (b)(7)(C) I mean, he's the site radiation
3 safety officer.

4 SPECIAL AGENT (b)(7)(C) Right.

5 (b)(7)(C) And he had no clue. But he
6 accepted the (b)(7)(C) because he knew that I
7 couldn't be walking around with that.

8 SPECIAL AGENT (b)(7)(C) Right.

9 (b)(7)(C) He took charge of it. And well
10 it's --

11 SPECIAL AGENT (b)(7)(C) Okay. With regard
12 to your concern about (b)(7)(C) behavior the day
13 before, with respect to her having laborers and
14 untrained persons do smear samples. Was a condition
15 report written? Or discrepant deficiency report? Was
16 anything documented regarding your concern when you
17 took it to (b)(7)(C)

18 (b)(7)(C) Not by me. But there is a
19 little more to this -- I don't think it seen the
20 light of day. When I was, when (b)(7)(C) drove by the
21 gate, the morning on the (b)(7)(C) when I --

22 As I said, I thought he was just mostly
23 being sociable. And I told him about this, what I
24 considered a tech spec violation, and that it could
25 hurt us.

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1 I told him that one of my co-workers had
 2 told me that (b)(7)(C) was trying to do something
 3 about it. This (b)(7)(C) no not (b)(7)(C). What the hell's
 4 her name? (b)(7)(C) --

5 SPECIAL AGENT (b)(7)(C) (b)(7)(C)

6 (b)(7)(C): -- (b)(7)(C) Now
 7 this, you know, this is just -- I'm saying that this
 8 is what (b)(7)(C) told me. I don't know where she is in
 9 this deal anymore.

10 SPECIAL AGENT (b)(7)(C): Okay.

11 (b)(7)(C): But (b)(7)(C) told me that (b)(7)(C)
 12 (b)(7)(C) had taken exception to (b)(7)(C) using the
 13 laborers. And that he had made a copy of something,
 14 presumably out of the tech library, the Tetra Tech
 15 technical library.

16 And that he had taken this Xerox copy of
 17 something to (b)(7)(C). Now that's kind of
 18 noteworthy for a couple of reasons. Number one, if
 19 (b)(7)(C) was a (b)(7)(C), he shouldn't have to
 20 go to the construction guy --

21 SPECIAL AGENT (b)(7)(C): Right.

22 (b)(7)(C) -- to rein in an (b)(7)(C) that was
 23 behaving outside --

24 SPECIAL AGENT (b)(7)(C): The scope.

25 (b)(7)(C): Right. But he knew that --

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1 Here I think this is self evident. He knew that the
 2 only way to control (b)(7)(C) was through her

3 (b)(7)(C) --

4 SPECIAL AGENT (b)(7)(C)

5 (b)(7)(C) --

(b)(7)(C)

So he was

6 trying to do what he could do.

7 SPECIAL AGENT (b)(7)(C) Right.

8 (b)(7)(C)

And then (b)(7)(C) told me that --

9 And I don't know if she saw this, somebody else
 10 related it to her. But what she related to me was,
 11 she said that (b)(7)(C) came into (b)(7)(C) office,
 12 and she picked up this thing that (b)(7)(C) had made a
 13 Xerox copy of, that, you know, said to the effect that
 14 she shouldn't be laborers for that.

15 SPECIAL AGENT (b)(7)(C): Was it a peiece of
 16 the procedure, some procedural --

17 (b)(7)(C): That was my impression from
 18 what (b)(7)(C) said. That (b)(7)(C) had made a Xerox copy of
 19 something out of the, a procedure, or out of the tech
 20 -- And rather than just, you know, going to (b)(7)(C)

21 and whining to him, you know, he had something --

22 SPECIAL AGENT (b)(7)(C): Tangible to show.

23 (b)(7)(C)

Exactly.

24 SPECIAL AGENT (b)(7)(C): Okay.

25 (b)(7)(C)

And that he showed it to

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1 (b)(7)(C) And when (b)(7)(C) came into (b)(7)(C)
 2 office, one of them handed it, or either (b)(7)(C) or
 3 (b)(7)(C) handed it to (b)(7)(C) and that --

4 Again this is being related to me by
 5 (b)(7)(C). Just, you know, gossip among co-workers.
 6 (b)(7)(C) said that (b)(7)(C) made some little grunt
 7 sound or something and just tossed the paper back down
 8 on (b)(7)(C) desk and left.

9 And dismissive, that's the word I was
 10 looking for. Something dismissive noise, and just
 11 tossed it. And then I related that to (b)(7)(C) also.
 12 And maybe that's the reason he was quite anxious to
 13 get loose from my talking to him at that point.

14 SPECIAL AGENT (b)(7)(C) On the (b)(7)(C)
 15 (b)(7)(C) Yes, sir.

16 SPECIAL AGENT (b)(7)(C): You said that.
 17 (b)(7)(C) Right. I told him --

18 SPECIAL AGENT (b)(7)(C): You told him what
 19 (b)(7)(C) had shared with you.

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

21 SPECIAL AGENT (b)(7)(C) Okay. Back to a
 22 condition report being written, or being documented.
 23 You didn't document it. Do you know if (b)(7)(C) or
 24 anyone else did document your safety concern.

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

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1 SPECIAL AGENT (b)(7)(C) You don't know?
2 (b)(7)(C) I do not know. But from what
3 I've just told you, (b)(7)(C) was trying to get loose to
4 this, get away from this deal. He knew it was poison.
5 So my guess is that he didn't.

6 But I believe -- Well can I say it on
7 your tape -- I'll say it for the tape recorder. And
8 then maybe it has to be just -- But he said something
9 to what's his name, (b)(7)(C) --

10 SPECIAL AGENT (b)(7)(C) (b)(7)(C)
11 (b)(7)(C) Yes. Sufficient that (b)(7)(C)
12 decided that I had become a liability.

13 SPECIAL AGENT (b)(7)(C) Okay.
14 (b)(7)(C): And I as gone the next day.
15 It's pretty short linkage there. Pretty easy cause
16 and effect, I think.

17 SPECIAL AGENT (b)(7)(C) So is there any
18 documentation of your safety concern that you know of?
19 (b)(7)(C): Not on site. Now I did write
20 something up for the State of California.

21 SPECIAL AGENT (b)(7)(C): That was after the
22 fact, when you started your complaint --

23 (b)(7)(C) Yes, yes.

24 SPECIAL AGENT (b)(7)(C): -- with the State
25 Department of Labor.

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1 (b)(7)(C) Right. And then when I filed
2 for unemployment I think I had 200 words I could write
3 why I got let go. And I put down it was for raising
4 this concern. So the State of California should have
5 that in their EDD department.

6 SPECIAL AGENT (b)(7)(C) Okay. Did you have
7 the ability to document safety concerns in some form
8 or another? Were you able to go on the computer and
9 write a deficiency? Or what they call in the nuclear
10 circle, CRs.

11 (b)(7)(C): CRs. I know what --

12 SPECIAL AGENT (b)(7)(C): Condition reports.

13 (b)(7)(C): Yes. I know what CRs are. If
14 Tetra Tech had something like that, I don't know about
15 it.

16 SPECIAL AGENT (b)(7)(C): So you don't know?

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

18 SPECIAL AGENT (b)(7)(C): You didn't have the
19 ability to go and do that?

20 (b)(7)(C) I can't say that I didn't have
21 the ability. But I'd never heard of it.

22 SPECIAL AGENT (b)(7)(C) Was there a box
23 where you could put hard copy? Could you write --

24 (b)(7)(C) Not sure. And I know what your
25 CRs are. I worked, I told you I worked at (b)(7)(C) here

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1 about a [REDACTED] And I'm not going to go on and on.
2 But just for your edification. When I was processing
3 into [REDACTED] there was about eight of us [REDACTED] And we
4 all had -- I think the median age of the [REDACTED] coming
5 in was like [REDACTED] So we all had lots of time.

6 SPECIAL AGENT [REDACTED] Correct.

7 [REDACTED] Okay. But the first day into
8 [REDACTED], we're in the first day of training. The head of
9 the training, right after lunch, he took an hour and
10 a half telling us how to fill out the CRs, where to
11 put them. It was a very high priority.

12 SPECIAL AGENT [REDACTED] Right.

13 [REDACTED] That impressed the hell out of
14 me, having just left, you know, Hunters Point, an
15 outfit on the other side of the --

16 SPECIAL AGENT [REDACTED] And at Hunters Point
17 it wasn't that way in terms of --

18 [REDACTED] No. I mean, if there was a
19 procedure, I'm not aware of it. But, you know, it was
20 a -- Bert had a open door policy. I mean, if, you
21 know, we could talk to Bert.

22 By that time they had already started
23 sidelining Bert. There had been some other deals that
24 I -- There was a [REDACTED] deal earlier. I think
25 [REDACTED] before that she got some laborers to

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1 mishandle asbestos.

2 And I reported that to, you know, my
3 immediate (b)(7)(C) And somehow Bert
4 got completely left out of that. (b)(7)(C) went
5 again, straight to this --

6 SPECIAL AGENT (b)(7)(C)

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

8 SPECIAL AGENT (b)(7)(C)

9 (b)(7)(C)

10 SPECIAL AGENT (b)(7)(C) So in terms of --
11 What about the zip slips? Were you able to write --
12 I keep hearing the notion of, it's called a zip slip,
13 which was some -- I guess it was you could fill out
14 a card, or a little information sheet with the
15 complaint or issue and put it in a box.

16 (b)(7)(C) I would hope there would be
17 something like that. I was not aware of it.

18 SPECIAL AGENT (b)(7)(C) So you're still not
19 aware of it. Okay. Had this issue with (b)(7)(C)
20 been raised by other Tetra Tech or New World
21 employees? If so, what happened? Anybody else have
22 a problem with the way (b)(7)(C) was doing things?

23 (b)(7)(C) : (b)(7)(C) was a perennial
24 joke. You know, it's just kind of a, everybody had
25 been a tech, you know. She was there for -- I don't

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1 know. I don't want to offend your tape recorder here.

2 But (b)(7)(C) was there to (b)(7)(C)

3 (b)(7)(C) That's what (b)(7)(C) role was. That was -

4 - So I mean, how many times do you have to say that,
5 before you, you know, you quit saying it.

6 SPECIAL AGENT (b)(7)(C) So who else, if
7 anybody, went, were in --

8 (b)(7)(C) Oh, I can think of one specific
9 conversation that would be like verifiable from your
10 point of view.

11 SPECIAL AGENT (b)(7)(C) All right.

12 (b)(7)(C) That I remember. About (b)(7)(C)

13 before I got run off, Tetra Tech had a supervisor on
14 site. (b)(7)(C) was his name. Now (b)(7)(C)

15 (b)(7)(C) was a respected (b)(7)(C) contractor the
16 day I began in the business at (b)(7)(C) in (b)(7)(C) So
17 that's where I knew (b)(7)(C) from.

18 (b)(7)(C) apparently had sufficient contact
19 with (b)(7)(C) that at one point he decided that he
20 should do something. So (b)(7)(C) went to a
21 guy named (b)(7)(C), no relation to (b)(7)(C)
22 who was a supervisor, a Tetra Tech supervisor.

23 And related some notorious -- I mean, I
24 say, some comment that (b)(7)(C) had made that just
25 showed that she just had no, she knew nothing about

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1 the business.

2 SPECIAL AGENT (b)(7)(C) Right.
 3 (b)(7)(C): And so (b)(7)(C) shared that with
 4 this (b)(7)(C) and (b)(7)(C) -- And (b)(7)(C) is telling
 5 me about this. He said that (b)(7)(C) said, like
 6 never mind, you know, never mind. She's, you know,
 7 untouchable. Never mind. And that was the end of
 8 that. So if (b)(7)(C) was available he could substantiate
 9 that.

10 SPECIAL AGENT (b)(7)(C): And was his
 11 complaint about her misuse of employees? Her misuse
 12 of her problem with HP --

13 (b)(7)(C): No, I --

14 SPECIAL AGENT (b)(7)(C) Her --

15 (b)(7)(C): You're talking about (b)(7)(C)

16 (b)(7)(C) --

17 SPECIAL AGENT (b)(7)(C) Right.

18 (b)(7)(C) No, no. It was, I think it was

19 -- It might have been (b)(7)(C), who was also a

20 (b)(7)(C). I forget her name. But she was a (b)(7)(C)

21 the day I started at (b)(7)(C)

22 But she was a very professional. I'd
 23 worked with her just a couple of times at Hunters
 24 Point. Very professional, very knowledgeable. I think
 25 she had asked (b)(7)(C) something about if she knew

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1 what radionuclides we were dealing primarily at
2 Hunters Point.

3 And (b)(7)(C) had said, beta, which is
4 not a radionuclide, you know, it's a particle. It's
5 a radioactive particle. But it's not a -- And it was
6 just -- You know, it was like if I ask you, you know,
7 what's your favorite kind of horse, and you said,
8 Chevrolet. It was just nonsense.

9 But anyway, I think (b)(7)(C) shared that with
10 (b)(7)(C) And like we've got -- And I think (b)(7)(C)
11 idea was, you know, we've got to do something. This
12 is just, you know, too terrible.

13 And then this (b)(7)(C) who was a
14 Tetra Tech supervisor at that time, basically told
15 (b)(7)(C) just don't waste your time, you know. She's
16 untouchable.

17 SPECIAL AGENT (b)(7)(C) Okay. Did you take
18 your concerns to anyone outside of your employer, that
19 is, the Navy, RASO, anyone like that?

20 (b)(7)(C): No. No, no, no. I just, I
21 felt like I had the idea that Tetra Tech would not
22 take it well. So when I talked to (b)(7)(C) I said it in
23 such a way that like maybe he could just kind of nudge
24 the boys in a meeting or something. You know, hey we
25 can't do this. You shouldn't do this. They didn't

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1 like to be nudged, I guess.

2 SPECIAL AGENT (b)(7)(C) What is your
3 understanding of Tetra Tech's company policy regarding
4 whistle blowing or raising safety related concerns?

5 (b)(7)(C) Oh, it's lethal, that's what it
6 is. Simple, simple. It's adios, Jose, M.F. Can I
7 say that to your tape recorder?

8 SPECIAL AGENT (b)(7)(C): Yes. So what was,
9 in terms of -- Had they ever gone over, in training,
10 what the policy was and an employee's ability to raise
11 safety issues, and not be retaliated against? Or
12 whistleblowing, or anything, if you want to call it
13 that.

14 (b)(7)(C): (b)(7)(C), I understand. That's
15 a good question. That's a good question. But New
16 World didn't do training, and Tetra Tech didn't do
17 training. Simple, simple. Now, that was it. Simple,
18 simple.

19 Now maybe the laborers got some kind of
20 training. I don't know. But I think once in a while,
21 I mean, like once a year -- No, not even that often.
22 I think I might have seen a film early when I got
23 there. The training film about something.

24 No, there was nothing. There was no
25 training. And that's good to know for another reason.

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1 In other words, as far as a tech, whatever technical
2 skills you had when you got to Hunters Point, those
3 were the skills you had.

4 SPECIAL AGENT (b)(7)(C) : So they didn't build
5 upon those --

6 (b)(7)(C) : They did not.

7 SPECIAL AGENT (b)(7)(C) : -- in training. And
8 develop --

9 (b)(7)(C) : You know, like I told you
10 earlier in this conversation. The power plants, you
11 just train and train and train.

12 SPECIAL AGENT (b)(7)(C) : Not so much here?

13 (b)(7)(C) : No. Not at all.

14 SPECIAL AGENT (b)(7)(C) : Does Tetra Tech
15 operate on the principles of safety first? Would you
16 say that?

17 (b)(7)(C) : No. I'm not just throwing crap
18 on them. You know, I worked, I was out in the field
19 all day long. And you talk to the laborers and
20 equipment operators, you know. The equipment
21 operators are bringing stuff in and out that I have to
22 survey and check. And so we get to know each other
23 pretty well.

24 And no. Equipment operators have told me,
25 and I know several that, you know, would write things

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1 up, like a broken windshield in their loaders, over
2 and over again. And it was just carrying coals to
3 Newcastle. It was, no.

4 SPECIAL AGENT (b)(7)(C): Was it made clear to
5 Tetra Tech employees and as well as New World, they
6 had the right, even the responsibility, to raise
7 safety related concerns without fear of retaliation?
8 Was that ever articulated?

9 (b)(7)(C) (b)(7)(C) like I said, I was
10 there two weeks short of (b)(7)(C) No. I can --

11 SPECIAL AGENT (b)(7)(C) (b)(7)(C)
12 (b)(7)(C): Yes, sir. No, (b)(7)(C) (b)(7)(C)
13 weeks short of (b)(7)(C) I don't know what I said.

14 SPECIAL AGENT (b)(7)(C) You said two weeks
15 short of (b)(7)(C)

16 (b)(7)(C) Okay. No, two weeks -- Thank
17 you for catching that. Two weeks short of (b)(7)(C)

18 SPECIAL AGENT (b)(7)(C) Okay.

19 (b)(7)(C) No. I can recall one little
20 episode where the laborers were threatened to not
21 report to the State. And there was two other HPs
22 listening to that. It was early. It was like in (b)(7)(C)
23 or (b)(7)(C)

24 And we just thought that it was so
25 notorious. I mean, you wouldn't -- If somebody did

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1 that on a power plant, you know, they'd be gone in
2 five minutes.

3 SPECIAL AGENT (b)(7)(C) Right.

4 (b)(7)(C): It would be -- And this was a
5 Tetra Tech safety guy was -- Apparently some laborer
6 had complained to the State about climbing up on some
7 mound of dirt that had plastic on it. And his name
8 was, I want to say his name was (b)(7)(C).

9 But there was three HPs in this mass of
10 laborers. Now the laborers didn't know that he
11 couldn't do that. But we were just dumbstruck where
12 he was saying, the next person that calls the State,
13 you know, is down the road. That sort of thing.

14 It was incredible. Again, not just me.
15 Let me see. I don't want to say their names at this
16 point if I don't have to. But if I was, if somebody,
17 if that was pursued, I sure would.

18 SPECIAL AGENT (b)(7)(C): And these were
19 individuals that could verify that Tetra Tech
20 ostensibly attempted to stifle employees' abilities to
21 raise safety concerns?

22 (b)(7)(C): Agent (b)(7)(C) attempting to
23 stifle is just too many 50 cent words. No. They just
24 threatened these boys. You know, just threatened
25 them. Anybody, I find out about, you know, complaints

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1 to the State again about some safety deal, and you're
2 gone. You're DFR.

3 SPECIAL AGENT (b)(7)(C): Are these guys still
4 employed here on site?

5 (b)(7)(C): No, no. But, so I don't make
6 this sound like a big mystery, no. Well wait a
7 minute, one guy is. So I won't mention him. The
8 other was a woman (b)(7)(C) (phonetic).
9 She's smart. She'd remember it. And it was just --

10 Again, if somebody in a supervisory
11 capacity made a statement like that in a power plant,
12 you know, security would drag him out by their ears
13 five minutes later. They wouldn't have -- It was so
14 -- But there certainly is a different mind set and a
15 different culture at Tetra Tech.

16 SPECIAL AGENT (b)(7)(C): Okay. Do you know
17 if an investigation regarding the issue you raised
18 with (b)(7)(C), whether it was conducted by New World
19 or Tetra Tech?

20 (b)(7)(C): Well if you're talking about --
21 No. I mean, I raised my concern on the (b)(7)(C) and on
22 the (b)(7)(C) I was gone. So I have no idea. I, well I do
23 have a little idea. No I don't. No I don't. No, no
24 I don't.

25 SPECIAL AGENT (b)(7)(C) You sure?

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1 [REDACTED] : Boy, I'm not very good at this
 2 am I? Let me see. I think I heard that the State of
 3 California was unimpressed with the fact that there
 4 was no follow through on my -- It was all me. Did I
 5 call [REDACTED] a [REDACTED] Not anything about --

6 SPECIAL AGENT [REDACTED] About the issue.

7 [REDACTED] Right.

8 SPECIAL AGENT [REDACTED] Okay. So that's
 9 Tetra Tech. And what you heard, and said you heard.
 10 Where did you get this particular information from?

11 [REDACTED] : I don't recall.

