

Title: SALEM GENERATING STATION, UNITS 1 AND 2:  
ALLEGED HARASSMENT, INTIMIDATION, AND DISCRIMINATION

Licensee:

Public Service Electric & Gas Company  
P.O. Box 236  
Hancocks Bridge, New Jersey 08038

Docket Nos.: 50-272/311

Case Number: 1-93-021R

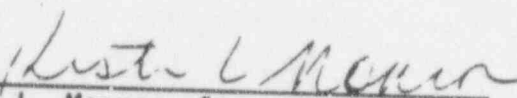
Report Date: September 30, 1994

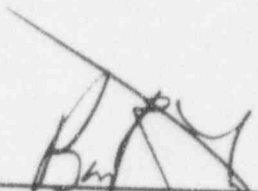
Control Office: OI:RI

Status: CLOSED

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## SYNOPSIS

On June 29, 1993, the Office of Investigations (OI), U.S. Nuclear Regulatory Commission (NRC), Region I, King of Prussia, Pennsylvania, initiated an investigation into the alleged harassment and intimidation (H&I) of a Senior Staff Engineer, Salem Generating Station (SGS), Public Service Electric and Gas Company (PSE&G), and a Safety Review Engineer, SGS, PSE&G, by SGS plant management.

The alleged harassment and intimidation occurred when the Senior Staff Engineer and the Safety Review Engineer attempted to file an Incident Report (IR) that pertained to the Containment Fan Coil Units (CFCUs), with the SGS Operations Manager and the SGS General Manager. The alleged harassment and intimidation continued when the Operations Manager prepared a memorandum, at the request of and for the signature of, the General Manager, addressed to the supervisor of the engineers. The memorandum requested that the engineers "... be removed from any direct or indirect involvement with Salem Station."

The OI investigation substantiated that the Senior Staff Engineer and the Safety Review Engineer were harassed and intimidated in both instances, by the SGS Operations Manager and the SGS Plant Manager. In addition, the investigation disclosed that the Senior Staff Engineer was harassed and intimidated by the General Manager, Quality Assurance/Nuclear Safety Review (QA/ISR), who attempted to reprimand the engineer for handling of the CFCU concern, while the issue of the Senior Staff Engineer's site access was still unresolved.

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## ACCOUNTABILITY

~~The following portions of this Report of Investigation (Case No. 1-93-021R) will not be included in the material placed in the PDR. They consist of pages 3 through 77.~~

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## APPLICABLE REGULATIONS

Allegation No. 1A: A Senior Staff Engineer and a Safety Review Engineer Were Harassed and Intimidated By Salem Generating Station (SGS) Management When They Attempted to Process an Incident Report (IR) Involving Safety Issues Relating to the Containment Fan Coil Units (CFCU) on December 3, 1992

10 CFR 50.5: Deliberate Misconduct (1992 Edition)

(a) Any licensee or any employee of a licensee; and any contractor (including a supplier or consultant), subcontractor, or any employee of a contractor or subcontractor, of any licensee, who knowingly provides to any licensee, contractor, or subcontractor, components, equipment, materials, or other goods or services, that relate to a licensee's activities subject to this part, may not:

(1) Engage in deliberate misconduct that causes or, but for detection, would have caused, a licensee to be in violation of any rule, regulation, or order, or any term condition, or limitation of any license, issued by the Commission, or

(2) Deliberately submit to the NRC, a licensee, or a licensee's contractor or subcontractor, information that the person submitting the information knows to be incomplete or inaccurate in some respect material to the NRC.

10 CFR 50.7: Employee Protection (1992 Edition)

(a) Discrimination by a Commission licensee, permittee, an applicant for a Commission license or permit, or a contractor or subcontractor of a Commission licensee, permittee, or applicant against an employee for engaging in certain protected activities is prohibited. Discrimination includes discharge and other actions that relate to compensation, terms, conditions, and privileges of employment. The protected activities are established in section 210 of the Energy Reorganization Act of 1974, as amended, and in general are related to the administration or enforcement of a requirement imposed under the Atomic Energy Act or the Energy Reorganization Act.

Allegation No 1B: The Senior Staff Engineer and the Safety Review Engineer Continued to be Harassed and Intimidated By SGS Management as a Result of the December 3, 1992, Incident

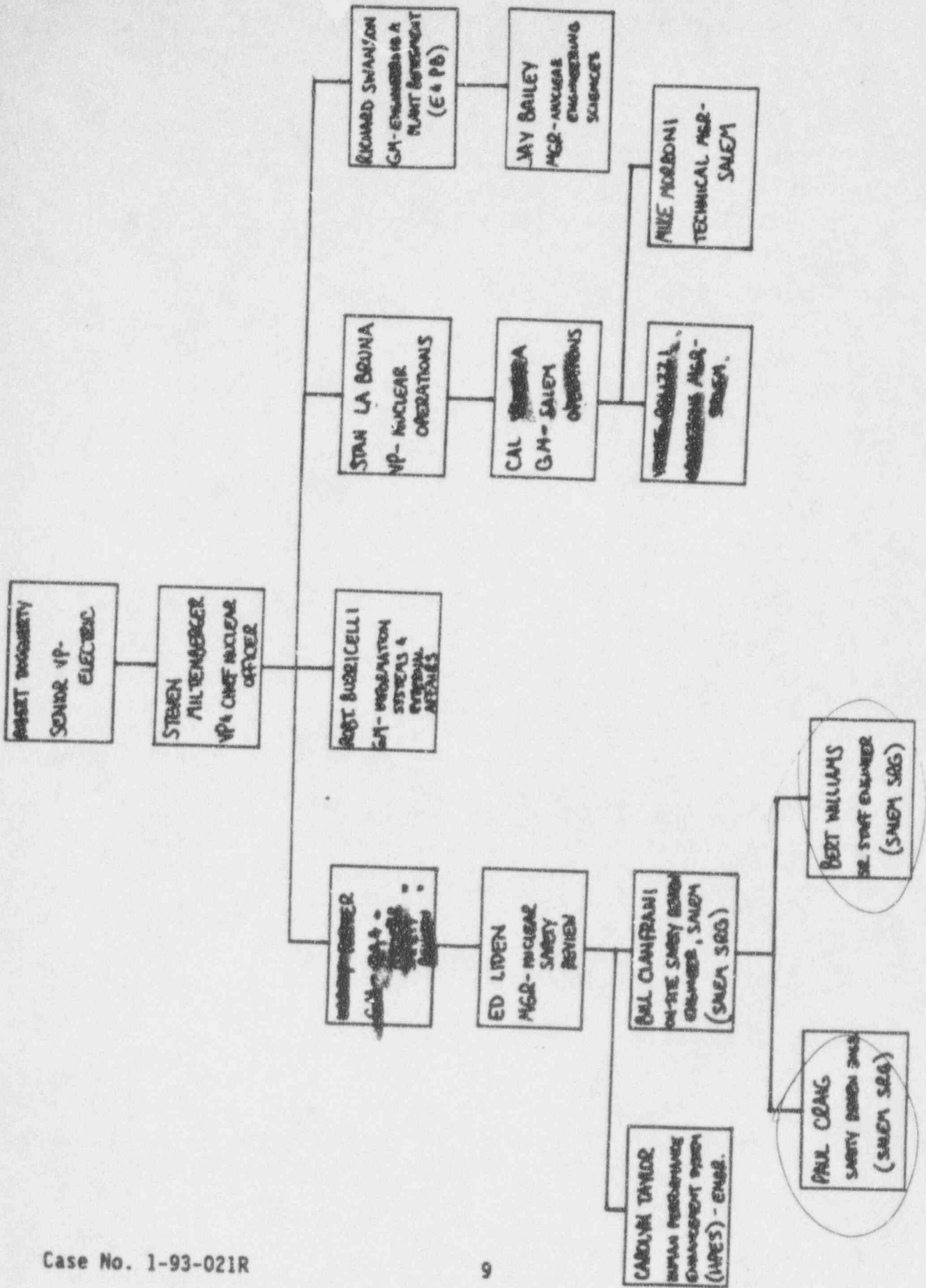
10 CFR 50.5: Deliberate Misconduct (1993 Edition)

10 CFR 50.7: Employee Protection (1993 Edition)



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## LIST OF ACRONYMS

CFCU	Containment Fan Coil Unit
DEF	Deficiency Evaluation Form
DR	Deficiency Report
FSAR	Final Safety Analysis Report
H&I	Harassment and Intimidation
HPES	Human Performance Enhancement System
IR	Incident Report
NAP	Nuclear Administrative Procedure
NSR	Nuclear Safety Review
OI	Office of Investigations
PSE&G	Public Service Electric and Gas Company
QA/NSR	Quality Assurance/Nuclear Safety Review
SERT	Significant Event Response Team -
SGS	Salem Generating Station
SNSS	Senior Nuclear Shift Supervisor
SRG	Onsite Safety Review Group
UFSAR	Updated Final Safety Analysis Report
W&S	Winston and Strawn (legal counsel to PSE&G)

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LIST OF INTERVIEWEES

EXHIBIT

BAILEY, James V. ("Jay"), Manager, Nuclear Engineering Sciences, SGS . . . . 14

BUDZIK, Dennis P., Maintenance Engineer, SGS . . . . . 16

CELLMER, Terry L., Radiation Protection Chemistry Manager, SGS . . . . . 18

CIANFRANI, William, Nuclear Safety Review Engineer, Supervisor  
SRG, SGS . . . . . 32-34

CRAIG, Paul R., Safety Review Engineer, SRG, SGS . . . . . 5 and 6

HADDEN, Deloris D., Executive Secretary, QA/NSR, SGS . . . . . 22

HAGAN, Joseph J., Vice President Nuclear Operations and General  
Manager, Salem Operations, SGS . . . . . 27

KAFANTARIS, Marios C., Senior Nuclear Shift Supervisor (SNSS),  
SGS; former Acting SNSS, SGS . . . . . 9

LaBRUNA, Stanley, Vice President Nuclear Engineering; former  
Vice President Nuclear Operations, SGS . . . . . 24

LEPOW, Libbi J., former Senior Organization Development Consultant,  
Nuclear Human Resources, SGS . . . . . 31

MILTENBERGER, Steven E., Vice President and Chief Nuclear Officer, PSE&G . 26

MOORE, Kenneth F., Safety Review Engineer, SRG, SGS . . . . . 19

MORRONI, Michael P., Manager, Maintenance Controls, SGS; former  
Manager, Technical Department, SGS . . . . . 10

POLIZZI, Vincent J., Project Engineer, PSE&G; former Operations  
Manager, SGS . . . . . 12

REITER, Lawrence A., Director, Process Improvement, SGS; former  
General Manager, QA/NSR, SGS . . . . . 21

SHEDLOCK, Mark A., Manager, Nuclear Procurement and Materials  
Management; former Salem Maintenance Manager . . . . . 17

VONDRÁ, Calvin A., (former) General Manager, Salem Operations, SGS . . . . 15

WANG, James J., Investment Recovery Manager, PSE&G . . . . . 30

WILLIAMS, Bert E., (former) Senior Staff Engineer, SRG, SGS . . . . . 3 and 4

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## DETAILS OF INVESTIGATION

### Purpose of Investigation

This investigation was initiated to determine whether Salem Generating Station (SGS) management harassed and intimidated (H&I) Bert E. WILLIAMS, Senior Staff Engineer, Onsite Safety Review Group (SRG), Nuclear Safety Review (NSR), SGS, Public Service Electric and Gas Company (PSE&G), and Paul CRAIG, Safety Review Engineer, SRG, NSR, SGS, PSE&G, for the raising of a nuclear safety concern.

### Background

In a memorandum dated June 29, 1993, the Director, Office of Investigations Field Office (OI), Region I, notified the Director, OI, that an investigation was being initiated into an allegation that WILLIAMS and CRAIG had been harassed by SGS plant management for attempting to process an incident report (IR) that involved safety issues relating to air regulators in the containment fan coil units (CFCU) for SGS Units 1 and 2 (Exhibit 2, pp. 1 and 2). The notification was made following the review of a PSE&G Task Force Report of Investigation titled, "INVESTIGATION OF THE SUBMISSION OF A QUALITY/SAFETY CONCERN AND INCIDENT REPORT ON DECEMBER 3-4, 1992, AND RELATED ACTIVITIES AT THE SALEM GENERATING STATION," dated April 2, 1993. As a result of the PSE&G investigation, the Task Force reached several significant findings, including the finding that, "Certain Nuclear Department managers engaged in actions of harassment and intimidation or failed to respond to such actions effectively" (Exhibit 2A, p. 15).

Previously, a Significant Event Response Team (SERT) had been convened on April 26, 1992, to investigate and report on the Salem Unit 2 - Reactor Trip on 24 Steam Generator Lo-Lo Level. The SERT was to provide an independent review of the event and to provide an objective root cause analysis with corrective actions and recommendations to preclude recurrence. SERT Report 92-01 was dated May 5, 1992 (Exhibit 2B). CRAIG was a member of the SERT. CRAIG prepared an Incident Report (IR) concerning the failure of the control room operators to follow the prescribed action in the overhead annunciator procedure. CRAIG did not identify the issue. The IR that CRAIG prepared had been "trashed" by POLIZZI because POLIZZI felt that the issue could be written into the SERT report (Exhibit 6, pp. 80 and 83). CRAIG wrote the IR a second time, on the same day. POLIZZI also "trashed" the second IR (Exhibit 2C).

### Coordination with NRC Staff

Steve BARR, Resident Inspector, SGS, participated in the initial interview of WILLIAMS.

### Interview of Allegers

WILLIAMS was interviewed on September 29, 1993 (Exhibit 3), and on June 13, 1994 (Exhibit 4). CRAIG was interviewed on November 1, 1993 (Exhibit 5), and on June 24, 1994 (Exhibit 6).

WILLIAMS stated that a contractor who worked for United Engineers and Constructors found that the piping of the components in the containment fan



coil units (CFCU) was not as it should have been. The contractor filed a confidential report with the Human Performance Enhancement Systems (HPES). The CFCU issue was forwarded to the SRG by HPES (Exhibit 1), and William CIANFRANI, Supervisor, SRG, SGS, assigned the issue to WILLIAMS. WILLIAMS said that he researched the drawings. WILLIAMS continued that the problem with the drawing was that there were two different types of regulators, from different manufacturers, and the regulators did not have the same functional requirements (Exhibit 3, pp. 13 and 14). WILLIAMS advised that the issues were significant enough to report, so he wrote the IR (Exhibit 3, p. 15 and Exhibit 7).

WILLIAMS advised that he and CRAIG took the IR to Vince POLIZZI, Operations Manager, SGS, and encountered some "reluctance." POLIZZI was not receptive to the IR. WILLIAMS recalled POLIZZI's immediate objection to be, "that is not the way we do it." WILLIAMS continued that he and CRAIG insisted that POLIZZI take the IR, which he did. POLIZZI put the IR in his desk drawer. According to WILLIAMS, POLIZZI objected to the IR on the basis that it did not make any statement or conclusion as to the operability of the equipment, or the operability of the station. WILLIAMS told POLIZZI that if he had to write something on the IR, for POLIZZI, he would. WILLIAMS continued that he took out his pen to write a statement on the IR, but POLIZZI told him ". . . Don't write it here." ". . . let's do it down in Cal's office . . ." (Exhibit 3, pp. 24-26).

WILLIAMS advised that initially, VONDRA was more annoyed than angry and wanted to know why he and CRAIG were creating an IR. WILLIAMS stated that VONDRA would not accept the IR. WILLIAMS continued that he told VONDRA that he could write the issue on a safety concern form. According to WILLIAMS, VONDRA got up, pointed his finger at him, and told him to get out of his office before he called security (Exhibit 4, pp. 40 and 41).

The testimony of CRAIG corroborated WILLIAMS' statement of events.

Allegation No. 1A: WILLIAMS and CRAIG were harassed and intimidated by POLIZZI and VONDRA when they attempted to process an IR involving safety issues relating to the CFCUs on December 3, 1992

#### Summary

The following individuals were interviewed by OI:RI on the dates indicated regarding Allegation No. 1A. Pertinent testimony provided by these individuals is documented in the evidence section that follows:

<u>Name</u>	<u>Title</u>	<u>Date of Interview(s)</u>
James V. BAILEY	Manager, Nuclear Engineering Sciences, SGS	December 14, 1993
Dennis BUDZIK	Maintenance Engineer, SGS	June 14, 1994
William CIANFRANI	Nuclear Safety Review Engineer, Supervisor, SRG, SGS	December 8, 1993, and August 9, 1994

Paul R. CRAIG	Safety Review Engineer, SRG, SGS	November 1, 1993 and June 24, 1994
Marios C. KAFANTARIS	Senior Nuclear Shift Supervisor (SNSS); former Acting SNSS, SGS	November 30, 1992
Stanley LaBRUNA	Vice President, Nuclear Engineering; former Vice President, Nuclear Operations, SGS	July 21, 1994
Kenneth F. MOORE	Safety Review Engineer, SRG, SGS	June 29 and August 9, 1994
Michael P. MORRONI	Manager, Maintenance Controls, SGS; former Manager, Technical Department, SGS	July 7, 1994
Vincent J. POLIZZI	Project Engineer, PSE&G; former Operations Manager, SGS	February 16, 1994
Lawrence A. REITER	Director, Process Improvement, SGS; former General Manager, QA/NSR, SGS	December 20, 1993
Mark A. SHEDLOCK	Manager, Nuclear Procurement and Materials Management; former Salem Maintenance Manager	July 7, 1994
Calvin A. VONDRA	General Manager (former), Salem Operations, SGS	December 15, 1993
Bert E. WILLIAMS	Senior Staff Engineer (former), SRG, SGS	September 29, 1993, and June 13, 1994

Evidence

1. Human Performance Enhancement System (HPES) Report #SCVR-92-22, received by HPES on November 18, 1992, disclosed that CFCU setpoint regulators that should be qualified as safety related may not be. The regulators were supplied as commercial grade by the vendors. The HPES report was referred to the Salem SRG by A. Carolyn TAYLOR on November 19, 1992. In a note bearing the signature of A. C. TAYLOR, and the date December 3, 1992, TAYLOR requested that a Safety Review Engineer initiate a DR [Deficiency Report], report the matter to shift [SNSS], and initiate an IR (Exhibit 1, pp. 1 and 2).
2. WILLIAMS stated that he and CRAIG went to the control room area and spoke with KAFANTARIS, the SNSS on duty (Exhibit 3, pp. 18 and 19).

3. WILLIAMS said KAFANTARIS told them that the issue was an engineering matter and that he would appreciate it if WILLIAMS and CRAIG would discuss the issue with his supervisor (nfi) who was an operations engineer (Exhibit 3, pp. 18 and 19).
4. CRAIG stated that after consulting Nuclear Administrative Procedure NC.NA-AP.22-0006(Q), (NAP-6), the procedure for incident reporting, he and WILLIAMS went to KAFANTARIS (Exhibit 5, p. 11).
5. CRAIG said that he and WILLIAMS explained to KAFANTARIS that, according to the documentation, the regulators that were installed were not the regulators shown on plant configuration drawings, and that the model that was installed was a commercial grade model (Exhibit 6, pp. 4 and 5).
6. According to CRAIG, KAFANTARIS was "receptive." However, he asked WILLIAMS and CRAIG to take the written IR to the operating engineer, in this case POLIZZI, to resolve the issue, because KAFANTARIS did not have all the resources he needed available (Exhibit 5, pp. 11 and 12; Exhibit 6, pp. 3 and 4).
7. CRAIG did not recall KAFANTARIS requesting that he or WILLIAMS do anything other than show the IR to POLIZZI (Exhibit 6, p. 4).
8. CRAIG said that he and WILLIAMS did not discuss the configuration difficulties with KAFANTARIS at that time. According to CRAIG, the thrust of the conversation was that the regulators were probably not qualified seismically (Exhibit 6, p. 5).
9. CRAIG stated that, to the best of his knowledge, KAFANTARIS did not ask them to show POLIZZI the IR because he needed more information for an operability decision. CRAIG said that KAFANTARIS' words were that he would need the operating engineer's help to decide what to do about the issue (Exhibit 6, p. 5).
10. KAFANTARIS said that WILLIAMS and CRAIG came to his office and told him that they were following up on an HPES claim that some regulators associated with the CFCUs were not safety related. KAFANTARIS continued that WILLIAMS and CRAIG were giving him a "heads-up" that they would be looking into this allegation. KAFANTARIS acknowledged that WILLIAMS and CRAIG had not completed the IR but were in the process of doing so when they spoke to him. KAFANTARIS said that WILLIAMS and CRAIG told him that the regulators may not be safety related, but they did not know yet (Exhibit 9, pp. 21, 22, and 26).
11. KAFANTARIS said that, in his experience, the "heads-up" was unusual, no one had done that before (Exhibit 9, p. 22).
12. KAFANTARIS advised that the only issue that WILLIAMS and CRAIG discussed with him was whether the regulators were safety related or not. According to KAFANTARIS, the configuration issue of the regulators was not discussed (Exhibit 9, p. 23).
13. KAFANTARIS acknowledged that he did recall asking WILLIAMS and CRAIG if there was an operability issue, and that their response was that they

did not know yet because they were still investigating. KAFANTARIS stated that neither WILLIAMS nor CRAIG said that the plant had to be shut down (Exhibit 9, pp. 25 and 26).