12 SPECIAL AGENT [REDACTED] Okay. But you heard
 13 that Tetra Tech's defense was more about firing you --

14 [REDACTED] Yes, it was all about --

15 SPECIAL AGENT [REDACTED] It was more about
 16 you calling her, you making those derogatory statments

17 --

18 [REDACTED] Right.

19 SPECIAL AGENT [REDACTED] -- about [REDACTED]
 20 or the allegation that you did, more so than
 21 addressing the issue about her having, you know,
 22 untrained workers do rad --

23 [REDACTED] : Absolutely.

24 SPECIAL AGENT [REDACTED] -- and activities --

25 [REDACTED] In fact, she's still there [REDACTED]

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1 [b(7)(C)] later, as far as I know. And I'm gone. And
2 since then Tetra Tech has -- I am aware that they've
3 gotten rid of three more real [b(7)(C)] not make believe
4 ones, for expressing concerns.

5 And then I know a couple of guys that got
6 run off before me. But they don't want to, they don't
7 think anything would come of complaining. And I can't
8 say as I blame them. It's [b(7)(C)] out, and [b(7)(C)]
9 is still doing fine. And I'm still gone. So, wah,
10 wah, wah.

11 SPECIAL AGENT [b(7)(C)] We're going to shift
12 a little into adverse action. What do you believe was
13 the adverse action taken against you? The firing?

14 [b(7)(C)] Yes. I had [b(7)(C)]
15 [b(7)(C)] and, you know, that was a good job, a good
16 job.

17 SPECIAL AGENT [b(7)(C)] This happened on
18 [b(7)(C)]

19 [b(7)(C)] Yes, sir. Of [b(7)(C)]

20 SPECIAL AGENT [b(7)(C)] Okay. Prior
21 to them terminating you, had you been demoted or given
22 a lesser position?

23 [b(7)(C)] No, no. In fact, you know, I
24 mentioned -- I don't have it here. I got a little
25 atta boy from this [b(7)(C)] It was kind of a

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1 tongue in cheek thing. But it was like a little award
2 for, you know, doing real good work and whatnot. I
3 don't think Tetra Tech has --

4 SPECIAL AGENT (b)(7)(C) When did that award
5 come?

6 (b)(7)(C) Oh, maybe (b)(7)(C) or (b)(7)(C)
7 before I got run off. As I said, I got along fine
8 with (b)(7)(C) But as far as I know Tetra Tech and
9 New World don't have any certificates, you know.

10 And he just made up a little certificate,
11 a make believe thing, saying good job, and dah, dah,
12 dah, dah, dah. So that was nice. His heart was in
13 the right place.

14 SPECIAL AGENT (b)(7)(C) Now what did
15 management provide as a reason for the personnel
16 action taken against you? What was their reason for
17 firing you? Was it for --

18 (b)(7)(C) Calling (b)(7)(C) a (b)(7)(C)
19 Now as I said, the day that (b)(7)(C) came out, she also
20 --

21 SPECIAL AGENT (b)(7)(C) Is there a policy
22 that prohibits you -- Is there an internal policy
23 that says you can't say things about people? Or that
24 these are fireable offenses? Did they ever reference
25 any procedure or policy or company directive?

1 [REDACTED] If [REDACTED] mentioned something
2 like that I don't remember. I don't think so. Oh,
3 and as I said, the day she came out she said, the
4 other thing that [REDACTED] said, that I had "gone
5 off" on --

6 But then, whatever it was, four or six
7 months later in the State of California's labor board
8 conference room when we were in there, and [REDACTED] was
9 asked to say, you know, why they got rid of me, why I
10 got fired. I said what I told you, that she said I'd
11 gone off, that [REDACTED] said I'd gone off on the
12 supervisor --

13 SPECIAL AGENT [REDACTED]

14 [REDACTED] Yes, and then --

15 SPECIAL AGENT [REDACTED] Did they ever have
16 a statement from [REDACTED] saying, yes, [REDACTED]
17 went off on me? Or was that ever provided anywhere?

18 [REDACTED] Not that I'm aware of.

19 SPECIAL AGENT [REDACTED] Okay.

20 [REDACTED] And anyway, so the day we were
21 in there, [REDACTED] was in the conference room and she
22 was saying what she was told as far as getting rid of
23 me. The part about going off on some supervisor. She
24 didn't mention that at all.

25 It was only because I called, you know,

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1 [REDACTED] a [REDACTED] and which I didn't. You know,
2 the shoe would certainly fit. But I didn't happen to
3 say that.

4 SPECIAL AGENT [REDACTED] Had you ever
5 received a reduction in pay prior to your termination?

6 [REDACTED] No. I was trying to think of
7 some kind of disciplinary. I don't know of -- I
8 think early on -- I don't know if it was in print, or
9 maybe it was just [REDACTED]

10 Somebody said, there was something about
11 on a particular day I had my feet on my desk. But as
12 far as I can recall, that was the extent of my
13 criminal behavior at Hunters Point.

14 SPECIAL AGENT [REDACTED] Did anyone with
15 Tetra Tech management or New World identify to you,
16 either officially or unofficially, that the personnel
17 action levied against you had anything to do with you
18 raising safety related issues?

19 [REDACTED] No.

20 SPECIAL AGENT [REDACTED]: Okay. What was the
21 impact of you raising safety concerns on Tetra Tech,
22 in terms of, what could have happened had the
23 activities [REDACTED] was engaging in with the
24 laborers, what was the worst thing that could have
25 happened, I guess?

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1 (b)(7)(C) : There is nuclear material, you
2 know. Every so often we would find nuclear material
3 above the safety threshold, as far as the State of
4 California was concernd.

5 SPECIAL AGENT (b)(7)(C) : Okay.

6 (b)(7)(C) : Now the laborers weren't really
7 trained on how to deal with that. So they could take
8 it home. They could get it on themselves, they could
9 take it home. They could get it in the carpet, and
10 then their kids get in it,

11 And nuclear material does biological
12 damage. And it does more biological damage to younger
13 people. So the laborers who were just not trained --
14 Hell, for that matter (b)(7)(C) wasn't trained on
15 the --

16 SPECIAL AGENT (b)(7)(C) : Proper use --
17 (b)(7)(C) -- and the hazards of nuclear
18 material. And, you know, the folks, that's a Navy
19 base.

20 SPECIAL AGENT (b)(7)(C) : Correct.

21 (b)(7)(C) : The Navy wants to give it back
22 to the --

23 SPECIAL AGENT (b)(7)(C) : Back to the city --

24 (b)(7)(C) : -- the State of California.

25 SPECIAL AGENT (b)(7)(C) : -- of San Francisco.

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1 (b)(7)(C) Yes. And you know what? The
2 Navy -- I've learned this working with Navy guys.
3 The Navy is real scrupulous about handling nuclear
4 material. They are very professional.

5 So, you know, they want HPs, because well
6 -- And then they know, this is in real life, nuclear
7 material hasn't been around that long, as far as man
8 made nuclear material.

9 SPECIAL AGENT (b)(7)(C) : Right.

10 (b)(7)(C) The Navy, they know that, like
11 everybody, when it was new, the 40s, the 50s, and
12 maybe 60s were a little cavalier sometimes about
13 handling nuclear material.

14 SPECIAL AGENT (b)(7)(C) : Right.

15 (b)(7)(C) So they know that some of it
16 got away. That it wasn't where it was supposed to be
17 on that base.

18 SPECIAL AGENT (b)(7)(C) : Right.

19 (b)(7)(C) And that's the reason for
20 having HPs there --

21 SPECIAL AGENT (b)(7)(C) : To ensure that --

22 (b)(7)(C) : -- to look -- Yes. So it
23 doesn't get handed off to the California, and then
24 somebody else's kids wind up playing in it. Very much
25 to the Navy's credit.

1 But maybe I'm editorializing here a little
2 bit. But Tetra Tech just sees the HPs as a bunch of
3 God damned speed cops. You know what I mean? They
4 just in the way.

5 They get around production. And the [REDACTED]
6 of us that were -- Well I wasn't the first [REDACTED] to
7 turn loose, get turned loose. They just, [REDACTED] I
8 think we kind of --

9 I don't want to try to put a guilt trip on
10 you here, or something. But, you know, we know, those
11 of us that come from the plant background, the NRC
12 doesn't play.

13 SPECIAL AGENT [REDACTED] Right.

14 [REDACTED] The NRC doesn't play. If they
15 don't like what's happening, they pick up the keys.
16 Simple, simple. And I think, you know, we kind of
17 were looking for the NRC to ride to the rescue at some
18 point.

19 SPECIAL AGENT [REDACTED] Right.

20 [REDACTED] And so I took way too long to
21 complain, way too long.

22 SPECIAL AGENT [REDACTED] Do you currently
23 have other open complaints? Do you have a open file
24 with the Department of Labor? You have the State
25 Department of Labor. Do you have U.S. Department of

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1 Labor? Did you file a DOL complaint within the
2 required proximity --

3 (b)(7)(C) : You mean with the feds, or
4 State?

5 SPECIAL AGENT (b)(7)(C) : Yes, the feds.

6 (b)(7)(C) : I tried with the feds, because
7 they have a whistleblower --

8 SPECIAL AGENT (b)(7)(C) : Right.

9 (b)(7)(C) : You know, it sounds real good.
10 But they said I was two days late.

11 SPECIAL AGENT (b)(7)(C) : Two days past their
12 cut off?

13 (b)(7)(C) : Yes. Now their cut off was the
14 same as the State's. I talked with a fellow at
15 federal OSHA, named (b)(7)(C). And actually I called
16 the federal --

17 SPECIAL AGENT (b)(7)(C) : Was he an inspector
18 or investigator?

19 (b)(7)(C) : I don't know what he was. He
20 was a very -- I thought he was a pretty neat fellow.
21 Sounded like. I called the federal OSHA, like around
22 five o'clock one day. Now everybody knows feds have
23 gone home by five o'clock. I just called --

24 SPECIAL AGENT (b)(7)(C) : I don't go home --

25 (b)(7)(C) : Okay. Well you're a cop, you

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1 know, you work all the time. So I wasn't expecting
2 anyone to answer the phone. I just called the number
3 to get their hours.

4 And this (b)(7)(C) answers the phone. And
5 that little fart kept me on the phone for an hour and
6 a half, asking questions about, you know Tetra Tech
7 and things that I thought were going south there. I
8 was, to say that I was impressed is a dramatic
9 understatement.

10 SPECIAL AGENT (b)(7)(C): Okay.

11 (b)(7)(C): But then I got a call a couple
12 of weeks later, from I guess somebody up the food
13 chain from him, named (b)(7)(C) or (b)(7)(C), or
14 something.

15 And that guy actually called me three
16 times in March. Excuse me. To tell me that I was two
17 days late, or I was late. And then they finally came
18 down. I was -- And then, you know, I had talked to
19 California. And they didn't have a high regard for
20 the federal OSHA name.

21 SPECIAL AGENT (b)(7)(C): So you were too late
22 on OSHA, too late on --

23 (b)(7)(C): The guy, (b)(7)(C), didn't say
24 I was too late.

25 SPECIAL AGENT (b)(7)(C): His boss, or

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1 whoever.

2 (b)(7)(C): Yes. His boss said -- Or,
3 yes, two days.

4 SPECIAL AGENT (b)(7)(C): So the State of
5 California --

6 (b)(7)(C): So I did --

7 SPECIAL AGENT (b)(7)(C) -- is the only one
8 that you --

9 (b)(7)(C): Right. And just FYI, Susan
10 Andrews apparently wound up talking to this (b)(7)(C),
11 or (b)(7)(C), whatever his name was, some months ago.
12 And she got the same run around why she was, they
13 couldn't handle it. Or some horse shit like that.

14 And I don't know if this was asked, if you
15 asked this. I did call, oh, some time well after I
16 had been run off, about a deal where (b)(7)(C) had
17 sent a couple of laborers out to get rid of asbestos.

18 And I had gotten that stopped. And I
19 don't think that increased my popularity with (b)(7)(C)
20 (b)(7)(C) there, or (b)(7)(C). And I reported that to
21 the State, or to the feds. And the feds sent somebody
22 out. And Tetra Tech just blew smoke up their ass,
23 like it never happened, dah, dah, dah.

24 SPECIAL AGENT (b)(7)(C) Is that when (b)(7)(C)
25 (b)(7)(C) and (b)(7)(C) (phonetic) came out and did

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1 an inspection?

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

3 SPECIAL AGENT (b)(7)(C) Were they NRC
4 personnel?

5 (b)(7)(C) No, not NRC.

6 SPECIAL AGENT (b)(7)(C) Not NRC, okay. That
7 might have been a different time. Do you know if
8 Tetra Tech management discussed your safety concerns
9 and subsequent termination with any other employees?

10 (b)(7)(C) No, I don't know.

11 SPECIAL AGENT (b)(7)(C) Any other pertinent
12 things of interest that we didn't talk about, relative
13 to your case, that you think we should know? Had you
14 been subject -- You hadn't been subject to any
15 progressive discipline prior to the termination?

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

17 SPECIAL AGENT (b)(7)(C) And let me ask you
18 this. Are you aware of whether or not you have rights
19 as a contractor, to the point where they could just
20 come in if they're unhappy with something they think
21 you did. And say, okay we want him off the job.

22 Can they do that? Or do you have some,
23 outside of we talked about the whole check activity
24 thing. You, as an overall contractor, do they have to
25 do -- Do you have a due diligence kind of clause in

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1 the contract? Or do they have to do certain things
2 before they can shift you off or terminate you?

3 (b)(7)(C) I was raised in (b)(7)(C) Now
4 (b)(7)(C) is what you call a right to work state.

5 SPECIAL AGENT (b)(7)(C) Correct.

6 (b)(7)(C) Which is kind of a euphemism
7 for an employer doesn't need a good reason to fire
8 you. They just, you know, he's the boss.

9 SPECIAL AGENT (b)(7)(C) Right.

10 (b)(7)(C) That's the tradition, the
11 direction I came from. So I didn't know that, you
12 know, when I got run off, you know, and this safety
13 concern, I didn't know I had any --

14 SPECIAL AGENT (b)(7)(C): Right. That you had
15 a claim.

16 (b)(7)(C) Yes. I learned that from --
17 I don't know who told me. But I called up the State
18 and wound up talking to Catherine Daly.

19 SPECIAL AGENT (b)(7)(C) Okay.

20 (b)(7)(C) And there's a little
21 gunfighter. There is a little gunfighter. And I'm
22 happy. And again, being raised in (b)(7)(C) I've told
23 way too many jokes about Californians.

24 I'll probably go to hell for all the jokes
25 I've told about Californians. But on the other hand,

1 I'm real proud of the way California, that they have
2 a system for protecting, you know --

3 SPECIAL AGENT (b)(7)(C): Employees
4 (inaudible). Okay.

5 (b)(7)(C): And apparently, so does the
6 fed.

7 SPECIAL AGENT (b)(7)(C): Yes.

8 (b)(7)(C): You just have to get their
9 attention.

10 SPECIAL AGENT (b)(7)(C): And did they
11 actually -- Did they fire you? Or did they furlough,
12 or transfer you? What was the actual? Was it
13 termination?

14 (b)(7)(C) Yes. I don't think there was
15 any -- There was no finessing around. It's --

16 SPECIAL AGENT (b)(7)(C): Okay. It was
17 termination.

18 (b)(7)(C): -- adios, Jose, mother fucker.
19 Don't let the door hit you on the way out. Simple,
20 simple.

21 SPECIAL AGENT (b)(7)(C): Okay.

22 (b)(7)(C): Maybe not those exact words,
23 but pretty close.

24 SPECIAL AGENT (b)(7)(C): Did you have any
25 discussions before they, before you left the site with

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1 -- Were you able to talk with Bert? Were you able to
2 talk to anybody higher up about the situation?

3 [REDACTED] The first, you know, like I
4 say, all right. [REDACTED] has told me, okay, sorry about
5 your luck. So I've got this [REDACTED] And I know
6 from my experience that you don't carry [REDACTED] off
7 site.

8 SPECIAL AGENT [REDACTED] Right.

9 [REDACTED] So I went -- Bert's the
10 highest nuke that I know on site. I went to Bert.
11 Here's the [REDACTED]. It was news to him. And I --
12 Well that was it. There wasn't any further.

13 SPECIAL AGENT [REDACTED] Okay. Okay. A
14 couple of closing questions and comments. Well
15 actually, do you have -- Can you identify individuals
16 who would have witnessed this? Or you think would be
17 good character witnesses that can corroborate some of
18 the things you've raised for us?

19 [REDACTED]: Well I told you that I had that
20 little conversation with, what's her name, [REDACTED]

21 SPECIAL AGENT [REDACTED]

22 [REDACTED] -- [REDACTED]

23 SPECIAL AGENT [REDACTED] Okay. How about

24 [REDACTED] Was he there when you were there?

25 [REDACTED] He was -- Yes, but he hadn't

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1 been there too long. And I had very little contact
2 with him. And you talked with him. You know, he's
3 not a real talkative guy.

4 SPECIAL AGENT (b)(7)(C): Right.

5 (b)(7)(C): I just had, you know, he could
6 have been working a different shift for all I know.

7 SPECIAL AGENT (b)(7)(C): You didn't have much
8 contact with him at all?

9 (b)(7)(C): No. No, I did not.

10 SPECIAL AGENT (b)(7)(C): Okay. So you got

11 (b)(7)(C)

12 (b)(7)(C): (b)(7)(C), you know, had I
13 told you, Xeroxed something. I was expecting -- I
14 tried to call (b)(7)(C) --

15 SPECIAL AGENT (b)(7)(C): Isn't he the (b)(7)(C)
16 now?

17 (b)(7)(C): Yes.

18 SPECIAL AGENT (b)(7)(C): (b)(7)(C) on site?

19 (b)(7)(C): Well, yes. He has no business
20 being an (b)(7)(C). I mean, he doesn't have enough -- I
21 don't know if he's got enough experience to be a (b)(7)(C)

22 SPECIAL AGENT (b)(7)(C): Right.

23 (b)(7)(C) And the Navy requires (b)(7)(C)
24 there. I'm not bad mouthing him. I think he's kind
25 of shifted over to the dark side here. And I think

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1 that's a shame for somebody --

2 SPECIAL AGENT (b)(7)(C) He's a member of
3 management at Tetra Tech now, right?

4 (b)(7)(C): Yes. But, you know, that
5 doesn't mean you have to be a liar.

6 SPECIAL AGENT (b)(7)(C): Right.

7 (b)(7)(C): I don't think his parents
8 raised him to be a liar.

9 SPECIAL AGENT (b)(7)(C): Right.

10 (b)(7)(C) So I think it's kind of a
11 shame. But I don't -- I tried to get a hold of him
12 before I went, I had my first meeting with Catherine
13 Daly.

14 Because I wanted to be able to tell her
15 how, what I related to you today, about how (b)(7)(C)
16 said, you know, he had made a copy of something. And,
17 you know, showed it to (b)(7)(C) to try to get (b)(7)(C)
18 (b)(7)(C) to stop, you know, using the laborers and what
19 not.

20 And then he wouldn't return my calls. And
21 I was, as I said, I wanted to get him, get him to give
22 me a copy of whatever that was he copied. It was not
23 secret information. It was out of a technical
24 library.

25 SPECIAL AGENT (b)(7)(C) But it was also

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1 something that he shared with (b)(7)(C) in private, and
2 not in front of you or --

3 (b)(7)(C): No. That was just, I only
4 heard about it from (b)(7)(C)

5 SPECIAL AGENT (b)(7)(C): Okay.

6 (b)(7)(C): Yes. And it could be all make
7 believe. But I don't think that (b)(7)(C) just made it
8 up. Now (b)(7)(C) is -- (b)(7)(C) is -- I can't
9 remember his name. I wanted to impress you with how
10 I can remember his name. But, (b)(7)(C)

11 SPECIAL AGENT (b)(7)(C)

12 (b)(7)(C): Yes. Have you met him?

13 SPECIAL AGENT (b)(7)(C) I have not.

14 (b)(7)(C) All right. He is a (b)(7)(C)

15 And he is the real deal. You know, you come and I
16 think I named six plants or something that I've been -
17 - I've been to more than six.