14. KAFANTARIS said that he told WILLIAMS and CRAIG that since the implication was that if all 5 CFCUs in Unit 1, and all 5 CFCUs in Unit 2, were inoperable because of the issue, they needed to get the management team on board because of the potential shut-down implications for both units. According to KAFANTARIS, they agreed to that (Exhibit 9, p. 26).
15. KAFANTARIS acknowledged that had WILLIAMS and CRAIG prepared an IR and given it to him, he would have contacted the Operations Engineer himself (Exhibit 9, p. 27).
16. KAFANTARIS said that he asked WILLIAMS and CRAIG to contact his management because he did not know their background. KAFANTARIS also asked them to contact the Technical Department to get some engineering assistance (Exhibit 9, p. 27).
17. KAFANTARIS advised that following his conversation with WILLIAMS and CRAIG, he called POLIZZI to advise him that WILLIAMS and CRAIG might be contacting him (Exhibit 9, pp. 29 and 31).
18. KAFANTARIS said he does not contact POLIZZI each time he receives an IR. KAFANTARIS stated that he contacted POLIZZI on this issue because the issue had shut-down implications for both units, and he did not want POLIZZI to be "hit blind-sighted" (sic) (Exhibit 9, p. 30).
19. KAFANTARIS said that he told POLIZZI that the CFCUs had recently passed their weekly and monthly surveillance tests, so KAFANTARIS did not have any reason to believe that they would not fulfill their design function at that point, based upon the information that he had. KAFANTARIS said that he did not discuss a configuration issue with POLIZZI, because he did not know one existed (Exhibit 9, pp. 30 and 31).
20. KAFANTARIS stated that later that evening [December 3, 1992] POLIZZI spoke with him on the telephone. POLIZZI told KAFANTARIS that WILLIAMS and CRAIG had a conversation with POLIZZI, in POLIZZI's office, and that they ended up in VONDRA's office. According to KAFANTARIS, POLIZZI told him that WILLIAMS and CRAIG had threatened VONDRA, and VONDRA asked them to leave his office (Exhibit 9, pp. 35 and 36).
21. WILLIAMS did not recall any operability discussion with KAFANTARIS. The purpose of the conversation was to give KAFANTARIS a "heads up," here is a problem that they planned to put into the system (Exhibit 4, pp. 16 and 17).
22. WILLIAMS advised that both operating engineers were at training so they had to see POLIZZI, the Operations Manager. WILLIAMS continued that after he and CRAIG spoke with KAFANTARIS, they went to see POLIZZI, who was not in his office. WILLIAMS and CRAIG told POLIZZI's secretary to have POLIZZI call them (Exhibit 3, pp. 18-20).

23. POLIZZI advised that he spoke with KAFANTARIS and they "compared notes." According to POLIZZI, KAFANTARIS did not know the information that POLIZZI had received from the engineers. POLIZZI continued that KAFANTARIS was "on-board" that there was an incident happening and that "we" were taking some action to deal with it (Exhibit 12, pp. 73 and 74).
24. POLIZZI could not recall when he spoke with KAFANTARIS (Exhibit 12, pp. 73 and 74).
25. POLIZZI acknowledged that the understanding that he had from KAFANTARIS was that, based on the information he had from WILLIAMS and CRAIG, KAFANTARIS could not make a determination on the operability issue (Exhibit 12, p. 75).

INVESTIGATOR'S NOTE: The transcript incorrectly identifies KAFANTARIS as CAFENTEROS.

26. POLIZZI stated that mid morning (10:00 a.m. or 11:00 a.m.) he returned to his office and noticed a message from WILLIAMS regarding a concern WILLIAMS had on the CFCUs. POLIZZI continued that he recognized the urgency of that particular information and telephoned WILLIAMS immediately (Exhibit 12, p. 52).
27. POLIZZI stated that he and WILLIAMS discussed the CFCUs from a technical perspective, and that they talked specifically about the potential configuration issue, as well as the qualification issue. POLIZZI continued that he and WILLIAMS then discussed what they would have to do to resolve the issue and bring the issue to closure (Exhibit 12, pp. 52 and 53).
28. POLIZZI continued that he and WILLIAMS both agreed that there would be some engineering input to "unscrew" the concern. POLIZZI continued that action involved notification of engineering, BAILEY, and also the station technical organization, MORRONI (Exhibit 12, pp. 53 and 54).
29. POLIZZI acknowledged that during his telephone discussion with WILLIAMS it was apparent to POLIZZI that there was some ambiguity on the operability issue. POLIZZI continued that the ambiguity was the reason it was his recommendation to contact BAILEY and MORRONI (Exhibit 12, p. 60).
30. POLIZZI stated that an operability determination could not be made. If one could be made, it could basically say that the regulators were inoperable. As a result, the decision would, ultimately, in a very short period of time, result in a shut down of both Salem units. POLIZZI continued that more information was clearly needed to at least identify that an initial engineering look at both issues would suggest that there was no immediate operability concern (Exhibit 12, pp. 60 and 61).
31. POLIZZI stated that, to the best of his knowledge, he and WILLIAMS agreed during their first telephone discussion that the issues involved in the IR would require the support of others to help "us" make an

- informed decision. Before "we" can process the IR, "we" have to take a step back and talk about the process (Exhibit 12, pp. 64 and 65).
32. WILLIAMS explained that his "whole pitch" to POLIZZI was that there was a report and the indications were that the wrong controller was being used for the set control point and that the qualification documentation was missing. WILLIAMS acknowledged that the configuration issue was a "topic of conversation" (Exhibit 14, p. 19).
  33. WILLIAMS denied that POLIZZI gave him input on how to resolve the issues, or that they agreed on a course of action on how to resolve the issues (Exhibit 4, pp. 21 and 22).
  34. WILLIAMS did not think that there had been a deep discussion with POLIZZI on the issues, but they both did agree that there was a problem (Exhibit 4, p. 21).
  35. WILLIAMS acknowledged that his telephone conversation with POLIZZI was "superficially" brief, a "couple of minutes" (Exhibit 4, pp. 18 and 22).
  36. WILLIAMS denied that he and POLIZZI discussed that the issues would require support or help to make an informed decision on operability. WILLIAMS denied that he and POLIZZI agreed that POLIZZI would contact BAILEY and MORRONI. WILLIAMS stated that his telephone discussion with POLIZZI did not touch on engineering involvement in the issue (Exhibit 4, pp. 22 and 25).
  37. WILLIAMS stated that the first time that POLIZZI dealt with operability was when WILLIAMS and CRAIG walked into POLIZZI's office (Exhibit 4, p. 22).
  38. POLIZZI advised that following his telephone conversation with WILLIAMS he "immediately" notified MORRONI and BAILEY, in separate telephone calls. POLIZZI told them exactly what he had understood from WILLIAMS regarding the CFCUs and the two issues (Exhibit 12, p. 67).
  39. POLIZZI advised that the directions he gave MORRONI and BAILEY was that he wanted an answer before the end of the day because of "the fuse on this" (Exhibit 12, pp. 67 and 68).
  40. According to POLIZZI, MORRONI and BAILEY were aware of both the qualification issue and the configuration issue. BAILEY "realistically" would have been more involved with the qualification issue (Exhibit 12, p. 67).
  41. MORRONI recalled receiving a telephone call from POLIZZI sometime before lunch on December 3, 1992. During the short conversation, POLIZZI indicated that he had a concern that had been raised by a couple of safety review group engineers with respect to the regulators that were used in the CFCUs. MORRONI could not recall the specifics of his conversation with POLIZZI (Exhibit 10, pp. 10-12).
  42. MORRONI also could not recall if POLIZZI discussed the seismic qualification of the regulators; however, when MORRONI spoke with

- WILLIAMS and CRAIG he recognized that [qualification] was the issue (Exhibit 10, p. 12).
43. According to MORRONI, POLIZZI told him to "look into" the issue. MORRONI could not recall if POLIZZI specifically asked him to do a full evaluation (Exhibit 10, pp. 12 and 13).
  44. MORRONI could not recall if POLIZZI asked him to have answers by the end of the day. However, MORRONI did recall that the issue was important with respect to safe plant operations and MORRONI's sense was that POLIZZI wanted it done right away (Exhibit 10, p. 14).
  45. WILLIAMS said that he and CRAIG returned to their office and called MORRONI, who came down to see them (Exhibit 3, p. 20).
  46. WILLIAMS stated that he and CRAIG described the situation to MORRONI. WILLIAMS continued that he, CRAIG, and MORRONI looked at the Updated Final Safety Analysis Report (UFSAR) and found that there was a reference to the qualification of the regulators. WILLIAMS advised that MORRONI concluded that the pressure regulators were qualified based on the UFSAR (Exhibit 3, pp. 20-22).
  47. WILLIAMS continued that MORRONI called POLIZZI and advised POLIZZI what they had done. MORRONI told POLIZZI that he was fairly confident there was no safety problem and that the conclusion was that it was not an incident, not something that should be reported (Exhibit 3, pp. 22 and 44; Exhibit 4, p. 12).
  48. WILLIAMS did not agree with MORRONI, because there was still the question concerning the configuration of the regulators (Exhibit 4, p. 12).
  49. WILLIAMS advised that everything that MORRONI had referred to in the UFSAR had been available to the individual who had identified the deficiency and there was still a deficiency (Exhibit 4, p. 15).
  50. WILLIAMS continued that he suggested that MORRONI call BAILEY, who had the responsibility for environmental qualification, which includes seismic qualification, because they had the records. According to WILLIAMS, MORRONI did call BAILEY, who put Arie BLUM, Principal Engineer, Program Analysis Supervisor, on the issue. WILLIAMS advised that BLUM subsequently called him and WILLIAMS described the issue to BLUM (Exhibit 3, p. 23).
  51. CRAIG said that before he and WILLIAMS went to see POLIZZI, they met with MORRONI. CRAIG continued that he and WILLIAMS described to MORRONI that they believed there was no basis for seismic qualification of the installed regulators, and that there was an apparent configuration discrepancy. CRAIG said that he did not think that, at the time of the conversation, MORRONI had a complete understanding of the configuration discrepancy; whether the plant was wrong, or whether the documents were wrong from a design point of view (Exhibit 6, pp. 6, 8, and 9).

52. CRAIG advised that MORRONI said that since the model number was listed in the Final Safety Analysis Report (FSAR) as having been qualified for certain instrumentation use, that constituted qualification of that model as a group (Exhibit 5, pp. 23 and 24).

INVESTIGATOR'S NOTE: UFSAR and FSAR are used interchangeably and refer to the same document.

54. CRAIG said that his response to MORRONI was that he believed that the FSAR was a licensing commitment document, in which the plant described to the NRC what had been done to satisfy NRC requirements in the general design criteria. The FSAR was not a design basis document that established qualification (Exhibit 5, p. 24 and Exhibit 6, p. 9).
55. CRAIG stated that he and MORRONI had different opinions on the meaning of the FSAR seismic table (Exhibit 6, p. 9).
56. According to CRAIG, the section of the FSAR that MORRONI reviewed during this discussion did not state that both regulators were seismically qualified (Exhibit 6, p. 11).
57. CRAIG acknowledged that MORRONI did not say there was no problem with the operability of the regulators. According to CRAIG, all MORRONI said was that he did not feel that an IR was necessary. CRAIG continued that MORRONI did not explain why, other than to say that if WILLIAMS and CRAIG wrote a Deficiency Evaluation Form (DEF), engineering would resolve the issue (Exhibit 5, pp. 24 and 25).
58. CRAIG recalled that the words MORRONI used were, he was "fairly confident that there was no safety problem identified." CRAIG continued that he did not agree that MORRONI's being comfortable was sufficient to cause him to be comfortable (Exhibit 6, p. 15).
59. CRAIG said that he made his position on the situation "reasonably clear" to MORRONI. CRAIG continued that he was confident that MORRONI understood the basis of his disagreement (Exhibit 6, p. 17).
60. CRAIG stated that he got the distinct impression that when MORRONI left the office, MORRONI felt that he and WILLIAMS were no longer interested in pursuing the question of operability, because of MORRONI's comment that he felt confident that operability was okay, therefore, that should somehow change their judgement on the issue (Exhibit 6, p. 17).
61. It was CRAIG's impression that MORRONI was placing more significance on their social interaction, the fact that MORRONI was the technical manager and he had just told CRAIG and WILLIAMS, who were lower in the pecking order, that he did not see an operability concern. CRAIG felt that MORRONI's expectation was that CRAIG would accept that as sufficient (Exhibit 6, pp. 17 and 18).
62. CRAIG stated that MORRONI indicated that he had discussed the issue of seismic qualification with BAILEY and had asked BAILEY to do something; however, it was not clear to CRAIG at the time what BAILEY was going to do (Exhibit 6, p. 13).



63. MORRONI advised that he spoke to WILLIAMS and CRAIG and recognized that they had a problem with respect to the seismic qualification of some regulators. MORRONI continued that he went to the updated UFSAR, and based upon the make and model number shown in the drawings, MORRONI was able to show WILLIAMS and CRAIG the section of the UFSAR that indicated for that make and model number of component there was seismic qualification data on hand in engineering. MORRONI said that he did not think that he determined, without question, that the regulators were qualified, but based upon the information in the UFSAR, he felt comfortable there was not a safety issue and no operability concern with the CUCUs at that time (Exhibit pp. 15, 17, 26, 31, 33, and 34).
64. MORRONI did not recall discussing the configuration of the regulators with WILLIAMS and CRAIG. MORRONI advised that he read the IR that they had written, and nothing in the area of configuration caught his attention, at that time, for him to think that there was another issue (Exhibit 10, pp. 19 and 20).
65. MORRONI advised that when he met with WILLIAMS and CRAIG, they had already been to POLIZZI's office and had attempted to give him the IR. MORRONI could not recall if WILLIAMS and CRAIG told him that it had been accepted. MORRONI said WILLIAMS and CRAIG did not discuss the fact that POLIZZI refused to take the IR (Exhibit 10, pp. 21, 23 and 25).

INVESTIGATOR'S NOTE: MORRONI was incorrect as to when the meeting occurred.

66. MORRONI did not recall telling WILLIAMS and CRAIG that Section 3 of the UFSAR covered the qualification issue and there was no problem or deficiency. MORRONI did recall saying that, based upon the information in the UFSAR, he did not think that there was a concern (Exhibit 10, p. 34).
67. MORRONI advised that he did not see the qualification issue as a real issue until a real concern had been identified. WILLIAMS and CRAIG had a concern, but they did not investigate the concern to make it an issue. MORRONI acknowledged that he "guessed" that WILLIAMS and CRAIG did not have to investigate a concern to make it an issue (Exhibit 10, pp. 35 and 36).
68. MORRONI said that after his discussion with WILLIAMS and CRAIG, he returned to his office and called POLIZZI. MORRONI told POLIZZI that based upon the information that he had available, MORRONI did not feel that there was any operability concern. MORRONI also told POLIZZI that he was able to find information in the UFSAR that indicated that based on the make and model of the regulators they were qualified units. Based upon that information, MORRONI felt comfortable with respect to the operability of the units and that there was no issue. MORRONI also probably told POLIZZI that he had contacted BAILEY from the seismic group and asked him to assist and make sure that there were not any safety concerns or problems (Exhibit 10, pp. 25, 29, 43, 46, 48, and 49).

69. MORRONI said that he felt that there was no issue on seismic qualification (Exhibit 10, p. 50).
70. MORRONI made a recommendation to POLIZZI that he did not see any issues and that he did not have an issue with respect to an operability declaration at that time (Exhibit 10, pp. 25 and 29).
71. MORRONI could not recall if he used the word problem or issue during his discussion with POLIZZI (Exhibit 10, p. 50).
72. According to POLIZZI, MORRONI called him and discussed the information that he had, which he gave to POLIZZI in two pieces. The first piece was the qualification issue. POLIZZI advised that MORRONI had looked at the FSAR. According to POLIZZI, MORRONI was able to find language in the FSAR that satisfied him that there was not an immediate qualification concern (Exhibit 12, pp. 68 and 69).
73. POLIZZI said that the next issue that he discussed with MORRONI was the configuration issue. POLIZZI and MORRONI discussed the configuration from what it could mean to the operability of the CFCUs and how it would affect their behavior. POLIZZI said that the response that he got from MORRONI was that the surveillance tests that have been routinely done on the CFCUs for fifteen years would be a good indicator that there was no immediate problem (Exhibit 12, p. 69).
74. MORRONI did not recall discussing the configuration issue with POLIZZI during the morning of December 3, 1992, because he did not realize that there was a configuration issue until later in the day (Exhibit 10, p. 44).
75. MORRONI did not recall telling POLIZZI, at that time, that surveillance testing was routinely done on CFCUs or that the surveillance tests would be a good indicator that there was no immediate problem (Exhibit 10, pp. 44 and 45).
76. MORRONI also did not recall telling POLIZZI, at that time, that the configuration of the air regulators appeared to be different than those on the drawings, but there was no effect on operability (Exhibit 10, pp. 45 and 46).
77. POLIZZI advised that the bottom line was that the regulators have functioned, continued to function, and have been calibrated successfully for many years (Exhibit 12, p. 70).
78. POLIZZI stated that he and MORRONI mutually agreed that the regulators were okay. POLIZZI said that based on that information he felt comfortable that he could make the statement that, "I am not inoperable" and "I do not have to report this" (Exhibit 12, pp. 69 and 70).
79. POLIZZI said that with the information that he had from MORRONI, he was prepared to go forward and he contacted BAILEY. According to POLIZZI, BAILEY said he agreed with MORRONI that there was no problem involving the qualification of the regulators. However, BAILEY was going to look further, and he assigned BLUM to review the issue. BLUM would go back to the source documents, i.e., the purchase specifications for the

- regulators, to "really nail this thing down." That was the information that POLIZZI had from the engineers (Exhibit 14, pp. 70 and 71).
80. POLIZZI acknowledged that after talking with MORRONI and BAILEY, and based upon their investigation of the issues, they agreed that there was no immediate operability issue. At this point, because there was no immediate operability issue, there was no reportability issue (Exhibit 12, p. 75).
  81. POLIZZI said that there was a sense on his part that "we were okay," based on the fact that engineering had agreed that, although there would be some work that had to be done, it was not a crisis, potentially having to make a declaration of inoperability and shutting the units down (Exhibit 12, pp. 76 and 77).
  82. POLIZZI advised that all the discussions occurred before he saw the IR and that he had all the information before lunch. POLIZZI said that about three hours had passed since his first telephone conversation with WILLIAMS (Exhibit 12, p. 71).
  83. It was POLIZZI's understanding that WILLIAMS was "on board." POLIZZI gained that understanding through his discussion with MORRONI; however, he did not recall MORRONI's specific words. POLIZZI did not know if WILLIAMS had actually agreed with MORRONI's findings, but he did know that MORRONI had spoken with WILLIAMS (Exhibit 12, pp. 71, 72, 73, and 80).
  84. MORRONI acknowledged that he probably told POLIZZI that WILLIAMS and CRAIG did not agree with his opinion that there was no operability concern (Exhibit 12, pp. 46 and 47).
  85. WILLIAMS stated that when he and CRAIG returned from lunch they decided to process the IR in accordance with the procedure (Exhibit 3, pp. 23 and 24).
  86. WILLIAMS continued that he and CRAIG took the IR to POLIZZI's office and that there was some "reluctance." POLIZZI was not receptive to the IR. WILLIAMS' best recollection of POLIZZI's reluctance was because he and CRAIG were not processing the IR the way that POLIZZI was accustomed to doing it. WILLIAMS recalled POLIZZI's immediate objection to be, "that is not the way we do it" (Exhibit 3, p. 24).
  87. WILLIAMS said that he and CRAIG insisted that POLIZZI take the IR, which he did. POLIZZI put the IR in his desk drawer. According to WILLIAMS, POLIZZI said that he would process the IR on the basis of the surveillance tests (Exhibit 3, pp. 24 and 25).
  88. WILLIAMS stated that he asked POLIZZI what he meant. According to WILLIAMS, POLIZZI explained that if the surveillance tests prove the regulators were operable, he would base his conclusion on that. WILLIAMS said that he told POLIZZI that "would not be sufficient" and that was not good enough. At that point, POLIZZI took the IR out of his drawer and gave the IR to WILLIAMS (Exhibit 3, p. 25 and Exhibit 4, pp. 26, 31, and 32).