18 I just can't remember them all. But I
19 think that damn (b)(7)(C) has been to like (b)(7)(C) or
20 something, you know what I mean? He is, I don't know -
21 - He's not close to this. (b)(7)(C) is --

22 SPECIAL AGENT (b)(7)(C) So would (b)(7)(C)

23 (b)(7)(C) be someone that saw --

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

25 SPECIAL AGENT (b)(7)(C) Okay.

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1 [REDACTED] : No. His [REDACTED] is [REDACTED]. She
2 doesn't have much experience. But at least she says
3 so.

4 SPECIAL AGENT [REDACTED] All right.
5 [REDACTED] : And she sticks, I understand
6 she sticks real close to [REDACTED] now. And now
7 this is just me speculating. [REDACTED] was a [REDACTED]

8 [REDACTED] And this is a real good paying job. And I
9 don't think [REDACTED] would say --

10 SPECIAL AGENT [REDACTED] : Things to mess that
11 up.

12 [REDACTED] : What?

13 SPECIAL AGENT [REDACTED] : You don't think she
14 wants to mess that up?

15 [REDACTED] : No. I know she doesn't want to
16 mess that up.

17 SPECIAL AGENT [REDACTED] : Do you think she
18 would be -- You don't think she'd be forthright, or
19 forthcoming?

20 [REDACTED] : No, I don't. And, I don't.
21 And I'm trying not to say that in a harsh way. Like
22 I said, you know, I talked with her a little bit. I
23 guess [REDACTED] was a disaster as far as [REDACTED]
24 That's how she got to be a [REDACTED]

25 And, you know, I think as moving from

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1 (b)(7)(C) , you have, you probably develop a
2 more acute sense of protecting yourself. So I'm told
3 now that (b)(7)(C) and (b)(7)(C) are attached at the
4 hip.

5 SPECIAL AGENT (b)(7)(C) : So she could be just
6 secure in her own job situation?

7 (b)(7)(C) : Yes, I think she, you know,
8 there's some other -- There's another HP out there
9 that I thought had a little more character, a little
10 more backbone. But he has chosen not to come forward.
11 And you've already got his name, (b)(7)(C) (phonetic).

12 SPECIAL AGENT (b)(7)(C) : Yes.

13 (b)(7)(C) : Okay. I like him too. But
14 he's -- I don't know. He's just --

15 SPECIAL AGENT (b)(7)(C) : Okay. All right.

16 Well a couple of closing questions. Have I threatened
17 you in any manner in exchange for your testimony?

18 (b)(7)(C) : Well there was -- No, sir.
19 You've been, (b)(7)(C) you've been exceedingly polite
20 and professional. And I, you know, this is the second
21 time. And you're on your way to California.

22 You stopped out here. It's 108 degrees
23 out and you're wearing a black suit. But you're still
24 here. I appreciate you're being here and your
25 sacrifice.

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1 SPECIAL AGENT (b)(7)(C): Not a problem. It's
2 my job. Have I offered you any reward in exchange for
3 your testimony?

4 (b)(7)(C): No, but we've got time. Let's
5 hear it. We got -- No, sir. No, sir. No, sir.

6 SPECIAL AGENT (b)(7)(C): And has your
7 testimony been given freely and voluntarily?

8 (b)(7)(C): Yes, sir, it has.

9 SPECIAL AGENT (b)(7)(C): All right. Is there
10 anything else you'd like to add to the record at this
11 time.

12 (b)(7)(C): Well I'd -- No, not add to the
13 record. I'd like to ask. Now I'd like to ask you,
14 what happens now? I mean, like I told you, in our
15 first meeting I bragged about the power of the NRC.
16 This is not a power play.

17 SPECIAL AGENT (b)(7)(C): Right. At this
18 point we will continue our investigation. There is a
19 lot of investigation of people that need to be
20 interviewed and talked to.

21 At the conclusion of our investigative
22 findings we will subsequently make a call or
23 determination in whether we think your allegation is
24 substantiated or unsubstantiated. That then goes to
25 the NRC. Goes back to the commission and to the

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1 enforcement personnel.

2 And it goes to a panel where some more
3 decisions are made. We turn our report and our
4 findings over. And then they will make what they feel
5 is adequate judgment against what's occurred. And
6 will re-approach the licensee. That being in this
7 case Tetra Tech, who's the license holder.

8 And they'll go speak to I guess Tetra Tech
9 and RASO and some of those people. And they'll do
10 their own -- It may lead to additional inspection
11 activities. It could lead to several things. But
12 that enforcement panel, that's occurred at a different
13 level.

14 So my job is to do a thorough, detailed
15 investigation and analysis of all the facts. We put
16 it together, and then we determine what we think
17 happened based upon the evidence presented. And then
18 it goes on up the chain. And the NRC will take
19 whatever action they feel appropriate.

20 (b)(7)(C) Okay. Let me ask you maybe
21 another, coming from a little different direction.
22 And, you know, if you can't answer it, you can't
23 answer it. That's okay.

24 I, even with the State of California,
25 they've tried to say this and they've tried to say

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1 that. And if it appears to the NRC that I had, my
2 allegations are substantial, what will the NRC do?
3 Will they say hire him back? Or do they not do that.

4 SPECIAL AGENT (b)(7)(C): Well we also tell
5 people, relative to this, that we don't -- DOL makes
6 you whole. We don't get your job back. Or we don't -

7 -
8 (b)(7)(C): Okay. That's fine.

9 SPECIAL AGENT (b)(7)(C): But what the agency
10 may do is go back to the licensee and say, hey we
11 found, and our Office of Investigations found that,
12 you know, in an instance that, you know, this
13 allegation was found, you know, was substantiated.

14 And the agency backs that. And we have
15 these proscriptive measures need to be taken. You
16 were in the wrong, or right, or whatever is
17 determined.

18 And at that point, you know, Tetra Tech or
19 New World may, you know, say okay, we want to go this
20 route with it. Or this, you know, this is the action
21 that they'd like to pursue.

22 So I can't say what enforcement is going
23 to do. All I can say is that what our investigative
24 activities do. And then we'll turn it over to the
25 enforcement branch. They are the ones that will

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1 really give --

2 They, along with the general counsel's
3 office will look, sift through this and make some
4 qualitative determinations on what actions should
5 occur. Or what recommendations, or what things should
6 be said and conveyed to the licensee at that time.

7 (b)(7)(C): I know, I know that.

8 SPECIAL AGENT (b)(7)(C): Yes. So enforcement
9 is going to handle that and --

10 (b)(7)(C): All right. I mean, I know at
11 a power plant the NRC -- The way they get the
12 utility's attention is they -- It's either fines or
13 they pick up the keys.

14 SPECIAL AGENT (b)(7)(C): And then again,
15 certainly I can't predict what they will do. I just
16 know that what --

17 (b)(7)(C): No. But if they -- What I was
18 asking was, you can't predict what they -- But if, if
19 they said yes, you guys, you really -- You know,

20 (b)(7)(C) shouldn't have been fired. If, and they
21 might say, you know, you should have gotten rid of
22 that sombitch two years ago.

23 SPECIAL AGENT (b)(7)(C): Right.

24 (b)(7)(C) But if they don't say that. If
25 they say, no he was kind of acting the way we want our

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1 eyes and ears to act --

2 SPECIAL AGENT (b)(7)(C): Correct.

3 (b)(7)(C): You overreacted. You cost him
4 a couple of hundred thousand dollars. Do they write
5 a ticket? I mean --

6 SPECIAL AGENT (b)(7)(C): Yes. That I'm not
7 certain.

8 (b)(7)(C): Okay. That's all right.

9 SPECIAL AGENT (b)(7)(C): I know that in the
10 beginning of the process they offered ADR. And that's
11 one of the things that -- I'm sure they -- I think,
12 (b)(7)(C), when you raised your allegation, our AD, our
13 allegations folks offered you a chance to go to
14 mediation with --

15 (b)(7)(C): Yes, yes.

16 SPECIAL AGENT (b)(7)(C): That, some of that
17 probably would have been handled in mediation.

18 (b)(7)(C) Okay.

19 SPECIAL AGENT (b)(7)(C): But now we have an
20 investigation. So we've bypassed that. Our
21 investigative activities, again, we'll turn it over,
22 and enforcement will handle it from there.

23 (b)(7)(C) Okay. Now then --

24 SPECIAL AGENT (b)(7)(C) That's part of our
25 explanation.

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1 (b)(7)(C) -- one last question. How
2 about time wise? Can you, do you have any idea? Do
3 they put themselves on a three month treadmill, or a
4 six month treadmill? In other words, they're going to
5 do whatever -- The NRC is going to do whatever it
6 does.

7 SPECIAL AGENT (b)(7)(C): Right.

8 (b)(7)(C) But do they have any kind of
9 time table on themselves, so to say?

10 SPECIAL AGENT (b)(7)(C) Well we have some
11 internal metrics that we use. I think that the best
12 answer I can give to that is, it's to your benefit
13 that we do it this way. Is that a qualitative
14 approach is taken to all investigations and the way we
15 manage situations.

16 That way, we're not just flying through to
17 meet a deadline. We want to give you a good answer.
18 We want to do a thorough and complete, and accurate
19 investigation.

20 So for that reason, I would, you know, err
21 on the side of even identifying time lines. Just know
22 that we are working diligently to answer your, to
23 answer the bell on this.

24 (b)(7)(C) All right, sir, very well.

25 SPECIAL AGENT (b)(7)(C): Okay?

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1 (b)(7)(C) . And the fact that you're out
2 here testifies to that in a very real fashion. So now
3 I have some advice for you. After you're done with me
4 you need to go back upstairs and find your (b)(7)(C) and
5 put them on. Because like I say, it's (b)(7)(C) today, it's
6 going to be (b)(7)(C) tomorrow.

7 SPECIAL AGENT (b)(7)(C) : Okay. Well we
8 pretty much covered everything and gone through our
9 final questions here. You stipulated and identified
10 your questions for the record. I hope I've answered
11 them. And at this time, which it is 2:26 p.m.,
12 Pacific Standard Time. This interview is concluded.

13 (Whereupon, the interview in the above-
14 entitled matter was concluded at 2:26 p.m.)

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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: 1-2012-032

Location:

(b)(7)(C)

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.

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EXHIBIT 5

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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 Nos.

(b)(7)(C) [Redacted]

: 1-2012-019, 1-2012-

(CLOSED) : 032, 1-2012-037

-----X

Wednesday, June 13, 2012

Hunters Point Naval Shipyard

200 Fisher Avenue

San Francisco, CA 94124

The above-entitled interview was conducted
at 12:10 p.m.

BEFORE:

Special Agent

(b)(7)(C) [Redacted]

1-2012-032

EXHIBIT 5

PAGE 1 OF 33 PAGE(S)

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EXHIBIT 6

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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OFFICE OF INVESTIGATIONS

INTERVIEW

-----X
IN THE MATTER OF: :
INTERVIEW OF : OI Case Nos.
[Redacted] : 1-2012-032,
(CLOSED) : 1-2012-037

-----X
Wednesday, June 13, 2012

Tetra Tech Conference Room
Hunters Point Naval Shipyard
200 Fisher Avenue
San Francisco, CA 94124

The above-entitled interview was conducted
at 3:07 p.m.

BEFORE:

Special Agent [Redacted]

ALSO PRESENT:

GEORGE WINDER

EXHIBIT 6
PAGE 1 OF 27 PAGE(S)

1-2012-032

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EXHIBIT 7

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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 Nos.

ELBERT BOWERS : 1-2012-019, 1-2012-

(CLOSED) : 032, 1-2012-037

-----x

Thursday, June 14, 2012

Staybridge Suites

4775 Business Center Drive

Fairfield, CA 94534

The above-entitled interview was conducted
at 10:46 a.m.

BEFORE:

Special Agent



EXHIBIT

7

PAGE / OF 86 PAGE(S)

1 - 2012 - 032

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EXHIBIT 8

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

INTERVIEW OF : Case Nos. 1-2012-019

(b)(7)(C)

: 1-2012-032

-----x : 1-2012-037

Friday, January 25, 2013

Fisher & Phillips, LLP
One Embarcadero Center, Suite 2040
San Francisco, California 94111

BEFORE:

(b)(7)(C)

Special Agent

U.S. Nuclear Regulatory Commission
Region I, Office of Investigation
2100 Renaissance Boulevard, Suite 100
King of Prussia, Pennsylvania
Telephone: 610-337-5339

FOR TETRA TECH and the WITNESS:

TIMOTHY J. MURPHY, Esq.
Fisher & Phillips
San Francisco, California 94111
Telephone: 415-490-9011

EXHIBIT

8

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EXHIBIT 9

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INTERVIEW OF : Case Nos. 1-2012-019
[Redacted] : 1-2012-032
-----x 1-2012-037

Friday, January 25, 2013

Fisher & Phillips, LLP
One Embarcadero Center, Suite 2040
San Francisco, California 94111

BEFORE:

[Redacted]

Special Agent

U.S. Nuclear Regulatory Commission
Region I, Office of Investigation
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FOR TETRA TECH and the WITNESS:

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Telephone: 415-490-9011

1-2012-032

EXHIBIT 9

PAGE 1 OF 82 PAGE(S)

EXHIBIT 10

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

INTERVIEW OF : Case Nos. 1-2012-019
(b)(7)(C) : 1-2012-032
-----x 1-2012-037

Friday, January 25, 2013

Fisher & Phillips, LLP
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San Francisco, California 94111

BEFORE:

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1-2012-032

EXHIBIT 11

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

INTERVIEW OF : Case Nos. 1-2012-019
(b)(7)(C) : 1-2012-032
-----x 1-2012-037

Friday, January 25, 2013

Fisher & Phillips, LLP
One Embarcadero Center, Suite 2040
San Francisco, California 94111

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King of Prussia, Pennsylvania
Telephone: 610-337-5339

FOR TETRATECH AND

(b)(7)(C)

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EXHIBIT 14
PAGE 1 OF 36 PAGE(S)

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EXHIBIT 12

INTERVIEW REPORT
OF

(b)(7)(C)

On January 30, 2013, (b)(7)(C) New World Environmental, Incorporated (NWE), 448 Commerce Way, Livermore, California, was interviewed by the Nuclear Regulatory Commission (NRC), Office of Investigations (OI), Region I (RI), King of Prussia, PA. (b)(7)(C) was advised that the interview was pertaining to a complaint that (b)(7)(C) NWE, had filed with the NRC claiming that he was discriminated against, in the form of being laid off from employment, as the result of raising safety concerns. (b)(7)(C) reported that NWE was a subcontractor to Tetra Tech (prime contractor) to a US Navy remediation contract at Hunters Point Naval Shipyard, Hunters Point, CA. The interview was conducted at the McDonalds Restaurant, 2050 Daniels Street, Manteca, CA.

AGENT'S NOTE: In order to provide full disclosure, (b)(7)(C) advised that she was involved in a civil lawsuit against NWE.

(b)(7)(C) noted that she was the NWE (b)(7)(C) from approximately 2003 to July 18, 2012. (b)(7)(C) confirmed that in approximately 2006, (b)(7)(C) approached her and stated he felt he was being (b)(7)(C) indicating that (b)(7)(C) NWE, made (b)(7)(C) towards him and that (b)(7)(C) him while at work. (b)(7)(C) stated that after talking to several additional NWE employees (nfi) it was determined that (b)(7)(C) had approached (b)(7)(C) and that she (b)(7)(C) had repulsed his (b)(7)(C) advances.

(b)(7)(C) related that (b)(7)(C) in addition to other NWE employees (nfi), came to her to report that they believed the qualifications found in (b)(7)(C) resume were not accurate. (b)(7)(C) noted that although she did not totally feel comfortable with what appeared on (b)(7)(C) resume, she conducted pre-employment inquiries and found nothing to contradict her (b)(7)(C) qualifications. (b)(7)(C) stated that she never informed or forwarded any of (b)(7)(C) concerns that he brought forward to her to any Tetra Tech personnel. (b)(7)(C) related that it was only after (b)(7)(C) had been released by Tetra Tech and had filed a complaint with the State of California, Department of Labor, San Francisco, CA, that she was informed that he (b)(7)(C) had raised safety concerns to his (b)(7)(C) Tetra Tech (b)(7)(C).

(b)(7)(C) stated that (b)(7)(C) was not laid off but was "let go" because of creating a hostile work environment. (b)(7)(C) advised that she received a phone call from (b)(7)(C) Hunters Point Naval Shipyard (b)(7)(C) Tetra Tech, who asked her to come to the Hunters Point site because (b)(7)(C) allegedly called (b)(7)(C) a "whore" and a "slut." (b)(7)(C) spoke with (b)(7)(C) and (b)(7)(C), Tetra Tech, Hunters Point Naval Shipyard, Hunters Point, CA, who both reported that they heard (b)(7)(C) say the disparaging comments about (b)(7)(C) spoke to (b)(7)(C) who admitted that he (b)(7)(C) had called (b)(7)(C) a slut and whore. (b)(7)(C) noted that after (b)(7)(C) was informed that he was being released from employment, (b)(7)(C) informed her (b)(7)(C) that (b)(7)(C) was incompetent and the only way she (b)(7)(C) received the job was she "lays on her back." According to (b)(7)(C) prior to this incident (b)(7)(C) performance was good. (b)(7)(C) indicated that she had no contact with Susan ANDREWS, SR HP Tech or (b)(7)(C).

EXHIBIT 12

1-2012-032

PAGE 1 OF 2 PAGE(S)

(b)(7)(C) who were also working at the Hunters Point Naval Shipyard at approximately the same time. (b)(7)(C) noted that she had no knowledge or information, direct or indirect, that (b)(7)(C) was discriminated against for raising safety concerns.

This Interview Report was written based on agent's notes that were collected at the time of the interview.

Reporting Agent: (b)(7)(C) Special Agent
Office of Investigations, RI
OI Case No. 1-2012-037

EXHIBIT 13



MEMORANDUM

DATE: August 23, 2010
FROM: (b)(7)(C)
TO: Mike Butler, VP/COO
SUBJ: (b)(7)(C) Investigation

On August 19, 2010 Mike Butler (NWE VP/COO) received a call from client representative (b)(7)(C) (b)(7)(C) Tetra Tech (TtECI) (b)(7)(C) (b)(7)(C) stated there was an issue at the Hunters Point project site with a NWE employee, and requested we send someone out look into the matter. (b)(7)(C) did not expand upon or go into detail as to what the issue may be. Mr. Butler advised (b)(7)(C) that Human Resources (HR) would be on site the following morning in response to his request.

On August 20, 2010 at approximately 9:00 am I called (b)(7)(C) to confirm my visit to the Hunters Point job site. (b)(7)(C) confirmed the visit, and advised me there had been an incident between (b)(7)(C) (NWE (b)(7)(C)) and TtECI supervisors (b)(7)(C) (b)(7)(C) stated (b)(7)(C) had made disparaging remarks regarding (b)(7)(C) (allegedly told people she was a (b)(7)(C) was creating dissention, and he wanted (b)(7)(C) off of his site.

I arrived on the Hunters Point site at approximately 11:30 am. Based upon my earlier discussion with (b)(7)(C) (b)(7)(C) I planned to meet with him first, and then schedule interviews with the other parties involved. As (b)(7)(C) had already left the site for lunch, I met with (b)(7)(C) first.

(b)(7)(C) (NWE Employee) Interview:

I met with (b)(7)(C) at approximately 12:30 pm on August 20, 2010. (b)(7)(C) came into the meeting room and after we greeted each other I informed him a complaint had been levied against him stemming from comments he had made the day before. I asked (b)(7)(C) if he had called another employee a (b)(7)(C) he became very agitated, and antsy in his chair, he looked around the room, took a deep breath and said:

(b)(7)(C): "I never called anyone a (b)(7)(C) and don't know where this is coming from. (b)(7)(C) was in the yard in the afternoon and said the air sampler was not working. I get along well with (b)(7)(C) said you are not a part of this but did state the up wind sampler was not working and he seemed annoyed and concerned. When (b)(7)(C) was coming out of the area he was commenting to me that it doesn't concern you (b)(7)(C) should have been aware".



Page 2 - (b)(7)(C) Investigation

(b)(7)(C) "where were you"?"

(b)(7)(C) : "I had the gate".

I asked him why (b)(7)(C) should be aware of the sampler; he stated that (b)(7)(C) (TTECI (b)(7)(C)) put her in charge of the area.

During the discussion he was agitated, couldn't sit still, his statements were very confusing and guarded. I attempted to guide the conversation back to the original question, so again I asked (b)(7)(C) if he had called someone a (b)(7)(C) or had made any statement that could have been interpreted or implied as calling someone a (b)(7)(C). He stated "no, but I am very careful of that rascal". As I had not mentioned any employees by name, I asked him whom he was referring to. He stated (b)(7)(C) and I am not a big fan of hers, I have been working in the business a long time and she does not belong".

(b)(7)(C) then placed his hands on the table, relaxed his body, and stated:

(b)(7)(C) "I think I now know where you are coming from, later in the day (b)(7)(C) came through the area and we talked for a minute and I told him rebuking (b)(7)(C) for the generator is like blaming a life guard".

(b)(7)(C) "What do you mean"?"

(b)(7)(C) : "It means you shouldn't blame (b)(7)(C) for the generator as (b)(7)(C) may have turned it off or moved it without telling me".

(b)(7)(C) "So you didn't say (b)(7)(C) was a (b)(7)(C) to anyone"?"

(b)(7)(C) "No, but I did say (b)(7)(C) was hired for (b)(7)(C) not HP work".

When talking about (b)(7)(C) would tense up and become agitated. He kept stating that he didn't understand why (b)(7)(C) and (b)(7)(C) would go to management as they were his friends, and he was only making a casual statement meant only as a vent.

I explained to him that supervisors are obligated to report such events and statements to management. I then asked if he understood that statements such as these could be viewed as creating a hostile work environment and possibly (b)(7)(C). He replied, "After talking to you about it, I do, but (b)(7)(C) still doesn't belong here".

I concluded the meeting with (b)(7)(C) and went to meet with (b)(7)(C).



Page 3 - (b)(7)(C) Investigation

(b)(7)(C) (TTECI (b)(7)(C) meeting:

I met with (b)(7)(C) in his office, and advised him that I had already met with (b)(7)(C) and asked if I could meet with (b)(7)(C) and (b)(7)(C) and were there any other witnesses to the incident. (b)(7)(C) stated that he was not aware of any other witness, and then pointed out that (b)(7)(C) (TTECI (b)(7)(C), notified him of the incident via email after (b)(7)(C) reported it to him. (b)(7)(C) We discussed my interview with (b)(7)(C) at which time I advised (b)(7)(C) that (b)(7)(C) said (b)(7)(C) had been hired for (b)(7)(C) and did not call her a (b)(7)(C) shrugged his shoulders, and rolled his hand as if to imply 'what's the difference'.

He then stated that (b)(7)(C) had been making comments about (b)(7)(C) for awhile, but recently he had become more vocal and complaining to more people about her. (b)(7)(C) then stood up and said that (b)(7)(C) was creating dissension, and he wanted him off of his site. (b)(7)(C) then showed me to an office I could use for the meetings with (b)(7)(C) and (b)(7)(C) and then brought in (b)(7)(C) to meet with me.

(b)(7)(C) (TTECI (b)(7)(C) Interview:

After our greetings, (b)(7)(C) sat slouched in his chair, looking down at his hands which were flat on the table. I began the interview by asking (b)(7)(C) what happened yesterday with (b)(7)(C)

(b)(7)(C) (b)(7)(C) said (b)(7)(C) was a (b)(7)(C) and (b)(7)(C) must have his head up his ass".

(b)(7)(C) "Do you mean (b)(7)(C)?"

(b)(7)(C) : "Yes"

(b)(7)(C) : "Were there any other witnesses?"

(b)(7)(C) : "No".

At this point he straightened up, looked me in the eye and stated:

"I hate doing this (b)(7)(C) my friend, but his behavior has become unacceptable and I can't overlook it. (b)(7)(C) has said similar things before and not just to me".

(b)(7)(C) : "Who else was he saying this to?"

(b)(7)(C) : "Other people here at the site".

(b)(7)(C) was now visibly relaxed)

(b)(7)(C) : "What about the incident yesterday with the air sampler?"

(b)(7)(C) shrugged, shook his head and said, "It doesn't relate".



Page 4 - (b)(7)(C) Investigation

(b)(7)(C): "Why do you think (b)(7)(C) would say such things about (b)(7)(C)"

(b)(7)(C): "He just doesn't like her".

I asked (b)(7)(C) if there was anything he would like to say or add, at which he said "no" and I concluded the interview.

(b)(7)(C) stood up and said I will get (b)(7)(C) and left.

(b)(7)(C) (TECI (b)(7)(C) Interview:

(b)(7)(C) walked in with (b)(7)(C) and asked how things were going, I said fine. (b)(7)(C) then said that once I had finished my discussions that (b)(7)(C) needed to bring me up to speed on another matter regarding a different issue and employee.

(b)(7)(C) appeared to be very uncomfortable, and hesitated to make eye contact. I asked (b)(7)(C) what happened yesterday with (b)(7)(C) and what was said to him:

(b)(7)(C): "I am very uncomfortable with what was said to me, but (b)(7)(C) told me he wanted to tell me a joke". (b)(7)(C) hesitated and seemed uncomfortable and would not look me in the eye).

(b)(7)(C): "What was the joke"?

(b)(7)(C): "(b)(7)(C) was hired for (b)(7)(C)"

(b)(7)(C): "That was it? That was the joke"?

(b)(7)(C): "Yes, this is the second time he has made comments about (b)(7)(C) and I told (b)(7)(C) it wasn't cool, cuz (b)(7)(C) is a good worker".

(At this point (b)(7)(C) became more relaxed, and began making eye contact with me)

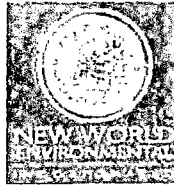
(b)(7)(C): "When did he say this"?

(b)(7)(C): "Yesterday afternoon".

(b)(7)(C): "Was anything else said"?

(b)(7)(C): "No"

(At this point I felt there may have been additional comments made, but (b)(7)(C) was very uncomfortable repeating them to a woman)



Page 5 – (b)(7)(C) Investigation

(b)(7)(C) “Were there any other witnesses?”

(b)(7)(C) “I don’t recall any”.

(b)(7)(C) didn’t seem to have anything else to say, so I concluded the meeting by asking him if there were anything else he would like to add? To which he replied “no”.

Conclusion:

This investigation began with the accusation that on August 19, 2010 (b)(7)(C) had made derogatory comments about (b)(7)(C) (calling her a (b)(7)(C) to (b)(7)(C)). While it was not possible to confirm the exact wording of the comments made by (b)(7)(C) they did imply that (b)(7)(C) was hired for (b)(7)(C) and not her abilities as a (b)(7)(C). Therefore the accusation is found to be true.

Additional discussion with employees on the site brought to light an ongoing pattern of resentment and animosity toward (b)(7)(C) by (b)(7)(C). In discussions with (b)(7)(C), she indicated she was not aware of the particular incident in question, and she had no issues with (b)(7)(C). She went on to state that he could be difficult to work with (refusing to communicate with her, turning his back on her or ignoring her when she would try to work with him in the course of performing her duties as the (b)(7)(C) for the yard) and she has learned to ignore his comments and to work around him as much as possible.

Based upon these findings it is determined that (b)(7)(C) has created a working environment that is hostile towards (b)(7)(C) and uncomfortable for their co-workers.

Corrective Action:

(b)(7)(C) is a proven technically astute (b)(7)(C) with a strong work ethic, and under normal circumstances corrective training and relocation of (b)(7)(C) would be recommended. Unfortunately (b)(7)(C) was hired specifically for work at the Hunters Point Project site, and as a direct result of his actions, and to protect (b)(7)(C) from being exposed to a hostile environment he is no longer allowed access to the project site. As NWE currently does not have any open positions on other project sites we have no recourse but to terminate his employment.

Due to the lateness of the day, and because of the weekend (b)(7)(C) will be terminated on Monday, August 23, 2010. He is authorized to receive per diem for the weekend and is scheduled to meet with HR for final out processing and payment of monies owed at 09:00 am at the 3rd street office.



Page 6 - (b)(7)(C) Investigation

Preventative Action:

It is recommended that additional /refresher sensitivity training be conducted for the personnel at Hunters Point.

The fact that this behavior has been building up over a period of time is disturbing and should have been identified earlier. Another point for our discussion with TtECI is to allow NWE to have at least one (1) Field Supervisor on site. If that had been the case then someone may have come forward, or the supervisor may have recognized the behavior and reported it sooner.

Follow up:

(b)(7)(C) failed to show up for his final out processing appointment at the 3rd street office, instead he contacted (b)(7)(C) and requested his final checks be sent to his (b)(7)(C) address. A note was made in his records of his request, and the checks were mailed to him as requested.

(b)(7)(C) is rehireable, contingent upon availability of position(s). He will be placed on a probationary status for 90 days. The probation will be lifted by HR pending good review, and successful completion of an approved harassment/sensitivity training course.

EXHIBIT 4

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

12:56 p.m.

SPECIAL AGENT (b)(7)(C): Today's date is

Thursday, May 31st, 2012. The time is currently 12:56 p.m., Pacific Standard Time. For the record, this is an interview of (b)(7)(C) who was previously employed at New World Technologies, and assigned to the Hunters Point Naval Shipyard in San Francisco, California.

The location of this interview with (b)(7)(C)

(b)(7)(C) is the (b)(7)(C)

(b)(7)(C) I am (b)(7)(C) a special agent with the Office of Investigations, U.S. Nuclear Regulatory Commission, Region I Field Office in King of Prussia, Pennsylvania.

The interview today is to discuss NRC OI Case No. 1-2012-032, and it concerns (b)(7)(C) raising an allegation of complaint with the NRC indicating that he believes he was discriminated against by his former employees at New World, which for the record established, New World Technologies was a subcontractor to Tetra Tech EC, Inc., which is the main contracting organization assigned to do what they call dirt work at the Hunters Point Naval Shipyard decommissioning project, again in San Francisco.

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1 So we will refer, throughout the
2 interview, to Tetra Tech, as well as New World. As
3 the Tetra Tech leadership often made determinations
4 and decisions regarding New World personnel as the
5 primary contractor.

6 (b)(7)(C) I must strictly inform you that
7 the NRC prohibits the recording or transmitting of
8 this interview by any parties other than the NRC.
9 Having said that, are you in any way recording or
10 transmitting this interview?

11 (b)(7)(C): No, sir. I am not.

12 SPECIAL AGENT (b)(7)(C): Okay. If you could
13 please raise your right hand? Do you swear that the
14 testimony you're about to provide is the truth, the
15 whole truth and nothing but the truth, so help you
16 God?

17 (b)(7)(C): Yes, sir.

18 SPECIAL AGENT (b)(7)(C) Thank you. Please
19 state your full name for the record, and spell you
20 last name.

21 (b)(7)(C) Last name
22 spelling is (b)(7)(C)

23 SPECIAL AGENT (b)(7)(C): Okay. Thank you,

24 (b)(7)(C) Are you currently employed?

25 (b)(7)(C): No.

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SPECIAL AGENT (b)(7)(C) Whom were you employed with prior to -- Who was your last employer, basically?

(b)(7)(C) (b)(7)(C) at a decommissioning, a nuclear plant decommissioning in (b)(7)(C)

SPECIAL AGENT (b)(7)(C) And when was that --

(b)(7)(C) Oh, wait a minute. Oh, that was October (b)(7)(C)

SPECIAL AGENT (b)(7)(C) To when?

(b)(7)(C) It was (b)(7)(C) It was I believe (b)(7)(C) to (b)(7)(C)

SPECIAL AGENT (b)(7)(C) Okay. And in what capacity were you employed there?

(b)(7)(C) : ANSI 3.1 Health Physics, (b)(7)(C) (b)(7)(C)

SPECIAL AGENT (b)(7)(C) Okay. When did you begin your employment in the nuclear industry?

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

SPECIAL AGENT (b)(7)(C) And in what capacity, and where at?

(b)(7)(C) : (b)(7)(C) beginning (b)(7)(C) at the (b)(7)(C) nuclear generating station in (b)(7)(C)

SPECIAL AGENT (b)(7)(C) What kind of

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1 training have you received over the years germane to
2 your work in the nuclear industry?

3 [REDACTED] I minored in [REDACTED] in
4 college. And that, they felt that that equipped me
5 for my second assignment at [REDACTED] I worked a
6 [REDACTED] in the chemistry unit there. And then

7 --
8 SPECIAL AGENT [REDACTED] Are you a degreed

9 [REDACTED]
10 [REDACTED] My degree is in, I have a [REDACTED]
11 in [REDACTED] but not in [REDACTED]

12 SPECIAL AGENT [REDACTED] Okay.

13 [REDACTED] But I had mostly science
14 courses being an [REDACTED] person, so it worked well for the
15 nuke business. And then as far as training, I've had
16 -- The nuke plants used to train more than they do
17 now.

18 SPECIAL AGENT [REDACTED] Right.

19 [REDACTED] They trained practically
20 continuously. So I've benefitted from that.

21 SPECIAL AGENT [REDACTED] You had what all the
22 rad tests --

23 [REDACTED] Yes, sir.

24 SPECIAL AGENT [REDACTED] -- [REDACTED]
25 [REDACTED]: Yes, yes. And then I, you

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1 know, passed the (b)(7)(C) exam.

2 SPECIAL AGENT (b)(7)(C): What plants did you
3 receive some of the training that you've gotten at?

4 (b)(7)(C) You should give me a heads up
5 on that one. Let me see. Well, (b)(7)(C), a plant
6 called (b)(7)(C)

7 SPECIAL AGENT (b)(7)(C) In (b)(7)(C)
8 (b)(7)(C) Okay, (b)(7)(C), in (b)(7)(C)
9 (b)(7)(C) --

10 SPECIAL AGENT (b)(7)(C) In (b)(7)(C)
11 (b)(7)(C): Yes, sir. (b)(7)(C) in
12 (b)(7)(C) in (b)(7)(C) A lot of
13 training at (b)(7)(C) in (b)(7)(C) is (b)(7)(C)
14 (b)(7)(C) it's right on the (b)(7)(C)
15 (b)(7)(C), in (b)(7)(C)

16 SPECIAL AGENT (b)(7)(C): Okay. You've been
17 to a lot of plants.

18 (b)(7)(C) Yes. And that's not all of
19 them. That's just --

20 SPECIAL AGENT (b)(7)(C) That's fine. And
21 you've essentially, outside of the time in chemistry,
22 you've done (b)(7)(C) most of your career?

23 (b)(7)(C) I started out doing (b)(7)(C). And
24 then, as I say, then about a (b)(7)(C) in
25 chemistry. And then basic rad waste, and then (b)(7)(C)

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1 SPECIAL AGENT (b)(7)(C) Okay. When was your
2 tenure with New World? What was your dates of
3 employment with New World, which is the employer in
4 question now?

5 (b)(7)(C) I started in (b)(7)(C)
6 And I was told, adios, Jose, (b)(7)(C)

7 SPECIAL AGENT (b)(7)(C) So you were there
8 (b)(7)(C)

9 (b)(7)(C) Yes, sir. (b)(7)(C) actually
10 short of (b)(7)(C)

11 SPECIAL AGENT (b)(7)(C) Okay. What were
12 your -- What position were you in? And what were you
13 doing?

14 (b)(7)(C) (b)(7)(C) the whole time.

15 SPECIAL AGENT (b)(7)(C) Okay. What were
16 your duties and responsibilities?

17 (b)(7)(C) (b)(7)(C) and
18 (b)(7)(C) of radiological material. And, okay, that's
19 that same thing.

20 SPECIAL AGENT (b)(7)(C) Who did you report
21 to? Who was your boss?

22 (b)(7)(C) The site radiation safety
23 officer, Bert Bowers. Tetra Tech had little --

24 SPECIAL AGENT (b)(7)(C) And was Bert
25 employed with Tetra Tech at the time?

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(b)(7)(C) He --

SPECIAL AGENT (b)(7)(C) Or was he still New World?

(b)(7)(C) He was New World when I got there. At some point he moved to Tetra Tech. I don't know when. But he was my technical lead the whole time I was there.

Now Tetra Tech injected some little, what they called rad supervisors. But I think, to the man, none of them had enough HP time to even be seniors, 3.1 seniors, according to the Navy contract. They had prior nuclear experience. They'd been in power plants. But they'd been janitors or lead humpers, or something like that.

SPECIAL AGENT (b)(7)(C) Who was your HP supervisor?

(b)(7)(C) The last year I was there I think the Tetra Tech supervisor, my immediate supervisor, was a fellow named (b)(7)(C)

SPECIAL AGENT (b)(7)(C) Okay.

(b)(7)(C) But he had about (b)(7)(C) as much time as I've got. So it wasn't like, you know, he just, he usually deferred to me.

SPECIAL AGENT (b)(7)(C) Did you have anybody that worked under you?

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1 [REDACTED] No. Once in a while we had
2 some [REDACTED]. They appropriately deferred to the
3 [REDACTED] But that's not, I don't think, your
4 question.

5 SPECIAL AGENT [REDACTED] Okay. What policies
6 and procedures were you guided by? Was it ANSI? What
7 was the main reg that you worked under?

8 [REDACTED] 10 CFR 20. That was the
9 primary one. And then there's 10-24. And then
10 industry standards, industry standards.

11 SPECIAL AGENT [REDACTED] Okay.

12 [REDACTED]: NRC expectations.

13 SPECIAL AGENT [REDACTED] Okay. We talked
14 about protected activity earlier, prior to going on
15 the record. And I kind of explained to you how it's
16 viewed, what it is, and so forth.

17 So I want to spend a little time going
18 into that, as well as kind of management's
19 understanding and knowledge of your complaints. Did
20 you raise safety related concerns to Tetra Tech
21 management? If so, when and to whom?

22 [REDACTED]: I normally just did my job. If
23 I felt like some worker was not staying between the
24 lines, I would typically mention it to my Tetra Tech
25 lead, which was that [REDACTED]

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1 Before [REDACTED] it would have been Bert
2 Bowers. Bert was further up the food chain. So I
3 didn't have a lot of day to day interaction with him.
4 But he was the last word.

5 The day before I got fired, I had -- I
6 felt like one of the employees that had been hired as
7 a [REDACTED] but I knew was not, was acting in a
8 reckless fashion. Endangering the health and welfare
9 of workers, and both HP and laborers.

10 And of course, that translates to the
11 community outside the base. Because, you know, if rad
12 material is going where it's not supposed to be going
13 it's --

14 SPECIAL AGENT [REDACTED] It's going to get
15 out.

16 [REDACTED]: Yes. And that's -- You know,
17 the NRC was set up, I want to say in -- Oh gosh, I
18 can't remember, '74? And when the Atomic Energy
19 Commission went away, to safeguard Americans from
20 ionizing radiation.

21 And then the NRC had created, or allowed
22 to be created a class of workers, [REDACTED]

23 [REDACTED]

24 [REDACTED] around rad material. And that's what I've
25 been doing. Go ahead, sir.

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1 SPECIAL AGENT (b)(7)(C) So back to kind of
2 the original question --

3 (b)(7)(C) Sorry.

4 SPECIAL AGENT (b)(7)(C): Did you raise a
5 safety concern with Tetra Tech management?

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

7 SPECIAL AGENT (b)(7)(C) Okay. You did, and
8 to whom?

9 (b)(7)(C) Specifically, I would say it
10 would have been (b)(7)(C) About one worker, a
11 woman named (b)(7)(C)

12 SPECIAL AGENT (b)(7)(C): Well I'll get that
13 second. Who did you raise the issue to?

14 (b)(7)(C): Oh, (b)(7)(C) He was a
15 Tetra Tech (b)(7)(C) Now years
16 before this I told (b)(7)(C) (phonetic), the (b)(7)(C)
17 lady with New World, that this (b)(7)(C) had come on
18 board with New World with a completely phony resume.
19 She had no nuclear experience.

20 And in fact, (b)(7)(C) told me
21 that. I don't know if she'd admit that now. But she
22 called me up. (b)(7)(C) had worked at

23 New World as a (b)(7)(C) and was a good little (b)(7)(C)

24 (b)(7)(C) A good serious minded (b)(7)(C)

25 And she called me about a month before her

1 (b)(7)(C) showed up and asked if I would tell New World
 2 that her (b)(7)(C) that I'd worked with her (b)(7)(C) at
 3 some sites.