89. WILLIAMS stated that he intended to write on the IR the fact that the configuration was different and that the regulators were piped incorrectly, which could affect operability. WILLIAMS said that he told POLIZZI he would make a statement on the IR to that effect. WILLIAMS continued that he was not about to make a "pronouncement" on the IR that the regulators were inoperable (Exhibit 3, pp. 27, 28, and 46; Exhibit 4, pp. 27, 29, and 30).
90. WILLIAMS denied that he told POLIZZI that, if he had to write anything on the IR, he would write that the units were inoperable (Exhibit 4, p. 30).
91. WILLIAMS advised that during their discussion, POLIZZI called VONDRA and told VONDRA that WILLIAMS and CRAIG were in his office with an IR. WILLIAMS said he thought that POLIZZI used the word "problem." WILLIAMS said loud enough for VONDRA to hear, "There is no problem" (Exhibit 3, pp. 26 and 27).
92. WILLIAMS said that when POLIZZI began his telephone conversation with VONDRA by saying that he had a problem with WILLIAMS and CRAIG it established a tone that was totally unexpected (Exhibit 4, p. 45).
93. CRAIG stated that he and WILLIAMS told POLIZZI that they had written an IR. The SNSS had asked them to have POLIZZI look at it, so POLIZZI could start putting together the necessary responses to deal with the problem. CRAIG continued that POLIZZI was told that their intent was to take the IR to the SNSS and that the second intent, in a less urgent time frame, was to write an engineering deficiency, because they understood the problem. WILLIAMS and CRAIG would deliver the engineering deficiency to the engineering department (Exhibit 6, pp. 42 and 43).
94. CRAIG stated that he thought that he and WILLIAMS made it quite clear to POLIZZI that they were on their way to the SNSS' office to file the IR, and at the request of the SNSS, they had stopped by POLIZZI's office to explain the situation (Exhibit 5, p. 49).
95. According to CRAIG, he and WILLIAMS explained the technical issue to POLIZZI and POLIZZI was not "receptive." CRAIG advised that POLIZZI was insistent that a DEF should be written and that they submit the issue as an IR (Exhibit 5, pp. 12 and 13).
96. CRAIG said POLIZZI was told that they did not think that writing a DEF was sufficient to get something done with the issue immediately. According to CRAIG, POLIZZI's response was that was not the way that Salem Station does business (Exhibit 5, pp. 12, 13, and 30).
97. CRAIG continued that, after further discussion, POLIZZI took the IR, which he still held, threw it in his desk drawer, and said rather forcibly that he would "take care of it" (Exhibit 5, p. 13 and Exhibit 6, pp. 26 and 27).
98. CRAIG continued that POLIZZI's comment was the point at which he felt that POLIZZI's demeanor did not indicate a sincere intent to process the IR according to procedure. CRAIG told POLIZZI that if he felt he did

not have time to process the IR. CRAIG would be happy to take the incident report to the SNSS' office so that the procedure could be complied with. Even though it might just be a formality to do that, he and WILLIAMS wanted to adhere to the procedure (Exhibit 5, p. 32).

99. CRAIG continued that he indicated to POLIZZI that he felt that the IR was required by procedure to go to the SNSS, so the SNSS would know that what they had spoken about earlier was now on paper (Exhibit 6, pp. 27 and 45).
100. CRAIG recalled that when POLIZZI took the IR out of his drawer and threw it across his desk toward WILLIAMS, it was at that point the discussion began about WILLIAMS putting an operability determination on the IR (Exhibit 6, p. 28).
101. CRAIG stated that POLIZZI's only basis for having WILLIAMS write an operability determination on the IR was because operations makes operability determinations based only upon functional surveillance testing and not on engineering issues. Therefore, WILLIAMS had to make the engineering determination as to whether the CFCUs were inoperable or not (Exhibit 6, p. 22).
102. CRAIG continued that, under considerable stress and pressure from POLIZZI, WILLIAMS indicated that if he were compelled by POLIZZI to make such a determination, although he (WILLIAMS) did not feel that it was his responsibility to do so, WILLIAMS would have to err on the side of conservatism and say that they were inoperable. CRAIG said he understood that to be WILLIAMS' way of indicating his uncertainty about the status of the instrumentation (Exhibit 5, p. 30 and Exhibit 6, pp. 22, 23, and 35).
103. CRAIG stated, at this point, POLIZZI became angry, raised his voice, and said he felt that VONDRA should be contacted (Exhibit 5, p. 13 and Exhibit 6, p. 43).
104. CRAIG stated that POLIZZI said that he and WILLIAMS were trying to shut down the units, and they told POLIZZI that was not so. CRAIG continued that they told POLIZZI that they were simply insisting on the issue being addressed (Exhibit 5, p. 38).
105. CRAIG said that POLIZZI called VONDRA and during that call made a comment that CRAIG and WILLIAMS were trying to say that all the CFCUs were inoperable and he would have to shut both units down. POLIZZI said that WILLIAMS and CRAIG were trying to shut down both units (Exhibit 5, p. 13 and Exhibit 6, p. 30).
106. According to CRAIG, VONDRA's immediate response was that was not their decision, it was POLIZZI's (Exhibit 5, p. 14; Exhibit 6, pp. 30 and 31).
107. CRAIG said that when he tried to speak with VONDRA, POLIZZI kept interrupting. CRAIG agreed that, at this point, POLIZZI apparently felt that the conversation was not going anywhere and suggested they discuss the issue in VONDRA's office. CRAIG agreed with POLIZZI because every time that CRAIG attempted to speak to VONDRA, POLIZZI interrupted (Exhibit 5, pp. 13 and 14; Exhibit 6, pp. 45 and 46).

108. CRAIG stated that the subject of shutting down the units had not been part of the discussion with POLIZZI (Exhibit 5, p. 13).
109. POLIZZI advised that sometime after lunch, around 12:30 p.m., WILLIAMS and CRAIG came to his office. POLIZZI continued that he was sitting behind his desk "feeling a little bit excited," that maybe we had "dodged the bullet" on this issue; not having to shut the plant down (Exhibit 12, pp. 77 and 78).
110. POLIZZI said he read the IR and returned it to WILLIAMS. WILLIAMS took the document from POLIZZI and held it (Exhibit 12, p. 81).
111. POLIZZI advised that he was a "little bit surprised" because the IR did not capture everything that was needed. POLIZZI continued that the IR captured the understanding of what WILLIAMS had told him during their telephone conversation, and the understanding POLIZZI had of the issue. However, the IR did not have the information that POLIZZI had obtained from MORRONI and BAILEY, which POLIZZI believed that WILLIAMS had known (Exhibit 12, p. 79).
112. POLIZZI said his discussion with WILLIAMS went into the fact that the information from engineering needed to be included on the IR. POLIZZI continued that he and WILLIAMS discussed what information would have to be included on the IR, so that "we" could make an informed decision. POLIZZI acknowledged that he specifically told WILLIAMS what he knew from MORRONI and BAILEY, and that they talked about it (Exhibit 12, pp. 81 and 82).
113. According to POLIZZI, WILLIAMS said that he could not do that, it was not his job, it was the SNSS' responsibility. POLIZZI told WILLIAMS that he was not asking for an operability determination. POLIZZI needed the information that they knew from the engineers on the IR, so the IR would go to the SNSS, and the SNSS would go ahead and make the operability judgement (Exhibit 12, p. 82).
114. POLIZZI acknowledged that he made it clear to WILLIAMS that all he wanted on the IR was the information that they had from MORRONI and BAILEY. POLIZZI said that he asked WILLIAMS to document what "we" knew from the engineers, which probably was as detailed as he got (Exhibit 12, pp. 82 and 84).
115. According to POLIZZI, WILLIAMS did not respond to his request. There was a feeling of resistance; WILLIAMS did not feel that it was his job in anyway to document the IR. According to POLIZZI, WILLIAMS felt that his job was to make the declaration as he saw it, and by procedure, the IR had to go to the SNSS (Exhibit 12, p. 85).
116. According to POLIZZI, the issue was to make sure that the IR included all the information that was available. If not, the SNSS would come back and ask what was supposed to be done with the IR. The SNSS could not make a decision with the existing information on the IR (Exhibit 12, p. 85).
117. POLIZZI stated that he and WILLIAMS went back and forth, with not much different dialogue, reverting back to the process, or who had to make

the operability call and that it was not WILLIAMS' job (Exhibit 12, p. 88).

118. POLIZZI said that his frustration began to build. WILLIAMS reiterated his position that the IR had to go the SNSS. POLIZZI stated that he and WILLIAMS finally reached the point where WILLIAMS said that, "If I have to write anything, I would have to say they are inoperable." According to POLIZZI this statement was a key transition, because the initial information available said that the regulators were operable (Exhibit 12, pp. 86 and 87).
119. POLIZZI acknowledged that he was "a little hot" at this point, he could not understand WILLIAMS' resistance because he was not asking WILLIAMS to comment on operability. POLIZZI just wanted the information to be accurate and complete (Exhibit 12, p. 88).
120. POLIZZI said that he did not expect WILLIAMS and CRAIG to make any conclusion or judgement on operability (Exhibit 12, pp. 88 and 99).
121. POLIZZI said that he got frustrated because not only did WILLIAMS and CRAIG stand on the principle of the procedure, but they had the feeling that the CFCUs were inoperable. POLIZZI said that by making that statement, WILLIAMS and CRAIG indicated that they did not trust him. To try and end the situation, POLIZZI said, "Give me the document," using profanity in doing so, and WILLIAMS refused. POLIZZI continued that based on the information that he had from engineering he was willing to make a declaration that the CFCUs were operable (Exhibit 12, pp. 90, 100, and 112).
122. POLIZZI advised that he was going to take the IR and document the information from the engineers and then take the IR to the SNSS (Exhibit 12, p. 89).
123. POLIZZI stated that all he wanted to do was to paraphrase the statement from MORRONI and BAILEY on the IR and then to take the IR to the SNSS (Exhibit 12, p. 121).

INVESTIGATOR'S NOTE: POLIZZI made inconsistent statements on what he planned to do with the IR.

124. POLIZZI stated that the real "bugaboo" was that WILLIAMS believed the CFCUs were inoperable (Exhibit 12, p. 91).
125. POLIZZI said that he did not want WILLIAMS or CRAIG to leave his office with that feeling, because that was not the way that he personally does business or the way business is done in nuclear power. POLIZZI allowed that he did not articulate this concern to WILLIAMS and CRAIG (Exhibit 12, p. 91).
126. POLIZZI stated that WILLIAMS' comment that he would write that the CFCUs were inoperable was a concern to him because it was contrary to what the engineering authorities had told POLIZZI. POLIZZI agreed that he wanted WILLIAMS and CRAIG to be satisfied that the technical judgement that was being made was right, or to give a reason why it was not. POLIZZI said that he wanted to know why they felt the CFCUs were inoperable, because

he wanted to know if they had more information. If they did, he wanted to be filled in. And, if they were not going to tell him, it disturbed him that they felt the CFCUs were inoperable. POLIZZI continued that he was going to take WILLIAMS and CRAIG to VONDRA for resolution (Exhibit 12, pp. 87, 117, and 118).

127. POLIZZI said that he could have told WILLIAMS and CRAIG to take the IR to the SNSS. POLIZZI continued that there was "one big reason" he did not do that. It was because WILLIAMS and CRAIG felt the CFCUs were inoperable (Exhibit 12, p. 118).
128. POLIZZI acknowledged that WILLIAMS said that if POLIZZI was going to make him write something on the IR, he would write that the CFCUs were inoperable. POLIZZI said that WILLIAMS did not come into his office and say that the CFCUs were inoperable (Exhibit 12, p. 119).
129. POLIZZI advised that he did not know what information WILLIAMS had. However, POLIZZI had the sense that WILLIAMS had done some "homework" on the issue, and had more information than what was on the IR because of the dialogue POLIZZI had with him and his fluency in talking about the issue (Exhibit 12, p. 66).
130. POLIZZI continued that he and other managers were personally involved with the issue in the IR and that the issue was going to be dispositioned before the end of the day. There was no notion of not trying to solve the issue (Exhibit 12, p. 101).
131. POLIZZI denied that it was ever his intent, or even a consideration, to circumvent the IR system and make the issue go away (Exhibit 12, p. 150).
132. POLIZZI said he did not understand WILLIAMS' and CRAIG's insistence on following the procedure, wanting to take the document as written to the SNSS. It made no particular sense for them to stand on that principle that they felt the CFCUs were inoperable and to not articulate why they felt that way (Exhibit 12, p. 120).
133. MORRONI said that POLIZZI could have taken the IR and documented the conversation that he had with MORRONI on the IR and provided that to the SNSS (Exhibit 10, p. 41).
134. POLIZZI believed "whole heartedly" that WILLIAMS felt the CFCUs were inoperable, but he did not really tell POLIZZI why he felt that way (Exhibit 12, p. 120).
135. POLIZZI denied that he objected to an IR being written, rather, he thought that the IR was the right "vehicle." POLIZZI acknowledged that his objection was because all of the information that was available from the engineers was not included on the IR (Exhibit 12, pp. 92-94).
136. POLIZZI acknowledged that he made it clear to WILLIAMS and CRAIG that he was not objecting to the IR itself (Exhibit 12, pp. 92 and 93).
137. POLIZZI said that once he gave the IR back to WILLIAMS he did not regain possession of the IR again. POLIZZI advised that he "almost begged" for



the IR. POLIZZI said that he "really only asked" WILLIAMS once for the IR. POLIZZI stated that he did not take the IR and put it in his drawer (Exhibit 12, pp. 95-97 and 112).

138. POLIZZI advised that CRAIG said they would not give the IR to him because he (POLIZZI) did not follow procedures (Exhibit 12, pp. 90 and 101).
139. POLIZZI stated that he responded to CRAIG's comment by trying to "catch his breath," and then he called VONDRA. POLIZZI said that he told VONDRA there was a problem (Exhibit 12, pp. 90 and 136).
140. POLIZZI stated that he escalated the discussion with WILLIAMS and CRAIG to VONDRA's office because of the process issue, the inoperability issue, and the fact that WILLIAMS and CRAIG had some type of concern about his behavior and would not give him the IR (Exhibit 12, p. 104).
141. POLIZZI continued that he told WILLIAMS and CRAIG that "you have to explain it to the General Manager because I have failed" (Exhibit 12, pp. 104 and 105).
142. WILLIAMS denied that POLIZZI said he would take the IR and document what the engineers had told him (Exhibit 4, p. 32).
143. WILLIAMS stated that, to the best of his knowledge, POLIZZI did not ask him if he had spoken to MORRONI or BAILEY (Exhibit 4, p. 27).
144. WILLIAMS advised that no one sat down and discussed the issues in a constructive engineering sense (Exhibit 4, p. 28).
145. WILLIAMS said POLIZZI never told him that he (POLIZZI) did not expect WILLIAMS to make the operability determination (Exhibit 4, p. 33).
146. WILLIAMS denied that POLIZZI explained that all he wanted WILLIAMS to do was document the facts that were known from engineering on the IR. WILLIAMS said that he (WILLIAMS) had no facts from engineering (Exhibit 4, p. 33).
147. WILLIAMS said he thought that POLIZZI was "making up things," which WILLIAMS was in definite disagreement with (Exhibit 4, p. 26).
148. WILLIAMS disagreed with POLIZZI's recollection of the conversation in POLIZZI's office (Exhibit 4, pp. 26 and 27).
149. CRAIG was sure that POLIZZI did not make a statement asking him and WILLIAMS to document the IR with the information from MORRONI and BAILEY, so that POLIZZI could make a decision on operability (Exhibit 5, p. 28).
150. CRAIG stated that POLIZZI insisted that WILLIAMS document on the IR WILLIAMS' determination of operability (Exhibit 5, p. 28).
151. CRAIG said that POLIZZI's recollection that he asked WILLIAMS and CRAIG to document information from MORRONI and BAILEY was "blatantly false" (Exhibit 5, pp. 28 and 29).

152. CRAIG stated that at no time did he or WILLIAMS have the authority to make an operability determination (Exhibit 5, p. 29).
153. CRAIG stated that POLIZZI never offered to make any notation on the IR. POLIZZI had the IR in his possession at one point and was capable of doing that at any time (Exhibit 5, pp. 31 and 33).
154. CRAIG said it was not his or WILLIAMS' intent to shut down the plant. CRAIG continued that he and WILLIAMS would not have been adverse to that if, in fact, the CFCUs were determined inoperable (Exhibit 5, p. 34).
155. CRAIG said that when he was in POLIZZI's office, he had no information that there was any additional information from the engineers to support the fact that the regulators were seismically qualified and that there was no operability problem (Exhibit 6, p. 24).
156. CRAIG stated that when he and WILLIAMS went to see POLIZZI, he was not aware that there was an engineering evaluation of the regulators in progress, and he knew of no basis for one to be in progress. CRAIG was not aware, at any time, of any engineering effort to investigate anything (Exhibit 6, p. 20).
157. CRAIG did not recall POLIZZI stating that, based upon the investigation that the engineers had done so far on the issue, he and the engineers agreed that there was no operability issue (Exhibit 6, p. 20).
158. CRAIG did not recall POLIZZI stating that he had additional information from MORRONI and BAILEY that said there was not a problem with the seismic qualification, that it did not look like there was an operability issue, and that he wanted that information included on the IR (Exhibit 6, p. 21).
159. CRAIG said that the only statement that POLIZZI made about operability was that the operations manager only makes operability determinations based upon surveillance testing, not engineering issues (Exhibit 6, p. 21).
160. CRAIG did not believe that he told POLIZZI that he did not follow procedures. CRAIG stated that he may have told POLIZZI that CRAIG's interpretation of NAP-6 was that the IR could only be submitted to the SNSS and not left with POLIZZI (Exhibit 5, pp. 36 and 37; Exhibit 6, p. 76).
161. It was MOORE's opinion that if POLIZZI asked WILLIAMS to make a statement on operability, he put WILLIAMS in an inappropriate position because WILLIAMS was not licensed. MOORE continued that POLIZZI could ask WILLIAMS for his opinion on operability and take that position and use it to reach his own conclusion on operability (Exhibit 19, pp. 26 and 27).
162. MOORE said that WILLIAMS mentioned to him that POLIZZI had wanted him to make the call on operability. MOORE recalled that WILLIAMS responded to POLIZZI's request by saying he would make them inoperable. MOORE continued that WILLIAMS thought they were suspect and they must be declared inoperable (Exhibit 19, pp. 27 and 28).

163. MOORE's impression was that WILLIAMS felt that the CFCUs were suspect and was trying to use the IR as a means to bring it to POLIZZI's attention. MOORE thought that the only reason WILLIAMS and CRAIG were in POLIZZI's office was because the SNSS had asked them to show the IR to POLIZZI (Exhibit 19, p. 28).
164. MOORE said that WILLIAMS and CRAIG started talking about what had happened with POLIZZI and VONDRA when they returned to their office. MOORE thought that it started in POLIZZI's office and at some point POLIZZI called VONDRA and said that he wanted to talk to VONDRA. WILLIAMS and CRAIG told MOORE that POLIZZI had bolted out of his office and they followed him. MOORE thought that POLIZZI must have had a head start because he got to VONDRA's office and shut the door. WILLIAMS and CRAIG were outside for 20 minutes or so. MOORE continued that CRAIG said that POLIZZI had "poisoned" VONDRA's brain on the issue. When WILLIAMS and CRAIG went into VONDRA's office, VONDRA was upset and, from what MOORE understood, VONDRA addressed WILLIAMS more than CRAIG. At some point, VONDRA said that he felt threatened and he was going to call security and was going to have WILLIAMS escorted off site. MOORE said that when WILLIAMS and CRAIG told him this, it was "blowing" my mind. MOORE said that it was unbelievable that a plant manager, this high level official, had behaved as he had (Exhibit 19, pp. 41 and 42).
165. BAILEY characterized the atmosphere in POLIZZI's office as "tense." BAILEY stated that he walked in at the tail end of the discussion; he was not there more than maybe five minutes (Exhibit 14, pp. 15 and 22).
166. BAILEY said that what he basically understood was that WILLIAMS and CRAIG wanted to process an IR on the CFCUs, and POLIZZI was not willing to accept the IR (Exhibit 14, p. 14).
167. BAILEY advised that he got the impression that processing the IR would have meant, the way the IR was worded, that the CFCUs would have been declared inoperable, which would have necessitated shutting down the unit. BAILEY advised he did not see what was written on the IR (Exhibit 14, p. 14).
168. BAILEY thought that POLIZZI indicated, or said to WILLIAMS and CRAIG, that engineering was looking at this, and BAILEY thought that WILLIAMS said yes. BAILEY continued that he (BAILEY) may have said at the same time that BLUM's people were looking at it, and it looked like the regulators were going to be qualifiable (Exhibit 14, p. 15).
169. BAILEY said that POLIZZI asked WILLIAMS to say that essentially there was an engineering evaluation underway and it appeared that the regulators would be qualifiable (Exhibit 14, p. 17).
170. BAILEY continued that WILLIAMS responded that the only thing he was willing to add to the IR was that the CFCUs were inoperable. BAILEY said that WILLIAMS basically said it was not his place to make a call on operability. BAILEY continued that POLIZZI told WILLIAMS that he was not asking WILLIAMS to make an operability call; POLIZZI was asking WILLIAMS to clarify the words on the IR so "we" could make a better informed judgement. BAILEY did not think that was an unreasonable request for POLIZZI to make (Exhibit 14, pp. 17 and 18).

171. BAILEY continued that adding that statement may have clarified the issue and may not have put the station into such a reactive mode of operation (Exhibit 14, p. 18).
172. BAILEY stated that POLIZZI was not trying to avoid doing the right thing. BAILEY thought that everybody understood that the right processes were in motion. BAILEY said he got the feeling that POLIZZI was just trying to get WILLIAMS to recognize the fact that the right processes were in motion and a resolution was close at hand (Exhibit 14, p. 18).
173. BAILEY did not recall either WILLIAMS or CRAIG saying that they wanted to shut down the Salem units, or that the Salem units had to be shut down. BAILEY thought that everyone in the room recognized that if the fan coil units were declared inoperable, that would result in a unit shutdown (Exhibit 14, pp. 18 and 30).
174. BAILEY did not recall POLIZZI having possession of the IR, because he was not really looking to see who had it. BAILEY did not see POLIZZI put the IR in his desk drawer or take the IR out of his desk drawer, "... that would have occurred before I got up there." BAILEY did not recall POLIZZI requesting that the IR be left with him. BAILEY did not hear WILLIAMS or CRAIG say that they had to take the IR to the SNSS, further indicating that he would not have observed that part of the conversation (Exhibit 14, p. 19).
175. BAILEY advised that POLIZZI did not say that he would put a comment on the IR himself (Exhibit 14, p. 21).
176. BAILEY did not recall hearing POLIZZI say to WILLIAMS and CRAIG, let's document what MORRONI and BAILEY told us, so that POLIZZI could make an operability decision (Exhibit 14, pp. 19, 21, and 22).
177. BAILEY advised that POLIZZI said we are going to talk to VONDRA about this. POLIZZI went out of the office first, and WILLIAMS and CRAIG followed him, and BAILEY followed behind the two of them. BAILEY did not speak with either WILLIAMS or CRAIG (Exhibit 14, p. 23).
178. CRAIG did not agree with BAILEY's assessment of the conversation in POLIZZI's office (Exhibit 5, p. 47).
179. WILLIAMS stated that he followed POLIZZI; who told him, "you had better stop smiling because I am not smiling." WILLIAMS described it as a "pretty tense" moment (Exhibit 3, p. 26 and Exhibit 4, p. 36).
180. WILLIAMS advised that POLIZZI went into VONDRA's office and closed the door with what WILLIAMS called a "resounding slam" and remained in VONDRA's office for about fifteen minutes. WILLIAMS continued that he did not hear any of the conversation. During this period, CRAIG contacted LIDEN, because REITER was at Hope Creek on a SERT (Exhibit 3, p. 28 and Exhibit 4, p. 37).
181. POLIZZI said that he went to VONDRA's office with WILLIAMS, CRAIG, and BAILEY. POLIZZI continued that BAILEY had been outside POLIZZI's office

to see him on something else. BAILEY asked POLIZZI if POLIZZI wanted him to come along and POLIZZI told him yes (Exhibit 12, p. 137).

182. POLIZZI said that he was ahead of the group and that the only comment he made was about WILLIAMS smiling. POLIZZI continued that he told WILLIAMS "to wipe that smile of your face," or he used words to that effect. POLIZZI said that he told WILLIAMS, "I am not smiling. This is not something that we should be smiling about. This is serious we are talking about shutting down both Salem units here" or used words to that effect. POLIZZI could not recall a response from WILLIAMS (Exhibit 12, pp. 138 and 139).
183. POLIZZI said that he went into VONDRA's office and closed the door. WILLIAMS, CRAIG, and BAILEY waited outside (Exhibit 12, p. 139).
184. POLIZZI advised that when he first got into VONDRA's office he "almost started rambling." POLIZZI realized that he needed to "calm down." POLIZZI continued that he took a "couple of deep breaths" and brought VONDRA up to speed from the initial note from WILLIAMS, the telephone contact with WILLIAMS, the contacts with MORRONI and BAILEY, and the discussion in POLIZZI's office with WILLIAMS and CRAIG (Exhibit 12, pp. 139 and 140).
185. POLIZZI stated that he was in VONDRA's office about ten minutes and then WILLIAMS, CRAIG, and BAILEY entered the office (Exhibit 12, pp. 140 and 142).
186. VONDRA stated that he received a telephone call from POLIZZI who said that he had a problem and needed VONDRA's help. VONDRA continued that POLIZZI told him that two people from the safety review group were trying to force a shut down of both units unnecessarily (Exhibit 15, pp. 25 and 26).
187. VONDRA said that because he was presented with that situation he felt that he had to talk to POLIZZI (Exhibit 15, pp. 25 and 26).
188. VONDRA advised that POLIZZI came into his office, closed the door, and briefed him on what was happening. POLIZZI told VONDRA that an IR had been taken to the SNSS which questioned the operability of the CFCUs, and the SNSS had said that he did not have enough information to determine operability (Exhibit 15, pp. 27, 38, 45, and 46).
189. VONDRA advised that he now knows the IR did not go to the SNSS, but at the time, that was his understanding. VONDRA made this point because in NAP-6, when an IR has gone to the SNSS and the shift supervisor is unable to make a reportability decision, further help is needed, and that was the "mode" VONDRA thought "we" were in (Exhibit 15, pp. 27 and 38).
190. VONDRA said POLIZZI had tried to resolve the issue in his office and was unable to do so. VONDRA said that POLIZZI was in his office because WILLIAMS and CRAIG would not give the SNSS the additional facts that they knew (Exhibit 15, pp. 37-39).

191. VONDRA advised that POLIZZI told him that monthly operability tests are done which test the function of the CFCUs. POLIZZI also told VONDRA that there was a concern about the qualification of the regulators and that the technical manager had checked the FSAR and found that the regulators were qualified for use. POLIZZI told VONDRA that a seismic issue with the regulators had been confirmed not to be a problem (Exhibit 15, pp. 28, 34, and 35).
192. VONDRA said that POLIZZI contacted BAILEY for seismic information and MORRONI for information about the qualification and had received information that the components were seismically and environmentally qualified (Exhibit 15, p. 38).
- INVESTIGATOR'S NOTE: VONDRA uses the term operability determination and reportability determination interchangeably. The document, the IR, actually uses the term reportability.
193. According to VONDRA, POLIZZI felt that the fact that the components were seismically qualified, per BAILEY, and the fact that the components were environmentally qualified for use, per the FSAR and confirmed by MORRONI, should be included on the IR so that the SNSS could make a reportability determination (Exhibit 15, pp. 34 and 35).
194. VONDRA said that based on POLIZZI's presentation to him, WILLIAMS and CRAIG did not understand what was going on and seemed to be pushing an issue to provide the SNSS with less than all the facts that were available, and POLIZZI could not understand why (Exhibit 15, p. 32).
195. VONDRA acknowledged that he was not sure if WILLIAMS and CRAIG had all of those facts, but he intended to find out when he spoke with them (Exhibit 15, p. 33).
196. VONDRA further acknowledged that POLIZZI had indicated to him that he wanted to accept the IR; however, WILLIAMS and CRAIG would not give it to him, they would only give it to the SNSS in accordance with NAP-6 (Exhibit 15, p. 33).
197. VONDRA stated that hundreds of IR's are processed per year, and he wanted to know why this IR was being treated differently by individuals who have filed IR's before (Exhibit 15, p. 33).
198. VONDRA said that POLIZZI felt that information needed to be included on the IR to help the SNSS make the reportability determination (Exhibit 15, p. 38).
199. VONDRA did not ask POLIZZI for a copy of the IR, because his intent was to ask WILLIAMS and CRAIG what the issues were regarding the CFCUs (Exhibit 15, p. 30).
200. VONDRA advised that after POLIZZI's briefing, VONDRA felt the situation was going to be "quite easy" to take care of because he had all the facts. VONDRA continued that he did not think there would be a problem getting the issue resolved, because there was a process in place that tells how to do it (Exhibit 15, pp. 39 and 40).

201. WILLIAMS advised that when he, CRAIG and BAILEY entered VONDRA's office, "they just fired away immediately." According to WILLIAMS, VONDRA said the issue was an engineering matter and that a DEF should be processed (Exhibit 3, pp. 28 and 29).
202. WILLIAMS said that VONDRA never asked them to talk about the IR. VONDRA used words to the effect of the way we do things is to write a DEF. WILLIAMS continued that VONDRA also suggested that WILLIAMS and CRAIG should research the issue and spend some time looking into it (Exhibit 4, pp. 33, 39, and 40).
203. WILLIAMS said that he told VONDRA that had someone else in the plant discovered the issue, they would not write a DEF, they would write an IR. WILLIAMS continued that he asked VONDRA why he was requesting this extra requirement (Exhibit 3, p. 34).
204. WILLIAMS stated that he told VONDRA that the last time he wrote a DEF he was told it would take eighteen months to get a response (Exhibit 3, p. 33).
205. WILLIAMS stated that VONDRA would not accept the IR (Exhibit 3, p. 34).
206. WILLIAMS continued that he then said to VONDRA that he could go to the cafeteria, take a safety concern form, and write the issues on the safety concern form, which would document the issues as far as WILLIAMS was concerned (Exhibit 3, p. 34 and Exhibit 4, p. 46).
207. WILLIAMS advised that VONDRA then said ~~you have come in here and~~ threatened me with a safety concern and that he regarded WILLIAMS' suggestion as a threat to him (Exhibit 3, p. 34 and Exhibit 4, p. 41).
208. According to WILLIAMS, at this time, POLIZZI "chimed in" that he had felt threatened too, when WILLIAMS and CRAIG were in his office. WILLIAMS said he was "amazed" and told POLIZZI that they had not threatened him (Exhibit 3, p. 35).
209. WILLIAMS continued that he told VONDRA several times that the safety concern was not a threat and that he did not intend it as a threat. WILLIAMS wanted to let VONDRA know that he had that option if VONDRA was blocking WILLIAMS and CRAIG from submitting the IR (Exhibit 3, p. 34 and Exhibit 4, pp. 41, 46, and 49).
210. WILLIAMS explained that his attempts to persuade VONDRA that he was not making a threat were to "no avail." According to WILLIAMS, VONDRA got up, pointed his finger at him (WILLIAMS); and told him to get out of his office before he called security (Exhibit 3, pp. 35 and 66).
211. WILLIAMS continued that as he and CRAIG left VONDRA's office, POLIZZI commented to CRAIG, "and don't take it up to the control room now" (Exhibit 3, p. 36).
212. According to CRAIG, POLIZZI said that CRAIG had better get his manager involved, in this case LIDEN, because CRAIG's direct supervisor was off site. CRAIG continued that POLIZZI did not say why it was necessary to get his boss involved; however, the tone of POLIZZI's voice indicated to

CRAIG that POLIZZI expected to have a problem. CRAIG thought that POLIZZI made the statement in a threatening manner and felt that POLIZZI was trying to intimidate him (Exhibit 5, p. 35).

213. CRAIG said that after a couple of minutes it occurred to him that something was going on and they were not going to have the type of discussion he had been to led to believe they would, so he called LIDEN (Exhibit 5, p. 15).
214. CRAIG told LIDEN he had a feeling that things were not going to go well and that LIDEN needed to become involved (Exhibit 5, p. 15).
215. CRAIG stated that he WILLIAMS and BAILEY entered VONDRA's office. CRAIG continued that thought he spoke first and explained why they were in VONDRA's office. CRAIG told VONDRA that the purpose of the IR was to place the issues before plant management and then determine the operability of the CFCUs (Exhibit 5, p. 15 and Exhibit 6, p. 50).
216. CRAIG said that WILLIAMS took over the conversation and explained to VONDRA what the technical issue was. CRAIG continued that WILLIAMS tried to hand VONDRA the IR and VONDRA made no attempt to take it from him. At no time, did VONDRA take the IR or read it (Exhibit 6, p. 51).
217. CRAIG stated that the discussion quickly moved from the technical issues to procedures. CRAIG thought that VONDRA initiated the change in the direction of the conversation (Exhibit 6, pp. 50-52).
218. CRAIG said that VONDRA was very unreceptive when he and WILLIAMS entered the office. CRAIG continued that VONDRA did not start the discussion by yelling, but he seemed set on his decision, and CRAIG could only attribute that to the fact that VONDRA allowed POLIZZI to hold a meeting alone with him (Exhibit 5, p. 52).
219. According to CRAIG, VONDRA did not understand why a deficiency report was not sufficient and why an IR had to be filed. VONDRA basically felt that the IR was unnecessary. VONDRA commented or asked the rhetorical question, are you guys playing some sort of game here? CRAIG thought that he responded to VONDRA, absolutely not, we are simply following the procedure. CRAIG told VONDRA that he had personally reviewed NAP-6 and he felt that the language was extremely clear (Exhibit 5, pp. 15 and 16).
220. CRAIG did not think that VONDRA expressed any objection to the technical issue of the IR, which CRAIG said would have been absurd since VONDRA had refused to accept the IR and read it (Exhibit 6, p. 53).
221. CRAIG said that, in a sense, VONDRA implied that it somehow created a problem for VONDRA to have to deal with an IR (Exhibit 5, p. 16).
222. According to CRAIG, an IR would have required the operations department and plant manager to decide the operability of the CFCUs and manage the plant accordingly (Exhibit 5, p. 16).
223. CRAIG said the conversation in VONDRA's office was calm at the beginning, but then gradually moved to a more confrontational situation.



CRAIG acknowledged that the change took place when the discussion changed from technical to procedural. CRAIG said that it was clear that VONDRA and POLIZZI were diametrically opposite to the procedural requirement to file an IR (Exhibit 6, p. 53).

224. CRAIG said that, at some point, after the discussion had gone back and forth between WILLIAMS, VONDRA, and himself over whether or not an IR was required, WILLIAMS commented that, if VONDRA did not wish to accept the IR, there were in NAP-6 other means of identifying problems, one of which was a safety concern (Exhibit 5, pp. 18, 63, and 64).
225. CRAIG stated that, with that comment, VONDRA's demeanor changed and he began shouting that he felt that was a threat and he was not going to be threatened. VONDRA challenged WILLIAMS to write the safety concern (Exhibit 5, p. 18 and Exhibit 6, p. 65).
226. CRAIG said that WILLIAMS assured VONDRA he would write the safety concern. At that point, VONDRA said that he felt threatened by WILLIAMS' statements and that he was thinking of calling security and having WILLIAMS escorted "out of here" (Exhibit 5, pp. 18 and 19; Exhibit 6, p. 67).
227. CRAIG said that VONDRA told WILLIAMS that now that he had threatened to file a safety concern, WILLIAMS had better follow through on it (Exhibit 5, p. 46).
228. CRAIG continued that VONDRA was raising his voice and shouting at WILLIAMS. CRAIG continued that he told VONDRA that nobody was trying to threaten him; that he and WILLIAMS were following the procedure. CRAIG told VONDRA that they understood that perhaps the procedure is difficult for VONDRA to deal with; however, he and WILLIAMS worked for nuclear safety review and that they, above all others, had to follow the procedure (Exhibit 5, p. 46).
229. CRAIG did not think that WILLIAMS' statement was meant as a personal threat to VONDRA. According to CRAIG, the comment was meant to identify to VONDRA that he and WILLIAMS had no intention of disregarding the procedure, and if they were not allowed to follow the IR procedure, there was a mechanism that they could follow, and that would be to write the information on the IR as a safety concern (Exhibit 6, p. 64).
230. CRAIG stated that POLIZZI "chimed in" that he had felt threatened in his office (Exhibit 5, p. 45 and Exhibit 6, p. 67).
231. CRAIG said that prior to leaving VONDRA's office, POLIZZI specifically told CRAIG, "don't you dare take that piece of paper anywhere near my senior shift supervisor's office", or don't take that piece of paper anywhere near my shift supervisor, which, according to CRAIG, is the control room (Exhibit 5, pp. 19 and 48).
232. CRAIG said that he took POLIZZI's comment as a serious order. CRAIG continued that, right or wrong, the operations manager had, on a short term basis, the right to issue that order. The operations manager has some authority to control who does or does not go into the control room area (Exhibit 5, p. 19; Exhibit 6, pp. 69 and 70).

233. VONDRA said that he asked CRAIG and WILLIAMS what the issue was. They told VONDRA they had received a report that the regulator being used was not allowed for use in safety related applications. Based on that, they wanted to submit an incident report with that information on it (Exhibit 15, p. 40).
234. VONDRA said that he asked WILLIAMS and CRAIG if they were aware that BAILEY had determined that there was not a seismic problem, and they indicated that they did. VONDRA said that he asked them if they knew that POLIZZI had determined that these components had passed their operability surveillance test, which meant they were functional, and they did. VONDRA said that he asked them if they knew that MORRONI had found that these components were identified in the FSAR as being acceptable for this application, and they did. VONDRA continued that he also asked BAILEY and POLIZZI questions to try and find out what information was available, and then wanted WILLIAMS and CRAIG to confirm that they understood the information (Exhibit 15, pp. 40, 41 and 66).
235. VONDRA continued that he asked WILLIAMS and CRAIG what was the problem. VONDRA said that he thought the problem was going to be that WILLIAMS and CRAIG did not know some part of the available information, but they did. VONDRA then asked them, why can't we move on? VONDRA said WILLIAMS and CRAIG got into a discussion of how they wanted to submit the IR, which VONDRA believed did not have all the facts on it (Exhibit 15, p. 41).
236. VONDRA stated that he knew that the IR contained information that said the regulators were suspected of not being allowed in the application that they were being used; it was an issue of the applicability of the regulators. VONDRA continued that he also knew that everybody in the room knew the regulators were seismically, environmentally, and functionally okay (Exhibit 15, p. 46).
237. VONDRA said that all the indications were that WILLIAMS and CRAIG knew all the facts and that those facts were needed on the IR, because the SNSS had already said there was not enough information on the IR for him to make a reportability determination (Exhibit 15, p. 47).
238. VONDRA told them that it was not appropriate to do that. VONDRA told WILLIAMS and CRAIG that in actuality the appropriate mechanism for resolving this particular issue was to use a DEF. VONDRA said that BAILEY concurred with him that he felt that the DEF was the appropriate way to handle the issue (Exhibit 15, p. 41).
239. VONDRA advised that WILLIAMS told him that he had previously submitted DEFs and he was not satisfied with the process. To help WILLIAMS with this, VONDRA promised him that he would follow the procedure through and make sure that the determination was done by engineering in a day (Exhibit 15, pp. 41 and 42).
240. VONDRA continued that he told WILLIAMS and CRAIG that he was willing to take the IR and attach it to the DEF (Exhibit 15, p. 42).
241. VONDRA said that his resolution was not acceptable to WILLIAMS and CRAIG. VONDRA could not get any technical reason why his resolution was

- not acceptable, except they did not want to do it. VONDRA characterized WILLIAMS' and CRAIG's behavior as they understood what he was saying, but they did not want to do that (Exhibit 15, p. 42).
242. VONDRA said that he tried different ways to solve the problem and find a resolution, but he was not successful (Exhibit 15, p. 42).
243. VONDRA advised that WILLIAMS and CRAIG would not give him the IR. According to VONDRA, they wanted to give the IR to the SNSS with incomplete information (Exhibit 15 p. 43).
244. VONDRA stated that he presented three options for resolution of the issue: a DEF would be sufficient; VONDRA would put a copy of the IR as stated with the DEF; or VONDRA would accept an IR that had all the facts (Exhibit 15, p. 66).
245. VONDRA stated that all he wanted was for WILLIAMS and CRAIG to put all the known facts on the IR. The operability determination was the SNSS' job (Exhibit 15, p. 67).
246. VONDRA stated that he asked WILLIAMS and CRAIG what they wanted to do. WILLIAMS and CRAIG said that it was not their job to make an operability determination, and VONDRA concurred with them. WILLIAMS and CRAIG said that if they had to make an operability determination, they would say that the units were inoperable, but did not explain why. VONDRA continued that WILLIAMS and CRAIG wanted to submit the IR to the SNSS, for what VONDRA believed to be the second time, with incomplete information. According to VONDRA, this would cause a shut down of both units unnecessarily. VONDRA told WILLIAMS that he could not support that. WILLIAMS told VONDRA if he did not do that, WILLIAMS would write a safety concern (Exhibit 15, pp. 56, 67, and 72).
247. VONDRA advised that neither WILLIAMS or CRAIG raised a technical issue, except that they wanted to use the IR, which, in VONDRA's mind, was contrary to the way IR's had been processed in the past (Exhibit 15, p. 56).
248. VONDRA felt that WILLIAMS' statement was a threat. VONDRA continued that he felt that WILLIAMS was trying to make VONDRA do something that was incorrect. VONDRA stated that the implication of WILLIAMS writing the safety concern was that WILLIAMS felt VONDRA had done something wrong (Exhibit 15, pp. 59, 72, and 73).
249. According to VONDRA, WILLIAMS' threat was that if VONDRA did not change his mind and do what WILLIAMS wanted him to do, WILLIAMS was going to write a safety concern (Exhibit 15, pp. 59, 61, and 62).
250. VONDRA characterized his demeanor as calm up until the point he felt threatened by WILLIAMS' statement that he would write a safety concern. VONDRA continued that he lost his temper and told WILLIAMS to get out of his office or he would have him removed. VONDRA said that he also told WILLIAMS to write the safety concern (Exhibit 15, pp. 59, 50, 71, and 79).