4 Because (b)(7)(C) wanted to go to work
 5 at Hunters Point and receive per diem. And I believe
 6 New World had a policy of you couldn't just receive
 7 per diem when you first, the first time you worked at
 8 Hunters Point --

9 SPECIAL AGENT (b)(7)(C) Right.
 10 (b)(7)(C) -- if you didn't have some
 11 prior experience.

12 SPECIAL AGENT (b)(7)(C) Right.
 13 (b)(7)(C): As it turned out, I did not
 14 tell New World that I worked with the woman.

15 SPECIAL AGENT (b)(7)(C) So you didn't
 16 endorse her?

17 (b)(7)(C) Did not. I did not.

18 SPECIAL AGENT (b)(7)(C) So when you raised
 19 the issue to (b)(7)(C) on --

20 (b)(7)(C) Oh, let me finish that. Okay.

21 So anyway, (b)(7)(C) had called me, asked me to,
 22 you know, lie about (b)(7)(C) having worked with (b)(7)(C)

23 (b)(7)(C) some other places, to state that --

24 SPECIAL AGENT (b)(7)(C) And this was what
 25 year?

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1 [redacted] This was in [redacted]
2 SPECIAL AGENT [redacted] Okay.

3 [redacted] And then not very long after
4 [redacted] got out there, and had gone to work. [redacted]

5 [redacted] on two particular days -- I don't want to say
6 I was [redacted] in the -- I was --

7 Going back to some of my experience. In
8 the police business an assault is if you threaten to
9 do something, you know, to put your hands on somebody.
10 Battery is if you actually do it.

11 SPECIAL AGENT [redacted] Correct.

12 [redacted] So several weeks after [redacted]
13 [redacted] arrived some [redacted] which she was classified
14 as a [redacted] were sent out with some [redacted] to survey
15 some Q blocks. And the woman kept running into me.

16 [redacted]

18 SPECIAL AGENT [redacted] Okay.

19 [redacted] -- which is, you know, doesn't
20 happen all that often. And it's not something I would
21 decry under normal circumstances. But this woman was
22 supposedly [redacted] wearing a [redacted]

23 And, you know, after about the third time
24 -- Actually about the second time I realized she
25 wasn't just clumsy. And then the next day -- She

1 must have thought I was really stupid, because I
2 didn't take the hint.

3 And a couple of times she [REDACTED]
4 [REDACTED] And actually never had that happen
5 before. And I -- So I after -- I didn't do anything
6 about it right away. I just felt sorry for her.

7 And then she kept doing this sort of thing
8 on site. And so I thought I better, just to protect
9 myself, I reported it to [REDACTED] Some months
10 later --

11 SPECIAL AGENT [REDACTED] In [REDACTED]
12 [REDACTED] I don't remember. I've asked
13 [REDACTED] three or four times, three times anyway, for
14 the copy of the report. And she's always been
15 apologetic. But she says she lost it.

16 But when I made the report, and this was
17 in a room like we're doing right here, Agent [REDACTED]
18 [REDACTED] was taking, took notes. And she had a
19 witness in there. Somebody who worked for New World
20 at the time, a fellow named Bert Bowers.

21 SPECIAL AGENT [REDACTED] Okay.
22 [REDACTED] And I figured that [REDACTED]
23 would deny this battery. So I told [REDACTED] at that
24 time, you know, this woman's in here on a phony
25 resume, totally phony.

1 In other words, the reason I brought it up
 2 then was I figured she'd lie and say, no she hadn't
 3 (b)(7)(C) me. And I wanted to point out that, you
 4 know, she was already prone to, you know, lying.

5 SPECIAL AGENT (b)(7)(C): Okay.
 6 (b)(7)(C): So I told (b)(7)(C) at that time,
 7 that she was there on a phony resume. And (b)(7)(C) said
 8 to me that, well that's been handled. Whatever. I
 9 had no idea what that meant. Okay.

10 So, (b)(7)(C), maybe I ran on there too
 11 much. But I wanted to make sure -- I don't expect
 12 you to write all that down. But I want you to know
 13 about it.

14 SPECIAL AGENT (b)(7)(C): Okay. So that
 15 offers some historical data. That information is --
 16 (b)(7)(C): Yes, that's the first time that
 17 I said flat out, told them straight up, she's here on
 18 a phony resume. Phony, phony, phony.

19 SPECIAL AGENT (b)(7)(C): Now you told that to

20 (b)(7)(C)

21 (b)(7)(C): Right.

22 SPECIAL AGENT (b)(7)(C): That would be (b)(7)(C)

23 (b)(7)(C): Yes, sir.

24 SPECIAL AGENT (b)(7)(C): What was the
 25 aftermath? What happened?

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1 [REDACTED] There was no aftermath.

2 SPECIAL AGENT [REDACTED] Okay.

3 [REDACTED]: There was no aftermath.

4 SPECIAL AGENT [REDACTED] Were you, at that
5 point were you bothered, harrassed any, after telling

6 [REDACTED]

7 [REDACTED] No, no. No, but then I avoided
8 that woman. When she walked in --

9 SPECIAL AGENT [REDACTED] You mean [REDACTED]

10 [REDACTED] Yes, [REDACTED] When she
11 walked into a room, I walked out of the room. And,
12 you know, that's all I could do to protect myself. I
13 wasn't getting any kind of protection.

14 I mean, New World didn't say, okay you're
15 out of here, to that woman, or something. Or check
16 her resume or something. She meanwhile, that [REDACTED]
17 [REDACTED] was making herself popular with Tetra Tech
18 people, and other New World people.

19 SPECIAL AGENT [REDACTED] Okay.

20 [REDACTED]: And so I just had to try to
21 give her a wide berth. That was how I handled it.

22 SPECIAL AGENT [REDACTED] Now when you went to
23 [REDACTED] in [REDACTED] you went to [REDACTED], the
24 [REDACTED] for Tetra Tech. What was your issue?

25 [REDACTED] How did that go down?

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1 SPECIAL AGENT (b)(7)(C) Yes. What issue did
2 you report to him?

3 (b)(7)(C) Okay. I was (b)(7)(C)
4 (b)(7)(C) to approximately a ten acre rad site. The
5 storage where we dumped the material that was either,
6 it was going to be sampled to determine if it was rad
7 or if it wasn't.

8 And (b)(7)(C) I didn't go to him, he came by
9 the gate. He was just being sociable, just asked me
10 what was new? So I told him that the, excuse me, that
11 (b)(7)(C) was in there using laborors, which I knew
12 were not trained rad workers, to take --

13 SPECIAL AGENT (b)(7)(C) Samples.
14 (b)(7)(C) -- take samples, excuse me.
15 And that that could endager, besides the --

16 SPECIAL AGENT (b)(7)(C) Was she a (b)(7)(C)
17 at that point? Did she have the authority to direct
18 laborers or other personnel as to what to do?

19 (b)(7)(C) She had, oh I might say
20 vicarious (b)(7)(C) She was at the time (b)(7)(C) with
21 the (b)(7)(C) Tetra Tech, the (b)(7)(C)

22 SPECIAL AGENT (b)(7)(C) Is that (b)(7)(C)
23 (b)(7)(C) That was (b)(7)(C)

24 SPECIAL AGENT (b)(7)(C)
25 (b)(7)(C) And so she got what she wanted.

1 And everybody knew it. Anyway, I was concerned that,
2 besides endangering the health of the workers -- I
3 felt that if someone in your capacity, an NRC
4 inspector came by and saw this, you know, non rad
5 workers handling rad material, it could get the whole
6 site shut down. So I told (b)(7)(C) you know, that's
7 just going too far. And when he realized who I was
8 talking about, he bugged out. And the next day I was
9 fired.

10 SPECIAL AGENT (b)(7)(C) Okay. So you told
11 (b)(7)(C) and you said he bugged out. What was his
12 response? How did he kind of act when you told him it
13 was (b)(7)(C) What was his demeanor?

14 (b)(7)(C) always been polite to
15 me. And he made no derisive -- Well, he said, oh --
16 He said, when I was describing who it was, he said, oh
17 you mean the (b)(7)(C) Or oh, you mean the (b)(7)(C)

18 And then I want to say quickly, in (b)(7)(C)
19 defense, he wasn't calling her those things. He had
20 heard her referred to in that fashion. And so he was
21 being kind of jovial about it.

22 And then my response was, I said, I don't
23 even want to go there. We had, by that time, three or
24 four years of we all knew how (b)(7)(C) rolled. So
25 it was no reason to talk about it.

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1 It would be like talking about the water
 2 in the bay, in the Sanfransico Bay being salty. I
 3 mean, how many times do you have to say it? And I
 4 said, no I don't even want to go there, as far as that
 5 --

6 But the next day [REDACTED] came out,
 7 and she said that she had been told by [REDACTED]
 8 that I had called [REDACTED] a whore. And that I had
 9 gone off on this [REDACTED] Or gone off on a supervisor.
 10 And then I --

11 The only supervisor I had talked to in a
 12 day or two was [REDACTED] And I told [REDACTED] that I
 13 didn't "go off" on him. I haven't gone off on anybody
 14 at Hunters Point. And [REDACTED] like I said, he's not --

15 In my estimation he has very little
 16 nuclear experience. He has no business being a
 17 supervisor. But he has always been polite. So I've
 18 always been polite to him.

19 So I said, I didn't go off on him. And I
 20 didn't call that woman, you know, a [REDACTED] It was a
 21 [REDACTED] But [REDACTED] said that well, [REDACTED] still.
 22 wanted me gone. Simple, simple.

23 SPECIAL AGENT [REDACTED] being [REDACTED]
 24 [REDACTED] the [REDACTED] --
 25 [REDACTED]: Yes, sir.

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1 SPECIAL AGENT (b)(7)(C) -- for Tetra Tech?

2 (b)(7)(C) Right.

3 SPECIAL AGENT (b)(7)(C): (b)(7)(C)

4 (b)(7)(C)

5 (b)(7)(C) Whatever they call it. They
6 certainly are not in the nuke -- He's not a nuke.

7 SPECIAL AGENT (b)(7)(C): You know what, we're
8 going to get to that too. Okay. So did you have an
9 appeal process? How did that -- they just fired you?
10 Kind of walk me through how that process.

11 (b)(7)(C) Well I had been told that
12 morning, on the (b)(7)(C) to go up, that (b)(7)(C) was on
13 site and go talk to (b)(7)(C) And that's never a good
14 sign.

15 SPECIAL AGENT (b)(7)(C) It's like the Turk
16 in sports --

17 (b)(7)(C) I don't know about that.

18 SPECIAL AGENT (b)(7)(C) -- during training
19 camp. The Turk comes and gets you. If they call or
20 looking for you, it's probably not a good thing.

21 (b)(7)(C) All right. Yes. Then it's
22 just exactly like that. And then, (b)(7)(C) was polite.
23 But, you know, she was obviously doing what she was
24 supposed to be.

25 She took me into a little room similar to

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1 this one. And she asked me about this going off on
2 some supervisor. She wasn't even clear who. And
3 then, did I call [REDACTED] a [REDACTED] And I said, no
4 I didn't go off on anyone.

5 I've explained why several times. First
6 of all, I have never gone off on anybody at Hunters
7 Point. And number two, [REDACTED] has always been polite.
8 Always been polite, very professional in his demeanor.
9 And then I said, no.

10 But, I said, you know, I did tell [REDACTED]
11 that since he was the newest of the Tetra Tech
12 [REDACTED] I said that, you know, [REDACTED]
13 success at Hunters Point had more to do with where she
14 would, where she stayed, than her credentials.

15 And then [REDACTED] said, well that's the same
16 as calling her a [REDACTED] Well I said, I didn't think
17 it was. Anyway, that's what [REDACTED] said. And then
18 she said, well I'll talk to [REDACTED] again. And so I
19 returned to my work area.

20 And a couple of hours later, which was at
21 access control gate, [REDACTED] came down. And he was
22 just saying things like, well, I'm sorry. And, you
23 know -- Then he was actually, bless his heart, seemed
24 a little teary eyed. Because we had gotten along just
25 fine.

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1 And in fact I was trying to console him a
2 little bit. I said, well it's not your fault, da, da,
3 da, da. And then it was adios. Now I can't -- I
4 know some time later, maybe it was even later that
5 day. I talked with (b)(7)(C), and she --

6 Oh, I had (b)(7)(C) -- I guess I should
7 mention this. I had (b)(7)(C) since I was working in
8 a rad area. I know what to do with (b)(7)(C) you
9 know, when you're released from a plant.

10 But I had been at Hunters Point for (b)(7)(C)
11 (b)(7)(C) So I went to see the head nuke, which was Bert
12 Bowers. And I said, I told Bert, well they fired me,
13 and, you know, to give him the (b)(7)(C). Because I
14 couldn't be carrying it around.

15 SPECIAL AGENT (b)(7)(C) Right.

16 (b)(7)(C) And apparently, he had no
17 flipping idea what I was talking about. So this idea
18 to fire me had gone completely around the head nuke on
19 site.

20 SPECIAL AGENT (b)(7)(C) He didn't even know
21 about it.

22 (b)(7)(C) He didn't even know about it.

23 SPECIAL AGENT (b)(7)(C) And you were
24 technically one of his guys?

25 (b)(7)(C) Yes.

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SPECIAL AGENT (b)(7)(C) Under his --

(b)(7)(C) I mean, he's the site radiation safety officer.

SPECIAL AGENT (b)(7)(C) Right.

(b)(7)(C) And he had no clue. But he accepted the (b)(7)(C) because he knew that I couldn't be walking around with that.

SPECIAL AGENT (b)(7)(C) Right.

(b)(7)(C) He took charge of it. And well it's --

SPECIAL AGENT (b)(7)(C) Okay. With regard

to your concern about (b)(7)(C) behavior the day before, with respect to her having laborers and untrained persons do smear samples. Was a condition report written? Or discrepant deficiency report? Was anything documented regarding your concern when you took it to (b)(7)(C)

(b)(7)(C) Not by me. But there is a little more to this -- I don't think it seen the light of day. When I was, when (b)(7)(C) drove by the gate, the morning on the (b)(7)(C) when I --

As I said, I thought he was just mostly being sociable. And I told him about this, what I considered a tech spec violation, and that it could hurt us.

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1 I told him that one of my co-workers had
 2 told me that (b)(7)(C) was trying to do something
 3 about it. This (b)(7)(C) no not (b)(7)(C). What the hell's
 4 her name? (b)(7)(C) --

5 SPECIAL AGENT (b)(7)(C) (b)(7)(C)

6 (b)(7)(C): -- (b)(7)(C) Now
 7 this, you know, this is just -- I'm saying that this
 8 is what (b)(7)(C) told me. I don't know where she is in
 9 this deal anymore.

10 SPECIAL AGENT (b)(7)(C): Okay.

11 (b)(7)(C): But (b)(7)(C) told me that (b)(7)(C)
 12 (b)(7)(C) had taken exception to (b)(7)(C) using the
 13 laborers. And that he had made a copy of something,
 14 presumably out of the tech library, the Tetra Tech
 15 technical library.

16 And that he had taken this Xerox copy of
 17 something to (b)(7)(C). Now that's kind of
 18 noteworthy for a couple of reasons. Number one, if
 19 (b)(7)(C) was a (b)(7)(C), he shouldn't have to
 20 go to the construction guy --

21 SPECIAL AGENT (b)(7)(C): Right.

22 (b)(7)(C) -- to rein in an (b)(7)(C) that was
 23 behaving outside --

24 SPECIAL AGENT (b)(7)(C): The scope.

25 (b)(7)(C): Right. But he knew that --

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1 Here I think this is self evident. He knew that the
 2 only way to control (b)(7)(C) was through her

3 (b)(7)(C) --
 4 SPECIAL AGENT (b)(7)(C)
 5 (b)(7)(C) -- (b)(7)(C) So he was
 6 trying to do what he could do.

7 SPECIAL AGENT (b)(7)(C) Right.
 8 (b)(7)(C) : And then (b)(7)(C) told me that --
 9 And I don't know if she saw this, somebody else
 10 related it to her. But what she related to me was,
 11 she said that (b)(7)(C) came into (b)(7)(C) office,
 12 and she picked up this thing that (b)(7)(C) had made a
 13 Xerox copy of, that, you know, said to the effect that
 14 she shouldn't be laborers for that.

15 SPECIAL AGENT (b)(7)(C) : Was it a peiece of
 16 the procedure, some procedural --

17 (b)(7)(C) : That was my impression from
 18 what (b)(7)(C) said. That (b)(7)(C) had made a Xerox copy of
 19 something out of the, a procedure, or out of the tech
 20 -- And rather than just, you know, going to (b)(7)(C)
 21 and whining to him, you know, he had something --

22 SPECIAL AGENT (b)(7)(C) : Tangible to show.

23 (b)(7)(C) : Exactly.

24 SPECIAL AGENT (b)(7)(C) : Okay.

25 (b)(7)(C) : And that he showed it to

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1 (b)(7)(C) And when (b)(7)(C) came into (b)(7)(C)
 2 office, one of them handed it, or either (b)(7)(C) or
 3 (b)(7)(C) handed it to (b)(7)(C) and that --

4 Again this is being related to me by
 5 (b)(7)(C). Just, you know, gossip among co-workers.
 6 (b)(7)(C) said that (b)(7)(C) made some little grunt
 7 sound or something and just tossed the paper back down
 8 on (b)(7)(C) desk and left.

9 And dismissive, that's the word I was
 10 looking for. Something dismissive noise, and just
 11 tossed it. And then I related that to (b)(7)(C) also.
 12 And maybe that's the reason he was quite anxious to
 13 get loose from my talking to him at that point.

14 SPECIAL AGENT (b)(7)(C) On the (b)(7)(C)
 15 (b)(7)(C) Yes, sir.

16 SPECIAL AGENT (b)(7)(C): You said that.
 17 (b)(7)(C) Right. I told him --

18 SPECIAL AGENT (b)(7)(C): You told him what
 19 (b)(7)(C) had shared with you.

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

21 SPECIAL AGENT (b)(7)(C): Okay. Back to a
 22 condition report being written, or being documented.
 23 You didn't document it. Do you know if (b)(7)(C) or
 24 anyone else did document your safety concern.

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

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SPECIAL AGENT (b)(7)(C) You don't know?

(b)(7)(C): I do not know. But from what I've just told you, (b)(7)(C) was trying to get loose to this, get away from this deal. He knew it was poison. So my guess is that he didn't.

But I believe -- Well can I say it on your tape -- I'll say it for the tape recorder. And then maybe it has to be just -- But he said something to what's his name, (b)(7)(C) --

SPECIAL AGENT (b)(7)(C) (b)(7)(C)

(b)(7)(C) Yes. Sufficient that (b)(7)(C) decided that I had become a liability.

SPECIAL AGENT (b)(7)(C) Okay.

(b)(7)(C): And I as gone the next day. It's pretty short linkage there. Pretty easy cause and effect, I think.

SPECIAL AGENT (b)(7)(C) So is there any documentation of your safety concern that you know of? (b)(7)(C): Not on site. Now I did write something up for the State of California.

SPECIAL AGENT (b)(7)(C): That was after the fact, when you started your complaint --

(b)(7)(C): Yes, yes.

SPECIAL AGENT (b)(7)(C): -- with the State Department of Labor.

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1 (b)(7)(C) Right. And then when I filed
2 for unemployment I think I had 200 words I could write
3 why I got let go. And I put down it was for raising
4 this concern. So the State of California should have
5 that in their EDD department.

6 SPECIAL AGENT (b)(7)(C) Okay. Did you have
7 the ability to document safety concerns in some form
8 or another? Were you able to go on the computer and
9 write a deficiency? Or what they call in the nuclear
10 circle, CRs.

11 (b)(7)(C): CRs. I know what --

12 SPECIAL AGENT (b)(7)(C): Condition reports.

13 (b)(7)(C): Yes. I know what CRs are. If
14 Tetra Tech had something like that, I don't know about
15 it.

16 SPECIAL AGENT (b)(7)(C): So you don't know?

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

18 SPECIAL AGENT (b)(7)(C): You didn't have the
19 ability to go and do that?

20 (b)(7)(C) I can't say that I didn't have
21 the ability. But I'd never heard of it.