251. VONDRA felt that if WILLIAMS and CRAIG had followed the procedure for filing an IR and filled out an IR and given it to the SNSS, instead of the "heads up", the SNSS could have processed it. Additional help would have been obtained, and the issue would never have come to VONDRA's office and the incident did not have to happen. VONDRA stated that WILLIAMS and CRAIG did not follow the procedure for filing an IR (Exhibit 15, pp. 74 and 78).
252. VONDRA did not hear POLIZZI tell WILLIAMS and CRAIG not to take the IR to the SNSS (Exhibit 15, p. 74).
253. VONDRA said that, to the best of his knowledge, he did not refuse to accept the IR (Exhibit 15, p. 56).
254. VONDRA could not say that WILLIAMS and CRAIG said that they wanted to shut the plant down; however, the resolution that they wanted led VONDRA to believe that was their intent (Exhibit 15, p. 64).
255. VONDRA denied that he told WILLIAMS and CRAIG that the DEF was sufficient and that an IR would be more difficult for him to deal with (Exhibit 15, p. 65).
256. VONDRA advised that he does not have any problem with someone raising a safety concern and he was dedicated to the resolution of safety issues. VONDRA felt that the issue with WILLIAMS and CRAIG was not the acceptance of a safety concern, but involved a personnel matter on appropriate behavior and discipline (Exhibit 15, pp. 81 and 82).
257. VONDRA stated that the issue [on the IR] was not highly significant, and he thought that was understood in his office on December 3rd, 1992. VONDRA acknowledged that he agreed to make the issue highly significant if that would bring resolution to moving the situation forward. VONDRA advised he would have made sure it got done. VONDRA said he was trying to bring resolution to a safety issue, and trying to make everyone a "winner" (Exhibit 15, p. 145).
258. POLIZZI said that the conversation in VONDRA's office was between VONDRA and WILLIAMS. POLIZZI advised that a few technical things were discussed, but the predominant discussion was over the process (Exhibit 15, pp. 142 and 143).
259. According to POLIZZI, VONDRA's thrust was to offer another vehicle to make this happen, or go away, or satisfy WILLIAMS. POLIZZI stated that, at this point, the DEF was suggested by VONDRA as the document to use (Exhibit 12, p. 143).
260. POLIZZI said he had not thought of using the DEF instead of the IR because he did not have a particular preference, as long as people did what they were asked to do as far as disposition of the issues (Exhibit 12, p. 143).
261. According to POLIZZI, VONDRA did not refuse to take the IR; he was trying to reach a logical resolution. POLIZZI did not understand how anyone, especially WILLIAMS, could have felt that VONDRA did not want to accept the IR because they did not want to deal with the operability

- issue. POLIZZI continued that there was no way that WILLIAMS could make that assessment or conclusion, because of POLIZZI'S personal involvement and the involvement of management (Exhibit 12, pp. 145 and 150).
262. POLIZZI acknowledged that WILLIAMS did not make an overt statement that he wanted to shut down the plant. However, at some point in the discussion, VONDRA asked WILLIAMS if he wanted VONDRA to take the IR as written, make a determination of inoperability, and shut down the units. WILLIAMS responded, "yes" (Exhibit 12, p. 162).
263. According to POLIZZI, VONDRA said that the IR was not the right way to do things and offered another vehicle, the DEF. WILLIAMS was not receptive to that and said he would have to write a Safety Report. According to POLIZZI, the inference was, "If you don't accept this Incident Report, he would have to write a Safety Report." POLIZZI continued that was an "event" that got VONDRA "pretty upset" because he felt personally threatened (Exhibit 12, pp. 146 and 147).
264. According to POLIZZI, VONDRA'S response to WILLIAMS was for WILLIAMS to do what he had to do, and then he told WILLIAMS to get out of his office. POLIZZI said that VONDRA did not physically throw WILLIAMS out of his office; however, the language would indicate that he would. VONDRA told WILLIAMS and CRAIG to get out of his office in no uncertain terms (Exhibit 12, pp. 151 and 152).
265. According to POLIZZI, WILLIAMS and CRAIG did not move, so VONDRA mentioned that he would call security (Exhibit 12, p. 152).
266. When VONDRA referenced that threat, POLIZZI said the same thing had happened in his office. In POLIZZI'S opinion, the threat was not the submittal of the IR or the disagreement on operability. The threat to POLIZZI was that he did not follow procedures, which is a pretty strong statement about the Operations Manager. POLIZZI stated that he felt a threat from CRAIG not WILLIAMS. POLIZZI continued that CRAIG said he did not follow procedures (Exhibit 15, pp. 147, 161, and 162).
267. CRAIG denied that he made any statement that either VONDRA or POLIZZI could interpret as being threatening (Exhibit 5, p. 45).
268. POLIZZI interpreted WILLIAMS' threat to VONDRA as that VONDRA does not follow procedures; he does not have a safety attitude, so WILLIAMS would have to file a Safety Report. POLIZZI continued that WILLIAMS' statement not only questioned VONDRA'S authority but also his safety consciousness (Exhibit 12, pp. 147 and 148).
269. POLIZZI questioned if WILLIAMS and CRAIG were intent on doing something else. WILLIAMS and CRAIG had made strong statements about the senior management of the station. According to POLIZZI, that is how he interpreted WILLIAMS' comment about writing a Safety Report (Exhibit 12, p. 151).
270. POLIZZI denied that he told CRAIG not to take the IR anywhere near the control room or don't you dare take the IR to my SNSS. POLIZZI stated that there was no reason for him to make that statement and "that doesn't make any sense." POLIZZI continued that the SNSS would send it

- back. POLIZZI explained that there was nothing that prohibited WILLIAMS and CRAIG from taking the IR to the SNSS. The only prohibition was the technical difference of opinion (Exhibit 12, pp. 115 and 116).
271. POLIZZI stated that VONDRA did not offer to take the IR and make the DEF an attachment to the IR. There was no dialogue that way. The IR was never offered; it was never asked for (Exhibit 12, p. 146).
272. BAILEY said that the group reached VONDRA's office, and when BAILEY got there, POLIZZI was in VONDRA's office and the door was closed. BAILEY waited outside with WILLIAMS and CRAIG in the outer office for ten to fifteen minutes. BAILEY could not hear any of the discussion in VONDRA's office (Exhibit 14, p. 24).
273. BAILEY said that he, WILLIAMS, and CRAIG entered VONDRA's office. BAILEY was present for the entire discussion (Exhibit 14, p. 24).
274. BAILEY stated that he could not remember who started the conversation, and he could not remember how the conversation went, but it was basically that VONDRA was not willing to accept the IR either. BAILEY continued that it sounded to him like POLIZZI had pretty much filled VONDRA in as to what was in the IR and the conclusion that would be drawn if the IR were submitted, which was basically shutting down the units (Exhibit 14, pp. 24 and 25).
275. BAILEY advised that it seemed like more of the discussion was about whether to process the IR or not, not necessarily the technical content of the IR. According to BAILEY, VONDRA wanted to know why WILLIAMS and CRAIG would not use the DEF process, and VONDRA did not get much of an answer (Exhibit 14, p. 25).
276. BAILEY said that he asked WILLIAMS why he used an IR, and WILLIAMS responded that the last time he used the DEF he had been told that it would take eighteen months to resolve and, to WILLIAMS, that was not acceptable. BAILEY commented that WILLIAMS' statement was "irrelevant," because the resolution time frame of engineering discrepancies was based on their potential safety significance (Exhibit 14, pp. 26 and 27).
277. BAILEY acknowledged that it was not unreasonable for VONDRA and POLIZZI to request that a DEF be used, and in fact, BAILEY agreed with them. BAILEY continued that he felt the issue was a documentation discrepancy (Exhibit 14, p. 27).
278. BAILEY said that from what little he knew about the issue, and the input that he had received from BLUM before he went to POLIZZI's office, it looked like engineering would be able to straighten out the documentation and demonstrate that the components were qualifiable (Exhibit 14, p. 27).
279. BAILEY acknowledged that he thought that WILLIAMS and CRAIG could have written a comment to the effect that the documentation was missing on the regulators, as a qualifier in the discussion section of the IR (Exhibit 14, pp. 28 and 29).

280. BAILEY recalled that WILLIAMS told VONDRA that if he did not accept the IR, he would leave his office and file a quality concern. BAILEY advised that VONDRA reacted as if he had been threatened with the quality concern statement, and according to BAILEY, VONDRA acted "appropriately." VONDRA told WILLIAMS that he was not going to be threatened (Exhibit 14, pp. 32 and 33).
281. BAILEY said that VONDRA responded essentially by saying that he would not be threatened in his plant and that he was on the verge of calling security and having WILLIAMS and CRAIG removed from the site because they had threatened him (Exhibit 14, p. 34).
282. BUDZIK said that he saw two engineers in VONDRA's office who he knew to be "Bert" and "Paul." BUDZIK said that he could see VONDRA and POLIZZI in the office and that he could hear them both "very distinctly" (Exhibit 16, pp. 10 and 11).
283. BUDZIK could not remember the substance of the conversation and he did not find out the subject matter of the conversation until much later on, when the "talk around the station" started. BUDZIK continued that what he did hear was a "tremendous amount" of screaming by both VONDRA and POLIZZI, at what BUDZIK called "at the top of their lungs" (Exhibit 16, pp. 11 and 12).
284. BUDZIK recalled VONDRA saying something to the effect of, if you guys think you can intimidate me, you guys have the wrong guy, you know, you're all wrong about this (Exhibit 16, p. 12).
285. BUDZIK stated he probably stayed about five minutes because he was "kind of awe struck;" he could not believe that anyone would scream at an individual in such a tone (Exhibit 16, p. 12).
286. BUDZIK said about two days later he had the opportunity to see CIANFRANI at lunch and told him what he had seen. BUDZIK told CIANFRANI that he could not believe how WILLIAMS and CRAIG had been treated. BUDZIK did not recall any specific reaction from CIANFRANI. BUDZIK said that he told CIANFRANI because BUDZIK thought it was a "totally inappropriate" way to treat people, regardless of the reason or circumstances (Exhibit 16, pp. 13, 14, 20, and 21).
287. BUDZIK said that he could see WILLIAMS' face, but he did not see any expression on it; it seemed to be very neutral, and he was just standing there, controlled, not saying anything. BUDZIK said he did not hear WILLIAMS or CRAIG say a word, they sort of stood at attention and took it all in (Exhibit 16, pp. 13, 16, and 17).
288. BUDZIK did not recall hearing VONDRA say that he would call security or that he would throw WILLIAMS and CRAIG out of his office (Exhibit 16, p. 20).
289. WILLIAMS denied that the discussion with VONDRA included the technical issues on the IR, because VONDRA never read the IR. WILLIAMS advised that the majority of the discussion in VONDRA's office was strictly procedural (Exhibit 4, p. 41).

290. WILLIAMS continued that VONDRA felt that WILLIAMS and CRAIG should write a DEF before they wrote an IR, and that engineering would write the IR (Exhibit 4, pp. 41 and 42).
291. WILLIAMS denied that VONDRA asked him if he was aware that BAILEY had determined that there was not a seismic qualification problem (Exhibit 4, p. 42).
292. WILLIAMS denied that VONDRA asked him if he knew that POLIZZI had determined that the components had passed their operability surveillance tests, which meant the components were functional (Exhibit 4, p. 42).
293. WILLIAMS also denied that VONDRA asked him if he knew that MORRONI had found the components identified in the UFSAR as being acceptable for their application (Exhibit 4, p. 42).
294. WILLIAMS described VONDRA's attitude as, you are annoying us, upsetting the whole business. According to WILLIAMS, VONDRA was not listening to him at all (Exhibit 4, p. 43).
295. WILLIAMS denied that VONDRA said that he would follow the DEF procedure and make sure that a determination was made by engineering in a day (Exhibit 4, p. 43).
296. WILLIAMS did not recall VONDRA offering to accept the IR with more information on it. WILLIAMS said he and CRAIG were not going to give VONDRA the IR (Exhibit 4, p. 44).
297. WILLIAMS said that he had no recollection of VONDRA saying that he would accept the IR with a DEF attached to it (Exhibit 4, p. 44).
298. WILLIAMS also said that, to the best of his knowledge, VONDRA did not offer three ways to resolve the procedural issue (Exhibit 4, p. 46).
299. WILLIAMS did not mean that he would write the safety concern about VONDRA personally because he would not accept the IR. WILLIAMS' implication was that he would put the information that was in the IR in a safety concern. VONDRA responded by telling him to do that and to get the hell out of his office (Exhibit 4, p. 48).
300. WILLIAMS had no idea if VONDRA thought the IR was being submitted a second time (Exhibit 4, pp. 48 and 49).
301. WILLIAMS stated that VONDRA was not interested in the technical issue, because he never discussed it. According to WILLIAMS, VONDRA did not want an IR (Exhibit 4, p. 51).
302. WILLIAMS explained that he was very upset after the meeting in VONDRA's office. WILLIAMS had realized that "we" had crossed a boundary between normal relations and were now into a confrontational, hostile area (Exhibit 4, p. 50).
303. WILLIAMS said the whole situation changed when VONDRA told him to get the hell out of his office. It was WILLIAMS versus VONDRA in a personal sense, and WILLIAMS felt threatened. WILLIAMS explained that for VONDRA



- to throw WILLIAMS out of his office, to have security come and remove him, was a definite threat (Exhibit 4, p. 52).
304. WILLIAMS interpretation was that VONDRA was trying to "save his neck" by rewriting the incident. WILLIAMS said he would go as far to say that VONDRA was lying (Exhibit 4, p. 54).
  305. WILLIAMS stated that "life with PSE&G safety review is intimidation" and "that is the name of the game." WILLIAMS continued that if you are not prepared to stand up and hold your ground, then do not raise an issue (Exhibit 4, p. 55).
  306. CRAIG did not recall if VONDRA asked him or WILLIAMS if they knew that POLIZZI had determined that the CFCUs had passed their operational surveillance tests. CRAIG seemed to recall that VONDRA asked something to the effect of, if CRAIG and WILLIAMS knew that MORRONI had found that the containment fan coil units were identified in the FSAR as being acceptable for their application. CRAIG continued that he was sure his response was that the commitment that was made to qualify certain instruments in the FSAR did not constitute a qualification document for all such equipment (Exhibit 6, pp. 53 and 54).
  307. CRAIG stated that VONDRA was quite adamant that only a DEF was necessary, and he could not understand why CRAIG and WILLIAMS insisted on writing an IR. CRAIG continued that he explained to VONDRA that they believed that the IR was procedurally required, and that they were still willing to write a DEF to further enhance the process (Exhibit 6, p. 54).
  308. CRAIG advised that he had started to write a DEF on December 3, but that after he was ordered to stay away from the control room, he left it up to the station to do what they felt was appropriate (Exhibit 5, pp. 54 and 55).
  309. CRAIG said that during the discussion that involved what should be done, he and WILLIAMS insisted that an IR had to be written, and CRAIG volunteered to write the DEF (Exhibit 6, pp. 56 and 57).
  310. CRAIG stated that he offered VONDRA an option, that if he and POLIZZI permitted them to process the IR, and that they (management) would in good faith act on it, he and WILLIAMS would be more than happy to write the DEF since they knew the details (Exhibit 5, p. 50).
  311. CRAIG could not recall any basis for VONDRA wanting the DEF used other than him saying several times that an IR was not necessary. CRAIG's recollection of the words used by VONDRA was that the IR was not a required mechanism (Exhibit 6, p. 55).
  312. CRAIG said that VONDRA did not make a statement that he would be willing to take the IR and attach it to a DEF. CRAIG did not recall VONDRA making a statement that the information on the IR was not complete. CRAIG said that VONDRA made no statement that he was willing to attach a copy of the IR, as stated, to the DEF. CRAIG commented that such a statement would be contradictory to VONDRA's claim that his

understanding had been that the IR had been filed with the SNSS (Exhibit 6, pp. 55, 56, 58, and 59).

313. CRAIG said that neither VONDRA nor POLIZZI made a statement that they wanted the IR documented with the updated information that was known from the engineering department, and it was "absurd" to assert that they did. CRAIG continued that either VONDRA or POLIZZI could have easily written the exact same information, if they were in possession of it, on the IR (Exhibit 6, p. 60)
314. CRAIG did not recall making a specific statement to VONDRA that the IR had not yet been filed. However, CRAIG did believe that in the conversation he explained to VONDRA how they had come to be in his office. CRAIG believed that he explained to VONDRA how he and WILLIAMS had apprised the SNSS verbally of the issues and had taken the IR by POLIZZI's office on the way to the SNSS' office, at the request of the SNSS (Exhibit 6, p. 58).
315. CRAIG acknowledged that all the information that was known to him and WILLIAMS, at the time they went to see POLIZZI, was written on the IR (Exhibit 6, p. 62).
316. CRAIG advised that during the time that he was in POLIZZI's office and then in VONDRA's office, he was not aware of any additional investigation of the issues. CRAIG commented that, at this point in time, he does not believe that there was any (Exhibit 6, p. 62).
317. CRAIG said that the IR process in no way excludes additional information being supplied by others. CRAIG continued that to suggest that the IR could be ignored because he and WILLIAMS were unwilling to put the engineer's information on the IR was "absurd" (Exhibit 6, p. 61).
318. CRAIG said that what he saw as the biggest problem, was that VONDRA permitted POLIZZI to hold a private meeting with him for ten minutes and get only one side of the story without hearing the other side (Exhibit 5, p. 49).
319. CRAIG said that there did not appear to be any reason for VONDRA to have felt threatened, because no one was physically threatening him. CRAIG continued that he and WILLIAMS were in no position to threaten VONDRA in any political or social way (Exhibit 5, pp. 51 and 52).
320. CRAIG also stated that the issue would not compel the plant to be shut down immediately. However, CRAIG was not willing to reach that conclusion for VONDRA and POLIZZI, because it was not within his authority to do so (Exhibit 5, p. 54).
321. CRAIG advised that he and WILLIAMS were not pushing for a finding of inoperability. It was CRAIG's opinion that he and WILLIAMS were pushing the issue from the point of view that there are devices that may not be qualified, and they may not be piped quite the way that the drawing shows, so their operability is in question (Exhibit 5, p. 53).
322. CRAIG said that he expected that the plant would elicit all the support that was necessary and, in a "very aggressive manner," determine

- operability in a matter of hours or whatever, not a matter of months (Exhibit 5, p. 53).
323. CRAIG's impression was that POLIZZI did not want to have to make an operability determination and did not want to interrupt whatever business he was involved in to take up the issue (Exhibit 5, pp. 53 and 54).
  324. CRAIG advised that VONDRA did not ask either him or WILLIAMS if the IR had been filed, because the discussion never got to that kind of technical level (Exhibit 5, p. 50).
  325. CRAIG denied that he made any statement to VONDRA to the effect that he wanted to shut the plant down. CRAIG continued that he was sure that he implored VONDRA to try and understand that he and WILLIAMS were just following the procedure, and that shutting the plant down was not their objective, and that, as a personal engineering appraisal, CRAIG did not see the need to shut the units down (Exhibit 5, p. 47).
  326. A memo dated February 18, 1993, to VONDRA from THOMPSON, subject "Adequacy of NAP-6 For Reportability," explained the NAP-6 reporting procedure (Exhibit 38, pp. 1 and 2).
  327. CIANFRANI said that on Thursday, December 3, 1992, he was in a training class. Somewhere around noon, CIANFRANI called his secretary and she was in a "sheer panic, stuttering," and "very nervous." CIANFRANI continued that the secretary was saying that there was some sort of trouble with the CFCUs (Exhibit 32, p. 20).
  328. CIANFRANI spoke to LIDEN, who explained that WILLIAMS and CRAIG had tried to submit an IR, and it went out of proportion and they ended up being thrown out of VONDRA's office (Exhibit 32, p. 20).
  329. CIANFRANI said that he had his first personal meeting with WILLIAMS and CRAIG on Monday, December 7, 1992. CIANFRANI said that he met with WILLIAMS and CRAIG in the morning because he had a 10:00 a.m. meeting scheduled with POLIZZI. CIANFRANI said that it was his impression that his meeting with POLIZZI was going to "key in" on operability, because after speaking with WILLIAMS and CRAIG, CIANFRANI learned that operability was a big issue with POLIZZI (Exhibit 32, pp. 36 and 37).
  330. CIANFRANI said that he specifically asked WILLIAMS and CRAIG what they felt the operability call should have been, and if they felt that the CFCUs should have been declared immediately inoperable. According to CIANFRANI, WILLIAMS and CRAIG said that, if they were the operations manager and had to make that decision, no way would they have immediately declared them inoperable (Exhibit 32, pp. 54 and 55).
  331. CIANFRANI said that he never heard WILLIAMS or CRAIG say to him that they were ever looking to shut down the plant or that they were looking to force anyone to declare the CFCUs inoperable, until and unless, there was enough information to prove it one way or the other (Exhibit 32, p. 54).

332. CIANFRANI's log disclosed that on December 7, 1992, CIANFRANI met with POLIZZI at 10:00 a.m. POLIZZI told CIANFRANI that station management was very upset with WILLIAMS and CRAIG and felt that they could not work with them. POLIZZI did not understand the insistence of WILLIAMS and CRAIG in taking the IR and giving it to the SNSS, instead of leaving it with POLIZZI. CIANFRANI explained to POLIZZI that it was a NAP-6 compliance concern since the NAP-6 said to present the IR to the SNSS/NSS. POLIZZI considered this unimportant. POLIZZI told CIANFRANI he had been willing to accept the IR if WILLIAMS would include a statement on the operability of the CFCUs. When POLIZZI told WILLIAMS he had to do this, WILLIAMS said he would write that it could be an operability concern (Exhibit 33, p. 13).
333. CIANFRANI said that he received first hand information from BUDZIK, a control engineer that worked for SHEDLOCK. According to CIANFRANI, BUDZIK had been standing outside of VONDRA's office. BUDZIK told CIANFRANI that he could not make out the words, but he could hear VONDRA and POLIZZI yelling very loudly. CIANFRANI said that BUDZIK told him he was concerned that an independent review group cannot be treated the way that station management treated them (Exhibit 32, pp. 27 and 28).
334. CIANFRANI opined that POLIZZI and VONDRA did not want to accept the IR, because POLIZZI tries to stifle criticism (Exhibit 32, p. 81).
335. CIANFRANI opined that there were a couple of reasons why VONDRA did not want to accept the IR. CIANFRANI said that one reason was that VONDRA had a lot of misinformation and, to CIANFRANI's knowledge, the only person VONDRA could have gotten that misinformation from was POLIZZI (Exhibit 32, pp. 64 and 65).
336. CIANFRANI said that during one meeting, VONDRA mentioned that he had been confused on why WILLIAMS and CRAIG were trying to give him an IR that had already gone to KAFANTARIS [SNSS] (Exhibit 32, pp. 64 and 65).
337. CIANFRANI continued that it was also his opinion that there was an unwritten agreement with operations that concerns were not to be written as IRs. CIANFRANI recalled a conversation that he had with Ray CHERNOWSKI, Electrical Technical Manager. CHERNOWSKI told him that there was an unwritten agreement with operations that concerns were not to be written as IRs. A concern was to be held until it was fully investigated and demonstrated that it was an actual problem, then the IR would be written (Exhibit 32, pp. 81 and 82).
338. REITER advised that he received a telephone call from VONDRA late in the morning of December 3, 1992. REITER could not recall any details of the conversation, but VONDRA did indicate that something was going on involving the safety review group and an IR. REITER told VONDRA that he could not get involved at that time, however, he would get LIDEN involved. REITER went to LIDEN and instructed LIDEN to meet with VONDRA and with the safety review group people to try and resolve the issue. REITER's pager went off again and it was VONDRA again, who said that he had just had a meeting and that the issues continued to escalate. REITER again told VONDRA that he could not get involved, but he would have LIDEN get involved (Exhibit 21, pp. 14 and 15).

339. REITER testified that he also met with CIANFRANI, WILLIAMS and CRAIG on December 14, 1992. REITER recalled during the meeting that WILLIAMS and CRAIG described the events of December 3rd and the discussions that they had with KAFANTARIS, MORRONI, POLIZZI and VONDRA. REITER said that WILLIAMS and CRAIG told him they were frightened by VONDRA's comment about them getting the hell out of his office before he called security (Exhibit 21, pp. 17, 18, 20-23, 29, 35, and 36).
340. REITER did not recall WILLIAMS and CRAIG telling him that POLIZZI had asked WILLIAMS and CRAIG to document on the IR the information from BAILEY and MORRONI so that POLIZZI could make a decision on operability (Exhibit 21, pp. 22 and 23).
341. REITER acknowledged that he recalled that WILLIAMS and CRAIG told him that POLIZZI ordered them not to take the IR to the SNSS, and REITER's recollection was that POLIZZI made that statement in VONDRA's office (Exhibit 21, p. 23).
342. REITER could not recall if WILLIAMS and CRAIG did or did not tell him that VONDRA would attached the IR to the DEF in order to resolve the problem (Exhibit 21, p. 34).
343. In an interview with W&S, Edwin LIDEN, Manager, Strategic Issues - Nuclear Department, stated that he received a telephone call from CRAIG about noon on December 3rd. CRAIG had called from VONDRA's office and told LIDEN that he wanted to alert him to the issue about to be discussed with VONDRA and others. Following the call from CRAIG, LIDEN received a telephone call from REITER. REITER explained that WILLIAMS and CRAIG were trying to process an IR. Next, CRAIG called LIDEN and said that VONDRA had threatened to call Security if he and WILLIAMS did not "get the hell out of my office." REITER then called LIDEN again to report that VONDRA had called him again, stating that WILLIAMS and CRAIG had "threatened him." REITER advised LIDEN to become involved. LIDEN went to VONDRA's office and met briefly with VONDRA, who said that WILLIAMS and CRAIG had "threatened him." VONDRA said that WILLIAMS tried to give him an IR and VONDRA had told WILLIAMS "that's not the way we do things." VONDRA explained to LIDEN that WILLIAMS and CRAIG should have filed a DEF. VONDRA then recounted to LIDEN that WILLIAMS had told him, "if you don't take this Incident Report, I can file a safety concern." LIDEN replied to VONDRA that WILLIAMS had not made a "threat," but just suggested "an alternative course of action." VONDRA rejected that interpretation, saying, "No, they threatened me." LIDEN went to the SRG office and found CRAIG "bewildered". CRAIG told LIDEN how he and WILLIAMS had prepared the IR, what had triggered the investigation, and how they had considered using the DEF procedure. CRAIG told LIDEN that he had spoken with BLUM about it and was told that the Seismic Group was too busy to look at it soon. CRAIG explained to LIDEN that the SNSS had told him and WILLIAMS to take the IR to POLIZZI for consultation on the operability decision. According to CRAIG, POLIZZI had asked them to make an operability determination, but CRAIG said that would require investigation. CRAIG stated that POLIZZI had refused to accept the IR (Exhibit 20, pp. 1-3).

344. VONDRA advised that he called REITER after the meeting because he felt that WILLIAMS and CRAIG had behaved inappropriately and he wanted to advise REITER of their behavior. REITER was unable to get involved at that time, so LIDEN met with VONDRA. VONDRA told LIDEN about the incident and how he felt about it (Exhibit 15, pp. 80 and 81).

Allegation No 1B: WILLIAMS and CRAIG Continued to be Harassed and Intimidated by POLIZZI, VONDRA, and REITER as a Result of the December 3, 1992, Incident

Summary

The following individuals were interviewed by OI:RI on the dates indicated regarding Allegation No. 1B. Pertinent testimony provided by these individuals is documented in the evidence section that follows:

<u>Name</u>	<u>Title</u>	<u>Date of Interview(s)</u>
Terry L. CELLMER	Radiation Protection Chemistry Manager, SGS	August 9, 1994
William CIANFRANI	Nuclear Safety Review Engineer, Supervisor, SRG, SGS	December 8, 1993, and August 9, 1994
Paul R. CRAIG	Safety Review Engineer, SRG, SGS	November 1, 1993 and June 24, 1994
Deloris D. HADDEN	Executive Secretary, QA/NSR, SGS	August 9, 1994
Joseph J. HAGAN	Vice President Nuclear Operations and General Manger, Salem Operations, SGS	July 22, 1994
Stanley LaBRUNA	Vice President, Nuclear Engineering; former Vice President, Nuclear Operations, SGS	July 21, 1994
Libbi J. LEPOW,	former Senior Organization Development Consultant, Nuclear Human Resources, SGS	August 4, 1994
Steven E. MILTENBERGER	Vice President and Chief Nuclear Officer, PSE&G	July 22, 1994
Kenneth F. MOORE	Safety Review Engineer, SRG, SGS	June 29 and August 9, 1994
Michael P. MORRONI	Manager, Maintenance Controls, SGS; former Manager, Technical Department, SGS	July 7, 1994

Vincent J. POLIZZI	Project Engineer, PSE&G; former Operations Manager, SGS	February 16, 1994
Lawrence A. REITER	Director, Process Improvement, SGS; former General Manager, QA/NSR, SGS	December 20, 1993
Mark A. SHEDLOCK	Manager, Nuclear Procurement and Materials Management; former Salem Maintenance Manager	July 7, 1994
Calvin A. VONDRA	General Manager (former), Salem Operations, SGS	December 15, 1993
James J. WANG	Investment Recovery Manager, PSE&G	June 1, 1994
Bert E. WILLIAMS	Senior Staff Engineer (former), SRG, SGS	September 29, 1993, and June 13, 1994

Evidence

1. In a memorandum dated December 4, 1992, from VONDRA to REITER, VONDRA advised REITER of an incident that had occurred on December 3, 1992, that "warrants your immediate attention." The concern involved the behavior of WILLIAMS and CRAIG, who had approached the SNSS with an issue that questioned the operability of all the CFCUs on each unit. VONDRA ~~stated~~ ~~that WILLIAMS and CRAIG be removed from any direct or indirect involvement with Salem station and that their display of "aberrant behavior"~~ should also be reconciled based on their current professional responsibilities (Exhibit 8, pp. 1 and 2).
2. VONDRA advised that after he spoke with LIDEN, he asked POLIZZI to draft a memo to explain the incident and request that WILLIAMS and CRAIG be reassigned (Exhibit 15, p. 82).
3. VONDRA did not feel that telephonically notifying REITER and LIDEN about the behavior of WILLIAMS and CRAIG would be sufficient, because he did not think they would do anything. VONDRA based this opinion on past experience with the SRG (Exhibit 15, p. 83).
4. VONDRA felt "very strongly" that something needed to be done about the behavior of WILLIAMS and CRAIG. VONDRA continued that he thought their behavior was wrong and that their behavior was separate from presenting an issue [IR]. VONDRA stated that the behavioral issue had to be addressed because he had people who were responsible for safety "things" in his plant and he no longer had "a lot of faith" in their judgement, based on what had taken place in his office (Exhibit 15, pp. 84 and 85).
5. VONDRA continued that WILLIAMS and CRAIG were presented with facts that, in his opinion, were straightforward and easy to understand. WILLIAMS and CRAIG were responsible for understanding the IR process and they did not seem to know it (Exhibit 15, p. 85).

6. VONDRA felt that in regard to this particular issue, WILLIAMS and CRAIG had demonstrated enough poor judgement for him to question their effectiveness (Exhibit 15, p. 85).
7. VONDRA continued that he thought other people would have a "tough time" having respect for their judgement (Exhibit 15, p. 100).
8. VONDRA advised that the reason he wanted WILLIAMS and CRAIG reassigned was because he did not think they would be as effective as they should be. VONDRA did not think that WILLIAMS and CRAIG were as knowledgeable as they should have been, and he did not think they would bring up key safety issues if they were confronted with them, because they were not able to receive facts and act on them (Exhibit 15, pp. 96 and 97).
9. VONDRA described WILLIAMS' and CRAIG's aberrant behavior as being presented with a "rational" solution to a problem that would get the correct things done, and being obstinate about not doing it, with no good reason (Exhibit 15, p. 113).
10. VONDRA said that he believed that the memo would initiate an investigation. VONDRA continued that he was willing "to do less" than what the memo asked for (Exhibit 15, p. 98).
11. VONDRA said he did not know he was in "50.7 space," he thought that he was in a situation where WILLIAMS and CRAIG were not behaving properly. VONDRA said he thought that the memo would cause some dialogue between the safety review group and general manager to resolve the situation (Exhibit 15, pp. 98 and 99).
12. POLIZZI stated that he wrote the memo dated December 4, 1992. VONDRA called POLIZZI at home on the evening of December 3, 1992, and wanted to document the incident. VONDRA felt that the actions of WILLIAMS and CRAIG would potentially not allow them to be as effective as they would need to be (Exhibit 12, p. 175).
13. POLIZZI advised that writing the memo was not an action that he undertook on his own (Exhibit 12, pp. 173, 174, 175, and 186).
14. POLIZZI said that the memo was not a statement on the safety review group or people who identify safety issues. The memo was driven by the lack of confidence in WILLIAMS and CRAIG (Exhibit 12, p. 188).
15. POLIZZI denied that the purpose of the memo was to start an investigation into the incident. POLIZZI continued that the intent of the memo was to have WILLIAMS and CRAIG do something else, removed from the site, without any thought as to what that should be. ~~POLIZZI continued that he wrote what VONDRA wanted and VONDRA had said that he did not want WILLIAMS or CRAIG working or having any involvement with his station~~ (Exhibit 12, pp. 187 and 189).
16. According to POLIZZI, the memo was not a retaliatory action. There was no intent to terminate, demote, or reduce the salary of WILLIAMS and CRAIG. That issue never was raised in their discussions (Exhibit 12, pp. 183 and 189).



17. VONDRA advised that on December 3, 1992, and December 4, 1992, he told LaBRUNA about the incident (Exhibit 15, p. 104)
18. VONDRA stated that on December 4th he told LaBRUNA that he was going to write a memo. VONDRA told LaBRUNA that the memo would describe what had happened in his office, and that it would request that WILLIAMS and CRAIG be transferred somewhere else (Exhibit 15, p. 112).
19. VONDRA said he thought there would be more of a "reaction" from LaBRUNA than there was. According to VONDRA, there did not seem to be a lot of reaction from LaBRUNA (Exhibit 15, p. 112).
20. VONDRA acknowledged that there was no comment from LaBRUNA that the memo could be perceived as harassment and intimidation. VONDRA acknowledged that LaBRUNA did not concur on the memo, nor did LaBRUNA tell him not to write the memo (Exhibit 15, p. 112).
21. POLIZZI said that VONDRA told him that he was going to show the memo to LaBRUNA before he sent it to REITER. POLIZZI continued that the understanding he had from VONDRA was that LaBRUNA looked at it and said, "Fine. Send the letter." POLIZZI continued that VONDRA may have sent the memo already, but VONDRA had told him he would not do that until he showed LaBRUNA the memo (Exhibit 12, pp. 193, 204, and 205).
22. LaBRUNA advised that he met with VONDRA on the evening of December 3rd to review the INPO draft report. LaBRUNA believed that, as part of that conversation, VONDRA mentioned that there had been an issue that occurred at the plant relative to the CFCUs. There had been a question about the operability associated with some regulators. LaBRUNA said that there was limited conversation in regard to the operability and what had been done, and there was some mention of interface with safety review, and the fact that they were taking a strong position (Exhibit 24, pp. 12, 13 and 32).
23. LaBRUNA said that the conversation with VONDRA was brief and basically technical. LaBRUNA's sense was that VONDRA brought it to his attention because it was an issue relative to the operability of some equipment that could have an effect on the plant (Exhibit 24, p. 13).
24. LaBRUNA did not recall that VONDRA identified the safety review people or told him that there had been a confrontation with them (safety review) in POLIZZI's office and then in VONDRA's office (Exhibit 24, p. 14).
25. LaBRUNA stated that he first became aware of the December 4, 1992, memorandum in mid December 1992, after VONDRA had returned from vacation. LaBRUNA had been in VONDRA's office to discuss another issue, and VONDRA showed LaBRUNA a copy of the memo (Exhibit 24, pp. 17, 18, 19, and 24).
26. LaBRUNA could not recall any conversation with VONDRA about the memo prior to seeing it in VONDRA's office. LaBRUNA was "shocked" when he saw the memo. LaBRUNA continued that, had VONDRA discussed the memo with him, he would have advised VONDRA that the memo was not an appropriate way to solve a personnel problem (Exhibit 24, p. 27).

27. LaBRUNA gave his copy of the memo to MILTENBERGER because LaBRUNA was not aware of the distribution of the memo (Exhibit 24, p. 33 and Exhibit 27).
28. LaBRUNA did not recall any conversation with VONDRA about the events of December 3, 1992. LaBRUNA did not recall any conversation with VONDRA about should he or should he not write a memo about the December 3rd incident while they travelled by train to Newark, New Jersey, on December 4th (Exhibit 24, pp. 20, 21, 23, 24, and 32).
29. HAGAN recalled that he had a telephone call from VONDRA in December 1992. VONDRA offered no specific details, other than he had a concern with some safety review engineers. VONDRA was concerned about their continued ability to work within the group and do their job within the station. According to HAGAN, VONDRA asked him if he should write a memo to the general manager of QA/NSR and explain his concerns (Exhibit 27, pp. 6, 7 and 10).
30. HAGAN said that the advice he gave to VONDRA was that if he felt he needed to write the memo, he should write it, put it away, and go back later and read it. If VONDRA felt that he needed to send it after that, then VONDRA should do what he felt to be the right thing (Exhibit 27, p. 7).
31. HAGAN advised that VONDRA did not get into specifics concerning the language or wording for the memo (Exhibit 27, p. 7).
32. POLIZZI said that he attended a meeting on Friday, December 4, 1992, and that he had a copy of the memo with him. POLIZZI recalled that SHEDLOCK, MORRONI, and VONDRA were also present. POLIZZI continued that he shared the letter with the other managers to make them aware of what POLIZZI considered to be a significant issue. POLIZZI continued that VONDRA signed the memo at the meeting (Exhibit 12, pp. 178-180).
33. POLIZZI acknowledged that there was no discussion of 10 CFR 50.7. POLIZZI continued that SHEDLOCK was more sensitive to the letter because it was a serious issue, not from the point of view of regulatory consequences (Exhibit 12, p. 181).
34. VONDRA acknowledged that it was not his intent to publicize the December 4th memo (Exhibit 15, p. 109).
35. SHEDLOCK advised that there was a manager's meeting that followed a SORC meeting on Thursday afternoon, December 3, 1992, or later that night. SHEDLOCK advised that it was not a formal meeting, rather it was that the participants happened to be left over from a previous meeting and a discussion began about what had happened earlier that day (Exhibit 17, pp. 17, 18, 21 and 24).
36. SHEDLOCK said that sometime during the day on December 3rd, either shortly after the confrontation in VONDRA's office, or at the impromptu meeting after the SROC, he heard more of the details. Specifically, WILLIAMS and CRAIG had tried to give the IR to the SNSS, tried to give the IR to POLIZZI, and tried to give the IR to VONDRA. SHEDLOCK recalled VONDRA talking a little bit about the confrontation in his

office, and that he had felt threatened by what WILLIAMS and CRAIG were trying to do (Exhibit 17, p. 24).