22 SPECIAL AGENT (b)(7)(C) Was there a box
23 where you could put hard copy? Could you write --

24 (b)(7)(C) Not sure. And I know what your
25 CRs are. I worked, I told you I worked at (b)(7)(C) here

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1 about a [REDACTED] And I'm not going to go on and on.
2 But just for your edification. When I was processing
3 into [REDACTED] there was about eight of us [REDACTED] And we
4 all had -- I think the median age of the [REDACTED] coming
5 in was like [REDACTED] So we all had lots of time.

6 SPECIAL AGENT [REDACTED] Correct.

7 [REDACTED] Okay. But the first day into
8 [REDACTED], we're in the first day of training. The head of
9 the training, right after lunch, he took an hour and
10 a half telling us how to fill out the CRs, where to
11 put them. It was a very high priority.

12 SPECIAL AGENT [REDACTED] Right.

13 [REDACTED] That impressed the hell out of
14 me, having just left, you know, Hunters Point, an
15 outfit on the other side of the --

16 SPECIAL AGENT [REDACTED] And at Hunters Point
17 it wasn't that way in terms of --

18 [REDACTED] No. I mean, if there was a
19 procedure, I'm not aware of it. But, you know, it was
20 a -- Bert had a open door policy. I mean, if, you
21 know, we could talk to Bert.

22 By that time they had already started
23 sidelining Bert. There had been some other deals that
24 I -- There was a [REDACTED] deal earlier. I think
25 [REDACTED] before that she got some laborers to

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1 mishandle asbestos.

2 And I reported that to, you know, my
3 immediate (b)(7)(C) And somehow Bert
4 got completely left out of that. (b)(7)(C) went
5 again, straight to this --

6 SPECIAL AGENT (b)(7)(C)

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

8 SPECIAL AGENT (b)(7)(C)

9 (b)(7)(C)

10 SPECIAL AGENT (b)(7)(C) So in terms of --

11 What about the zip slips? Were you able to write --
12 I keep hearing the notion of, it's called a zip slip,
13 which was some -- I guess it was you could fill out
14 a card, or a little information sheet with the
15 complaint or issue and put it in a box.

16 (b)(7)(C) I would hope there would be
17 something like that. I was not aware of it.

18 SPECIAL AGENT (b)(7)(C) So you're still not

19 aware of it. Okay. Had this issue with (b)(7)(C)
20 been raised by other Tetra Tech or New World
21 employees? If so, what happened? Anybody else have
22 a problem with the way (b)(7)(C) was doing things?

23 (b)(7)(C) : (b)(7)(C) was a perennial
24 joke. You know, it's just kind of a, everybody had
25 been a tech, you know. She was there for -- I don't

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1 know. I don't want to offend your tape recorder here.

2 But (b)(7)(C) was there to (b)(7)(C)

3 (b)(7)(C) That's what (b)(7)(C) role was. That was -

4 - So I mean, how many times do you have to say that,
5 before you, you know, you quit saying it.

6 SPECIAL AGENT (b)(7)(C) So who else, if
7 anybody, went, were in --

8 (b)(7)(C) Oh, I can think of one specific
9 conversation that would be like verifiable from your
10 point of view.

11 SPECIAL AGENT (b)(7)(C) All right.

12 (b)(7)(C) That I remember. About (b)(7)(C)

13 before I got run off, Tetra Tech had a supervisor on
14 site. (b)(7)(C) was his name. Now (b)(7)(C)

15 (b)(7)(C) was a respected (b)(7)(C) contractor the
16 day I began in the business at (b)(7)(C) in (b)(7)(C) So
17 that's where I knew (b)(7)(C) from.

18 (b)(7)(C) apparently had sufficient contact
19 with (b)(7)(C) that at one point he decided that he
20 should do something. So (b)(7)(C) went to a
21 guy named (b)(7)(C), no relation to (b)(7)(C)
22 who was a supervisor, a Tetra Tech supervisor.

23 And related some notorious -- I mean, I
24 say, some comment that (b)(7)(C) had made that just
25 showed that she just had no, she knew nothing about

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1 the business.

2 SPECIAL AGENT (b)(7)(C) Right.
 3 (b)(7)(C): And so (b)(7)(C) shared that with
 4 this (b)(7)(C) and (b)(7)(C) -- And (b)(7)(C) is telling
 5 me about this. He said that (b)(7)(C) said, like
 6 never mind, you know, never mind. She's, you know,
 7 untouchable. Never mind. And that was the end of
 8 that. So if (b)(7)(C) was available he could substantiate
 9 that.

10 SPECIAL AGENT (b)(7)(C): And was his
 11 complaint about her misuse of employees? Her misuse
 12 of her problem with HP --

13 (b)(7)(C): No, I --

14 SPECIAL AGENT (b)(7)(C) Her --

15 (b)(7)(C): You're talking about (b)(7)(C)

16 (b)(7)(C) --

17 SPECIAL AGENT (b)(7)(C) Right.

18 (b)(7)(C) No, no. It was, I think it was

19 -- It might have been (b)(7)(C), who was also a

20 (b)(7)(C). I forget her name. But she was a (b)(7)(C)

21 the day I started at (b)(7)(C)

22 But she was a very professional. I'd
 23 worked with her just a couple of times at Hunters
 24 Point. Very professional, very knowledgable. I think
 25 she had asked (b)(7)(C) something about if she knew

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1 what radionuclides we were dealing primarily at
2 Hunters Point.

3 And (b)(7)(C) had said, beta, which is
4 not a radionuclide, you know, it's a particle. It's
5 a radioactive particle. But it's not a -- And it was
6 just -- You know, it was like if I ask you, you know,
7 what's your favorite kind of horse, and you said,
8 Chevrolet. It was just nonsense.

9 But anyway, I think (b)(7)(C) shared that with
10 (b)(7)(C) And like we've got -- And I think (b)(7)(C)
11 idea was, you know, we've got to do something. This
12 is just, you know, too terrible.

13 And then this (b)(7)(C) who was a
14 Tetra Tech supervisor at that time, basically told
15 (b)(7)(C) just don't waste your time, you know. She's
16 untouchable.

17 SPECIAL AGENT (b)(7)(C) Okay. Did you take
18 your concerns to anyone outside of your employer, that
19 is, the Navy, RASO, anyone like that?

20 (b)(7)(C): No. No, no, no. I just, I
21 felt like I had the idea that Tetra Tech would not
22 take it well. So when I talked to (b)(7)(C) I said it in
23 such a way that like maybe he could just kind of nudge
24 the boys in a meeting or something. You know, hey we
25 can't do this. You shouldn't do this. They didn't

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1 like to be nudged, I guess.

2 SPECIAL AGENT (b)(7)(C) What is your
3 understanding of Tetra Tech's company policy regarding
4 whistle blowing or raising safety related concerns?

5 (b)(7)(C): Oh, it's lethal, that's what it
6 is. Simple, simple. It's adios, Jose, M.F. Can I
7 say that to your tape recorder?

8 SPECIAL AGENT (b)(7)(C): Yes. So what was,
9 in terms of -- Had they ever gone over, in training,
10 what the policy was and an employee's ability to raise
11 safety issues, and not be retaliated against? Or
12 whistleblowing, or anything, if you want to call it
13 that.

14 (b)(7)(C): (b)(7)(C), I understand. That's
15 a good question. That's a good question. But New
16 World didn't do training, and Tetra Tech didn't do
17 training. Simple, simple. Now, that was it. Simple,
18 simple.

19 Now maybe the laborers got some kind of
20 training. I don't know. But I think once in a while,
21 I mean, like once a year -- No, not even that often.
22 I think I might have seen a film early when I got
23 there. The training film about something.

24 No, there was nothing. There was no
25 training. And that's good to know for another reason.

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1 In other words, as far as a tech, whatever technical
2 skills you had when you got to Hunters Point, those
3 were the skills you had.

4 SPECIAL AGENT (b)(7)(C) : So they didn't build
5 upon those --

6 (b)(7)(C) : They did not.

7 SPECIAL AGENT (b)(7)(C) : -- in training. And
8 develop --

9 (b)(7)(C) : You know, like I told you
10 earlier in this conversation. The power plants, you
11 just train and train and train.

12 SPECIAL AGENT (b)(7)(C) : Not so much here?

13 (b)(7)(C) : No. Not at all.

14 SPECIAL AGENT (b)(7)(C) : Does Tetra Tech
15 operate on the principles of safety first? Would you
16 say that?

17 (b)(7)(C) : No. I'm not just throwing crap
18 on them. You know, I worked, I was out in the field
19 all day long. And you talk to the laborers and
20 equipment operators, you know. The equipment
21 operators are bringing stuff in and out that I have to
22 survey and check. And so we get to know each other
23 pretty well.

24 And no. Equipment operators have told me,
25 and I know several that, you know, would write things

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1 up, like a broken windsheild in their loaders, over
2 and over again. And it was just carrying coals to
3 Newcastle. It was, no.

4 SPECIAL AGENT (b)(7)(C): Was it made clear to
5 Tetra Tech employees and as well as New World, they
6 had the right, even the responsibility, to raise
7 safety related concerns without fear of retaliation?
8 Was that ever articulated?

9 (b)(7)(C) (b)(7)(C) like I said, I was
10 there two weeks short of (b)(7)(C) No. I can --

11 SPECIAL AGENT (b)(7)(C) (b)(7)(C)
12 (b)(7)(C): Yes, sir. No, (b)(7)(C) (b)(7)(C)
13 weeks short of (b)(7)(C) I don't know what I said.

14 SPECIAL AGENT (b)(7)(C) You said two weeks
15 short of (b)(7)(C)

16 (b)(7)(C) Okay. No, two weeks -- Thank
17 you for catching that. Two weeks short of (b)(7)(C)

18 SPECIAL AGENT (b)(7)(C) Okay.

19 (b)(7)(C) No. I can recall one little
20 episode where the laborers were threatened to not
21 report to the State. And there was two other HPs
22 listening to that. It was early. It was like in (b)(7)(C)
23 or (b)(7)(C)

24 And we just thought that it was so
25 notorious. I mean, you wouldn't -- If somebody did

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1 that on a power plant, you know, they'd be gone in
2 five minutes.

3 SPECIAL AGENT (b)(7)(C) Right.

4 (b)(7)(C): It would be -- And this was a
5 Tetra Tech safety guy was -- Apparently some laborer
6 had complained to the State about climbing up on some
7 mound of dirt that had plastic on it. And his name
8 was, I want to say his name was (b)(7)(C).

9 But there was three HPs in this mass of
10 laborers. Now the laborers didn't know that he
11 couldn't do that. But we were just dumbstruck where
12 he was saying, the next person that calls the State,
13 you know, is down the road. That sort of thing.

14 It was incredible. Again, not just me.
15 Let me see. I don't want to say their names at this
16 point if I don't have to. But if I was, if somebody,
17 if that was pursued, I sure would.

18 SPECIAL AGENT (b)(7)(C): And these were
19 individuals that could verify that Tetra Tech
20 ostensibly attempted to stifle employees' abilities to
21 raise safety concerns?

22 (b)(7)(C): Agent (b)(7)(C) attempting to
23 stifle is just too many 50 cent words. No. They just
24 threatened these boys. You know, just threatened
25 them. Anybody, I find out about, you know, complaints

1 to the State again about some safety deal, and you're
2 gone. You're DFR.

3 SPECIAL AGENT (b)(7)(C): Are these guys still
4 employed here on site?

5 (b)(7)(C): No, no. But, so I don't make
6 this sound like a big mystery, no. Well wait a
7 minute, one guy is. So I won't mention him. The
8 other was a woman (b)(7)(C) (phonetic).
9 She's smart. She'd remember it. And it was just --

10 Again, if somebody in a supervisory
11 capacity made a statement like that in a power plant,
12 you know, security would drag him out by their ears
13 five minutes later. They wouldn't have -- It was so
14 -- But there certainly is a different mind set and a
15 different culture at Tetra Tech.

16 SPECIAL AGENT (b)(7)(C): Okay. Do you know
17 if an investigation regarding the issue you raised
18 with (b)(7)(C), whether it was conducted by New World
19 or Tetra Tech?

20 (b)(7)(C): Well if you're talking about --
21 No. I mean, I raised my concern on the (b)(7)(C) and on
22 the (b)(7)(C) I was gone. So I have no idea. I, well I do
23 have a little idea. No I don't. No I don't. No, no
24 I don't.

25 SPECIAL AGENT (b)(7)(C) You sure?

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1 [REDACTED] : Boy, I'm not very good at this
 2 am I? Let me see. I think I heard that the State of
 3 California was unimpressed with the fact that there
 4 was no follow through on my -- It was all me. Did I
 5 call [REDACTED] a [REDACTED] Not anything about --

6 SPECIAL AGENT [REDACTED] About the issue.
 7 [REDACTED] Right.

8 SPECIAL AGENT [REDACTED] Okay. So that's
 9 Tetra Tech. And what you heard, and said you heard.
 10 Where did you get this particular information from?

11 [REDACTED] : I don't recall.

12 SPECIAL AGENT [REDACTED] Okay. But you heard
 13 that Tetra Tech's defense was more about firing you --

14 [REDACTED] Yes, it was all about --

15 SPECIAL AGENT [REDACTED] It was more about
 16 you calling her, you making those derogatory statements

17 --

18 [REDACTED] Right.

19 SPECIAL AGENT [REDACTED] -- about [REDACTED]
 20 or the allegation that you did, more so than
 21 addressing the issue about her having, you know,
 22 untrained workers do rad --

23 [REDACTED] : Absolutely.

24 SPECIAL AGENT [REDACTED] -- and activities --

25 [REDACTED] In fact, she's still there [REDACTED]

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1 [REDACTED] later, as far as I know. And I'm gone. And
2 since then Tetra Tech has -- I am aware that they've
3 gotten rid of three more real [REDACTED] not make believe
4 ones, for expressing concerns.

5 And then I know a couple of guys that got
6 run off before me. But they don't want to, they don't
7 think anything would come of complaining. And I can't
8 say as I blame them. It's [REDACTED] out, and [REDACTED]
9 is still doing fine. And I'm still gone. So, wah,
10 wah, wah.

11 SPECIAL AGENT [REDACTED] We're going to shift
12 a little into adverse action. What do you believe was
13 the adverse action taken against you? The firing?

14 [REDACTED] Yes. I had [REDACTED]
15 [REDACTED] and, you know, that was a good job, a good
16 job.

17 SPECIAL AGENT [REDACTED] This happened on
18 [REDACTED]

19 [REDACTED] Yes, sir. Of [REDACTED]

20 SPECIAL AGENT [REDACTED] Okay. Prior
21 to them terminating you, had you been demoted or given
22 a lesser position?

23 [REDACTED] No, no. In fact, you know, I
24 mentioned -- I don't have it here. I got a little
25 atta boy from this [REDACTED] It was kind of a

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1 tongue in cheek thing. But it was like a little award
2 for, you know, doing real good work and whatnot. I
3 don't think Tetra Tech has --

4 SPECIAL AGENT (b)(7)(C) When did that award
5 come?

6 (b)(7)(C) Oh, maybe (b)(7)(C) or (b)(7)(C)
7 before I got run off. As I said, I got along fine
8 with (b)(7)(C) But as far as I know Tetra Tech and
9 New World don't have any certificates, you know.

10 And he just made up a little certificate,
11 a make believe thing, saying good job, and dah, dah,
12 dah, dah, dah. So that was nice. His heart was in
13 the right place.

14 SPECIAL AGENT (b)(7)(C) Now what did
15 management provide as a reason for the personnel
16 action taken against you? What was their reason for
17 firing you? Was it for --

18 (b)(7)(C) Calling (b)(7)(C) a (b)(7)(C)
19 Now as I said, the day that (b)(7)(C) came out, she also
20 --

21 SPECIAL AGENT (b)(7)(C) Is there a policy
22 that prohibits you -- Is there an internal policy
23 that says you can't say things about people? Or that
24 these are fireable offenses? Did they ever reference
25 any procedure or policy or company directive?

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1 [REDACTED] If [REDACTED] mentioned something
2 like that I don't remember. I don't think so. Oh,
3 and as I said, the day she came out she said, the
4 other thing that [REDACTED] said, that I had "gone
5 off" on --

6 But then, whatever it was, four or six
7 months later in the State of California's labor board
8 conference room when we were in there, and [REDACTED] was
9 asked to say, you know, why they got rid of me, why I
10 got fired. I said what I told you, that she said I'd
11 gone off, that [REDACTED] said I'd gone off on the
12 supervisor --

13 SPECIAL AGENT [REDACTED]
14 [REDACTED] Yes, and then --
15 SPECIAL AGENT [REDACTED] Did they ever have
16 a statement from [REDACTED] saying, yes, [REDACTED]
17 went off on me? Or was that ever provided anywhere?

18 [REDACTED] Not that I'm aware of.

19 SPECIAL AGENT [REDACTED] Okay.

20 [REDACTED] And anyway, so the day we were
21 in there, [REDACTED] was in the conference room and she
22 was saying what she was told as far as getting rid of
23 me. The part about going off on some supervisor. She
24 didn't mention that at all.

25 It was only because I called, you know,

1 [REDACTED] a [REDACTED] and which I didn't. You know,
2 the shoe would certainly fit. But I didn't happen to
3 say that.

4 SPECIAL AGENT [REDACTED] Had you ever
5 received a reduction in pay prior to your termination?

6 [REDACTED] No. I was trying to think of
7 some kind of disciplinary. I don't know of -- I
8 think early on -- I don't know if it was in print, or
9 maybe it was just [REDACTED]

10 Somebody said, there was something about
11 on a particular day I had my feet on my desk. But as
12 far as I can recall, that was the extent of my
13 criminal behavior at Hunters Point.

14 SPECIAL AGENT [REDACTED] Did anyone with
15 Tetra Tech management or New World identify to you,
16 either officially or unofficially, that the personnel
17 action levied against you had anything to do with you
18 raising safety related issues?

19 [REDACTED] No.

20 SPECIAL AGENT [REDACTED]: Okay. What was the
21 impact of you raising safety concerns on Tetra Tech,
22 in terms of, what could have happened had the
23 activities [REDACTED] was engaging in with the
24 laborers, what was the worst thing that could have
25 happened, I guess?

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1 (b)(7)(C) : There is nuclear material, you
2 know. Every so often we would find nuclear material
3 above the safety threshold, as far as the State of
4 California was concernd.

5 SPECIAL AGENT (b)(7)(C) : Okay.

6 (b)(7)(C) : Now the laborers weren't really
7 trained on how to deal with that. So they could take
8 it home. They could get it on themselves, they could
9 take it home. They could get it in the carpet, and
10 then their kids get in it.

11 And nuclear material does biological
12 damage. And it does more biological damage to younger
13 people. So the laborers who were just not trained --
14 Hell, for that matter (b)(7)(C) wasn't trained on
15 the --

16 SPECIAL AGENT (b)(7)(C) : Proper use --
17 (b)(7)(C) -- and the hazards of nuclear
18 material. And, you know, the folks, that's a Navy
19 base.

20 SPECIAL AGENT (b)(7)(C) : Correct.
21 (b)(7)(C) : The Navy wants to give it back
22 to the --

23 SPECIAL AGENT (b)(7)(C) : Back to the city --
24 (b)(7)(C) : -- the State of California.

25 SPECIAL AGENT (b)(7)(C) : -- of San Francisco.

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1 (b)(7)(C) Yes. And you know what? The
2 Navy -- I've learned this working with Navy guys.
3 The Navy is real scrupulous about handling nuclear
4 material. They are very professional.

5 So, you know, they want HPs, because well
6 -- And then they know, this is in real life, nuclear
7 material hasn't been around that long, as far as man
8 made nuclear material.

9 SPECIAL AGENT (b)(7)(C) : Right.

10 (b)(7)(C) : The Navy, they know that, like
11 everybody, when it was new, the 40s, the 50s, and
12 maybe 60s were a little cavalier sometimes about
13 handling nuclear material.

14 SPECIAL AGENT (b)(7)(C) : Right.

15 (b)(7)(C) : So they know that some of it
16 got away. That it wasn't where it was supposed to be
17 on that base.

18 SPECIAL AGENT (b)(7)(C) : Right.

19 (b)(7)(C) : And that's the reason for
20 having HPs there --

21 SPECIAL AGENT (b)(7)(C) : To ensure that --

22 (b)(7)(C) : -- to look -- Yes. So it
23 doesn't get handed off to the California, and then
24 somebody else's kids wind up playing in it. Very much
25 to the Navy's credit.