37. SHEDLOCK recalled that POLIZZI had a memo that he had written for VONDRA to REITER. POLIZZI did not read the entire memo, but he did read excerpts. SHEDLOCK stated that he did not get the feeling that VONDRA and POLIZZI were looking for any input from the managers regarding the memo. SHEDLOCK's recollection was that VONDRA and POLIZZI were still a little irritated about what had gone on earlier in the day (Exhibit 17, pp. 21, 23 and 24).
38. SHEDLOCK advised that he was surprised and shocked when POLIZZI read the memo. SHEDLOCK continued that, in the 15 years he has been with the company, he had never read or heard of a memo like that before (Exhibit 17, p. 46).
39. SHEDLOCK asked POLIZZI in very strong terms, as the memo was being read, what he was doing? SHEDLOCK continued that he could not believe "what he was hearing" (Exhibit 17, p. 36).
40. SHEDLOCK recalled that the memo requested that WILLIAMS and CRAIG be removed from their job. SHEDLOCK thought the letter questioned their competence, possibly their integrity, and SHEDLOCK believed the memo asked for a review of work they had done in the past to see if they were technically accurate (Exhibit 17, p. 25).
41. SHEDLOCK continued that he was not as familiar with [10 CFR] 50.7 when the event happened as he is today, but the memo did not seem like the right thing to do with anyone, let alone someone in an oversight group. SHEDLOCK believed that he expressed his opinion that he would tear up the memo. SHEDLOCK made this comment to VONDRA and POLIZZI, in front of everyone in the room. SHEDLOCK did not recall anyone else in the room saying anything. SHEDLOCK said he was very clear the memo was not the right thing to do, and very clear that the memo should not be sent. SHEDLOCK said that it ". . . didn't smell right, didn't taste right, didn't look right . . ." (Exhibit 17, pp. 26-29).
42. SHEDLOCK said that POLIZZI did mention why he did not take the IR, but SHEDLOCK could not remember POLIZZI's explanation. SHEDLOCK knew he asked VONDRA and POLIZZI why they did not take the IR, but he could not remember what they said (Exhibit 17, pp. 30 and 37).
43. SHEDLOCK stated that IRs are accepted with a lot less detail than the one that WILLIAMS and CRAIG had written (Exhibit 17, p. 38).
44. SHEDLOCK's impression of what POLIZZI was irritated about was that the people in the safety review group were out of control or loose cannons, or something like that (Exhibit 17, p. 25).
45. SHEDLOCK perceived that the mind set of the SRG being out of control, and feelings about all or some of the members of the group, influenced the behavior and the reaction of POLIZZI and VONDRA (Exhibit 17, p. 48).
46. SHEDLOCK believed that POLIZZI had written the memo, and it was his opinion that the idea for the memo was POLIZZI's. SHEDLOCK continued

that part of what led him to believe that was, if POLIZZI had written the memo for VONDRA, and VONDRA knew that it was coming, why would POLIZZI read it in front of everyone and not just give it to VONDRA? SHEDLOCK sensed, but has no facts to base this on, that VONDRA was hearing some of the things in the memo for the first time, as the memo was being read, such as having WILLIAMS and CRAIG removed from site. SHEDLOCK got the sense that POLIZZI wrote the memo, brought it down, and was "enlightening the rest of us" (Exhibit 17, pp. 50 and 51).

47. SHEDLOCK said that he discussed the memo with VONDRA sometime after December 3rd. He believes that the memo had already been sent by the time he spoke with VONDRA again (Exhibit 17, p. 57).
48. SHEDLOCK said that he asked VONDRA if he had spoken to LaBRUNA about the memo, and VONDRA told him that he had on two different occasions. SHEDLOCK asked VONDRA if LaBRUNA gave him any advice, and VONDRA said LaBRUNA did not really say anything, so VONDRA sent the memo (Exhibit 17, p. 58).
49. MORRONI could not recall attending a meeting where POLIZZI read portions of the December 4th memo. MORRONI did recall that a memo had been generated by POLIZZI, to be sent under VONDRA's signature, that discussed the issue with respect to WILLIAMS and CRAIG and that they should not continue in the SRG. MORRONI could not remember how he knew that (Exhibit 10, pp. 60-62).
50. CELLMER stated that he "vaguely" remembered the memo and he speculated that the subject matter was in regard as to how the incident was handled with CRAIG and WILLIAMS. CELLMER continued that he was "sort of on the side lines" and not directly involved (Exhibit 18, p. 11).
51. After reading the December 4, 1992, memo, CELLMER stated that he could remember some of the information that was in the memo, but he could not recall if he had read the memo itself (Exhibit 18, p. 12).
52. POLIZZI stated that he did have reservations about the memo, more so after he went home on Friday, December 4th. POLIZZI said he did not express his reservations to VONDRA. POLIZZI said that his reservations and sensitivity about the memo was not a concern for the regulations, but the fact that the memo involved a performance issue that was the responsibility of WILLIAMS' and CRAIG's manager (Exhibit 12, pp. 158, 186, 187, and 193).
53. POLIZZI said he decided to hold the memo. VONDRA had a lot on his mind, so POLIZZI decided to hold it until VONDRA returned from vacation to see how VONDRA felt at that time (Exhibit 12, p. 192).
54. POLIZZI said that he kept the memo in his briefcase until Monday, December 14, 1992. POLIZZI continued that he returned the memo to VONDRA that day and explained to him why he did not send it (Exhibit 12, p. 193).
55. POLIZZI continued that he told VONDRA that he wanted VONDRA to have a chance to think about sending the memo to see if he had changed his mind (Exhibit 12, p. 193)

56. SHEDLOCK said that he called CIANFRANI at home on the evening of December 3rd because he knew CIANFRANI was not in that day and he wanted CIANFRANI to know what had occurred (Exhibit 17, p. 65).
57. CIANFRANI recalled that he became aware of the December 4th memo on December 3rd during a conversation with SHEDLOCK. On December 21, 1992, VONDRA confirmed to CIANFRANI that there was a memo. CIANFRANI said that he did not actually see the memo until April 1993, in MILTENBERGER's office (Exhibit 32, pp. 26, 27, and 80).
58. CIANFRANI could not recall if SHEDLOCK told him that POLIZZI had read portions of the memo to the managers or if portions of the memo had been read to him only (Exhibit 32, pp. 29 and 30).
59. CIANFRANI acknowledged that POLIZZI could have read the memo on December 4th; however, he did not believe so, because CIANFRANI remembered clearly that SHEDLOCK told him here was an issue that happened with your people today December 3rd (Exhibit 32, pp. 31 and 32).
60. CIANFRANI said that the thrust of what SHEDLOCK told him was that he thought that what was being done with the memo was wrong (Exhibit 32, p. 33).
61. It was CIANFRANI's opinion that it was equally possible that POLIZZI took it upon himself to write the memo, and then convinced VONDRA to send it, because CIANFRANI's opinion of the interaction between POLIZZI and VONDRA was that POLIZZI knew how to hit VONDRA's "hot button," and POLIZZI could "play him like a fiddle" (Exhibit 32, pp. 34 and 35).
62. CRAIG advised that CIANFRANI told him and WILLIAMS about the December 4th memo. According to CRAIG, CIANFRANI had a discussion with SHEDLOCK. As CRAIG learned from CIANFRANI, SHEDLOCK had been at a meeting of plant management, where a memo that had been drafted by POLIZZI had been read and discussed. CRAIG "guessed" that the memo had been signed by VONDRA. Apparently, the memo requested that CRAIG and WILLIAMS be removed from the plant because VONDRA could no longer work with them. CRAIG continued, that, apparently, SHEDLOCK told CIANFRANI that he refused to touch the thing because SHEDLOCK, without having read the letter, recognized that it might not be the best thing in the world to be associated with (Exhibit 5, pp. 57 and 70).
63. MOORE said that he heard a week or ten days later that a memo had been written, and given the time to reflect and think logically, "they" (station management) still had a thing about having WILLIAMS and CRAIG removed from site (Exhibit 19, p. 42).
64. REITER acknowledged that when he met with WILLIAMS and CRAIG on December 14th, they told him that they were aware of a memo that VONDRA had written and that VONDRA had discussed the memo with his direct reports. REITER said that WILLIAMS and CRAIG were continuing to feel very threatened by the incident on December 3rd. They viewed it as a threat to their job and performing their job (Exhibit 21, pp. 41 and 42).

65. REITER said that after he met with CIANFRANI, WILLIAMS and CRAIG, he called VONDRA and asked for a meeting with VONDRA and his managers, so REITER could hear their side of the story. That meeting took place on December 16, 1992. Present at the meeting were POLIZZI, CELLMER, MORRONI, and SCHULTZ. The only manager that was not present was SHEDLOCK. REITER explained to the group the purpose for the meeting and asked POLIZZI a clarification question. REITER could not recall the question. POLIZZI slammed down his book, made statements that they were being defensive, and stormed out of the room. REITER was "incredulous" and sat there because he did not know what to do. After five or ten minutes, VONDRA left the room and came back five minutes later with POLIZZI, who "kind of grumbled" an apology and then the group started to talk about the events of December 3rd. VONDRA focused on what he felt had been a threat to him, WILLIAMS' statement to him that he (WILLIAMS) could use a quality safety concern as another vehicle. VONDRA felt that his safety consciousness had been questioned and he felt threatened. VONDRA admitted that he had lost his temper. During the meeting, VONDRA made reference to a memo that he had written. REITER could not recall if the memo was discussed in any detail. REITER had not received the memo at that time. REITER recalled that POLIZZI had said that he was upset because WILLIAMS and CRAIG would not give him the IR, they would not make an operability decision, and he (POLIZZI) was looking for WILLIAMS and CRAIG to write down whatever MORRONI had concluded in his investigation, which they were unwilling to do (Exhibit 21, pp. 37-41, 43, and 44).
66. REITER said that during the December 16th meeting, or at a subsequent meeting, VONDRA said that he should not have lost his temper, but should have called security and had WILLIAMS and CRAIG escorted outside the gate (Exhibit 21, p. 40).
67. REITER recalled that either at the conclusion of the December 16th meeting, or at a subsequent meeting, REITER spoke with VONDRA. VONDRA made the statement that the reason why POLIZZI was so upset at the beginning of the December 16th meeting was that he did not feel that WILLIAMS and CRAIG would be disciplined, and if they had been station employees, they would have been disciplined (Exhibit 21, p. 56).
68. POLIZZI recalled a meeting on December 16, 1992, attended by VONDRA, REITER, CELLMER, MORRONI, SCHULTZ, and himself. POLIZZI said he did not know the purpose of the meeting. The pretense of the meeting was to try to understand what had happened on December 3, 1992 (Exhibit 12, pp. 199 and 200).
69. POLIZZI continued that he did not like what he had heard at that meeting. REITER condensed the issue into a communications problem, and that the whole event, from start to finish, was a communications issue, that he and VONDRA had failed to understand (Exhibit 12, p. 200).
70. POLIZZI did not disagree that there could have been times when they did not communicate. For example, when POLIZZI said that he wanted to document something, WILLIAMS and CRAIG thought POLIZZI wanted an operability decision (Exhibit 12, p. 201).

71. POLIZZI stated that he was frustrated because REITER "wanted it to go away" (Exhibit 12, p. 201).
72. POLIZZI did not know if REITER had the memo, and he did not recall any discussion of the memo at that meeting, at least when he was present (Exhibit 12, p. 201).
73. POLIZZI said that he left the meeting because REITER sounded defensive, and POLIZZI was not going to waste his time unless REITER would listen to their (VONDRA and POLIZZI) story (Exhibit 12, pp. 201 and 202).
74. POLIZZI continued that he was asked by VONDRA to return to the meeting, which he did, and he apologized to the group for being disruptive (Exhibit 12, p. 202).
75. POLIZZI stated that he was "surprised" that, even at the end of the meeting, REITER did not have the facts as VONDRA and POLIZZI had them. POLIZZI continued that once again, it indicated that what they were going to deal with was not factual (Exhibit 12, p. 202).
76. MORRONI attended a meeting [December 16, 1992] with VONDRA, POLIZZI, CELLMER, and REITER. MORRONI could not recall the purpose of the meeting; however, he did recall that POLIZZI lost his temper with someone at the meeting and "stormed" out of the room. MORRONI said that he knew that the capability of WILLIAMS and CRAIG to continue as members of the Safety Review Group Staff at Salem was an issue; however, he could not remember any specific discussion by VONDRA (Exhibit 10, p. 59).
77. CELLMER "vaguely" remembered a conversation with REITER, VONDRA, and POLIZZI, where REITER tried to resolve the issue of the memo, however, he could not recall any details of that meeting (Exhibit 18, p. 18).
78. SHEDLOCK believed that there was a meeting when VONDRA returned from vacation on December 14, 1992. CELLMER, MORRONI, POLIZZI, VONDRA, and SHEDLOCK were all supposed to be there with REITER. SHEDLOCK said that he was not there. SHEDLOCK could not remember why he did not go. It was either because he was busy or he just did not want to go. SHEDLOCK said that, if he had to chose one reason, it would be because he did not want to go (Exhibit 17, pp. 66 and 67).
79. SHEDLOCK could not remember who he talked to, but he heard that the meeting started out okay, but then degenerated into yelling and screaming, and then POLIZZI left the room (Exhibit 17, pp. 68 and 69).
80. REITER received a copy of the December 4th memo from MILTENBERGER on December 22nd. REITER received the original memo on December 30th (Exhibit 21, pp. 40 and 41).
81. REITER advised that he first became aware that VONDRA wanted WILLIAMS and CRAIG removed from the site when he first saw a copy of the memo on December 22nd (Exhibit 21, p. 44).
82. REITER advised that after he received the December 4th memo, he was out of the office until January 4, 1993. REITER recalled that he had half a

dozen face to face meetings with VONDRA, and a number of telephone calls. VONDRA was not willing to rescind the memo. REITER recalled that it was still an "emotional issue" for VONDRA. VONDRA felt threatened, and his safety consciousness was threatened, therefore, he was unwilling to rescind the memo (Exhibit 21, pp. 57 and 58).

83. REITER acknowledged that at some point VONDRA did ask him to consider taking disciplinary action against WILLIAMS and CRAIG. VONDRA told REITER that he wanted REITER to remove WILLIAMS and CRAIG from the SRG and assign them to some work that would not involve Salem. VONDRA told REITER that he was concerned that WILLIAMS and CRAIG would not be effective in their role. REITER could not recall when VONDRA made this request (Exhibit 21, pp. 45 and 46).
84. REITER explained that he told VONDRA that he was unwilling to remove WILLIAMS and CRAIG, because he did not think that their behavior warranted that. REITER did not think that was appropriate and he thought that it would set a "terrible precedent." REITER told VONDRA that if he removed WILLIAMS and CRAIG, the entire quality assurance safety review organization would view that as "look what happened" when a safety issue was raised. REITER also did not want people to get the idea that if they did not like something that quality assurance or safety review raised, all that is necessary is to raise a big "ruckus" and those people would be taken care of. REITER continued that WILLIAMS and CRAIG were trying to follow a procedure, and they had interpreted the procedure in a way that REITER thought was acceptable (Exhibit 21, pp. 58-60).
85. CIANFRANI's log indicated that on December 21, 1992, he, LIDEN, and REITER met with VONDRA. From CIANFRANI's perspective, VONDRA had invalid information in a couple of areas. According to CIANFRANI, VONDRA said that MORRONI had told WILLIAMS and CRAIG that the issue was not a concern based upon his research. CIANFRANI explained to VONDRA that MORRONI's research, up to that point and prior to the IR being written, consisted only of reading the FSAR. MORRONI concluded that no IR was necessary (incorrect) solely because the FSAR said that the Masoneillan and Moore CFCU controllers were qualified. VONDRA said that POLIZZI told WILLIAMS and CRAIG that there should be no IR. VONDRA advised that he did not know where WILLIAMS and CRAIG were coming from; they appeared to be intent upon shutting down both units. CIANFRANI and LIDEN explained to VONDRA that WILLIAMS and CRAIG attempted to submit an IR per NAP-6 and that they resisted making an operability determination when told to do so by POLIZZI. VONDRA said that POLIZZI was willing to accept the IR, but WILLIAMS and CRAIG would not give it to him and POLIZZI called VONDRA. VONDRA insisted to REITER and CIANFRANI that WILLIAMS and CRAIG persisted in being non-cooperative which led to the escalation. The discussion included two items that VONDRA was still irritated about. When VONDRA told WILLIAMS and CRAIG to issue a DEF, WILLIAMS refused because he had written a DEF once and it was still outstanding after 18 months. The second item was when WILLIAMS commented that if the IR was not accepted, he could go to the cafeteria and fill out a Quality Concern form. VONDRA said that he felt WILLIAMS had threatened him. VONDRA further explained that he did not feel threatened, but felt that WILLIAMS was trying to use the Quality Concern as a threat to force VONDRA to do what WILLIAMS wanted him to do. The



end result of the meeting was that VONDRA stood by the letter that he wrote to REITER, with copies to LaBRUNA and MILTENBERGER. VONDRA again requested that WILLIAMS and CRAIG be removed from the station and given another job. REITER insisted that he could not do this because the message to the QA/NSR organization would be that if you cross station management you will be punished. VONDRA then commented that he should not have thrown WILLIAMS and CRAIG out of his office, instead he should have sent them out for a fitness for duty evaluation because they were acting aberrant. VONDRA described aberrant as being different than they had acted towards him in the past (Exhibit 33, pp. 14-16).

86. CIANFRANI indicated that on January 25, 1993, he met with REITER to discuss the December 3rd issue. CIANFRANI reviewed a draft letter that REITER had written to WILLIAMS. It was a letter of counselling for WILLIAMS addressing his distrust of the DEF process after using it one time, and his telling VONDRA that he could go and submit a quality concern. CIANFRANI told REITER that he considered the DEF comment to be irrelevant to the discussion that day. With regard to WILLIAMS' second statement on the quality concern, CIANFRANI saw nothing wrong with WILLIAMS stating a fact. CIANFRANI told REITER that he thought that it was unwise to issue the letter at this time. The letter concerned ancillary issues which should be handled after the main issue of the SRG engineers being ordered to violate procedures was resolved. To issue the letter at this time would needlessly inflame WILLIAMS, and WILLIAMS would not be receptive (Exhibit 32, pp. 116 and 117; Exhibit 33, p. 20).
87. CIANFRANI said that he read a draft of a letter that REITER had prepared for WILLIAMS, but he did not have a copy of it. CIANFRANI said that the draft letter was typed on PSE&G letterhead and addressed to WILLIAMS. CIANFRANI could not recall if the letter was signed. CIANFRANI said that REITER showed him the draft in CIANFRANI's office. CIANFRANI did not know if REITER showed the letter to anyone else (Exhibit 32, pp. 115, 116, and 118).
88. CIANFRANI said that REITER wanted him to counsel WILLIAMS for two reasons. The first was because WILLIAMS had told VONDRA that he did not trust the DEF program. CIANFRANI said that the second reason REITER wanted to take disciplinary action against WILLIAMS was because he told VONDRA that he could go to the cafeteria and pick up a safety quality concern and submit it (Exhibit 32, pp. 116 and 117).
89. CIANFRANI said that REITER never came out and directly told him to counsel WILLIAMS, but it was one of those "deals" where CIANFRANI was supposed to "read between the lines" (Exhibit 32, p. 116).
90. CIANFRANI said that REITER's rationale was WILLIAMS had to be wrong because VONDRA got so upset (Exhibit 32, p. 117).
91. CIANFRANI said that he convinced REITER not to send the letter to WILLIAMS (Exhibit 32, p. 119).
92. CIANFRANI said that he eventually told WILLIAMS about the letter. He did not tell WILLIAMS, at the time, because he felt it would be too inflammatory for WILLIAMS and also for CRAIG (Exhibit 32, p. 119).