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1 But maybe I'm editorializing here a little
2 bit. But Tetra Tech just sees the HPs as a bunch of
3 God damned speed cops. You know what I mean? They
4 just in the way.

5 They get around production. And the [REDACTED]
6 of us that were -- Well I wasn't the first [REDACTED] to
7 turn loose, get turned loose. They just, [REDACTED] I
8 think we kind of --

9 I don't want to try to put a guilt trip on
10 you here, or something. But, you know, we know, those
11 of us that come from the plant background, the NRC
12 doesn't play.

13 SPECIAL AGENT [REDACTED] Right.

14 [REDACTED] The NRC doesn't play. If they
15 don't like what's happening, they pick up the keys.
16 Simple, simple. And I think, you know, we kind of
17 were looking for the NRC to ride to the rescue at some
18 point.

19 SPECIAL AGENT [REDACTED] Right.

20 [REDACTED] And so I took way too long to
21 complain, way too long.

22 SPECIAL AGENT [REDACTED] Do you currently
23 have other open complaints? Do you have a open file
24 with the Department of Labor? You have the State
25 Department of Labor. Do you have U.S. Department of

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1 Labor? Did you file a DOL complaint within the
2 required proximity --

3 (b)(7)(C) : You mean with the feds, or
4 State?

5 SPECIAL AGENT (b)(7)(C) : Yes, the feds.

6 (b)(7)(C) : I tried with the feds, because
7 they have a whistleblower --

8 SPECIAL AGENT (b)(7)(C) : Right.

9 (b)(7)(C) : You know, it sounds real good.
10 But they said I was two days late.

11 SPECIAL AGENT (b)(7)(C) : Two days past their
12 cut off?

13 (b)(7)(C) : Yes. Now their cut off was the
14 same as the State's. I talked with a fellow at
15 federal OSHA, named (b)(7)(C). And actually I called
16 the federal --

17 SPECIAL AGENT (b)(7)(C) : Was he an inspector
18 or investigator?

19 (b)(7)(C) : I don't know what he was. He
20 was a very -- I thought he was a pretty neat fellow.
21 Sounded like. I called the federal OSHA, like around
22 five o'clock one day. Now everybody knows feds have
23 gone home by five o'clock. I just called --

24 SPECIAL AGENT (b)(7)(C) : I don't go home --

25 (b)(7)(C) : Okay. Well you're a cop, you

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1 know, you work all the time. So I wasn't expecting
2 anyone to answer the phone. I just called the number
3 to get their hours.

4 And this (b)(7)(C) answers the phone. And
5 that little fart kept me on the phone for an hour and
6 a half, asking questions about, you know Tetra Tech
7 and things that I thought were going south there. I
8 was, to say that I was impressed is a dramatic
9 understatement.

10 SPECIAL AGENT (b)(7)(C): Okay.

11 (b)(7)(C): But then I got a call a couple
12 of weeks later, from I guess somebody up the food
13 chain from him, named (b)(7)(C) or (b)(7)(C), or
14 something.

15 And that guy actually called me three
16 times in March. Excuse me. To tell me that I was two
17 days late, or I was late. And then they finally came
18 down. I was -- And then, you know, I had talked to
19 California. And they didn't have a high regard for
20 the federal OSHA name.

21 SPECIAL AGENT (b)(7)(C): So you were too late
22 on OSHA, too late on --

23 (b)(7)(C): The guy, (b)(7)(C), didn't say
24 I was too late.

25 SPECIAL AGENT (b)(7)(C): His boss, or

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1 whoever.

2 (b)(7)(C) : Yes. His boss said -- Or,
3 yes, two days.

4 SPECIAL AGENT (b)(7)(C) : So the State of
5 California --

6 (b)(7)(C) : So I did --

7 SPECIAL AGENT (b)(7)(C) -- is the only one
8 that you --

9 (b)(7)(C) : Right. And just FYI, Susan
10 Andrews apparently wound up talking to this (b)(7)(C),
11 or (b)(7)(C), whatever his name was, some months ago.
12 And she got the same run around why she was, they
13 couldn't handle it. Or some horse shit like that.

14 And I don't know if this was asked, if you
15 asked this. I did call, oh, some time well after I
16 had been run off, about a deal where (b)(7)(C) had
17 sent a couple of laborers out to get rid of asbestos.

18 And I had gotten that stopped. And I
19 don't think that increased my popularity with (b)(7)(C)
20 (b)(7)(C) there, or (b)(7)(C). And I reported that to
21 the State, or to the feds. And the feds sent somebody
22 out. And Tetra Tech just blew smoke up their ass,
23 like it never happened, dah, dah, dah.

24 SPECIAL AGENT (b)(7)(C) Is that when (b)(7)(C)
25 (b)(7)(C) and (b)(7)(C) (phonetic) came out and did

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1 an inspection?

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

3 SPECIAL AGENT (b)(7)(C) Were they NRC
4 personnel?

5 (b)(7)(C) No, not NRC.

6 SPECIAL AGENT (b)(7)(C) Not NRC, okay. That
7 might have been a different time. Do you know if
8 Tetra Tech management discussed your safety concerns
9 and subsequent termination with any other employees?

10 (b)(7)(C) No, I don't know.

11 SPECIAL AGENT (b)(7)(C) Any other pertinent
12 things of interest that we didn't talk about, relative
13 to your case, that you think we should know? Had you
14 been subject -- You hadn't been subject to any
15 progressive discipline prior to the termination?

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

17 SPECIAL AGENT (b)(7)(C) And let me ask you
18 this. Are you aware of whether or not you have rights
19 as a contractor, to the point where they could just
20 come in if they're unhappy with something they think
21 you did. And say, okay we want him off the job.

22 Can they do that? Or do you have some,
23 outside of we talked about the whole check activity
24 thing. You, as an overall contractor, do they have to
25 do -- Do you have a due diligence kind of clause in

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1 the contract? Or do they have to do certain things
2 before they can shift you off or terminate you?

3 [REDACTED] I was raised in [REDACTED] Now
4 [REDACTED] is what you call a right to work state.

5 SPECIAL AGENT [REDACTED] Correct.

6 [REDACTED] Which is kind of a euphemism
7 for an employer doesn't need a good reason to fire
8 you. They just, you know, he's the boss.

9 SPECIAL AGENT [REDACTED] Right.

10 [REDACTED] That's the tradition, the
11 direction I came from. So I didn't know that, you
12 know, when I got run off, you know, and this safety
13 concern, I didn't know I had any --

14 SPECIAL AGENT [REDACTED]: Right. That you had
15 a claim.

16 [REDACTED] Yes. I learned that from --
17 I don't know who told me. But I called up the State
18 and wound up talking to Catherine Daly.

19 SPECIAL AGENT [REDACTED] Okay.

20 [REDACTED] And there's a little
21 gunfighter. There is a little gunfighter. And I'm
22 happy. And again, being raised in [REDACTED] I've told
23 way too many jokes about Californians.

24 I'll probably go to hell for all the jokes
25 I've told about Californians. But on the other hand,

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1 I'm real proud of the way California, that they have
2 a system for protecting, you know --

3 SPECIAL AGENT (b)(7)(C): Employees
4 (inaudible). Okay.

5 (b)(7)(C): And apparently, so does the
6 fed.

7 SPECIAL AGENT (b)(7)(C): Yes.

8 (b)(7)(C): You just have to get their
9 attention.

10 SPECIAL AGENT (b)(7)(C): And did they
11 actually -- Did they fire you? Or did they furlough,
12 or transfer you? What was the actual? Was it
13 termination?

14 (b)(7)(C) Yes. I don't think there was
15 any -- There was no finessing around. It's --

16 SPECIAL AGENT (b)(7)(C): Okay. It was
17 termination.

18 (b)(7)(C): -- adios, Jose, mother fucker.
19 Don't let the door hit you on the way out. Simple,
20 simple.

21 SPECIAL AGENT (b)(7)(C): Okay.

22 (b)(7)(C): Maybe not those exact words,
23 but pretty close.

24 SPECIAL AGENT (b)(7)(C): Did you have any
25 discussions before they, before you left the site with

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1 -- Were you able to talk with Bert? Were you able to
2 talk to anybody higher up about the situation?

3 (b)(7)(C) The first, you know, like I
4 say, all right. (b)(7)(C) has told me, okay, sorry about
5 your luck. So I've got this (b)(7)(C) And I know
6 from my experience that you don't carry (b)(7)(C) off
7 site.

8 SPECIAL AGENT (b)(7)(C) Right.

9 (b)(7)(C) So I went -- Bert's the
10 highest nuke that I know on site. I went to Bert.
11 Here's the (b)(7)(C). It was news to him. And I --
12 Well that was it. There wasn't any further.

13 SPECIAL AGENT (b)(7)(C) Okay. Okay. A
14 couple of closing questions and comments. Well
15 actually, do you have -- Can you identify individuals
16 who would have witnessed this? Or you think would be
17 good character witnesses that can corroborate some of
18 the things you've raised for us?

19 (b)(7)(C): Well I told you that I had that
20 little conversation with, what's her name, (b)(7)(C)

21 SPECIAL AGENT (b)(7)(C)
22 (b)(7)(C) -- (b)(7)(C)
23 SPECIAL AGENT (b)(7)(C) Okay. How about

24 (b)(7)(C) Was he there when you were there?

25 (b)(7)(C) He was -- Yes, but he hadn't

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1 been there too long. And I had very little contact
2 with him. And you talked with him. You know, he's
3 not a real talkative guy.

4 SPECIAL AGENT (b)(7)(C): Right.

5 (b)(7)(C): I just had, you know, he could
6 have been working a different shift for all I know.

7 SPECIAL AGENT (b)(7)(C): You didn't have much
8 contact with him at all?

9 (b)(7)(C): No. No, I did not.

10 SPECIAL AGENT (b)(7)(C): Okay. So you got

11 (b)(7)(C)

12 (b)(7)(C): (b)(7)(C), you know, had I

13 told you, Xeroxed something. I was expecting -- I
14 tried to call (b)(7)(C) --

15 SPECIAL AGENT (b)(7)(C): Isn't he the (b)(7)(C)
16 now?

17 (b)(7)(C): Yes.

18 SPECIAL AGENT (b)(7)(C): (b)(7)(C) on site?

19 (b)(7)(C): Well, yes. He has no business

20 being an (b)(7)(C). I mean, he doesn't have enough -- I
21 don't know if he's got enough experience to be a (b)(7)(C)

22 SPECIAL AGENT (b)(7)(C): Right.

23 (b)(7)(C): And the Navy requires (b)(7)(C)

24 there. I'm not bad mouthing him. I think he's kind
25 of shifted over to the dark side here. And I think

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1 that's a shame for somebody --

2 SPECIAL AGENT (b)(7)(C) He's a member of
3 management at Tetra Tech now, right?

4 (b)(7)(C): Yes. But, you know, that
5 doesn't mean you have to be a liar.

6 SPECIAL AGENT (b)(7)(C): Right.

7 (b)(7)(C): I don't think his parents
8 raised him to be a liar.

9 SPECIAL AGENT (b)(7)(C): Right.

10 (b)(7)(C) So I think it's kind of a
11 shame. But I don't -- I tried to get a hold of him
12 before I went, I had my first meeting with Catherine
13 Daly.

14 Because I wanted to be able to tell her
15 how, what I related to you today, about how (b)(7)(C)
16 said, you know, he had made a copy of something. And,
17 you know, showed it to (b)(7)(C) to try to get (b)(7)(C)
18 (b)(7)(C) to stop, you know, using the laborers and what
19 not.

20 And then he wouldn't return my calls. And
21 I was, as I said, I wanted to get him, get him to give
22 me a copy of whatever that was he copied. It was not
23 secret information. It was out of a technical
24 library.

25 SPECIAL AGENT (b)(7)(C) But it was also

1 something that he shared with (b)(7)(C) in private, and
2 not in front of you or --

3 (b)(7)(C): No. That was just, I only
4 heard about it from (b)(7)(C)

5 SPECIAL AGENT (b)(7)(C): Okay.

6 (b)(7)(C): Yes. And it could be all make
7 believe. But I don't think that (b)(7)(C) just made it
8 up. Now (b)(7)(C) is -- (b)(7)(C) is -- I can't
9 remember his name. I wanted to impress you with how
10 I can remember his name. But, (b)(7)(C)

11 SPECIAL AGENT (b)(7)(C)

12 (b)(7)(C): Yes. Have you met him?

13 SPECIAL AGENT (b)(7)(C) I have not.

14 (b)(7)(C) All right. He is a (b)(7)(C)

15 And he is the real deal. You know, you come and I
16 think I named six plants or something that I've been -
17 - I've been to more than six.

18 I just can't remember them all. But I
19 think that damn (b)(7)(C) has been to like (b)(7)(C) or
20 something, you know what I mean? He is, I don't know -
21 - He's not close to this. (b)(7)(C) is --

22 SPECIAL AGENT (b)(7)(C) So would (b)(7)(C)

23 (b)(7)(C) be someone that saw --

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

25 SPECIAL AGENT (b)(7)(C) Okay.

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1 [REDACTED] : No. His [REDACTED] is [REDACTED]. She
2 doesn't have much experience. But at least she says
3 so.

4 SPECIAL AGENT [REDACTED] All right.

5 [REDACTED] : And she sticks, I understand
6 she sticks real close to [REDACTED] now. And now
7 this is just me speculating. [REDACTED] was a [REDACTED]

8 [REDACTED] And this is a real good paying job. And I
9 don't think [REDACTED] would say --

10 SPECIAL AGENT [REDACTED] : Things to mess that
11 up.

12 [REDACTED] : What?

13 SPECIAL AGENT [REDACTED] : You don't think she
14 wants to mess that up?

15 [REDACTED] : No. I know she doesn't want to
16 mess that up.

17 SPECIAL AGENT [REDACTED] : Do you think she
18 would be -- You don't think she'd be forthright, or
19 forthcoming?

20 [REDACTED] No, I don't. And, I don't.
21 And I'm trying not to say that in a harsh way. Like
22 I said, you know, I talked with her a little bit. I
23 guess [REDACTED] was a disaster as far as [REDACTED]
24 That's how she got to be a [REDACTED]

25 And, you know, I think as moving from

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1 [REDACTED], you have, you probably develop a
2 more acute sense of protecting yourself. So I'm told
3 now that [REDACTED] and [REDACTED] are attached at the
4 hip.

5 SPECIAL AGENT [REDACTED]: So she could be just
6 secure in her own job situation?

7 [REDACTED]: Yes, I think she, you know,
8 there's some other -- There's another HP out there
9 that I thought had a little more character, a little
10 more backbone. But he has chosen not to come forward.
11 And you've already got his name, [REDACTED] (phonetic).

12 SPECIAL AGENT [REDACTED]: Yes.

13 [REDACTED]: Okay. I like him too. But
14 he's -- I don't know. He's just --

15 SPECIAL AGENT [REDACTED]: Okay. All right.
16 Well a couple of closing questions. Have I threatened
17 you in any manner in exchange for your testimony?

18 [REDACTED]: Well there was -- No, sir.
19 You've been, [REDACTED] you've been exceedingly polite
20 and professional. And I, you know, this is the second
21 time. And you're on your way to California.

22 You stopped out here. It's 108 degrees
23 out and you're wearing a black suit. But you're still
24 here. I appreciate you're being here and your
25 sacrifice.

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1 SPECIAL AGENT (b)(7)(C) : Not a problem. It's
2 my job. Have I offered you any reward in exchange for
3 your testimony?

4 (b)(7)(C) : No, but we've got time. Let's
5 hear it. We got -- No, sir. No, sir. No, sir.

6 SPECIAL AGENT (b)(7)(C) : And has your
7 testimony been given freely and voluntarily?

8 (b)(7)(C) : Yes, sir, it has.

9 SPECIAL AGENT (b)(7)(C) : All right. Is there
10 anything else you'd like to add to the record at this
11 time.

12 (b)(7)(C) : Well I'd -- No, not add to the
13 record. I'd like to ask. Now I'd like to ask you,
14 what happens now? I mean, like I told you, in our
15 first meeting I bragged about the power of the NRC.
16 This is not a power play.

17 SPECIAL AGENT (b)(7)(C) : Right. At this
18 point we will continue our investigation. There is a
19 lot of investigation of people that need to be
20 interviewed and talked to.

21 At the conclusion of our investigative
22 findings we will subsequently make a call or
23 determination in whether we think your allegation is
24 substantiated or unsubstantiated. That then goes to
25 the NRC. Goes back to the commission and to the

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1 enforcement personnel.

2 And it goes to a panel where some more
3 decisions are made. We turn our report and our
4 findings over. And then they will make what they feel
5 is adequate judgment against what's occurred. And
6 will re-approach the licensee. That being in this
7 case Tetra Tech, who's the license holder.

8 And they'll go speak to I guess Tetra Tech
9 and RASO and some of those people. And they'll do
10 their own -- It may lead to additional inspection
11 activities. It could lead to several things. But
12 that enforcement panel, that's occurred at a different
13 level.

14 So my job is to do a thorough, detailed
15 investigation and analysis of all the facts. We put
16 it together, and then we determine what we think
17 happened based upon the evidence presented. And then
18 it goes on up the chain. And the NRC will take
19 whatever action they feel appropriate.

20 (b)(7)(C) Okay. Let me ask you maybe
21 another, coming from a little different direction.
22 And, you know, if you can't answer it, you can't
23 answer it. That's okay.

24 I, even with the State of California,
25 they've tried to say this and they've tried to say

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1 that. And if it appears to the NRC that I had, my
2 allegations are substantial, what will the NRC do?
3 Will they say hire him back? Or do they not do that.

4 SPECIAL AGENT (b)(7)(C): Well we also tell
5 people, relative to this, that we don't -- DOL makes
6 you whole. We don't get your job back. Or we don't -

7 -
8 (b)(7)(C): Okay. That's fine.

9 SPECIAL AGENT (b)(7)(C): But what the agency
10 may do is go back to the licensee and say, hey we
11 found, and our Office of Investigations found that,
12 you know, in an instance that, you know, this
13 allegation was found, you know, was substantiated.

14 And the agency backs that. And we have
15 these proscriptive measures need to be taken. You
16 were in the wrong, or right, or whatever is
17 determined.

18 And at that point, you know, Tetra Tech or
19 New World may, you know, say okay, we want to go this
20 route with it. Or this, you know, this is the action
21 that they'd like to pursue.

22 So I can't say what enforcement is going
23 to do. All I can say is that what our investigative
24 activities do. And then we'll turn it over to the
25 enforcement branch. They are the ones that will

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1 really give --

2 They, along with the general counsel's
3 office will look, sift through this and make some
4 qualitative determinations on what actions should
5 occur. Or what recommendations, or what things should
6 be said and conveyed to the licensee at that time.

7 (b)(7)(C): I know, I know that.

8 SPECIAL AGENT (b)(7)(C): Yes. So enforcement
9 is going to handle that and --

10 (b)(7)(C): All right. I mean, I know at
11 a power plant the NRC -- The way they get the
12 utility's attention is they -- It's either fines or
13 they pick up the keys.

14 SPECIAL AGENT (b)(7)(C): And then again,
15 certainly I can't predict what they will do. I just
16 know that what --

17 (b)(7)(C): No. But if they -- What I was
18 asking was, you can't predict what they -- But if, if
19 they said yes, you guys, you really -- You know,
20 (b)(7)(C) shouldn't have been fired. If, and they
21 might say, you know, you should have gotten rid of
22 that sombitch two years ago.

23 SPECIAL AGENT (b)(7)(C): Right.

24 (b)(7)(C) But if they don't say that. If
25 they say, no he was kind of acting the way we want our

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1 eyes and ears to act --

2 SPECIAL AGENT (b)(7)(C): Correct.

3 (b)(7)(C): You overreacted. You cost him
4 a couple of hundred thousand dollars. Do they write
5 a ticket? I mean --

6 SPECIAL AGENT (b)(7)(C): Yes. That I'm not
7 certain.

8 (b)(7)(C): Okay. That's all right...

9 SPECIAL AGENT (b)(7)(C): I know that in the
10 beginning of the process they offered ADR. And that's
11 one of the things that -- I'm sure they -- I think,
12 (b)(7)(C), when you raised your allegation, our AD, our
13 allegations folks offered you a chance to go to
14 mediation with --

15 (b)(7)(C): Yes, yes.

16 SPECIAL AGENT (b)(7)(C): That, some of that
17 probably would have been handled in mediation.

18 (b)(7)(C) Okay.

19 SPECIAL AGENT (b)(7)(C): But now we have an
20 investigation. So we've bypassed that. Our
21 investigative activities, again, we'll turn it over,
22 and enforcement will handle it from there.

23 (b)(7)(C) Okay. Now then --

24 SPECIAL AGENT (b)(7)(C) That's part of our
25 explanation.

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1 (b)(7)(C) -- one last question. How
2 about time wise? Can you, do you have any idea? Do
3 they put themselves on a three month treadmill, or a
4 six month treadmill? In other words, they're going to
5 do whatever -- The NRC is going to do whatever it
6 does.

7 SPECIAL AGENT (b)(7)(C) : Right.

8 (b)(7)(C) But do they have any kind of
9 time table on themselves, so to say?

10 SPECIAL AGENT (b)(7)(C) Well we have some
11 internal metrics that we use. I think that the best
12 answer I can give to that is, it's to your benefit
13 that we do it this way. Is that a qualitative
14 approach is taken to all investigations and the way we
15 manage situations.

16 That way, we're not just flying through to
17 meet a deadline. We want to give you a good answer.
18 We want to do a thorough and complete, and accurate
19 investigation.

20 So for that reason, I would, you know, err
21 on the side of even identifying time lines. Just know
22 that we are working diligently to answer your, to
23 answer the bell on this.

24 (b)(7)(C) All right, sir, very well.

25 SPECIAL AGENT (b)(7)(C) : Okay?

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1 [REDACTED] And the fact that you're out
2 here testifies to that in a very real fashion. So now
3 I have some advice for you. After you're done with me
4 you need to go back upstairs and find your [REDACTED] and
5 put them on. Because like I say, it's [REDACTED] today, it's
6 going to be [REDACTED] tomorrow.

7 SPECIAL AGENT [REDACTED]: Okay. Well we
8 pretty much covered everything and gone through our
9 final questions here. You stipulated and identified
10 your questions for the record. I hope I've answered
11 them. And at this time, which it is 2:26 p.m.,
12 Pacific Standard Time. This interview is concluded.

13 (Whereupon, the interview in the above-
14 entitled matter was concluded at 2:26 p.m.)

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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: 1-2012-032

Location:

(b)(7)(C)

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.

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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 Nos.

(b)(7)(C) [Redacted]

: 1-2012-019, 1-2012-

(CLOSED) : 032, 1-2012-037

-----X

Wednesday, June 13, 2012

Hunters Point Naval Shipyard

200 Fisher Avenue

San Francisco, CA 94124

The above-entitled interview was conducted
at 12:10 p.m.

BEFORE:

Special Agent

(b)(7)(C) [Redacted]

1-2012-032

EXHIBIT 5

PAGE 1 OF 33 PAGE(S)

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EXHIBIT 7

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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OFFICE OF INVESTIGATIONS

INTERVIEW

-----X

IN THE MATTER OF: :

INTERVIEW OF

: OI Case Nos.

ELBERT BOWERS

: 1-2012-019, 1-2012-

(CLOSED)

: 032, 1-2012-037

-----X

Thursday, June 14, 2012

Staybridge Suites

4775 Business Center Drive

Fairfield, CA 94534

The above-entitled interview was conducted
at 10:46 a.m.

BEFORE:

Special Agent



EXHIBIT 7

PAGE / OF 86 PAGE(S)

1 - 2012 - 032

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UNITED STATES OF AMERICA
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INTERVIEW OF : Case Nos. 1-2012-019
(b)(7)(C) : 1-2012-032
-----x 1-2012-037

Friday, January 25, 2013

Fisher & Phillips, LLP
One Embarcadero Center, Suite 2040
San Francisco, California 94111

BEFORE:

(b)(7)(C) Special Agent
U.S. Nuclear Regulatory Commission
Region I, Office of Investigation
2100 Renaissance Boulevard, Suite 100
King of Prussia, Pennsylvania
Telephone: 610-337-5339

FOR TETRA TECH and the WITNESS:

TIMOTHY J. MURPHY, Esq.
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PAGE 1 OF 43 PAGE(S)

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INTERVIEW OF : Case Nos. 1-2012-019
(b)(7)(C) : 1-2012-032
-----x 1-2012-037

Friday, January 25, 2013

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EXHIBIT 9

PAGE 1 OF 82 PAGE(S)

EXHIBIT 10

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INTERVIEW OF : Case Nos. 1-2012-019
(b)(7)(C) : 1-2012-032
-----x 1-2012-037

Friday, January 25, 2013

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EXHIBIT 11

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INTERVIEW OF : Case Nos. 1-2012-019
(b)(7)(C) : 1-2012-032
-----x 1-2012-037

Friday, January 25, 2013

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EXHIBIT 12

INTERVIEW REPORT
OF

(b)(7)(C)

On January 30, 2013, (b)(7)(C) New World Environmental, Incorporated (NWE), 448 Commerce Way, Livermore, California, was interviewed by the Nuclear Regulatory Commission (NRC), Office of Investigations (OI), Region I (RI), King of Prussia, PA. (b)(7)(C) was advised that the interview was pertaining to a complaint that (b)(7)(C) NWE, had filed with the NRC claiming that he was discriminated against, in the form of being laid off from employment, as the result of raising safety concerns. (b)(7)(C) reported that NWE was a subcontractor to Tetra Tech (prime contractor) to a US Navy remediation contract at Hunters Point Naval Shipyard, Hunters Point, CA. The interview was conducted at the McDonalds Restaurant, 2050 Daniels Street, Manteca, CA.

AGENT'S NOTE: In order to provide full disclosure, (b)(7)(C) advised that she was involved in a civil lawsuit against NWE.

(b)(7)(C) noted that she was the NWE (b)(7)(C) from approximately 2003 to July 18, 2012. (b)(7)(C) confirmed that in approximately 2006, (b)(7)(C) approached her and stated he felt he was being (b)(7)(C) indicating that (b)(7)(C) NWE, made (b)(7)(C) towards him and that (b)(7)(C) him while at work. (b)(7)(C) stated that after talking to several additional NWE employees (nfi) it was determined that (b)(7)(C) had approached (b)(7)(C) and that she (b)(7)(C) had repused his (b)(7)(C) advances.

(b)(7)(C) related that (b)(7)(C) in addition to other NWE employees (nfi), came to her to report that they believed the qualifications found in (b)(7)(C) resume were not accurate. (b)(7)(C) noted that although she did not totally feel comfortable with what appeared on (b)(7)(C) resume, she conducted pre-employment inquiries and found nothing to contradict her (b)(7)(C) qualifications. (b)(7)(C) stated that she never informed or forwarded any of (b)(7)(C) concerns that he brought forward to her to any Tetra Tech personnel. (b)(7)(C) related that it was only after (b)(7)(C) had been released by Tetra Tech and had filed a complaint with the State of California, Department of Labor, San Francisco, CA, that she was informed that he (b)(7)(C) had raised safety concerns to his (b)(7)(C) Tetra Tech (b)(7)(C)

(b)(7)(C) stated that (b)(7)(C) was not laid off but was "let go" because of creating a hostile work environment. (b)(7)(C) advised that she received a phone call from (b)(7)(C) Hunters Point Naval Shipyard (b)(7)(C) Tetra Tech, who asked her to come to the Hunters Point site because (b)(7)(C) allegedly called (b)(7)(C) a "whore" and a "slut." (b)(7)(C) spoke with (b)(7)(C) and (b)(7)(C) Tetra Tech, Hunters Point Naval Shipyard, Hunters Point, CA, who both reported that they heard (b)(7)(C) say the disparaging comments about (b)(7)(C) spoke to (b)(7)(C) who admitted that he (b)(7)(C) had called (b)(7)(C) a slut and whore. (b)(7)(C) noted that after (b)(7)(C) was informed that he was being released from employment, (b)(7)(C) informed her (b)(7)(C) that (b)(7)(C) was incompetent and the only way she (b)(7)(C) received the job was she "lays on her back." According to (b)(7)(C) prior to this incident (b)(7)(C) performance was good. (b)(7)(C) indicated that she had no contact with Susan ANDREWS, SR HP Tech or (b)(7)(C)

EXHIBIT 12

1-2012-032

PAGE 1 OF 2 PAGE(S)

(b)(7)(C) who were also working at the Hunters Point Naval Shipyard at approximately the same time. (b)(7)(C) noted that she had no knowledge or information, direct or indirect, that (b)(7)(C) was discriminated against for raising safety concerns.

This Interview Report was written based on agent's notes that were collected at the time of the interview.

Reporting Agent: (b)(7)(C) Special Agent
Office of Investigations, RI
OI Case No. 1-2012-037

EXHIBIT 13



MEMORANDUM

DATE: August 23, 2010
FROM: (b)(7)(C)
TO: Mike Butler, VP/COO
SUBJ: (b)(7)(C) Investigation

On August 19, 2010 Mike Butler (NWE VP/COO) received a call from client representative (b)(7)(C) (b)(7)(C) Tetra Tech (TtECI) (b)(7)(C) (b)(7)(C) stated there was an issue at the Hunters Point project site with a NWE employee, and requested we send someone out look into the matter. (b)(7)(C) did not expand upon or go into detail as to what the issue may be. Mr. Butler advised (b)(7)(C) that Human Resources (HR) would be on site the following morning in response to his request.

On August 20, 2010 at approximately 9:00 am I called (b)(7)(C) to confirm my visit to the Hunters Point job site. (b)(7)(C) confirmed the visit, and advised me there had been an incident between (b)(7)(C) (NWE (b)(7)(C)), and TtECI supervisors (b)(7)(C) (b)(7)(C) stated (b)(7)(C) had made disparaging remarks regarding (b)(7)(C) (allegedly told people she was a (b)(7)(C) was creating dissention, and he wanted (b)(7)(C) off of his site.

I arrived on the Hunters Point site at approximately 11:30 am. Based upon my earlier discussion with (b)(7)(C) (b)(7)(C) I planned to meet with him first, and then schedule interviews with the other parties involved. As (b)(7)(C) had already left the site for lunch, I met with (b)(7)(C) first.

(b)(7)(C) (NWE Employee) Interview:

I met with (b)(7)(C) at approximately 12:30 pm on August 20, 2010. (b)(7)(C) came into the meeting room and after we greeted each other I informed him a complaint had been levied against him stemming from comments he had made the day before. I asked (b)(7)(C) if he had called another employee a (b)(7)(C) he became very agitated, and antsy in his chair, he looked around the room, took a deep breath and said:

(b)(7)(C): "I never called anyone a (b)(7)(C) and don't know where this is coming from. (b)(7)(C) was in the yard in the afternoon and said the air sampler was not working. I get along well with (b)(7)(C) said you are not a part of this but did state the up wind sampler was not working and he seemed annoyed and concerned. When (b)(7)(C) was coming out of the area he was commenting to me that it doesn't concern you (b)(7)(C) should have been aware".



Page 2 - (b)(7)(C) Investigation

(b)(7)(C) "where were you"?

(b)(7)(C): "I had the gate".

I asked him why (b)(7)(C) should be aware of the sampler; he stated that (b)(7)(C) (TTECI (b)(7)(C)) put her in charge of the area.

During the discussion he was agitated, couldn't sit still, his statements were very confusing and guarded. I attempted to guide the conversation back to the original question, so again I asked (b)(7)(C) if he had called someone a (b)(7)(C) or had made any statement that could have been interpreted or implied as calling someone a (b)(7)(C). He stated "no, but I am very careful of that rascal". As I had not mentioned any employees by name, I asked him whom he was referring to. He stated (b)(7)(C) and I am not a big fan of hers, I have been working in the business a long time and she does not belong".

(b)(7)(C) then placed his hands on the table, relaxed his body, and stated:

(b)(7)(C) "I think I now know where you are coming from, later in the day (b)(7)(C) came through the area and we talked for a minute and I told him rebuking (b)(7)(C) for the generator is like blaming a life guard".

(b)(7)(C) "What do you mean"?

(b)(7)(C): "It means you shouldn't blame (b)(7)(C) for the generator as (b)(7)(C) may have turned it off or moved it without telling me".

(b)(7)(C) "So you didn't say (b)(7)(C) was a (b)(7)(C) to anyone"?

(b)(7)(C) "No, but I did say (b)(7)(C) was hired for (b)(7)(C) not HP work".

When talking about (b)(7)(C) would tense up and become agitated. He kept stating that he didn't understand why (b)(7)(C) and (b)(7)(C) would go to management as they were his friends, and he was only making a casual statement meant only as a vent.

I explained to him that supervisors are obligated to report such events and statements to management. I then asked if he understood that statements such as these could be viewed as creating a hostile work environment and possibly (b)(7)(C). He replied, "After talking to you about it, I do, but (b)(7)(C) still doesn't belong here".

I concluded the meeting with (b)(7)(C) and went to meet with (b)(7)(C).



Page 3 - (b)(7)(C) Investigation

(b)(7)(C) (TTECI (b)(7)(C) meeting:

I met with (b)(7)(C) in his office, and advised him that I had already met with (b)(7)(C) and asked if I could meet with (b)(7)(C) and (b)(7)(C) and were there any other witnesses to the incident. (b)(7)(C) stated that he was not aware of any other witness, and then pointed out that (b)(7)(C) (TTECI (b)(7)(C), notified him of the incident via email after (b)(7)(C) reported it to him (b)(7)(C). We discussed my interview with (b)(7)(C) at which time I advised (b)(7)(C) that (b)(7)(C) said (b)(7)(C) had been hired for (b)(7)(C) and did not call her a (b)(7)(C). (b)(7)(C) shrugged his shoulders, and rolled his hand as if to imply 'what's the difference'.

He then stated that (b)(7)(C) had been making comments about (b)(7)(C) for awhile, but recently he had become more vocal and complaining to more people about her. (b)(7)(C) then stood up and said that (b)(7)(C) was creating dissention, and he wanted him off of his site. (b)(7)(C) then showed me to an office I could use for the meetings with (b)(7)(C) and (b)(7)(C) and then brought in (b)(7)(C) to meet with me.

(b)(7)(C) (TTECI (b)(7)(C) Interview:

After our greetings, (b)(7)(C) sat slouched in his chair, looking down at his hands which were flat on the table. I began the interview by asking (b)(7)(C) what happened yesterday with (b)(7)(C).

(b)(7)(C): (b)(7)(C) said (b)(7)(C) was a (b)(7)(C) and (b)(7)(C) must have his head up his ass".

(b)(7)(C): "Do you mean (b)(7)(C)?"

(b)(7)(C): "Yes"

(b)(7)(C): "Were there any other witnesses?"

(b)(7)(C): "No".

At this point he straightened up, looked me in the eye and stated:

"I hate doing this (b)(7)(C) my friend, but his behavior has become unacceptable and I can't overlook it. (b)(7)(C) has said similar things before and not just to me".

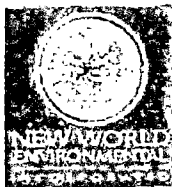
(b)(7)(C): "Who else was he saying this to?"

(b)(7)(C): "Other people here at the site".

(b)(7)(C) was now visibly relaxed)

(b)(7)(C): "What about the incident yesterday with the air sampler?"

(b)(7)(C) shrugged, shook his head and said, "It doesn't relate".



Page 4 - (b)(7)(C) Investigation

(b)(7)(C) "Why do you think (b)(7)(C) would say such things about (b)(7)(C)

(b)(7)(C) "He just doesn't like her".

I asked (b)(7)(C) if there was anything he would like to say or add, at which he said "no" and I concluded the interview.

(b)(7)(C) stood up and said I will get (b)(7)(C) and left.

(b)(7)(C) (TECI (b)(7)(C) Interview:

(b)(7)(C) walked in with (b)(7)(C) and asked how things were going, I said fine (b)(7)(C) then said that once I had finished my discussions that (b)(7)(C) needed to bring me up to speed on another matter regarding a different issue and employee.

(b)(7)(C) appeared to be very uncomfortable, and hesitated to make eye contact. I asked (b)(7)(C) what happened yesterday with (b)(7)(C) and what was said to him:

(b)(7)(C) "I am very uncomfortable with what was said to me, but (b)(7)(C) told me he wanted to tell me a joke". (b)(7)(C) hesitated and seemed uncomfortable and would not look me in the eye).

(b)(7)(C) "What was the joke"?

(b)(7)(C) "(b)(7)(C) was hired for (b)(7)(C)

(b)(7)(C) "That was it? That was the joke"?

(b)(7)(C) "Yes, this is the second time he has made comments about (b)(7)(C) and I told (b)(7)(C) it wasn't cool, cuz (b)(7)(C) is a good worker".

(At this point (b)(7)(C) became more relaxed, and began making eye contact with me)

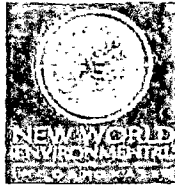
(b)(7)(C) "When did he say this"?

(b)(7)(C) "Yesterday afternoon".

(b)(7)(C) "Was anything else said"?

(b)(7)(C) "No"

(At this point I felt there may have been additional comments made, but (b)(7)(C) was very uncomfortable repeating them to a woman)



Page 5 - (b)(7)(C) Investigation

(b)(7)(C) "Were there any other witnesses".

(b)(7)(C) "I don't recall any".

(b)(7)(C) didn't seem to have anything else to say, so I concluded the meeting by asking him if there were anything else he would like to add? To which he replied "no".

Conclusion:

This investigation began with the accusation that on August 19, 2010 (b)(7)(C) had made derogatory comments about (b)(7)(C) (calling her a (b)(7)(C) to (b)(7)(C) While it was not possible to confirm the exact wording of the comments made by (b)(7)(C) they did imply that (b)(7)(C) was hired for (b)(7)(C) and not her abilities as a (b)(7)(C) Therefore the accusation is found to be true.

Additional discussion with employees on the site brought to light an ongoing pattern of resentment and animosity toward (b)(7)(C) by (b)(7)(C) In discussions with (b)(7)(C) she indicated she was not aware of the particular incident in question, and she had no issues with (b)(7)(C) She went on to state that he could be difficult to work with (refusing to communicate with her, turning his back on her or ignoring her when she would try to work with him in the course of performing her duties as the (b)(7)(C) for the yard) and she has learned to ignore his comments and to work around him as much as possible.

Based upon these findings it is determined that (b)(7)(C) has created a working environment that is hostile towards (b)(7)(C) and uncomfortable for their co-workers.

Corrective Action:

(b)(7)(C) is a proven technically astute (b)(7)(C) with a strong work ethic, and under normal circumstances corrective training and relocation of (b)(7)(C) would be recommended. Unfortunately (b)(7)(C) was hired specifically for work at the Hunters Point Project site, and as a direct result of his actions, and to protect (b)(7)(C) from being exposed to a hostile environment he is no longer allowed access to the project site. As NWE currently does not have any open positions on other project sites we have no recourse but to terminate his employment.

Due to the lateness of the day, and because of the weekend (b)(7)(C) will be terminated on Monday, August 23, 2010. He is authorized to receive per diem for the weekend and is scheduled to meet with HR for final out processing and payment of monies owed at 09:00 am at the 3rd street office.



Page 6 - (b)(7)(C) Investigation

Preventative Action:

It is recommended that additional /refresher sensitivity training be conducted for the personnel at Hunters Point.

The fact that this behavior has been building up over a period of time is disturbing and should have been identified earlier. Another point for our discussion with TtECI is to allow NWE to have at least one (1) Field Supervisor on site. If that had been the case then someone may have come forward, or the supervisor may have recognized the behavior and reported it sooner.

Follow up:

(b)(7)(C) failed to show up for his final out processing appointment at the 3rd street office, instead he contacted (b)(7)(C) and requested his final checks be sent to his (b)(7)(C) address. A note was made in his records of his request, and the checks were mailed to him as requested.

(b)(7)(C) is rehirable, contingent upon availability of position(s). He will be placed on a probationary status for 90 days. The probation will be lifted by HR pending good review, and successful completion of an approved harassment/sensitivity training course.