93. WILLIAMS advised that Ashok AZIZ (phonetic) told him that REITER had processed a letter to have WILLIAMS disciplined for the December 3, 1992, incident. WILLIAMS continued that he went to CIANFRANI and asked him if it was true and CIANFRANI said that REITER had written a letter to WILLIAMS. According to WILLIAMS, CIANFRANI told him that REITER had told CIANFRANI to counsel WILLIAMS on his behavior (Exhibit 3, pp. 76 and 77).
94. According to WILLIAMS, CIANFRANI had seen a draft of REITER's letter to WILLIAMS and CIANFRANI told REITER that it was the wrong thing to do. WILLIAMS' impression was that the letter was not issued because CIANFRANI convinced REITER that it was the wrong thing to do (Exhibit 3, pp. 78 and 82).
95. According to CIANFRANI, WILLIAMS came to him and said that a lot of people in TB2 [nuclear administration building] had commented that REITER wanted to take disciplinary action against him, and asked him what he knew about the rumor (Exhibit 32, p. 120).
96. CIANFRANI said that he told WILLIAMS it was not a rumor, and that REITER did want to take disciplinary action against him (Exhibit 32, p. 120).
97. REITER could not recall if he prepared a memo counselling WILLIAMS concerning WILLIAMS' statement about not trusting the DEF system and his statement to VONDRA about filing a safety concern. REITER did recall discussing the subject with CIANFRANI; however, he did not recall if he drafted any memo. REITER did not remember issuing any memo to WILLIAMS (Exhibit 21, pp. 66, 67, and 71).
98. In a letter dated December 10, 1993, to Monroe from Mark WETTERHAHN, Counsel for PSE&G, Winston & Strawn (W&S), WETTERHAHN advised that REITER had reviewed his records, and had determined that the document was never prepared (Exhibit 21A, p. 1).
99. HADDEN reviewed computer disks of correspondence and discovered a "DRAFT" memo from REITER to WILLIAMS, dated January 22, 1993, reference number "NQS 93-009 (Exhibit 22, pp 1 and 4).
100. HADDEN advised that the original memo she typed was not a draft. HADDEN continued that she gave the typed memo to REITER and it stated on his desk for a period of time. According to HADDEN, there was "a lot of activity" on what to do or not to do with the memo, after WILLIAMS wrote a letter to the President of PSE&G (Exhibit 22, p. 21).
- INVESTIGATOR'S NOTE: WILLIAMS wrote a letter dated January 27, 1993, to Robert J. DOUGHERTY, Jr., Senior Vice President - Electric, PSE&G.
101. HADDEN stated that some time subsequent to WILLIAMS' memo to DOUGHERTY, HADDEN was directed by REITER to put "DRAFT" on the memo. HADDEN continued that after she put "DRAFT" on the memo, it "disappeared" from REITER's desk (Exhibit 22, pp. 1 and 2).
102. REITER did recall talking with CIANFRANI about how REITER felt that WILLIAMS' behavior was inappropriate concerning the statement about the

- DEF process. REITER did not recall if CIANFRANI told him that it was not a good idea to counsel WILLIAMS about his statements (Exhibit 21, pp. 68 and 69).
103. REITER said that he discussed with WILLIAMS, his statements to VONDRA and "probably decided" that was sufficient. REITER recalled that WILLIAMS disagreed with him because WILLIAMS felt that his one experience with the DEF process was enough information for him to say that he did not have faith that the issue would be resolved quickly (Exhibit 21, pp. 68 and 69).
  104. REITER said that the only issue that he discussed with WILLIAMS was the statement that WILLIAMS made in VONDRA's office about not trusting the DEF process. REITER told WILLIAMS that he did not think that it was appropriate for him, in the position of a safety review engineer, to be making that sort of statement about an approved process (Exhibit 21, p. 58).
  105. REITER advised that it was his own conclusion that WILLIAMS' statement about the DEF system was inappropriate. REITER said that there was pressure to do something. The pressure REITER felt was to try and reach a resolution that would retain the effectiveness of the organization and the people in the organization (Exhibit 21, p. 63).
  106. REITER said that he told VONDRA that he had met with WILLIAMS and had expressed his view about WILLIAMS' statement about the DEF process (Exhibit 21, p. 60)
  107. It was WANG's opinion that REITER was in "collusion" with VONDRA. REITER went back to WILLIAMS and CRAIG and told them that they should not have done a certain thing (nfi) (Exhibit 30, p. 2).
  108. WILLIAMS stated that he was "interrogated" by REITER. REITER asked WILLIAMS that, if VONDRA told him to write a DEF, why WILLIAMS did not do it? WILLIAMS advised that he was on the defensive for quite a while. WILLIAMS stated that he showed REITER that the procedures did not require him to write the DEF (Exhibit 3, pp. 78 and 79).
  109. WILLIAMS advised that REITER should have taken the IR into VONDRA and told VONDRA to process it according to the procedure. WILLIAMS commented that REITER was the individual responsible for safety concerns and REITER did not know what to do. WILLIAMS said that REITER was prepared to have him "court martialed," but he was not prepared to do anything about the issue (Exhibit 3, pp. 81 and 82).
  110. VONDRA did not remember telling REITER and CIANFRANI during a December 21, 1992, meeting that he should have sent WILLIAMS and CRAIG for a fitness for duty evaluation because of their aberrant behavior. VONDRA continued that, because he can not remember saying it, does not mean that he did not say it. VONDRA said that "to be honest" he has wondered if he was negligent for not having done that, because the behavior of WILLIAMS and CRAIG was so "far out of norm" (Exhibit 15, pp. and 114 and 115).

111. REITER recalled a meeting with VONDRA on January 29, 1993, where he asked VONDRA to rescind the memo and VONDRA did not want to do it. At some point, VONDRA did tell REITER that he was willing to issue an apology for losing his temper. REITER recalled that VONDRA asked for them to reach some solution that would allow him to save face. REITER could not recall specifically when VONDRA made that request (Exhibit 21, pp. 64-66).
112. CIANFRANI's log entry January 29, 1993, disclosed that REITER met with VONDRA and gave CIANFRANI an update. The purpose of the meeting with VONDRA was to convince VONDRA to rescind the letter and to set up a discussion with all involved parties. REITER explained to CIANFRANI, VONDRA's interpretation of NAP-6. Up to this point, the only reason that POLIZZI had given for not accepting the IR, according to WILLIAMS and CRAIG, was that, "We don't do business that way," and the only reason given by VONDRA was that WILLIAMS and CRAIG were trying to shut the plant down. VONDRA's current reason consisted of picking an isolated sentence, relating to DE.AP-18 from attachment 1 of NAP-6, and interpreting it out of context. CIANFRANI's log disclosed that even if that was the case, it does not excuse VONDRA's retaliatory attempts and the fact that rumors of VONDRA out to get WILLIAMS and CRAIG were all over the island. CIANFRANI told REITER that VONDRA's interpretation of NAP-6 had some flaws and that it seemed to have suddenly appeared and it had never been voiced before. To CIANFRANI, it sounded like damage control. When REITER and CIANFRANI met with WILLIAMS, WILLIAMS also did not believe the new interpretation by VONDRA. The draft letter of counselling to WILLIAMS was gone (Exhibit 33, pp. 24 and 25).
113. CRAIG acknowledged that since December 3, 1992, his behavior at the SORC has been more reserved. CRAIG continued that he felt that he needed to be more restrained in what he chose to say (Exhibit 6, p. 74).
114. CRAIG advised that a few days after the December 3rd incident, he attended a SORC that was chaired by POLIZZI. CRAIG continued that, although POLIZZI did not say anything directly to CRAIG, CRAIG did not want to say something that could be interpreted by POLIZZI as deliberately provocative (Exhibit 6, p. 74).
115. CRAIG continued that he did not want to appear to be opposing something just to oppose it and agitate POLIZZI (Exhibit 6, p. 74).
116. CRAIG advised that there are things that you would comment on, get clarification on, but in and of themselves, these things would not provide a basis for voting against an item. CRAIG continued that it was those types of things that he would have been less likely to comment on (Exhibit 6, pp. 74 and 75).
117. CRAIG said that he would not have changed his behavior to the extent that it would affect his need for information (Exhibit 6, p. 75).
118. CRAIG said that prior to December 3rd it would not have crossed his mind to not ask a question (Exhibit 6, pp. 74-76).
119. CRAIG said that had the incident in VONDRA's office with VONDRA and POLIZZI been limited to VONDRA getting upset, and then apologizing for

- having done that. CRAIG would have viewed it as merely a matter that management has its privileges, and they are allowed to yell at you and you are not necessarily allowed to yell back (Exhibit 6, pp. 89 and 90).
120. CRAIG continued that what VONDRA did, with POLIZZI's help, was to attempt to have CRAIG removed from his job. CRAIG said that it was done in a way that was almost conspiratorial because VONDRA took the letter to VONDRA's management meeting scheduled for other management purposes, and the letter was read and discussed (Exhibit 6, p. 90).
  121. CRAIG said there was no one at the meeting, even the man who told us that the letter existed [SHEDLOCK], who seemed to understand that they had what CRAIG believed to be an immediate obligation to report it to a higher authority until something was done about it (Exhibit 6, p. 90).
  122. CRAIG said that, in his mind, they all became participants. CRAIG continued that none of the technical issues that preceded the incident had any significance compared to the apparent belief that they [VONDRA and POLIZZI] are immune from accountability for this. CRAIG advised that people are continuing to be promoted. CRAIG said that the fact that VONDRA is now in charge of fossil production, instead of nuclear production, did not seem like much punishment to him (Exhibit 6, pp. 90 and 91).
  123. In a memorandum dated December 23, 1992, from REITER to MILTENBERGER, concerning the December 4, 1992, memo, REITER explained that he had been meeting with VONDRA in an attempt to resolve the situation. REITER had discussed with VONDRA that he would not remove the SRG people because of his letter. REITER also explained in his memo to MILTENBERGER what removing the SRG people would potentially do. REITER did not want to see a "whistleblower" concern raise out of this incident. Per the memo, REITER did not expect it to, but he did not want to "feed" that possibility, because "we could not stand that sort of issue - particularly now" (Exhibit 23, pp. 1 and 2).
  124. REITER said that he was focusing in on trying to get the issue resolved. REITER did not want to get in the situation where WILLIAMS felt that he had to go to the NRC and claim that he had raised a safety issue and PSE&G was not taking action on it. REITER said that PSE&G did not need an issue like whistleblowing to divert them from trying to improve plant operations (Exhibit 21, pp. 73 and 74).
  125. HAGAN advised that since the PSE&G investigation he and VONDRA have had some discussions. VONDRA's opinion of what had happened was that the safety review engineers had a technical question which they processed. The initial operability determination, which is the responsibility of the SNSS, was made and it was determined that it did not affect the operability of the equipment. According to VONDRA, the safety review engineers did not agree and they chose to escalate the operability decision. They were looking to make the operability decision themselves. VONDRA said that during the discussion the safety review engineers said that they were going to process a quality concern and VONDRA said that, if that was what they chose to do, then they needed to process one. HAGAN advised that VONDRA did not convey to him that he

- had felt threatened when the safety review engineer raised the point of filing a safety concern (Exhibit 27, pp. 12-14).
126. MILTENBERGER advised that the first substantial information that he received about the December 3rd incident was when he received, from LaBRUNA, a copy of the memo from VONDRA to REITER (Exhibit 26, p. 6).
  127. MILTENBERGER continued that his initial concern about the wording in the memo was that he saw a controversy between his safety review organization and his Salem plant management team. MILTENBERGER did not believe that was a healthy situation to be in. MILTENBERGER did not know if the words harassment or intimidation came to mind; however, he did see a serious situation between safety review and the plant staff that needed to be resolved (Exhibit 37, pp. 6 and 9).
  128. MILTENBERGER advised that he learned from conversation with VONDRA that VONDRA had thought that the IR had been filed and turned into the control room. VONDRA's technical people had already told VONDRA that their initial review was that it was operable, therefore, he did not know what the meeting with WILLIAMS and CRAIG was about because operations is the organization that is charged with making the operability decision. VONDRA thought that the issue was being escalated to him for some kind of decision that he thought had already been made, and that was a piece of the confusion. MILTENBERGER said that was his understanding and that some of that information came out after the PSE&G investigation (Exhibit 37, pp. 15 and 16).
  129. MILTENBERGER recalled that, sometime later, VONDRA mentioned to him that he had shown the memo to LaBRUNA, and that VONDRA was waiting for LaBRUNA's comments and, when he did not get any, VONDRA sent the memo (Exhibit 37, p. 22).
  130. In a letter dated February 22, 1994, to Monroe from William H. BRIGGS, J.P., Esquire, BRIGGS indicated that POLIZZI had reviewed the summary of his February 3, 1993, interview with Rader (W&S) and Earlan (PSE&G). BRIGGS indicated that POLIZZI had comments to correct certain inaccurate statements and to elaborate on certain statements that may be incomplete or confusing (Exhibit 13, pp. 1-3).
  131. In a memorandum dated April 29, 1993, from POLIZZI to MILTENBERGER, concerning Interaction with Safety Review Group, POLIZZI attested to the "inappropriate and unprofessional" behavior that he had displayed during the events of December 3, 1992. POLIZZI explained that, as a result of his actions and words, there was little doubt that he had effectively created a "hostile environment," which was rightfully perceived to be a form of "intimidation" that could jeopardize the independence of the safety review group. POLIZZI advised MILTENBERGER of the actions he planned, with the intention of correcting his "overall interpersonal behavior" (Exhibit 37, pp. 1 and 2).
  132. It was the opinion of Libbi J. LEPOW, former Senior Organization Development Consultant, Nuclear Human Resources, SGS, PSE&G, that the environment at PSE&G is "restrictive." LEPOW described the problem at SGS as "systemic," not people problems. It was also LEPOW's opinion that POLIZZI possess the kind of intelligence that, had it been used in

a positive manner, could have turned the plant around. LEPOW viewed POLIZZI as having the "I have to win, but you also have to lose" mentality. It is not enough for POLIZZI to be right on an issue, he must also prove that the other person is wrong (Exhibit 31, pp. 1 and 2).

133. CIANFRANI advised that later on the night of December 3, 1992, MORRONI wrote an IR that dealt only with the configuration issue and only dealt with Unit 1, because MORRONI had done a walkdown and had determined that Unit 1 was tubed incorrectly (Exhibit 32, pp. 35, 36, and 49).
134. In a document titled, "Nuclear Department Incident Report," Incident Report No. 92-796, bearing the signature of "Michael Morroni," MORRONI reported a configuration issue. MORRONI reported that Unit 1 panels 827-1A,B,C,D & E, were not tubed in accordance with drawing 250279 B 9937. In a document titled "Nuclear Department Incident Report," Incident Report No. 92-796, Section IV, Analysis of Incident, the LER coordinator reported that the configuration control concerns were not an "IR" concern per NAP-0006 (unless safety concern is apparent) (Exhibit 11 and Exhibit 44).
135. According to CIANFRANI, MORRONI did not write an IR on the seismic qualification concern of the wrong regulators being installed, because MORRONI felt that it was not a problem based on the seismic analysis and documentation in the FSAR (Exhibit 32, pp. 35 and 36).
136. In a document titled, "Nuclear Department Action Tracking System Response Approval Form," dated January 28, 1993, concerning Incident Report 92-796, Section II:Response, disclosed "Not an event per NAP-006." The document further disclosed that system engineering had informally evaluated the regulator and tubing concerns expressed by the Safety Review Group. The initial review incorporated a field walkdown that identified discrepancies between tube runs of panels 827-1A,B,C,D,E and drawing 250279. Contact with E&PB controls group on December 3, 1992, verbally confirmed the fail safe position of the service water valves, acceptable regulator classification, and post walkdown acceptability of regulators for continued in-service usage prior to retubing to drawing requirements (Exhibit 44, p. 1).
137. In a memorandum dated February 1, 1993, from WILLIAMS to REITER, concerning Safety Concern No. 3606, WILLIAMS provided REITER with a further explanation as to why he did not prepare and issue a DEF, instead of the IR, as VONDRA had wanted WILLIAMS to do. WILLIAMS advised REITER that his immediate reaction to VONDRA's demand for a DEF, instead of an IR, was that it was "tantamount to indefinite postponement." WILLIAMS advised REITER that additional reasons for not issuing a DEF, were that DEFs are not tracked in ATS and Operations is not made aware of their existence and potential safety impact. WILLIAMS also gave REITER reasons why the SRG should not be in "the business" of issuing DEFs (Exhibit 41, p. 1).
139. WILLIAMS stated that he returned to his office, found a safety concern form, and completed it by hand (Exhibit 3, p. 36).

140. WILLIAMS continued that he was on his way to take the safety concern to the Nuclear Administration Building, when he met LIDEN on his way out. WILLIAMS said that he told LIDEN that he was going to take the safety concern to REITER's office (Exhibit 3, p. 36 and Exhibit 4, p. 50).
141. WILLIAMS acknowledged that he did not have time to explain to LIDEN the earlier events, but he did offer LIDEN the opportunity to read the safety concern, but LIDEN said no (Exhibit 3, pp. 36 and 37; Exhibit 4, p. 50).
142. According to WILLIAMS, LIDEN told WILLIAMS he was going to VONDRA's office and to give him time before he gave the safety concern to REITER (Exhibit 3, p. 37).
143. WILLIAMS advised that on December 4, 1992, he typed the safety concern and that the issues did not change from his first handwritten document. WILLIAMS continued that he took the typed safety concern to REITER's office and gave it to REITER's secretary. WILLIAMS stated that he attached a copy of the IR to the safety concern form (Exhibit 3, p. 37).
144. In a document titled, "Here's My Quality/Safety Concern," No. 3606, submitted by WILLIAMS to the General Manager - NQA, WILLIAMS outlined the events of December 3, 1992. WILLIAMS also reported that there are "many concerns" that needed to be addressed, however, he cited only those of "paramount importance." WILLIAMS questioned who was responsible for determining the operability of the station; how many genuine safety concerns had been smothered and left unaddressed by the refusal of Operations to accept IRs or other safety concern statements' and because no one that WILLIAMS spoke with wanted to write the IR, WILLIAMS asked if intimidation was the norm and was it preventing issues from surfacing and being addressed (Exhibit 35, pp. 1-3).
145. In a memorandum dated December 15, 1992, from WILLIAMS to REITER, concerning Quality/Safety Concern No. 3606, Dated December 4, 1992, WILLIAMS put on record a number of "occurrences" that had not been known to him at the time that he wrote Quality/Safety Concern No. 3606. One of the issues was, that WILLIAMS had learned from CIANFRANI that VONDRA had discussed a memorandum that he was writing to REITER with his managers. WILLIAMS closed the memorandum by stating that the "occurrences deepen" WILLIAMS' safety concerns and fears (Exhibit 39, p. 1).
146. In a memorandum dated January 6, 1993, from REITER to WILLIAMS, concerning Quality/Safety Concern No. 3606, REITER advised WILLIAMS that he had reviewed the Quality/Safety Concern. REITER's assessment continued to be that the incident should never have reached the level that it did. It was REITER's opinion that there were several opportunities for resolution that were missed. Also, "there were probably mistakes in judgement" by SRG personnel as well as Station personnel (Exhibit 40, p. 1).
147. In a letter dated January 27, 1993, from WILLIAMS to DOUGHERTY, WILLIAMS outlined the events of December 3, 1992, to DOUGHERTY. WILLIAMS also advised DOUGHERTY of the memorandum to REITER from VONDRA, where VONDRA threatened to withdraw site access for CRAIG and himself. In the letter



- to DOUGHERTY, WILLIAMS requested that VONDRA withdraw the memorandum to REITER; a written apology from VONDRA and POLIZZI for their actions on December 3, 1992; the IR, which led to the events, should be processed and resolved in accordance with NAP-6; and the reaffirmation that safety is PSE&G's number one concern (Exhibit 36, p. 2).
148. In a memorandum dated February 3, 1993, from MILTENBERGER to WILLIAMS concerning Quality/Safety Concern No. 3606, MILTENBERGER advised WILLIAMS that there was an "all-out" effort underway to investigate and resolve all safety issues that WILLIAMS had raised in his Quality/Safety Concern (Exhibit 42, p. 1)
  149. MILTENBERGER also advised WILLIAMS that a special Task Force had been established to examine the allegations that were contained in his letter (Exhibit 42, p. 1).
  150. MILTENBERGER further advised WILLIAMS that there was no need for his concern that his site access, or the site access of CRAIG, would be withdrawn as a result of WILLIAMS raising any safety concern to the attention of the company (Exhibit 42, p. 1).
  151. In a memorandum dated February 8, 1993, to REITER from VONDRA, VONDRA requested that REITER return to him a December 4th memo, which REITER subsequently did return (Exhibit 28 and Exhibit 29, p. 1)
  152. In a memorandum dated February 12, 1993, from DOUGHERTY to WILLIAMS, DOUGHERTY responded to WILLIAMS' letter dated January 27, 1993. DOUGHERTY advised WILLIAMS that VONDRA's memorandum of December 4, 1992, had been withdrawn; VONDRA and POLIZZI have apologized in writing; and the technical issues have been evaluated and resolved (Exhibit 43, p. 1).
  153. MILTENBERGER advised that he believed that the behavior of his management team was not what he expected from his organization. MILTENBERGER considered the issue to be very serious. MILTENBERGER believed the issue had the potential of being a 50.7 and MILTENBERGER felt that the issue needed to be resolved internally with his line organization (Exhibit 26, p. 27).

#### Conclusion 1A and 1B

The OI investigation substantiated that the Senior Staff Engineer and the Safety Review Engineer were harassed and intimidated by both the SGS Operations Manager and the SGS General Manager on December 3, 1992, when attempting to process an IR relating to the CFCUs, and during the following weeks by the managers' attempt to have them removed from the site. In addition, the investigation disclosed that the Senior Staff Engineer was also harassed and intimidated by the General Manager, Quality Assurance/Nuclear Safety Review (QA/NSR), who attempted to reprimand the engineer for the handling of the CFCU concern, while the issue of the Senior Staff Engineer's site access was still unresolved.

## SUPPLEMENTAL INFORMATION

VONDRA and POLIZZI apologized to WILLIAMS and CRAIG for their unprofessional behavior on December 3, 1992. No apology was given concerning the December 4, 1992, memorandum.

On April 22, 1993, John R. WHITE, Chief, Reactor Projects Section 2A, documented a telephone discussion he had that day with MILTENBERGER. During the telephone conversation, MILTENBERGER indicated that POLIZZI was being reassigned from his position as SGS Operations Manager, to being a member of the Westinghouse Advanced Reactor Committee (ARC) in Pittsburgh, Pennsylvania. POLIZZI was expected to be offsite in two weeks. WHITE wrote that during an earlier discussion with MILTENBERGER on April 20, 1993, it was revealed that POLIZZI had previously applied for the ARC position, and that POLIZZI was being actively sought by Westinghouse for the ARC. POLIZZI had already sold his house and was prepared to move on before POLIZZI met with MILTENBERGER on April 22, 1993.

During his interview with OI, POLIZZI disagreed with WHITE's statement and commented that the statement was inaccurate. POLIZZI admitted that he had placed his name on a list to be considered for the position prior to the December 3, 1992, incident; however, that was not a decision to go. POLIZZI acknowledged that he perceived the position that he is in as punitive.

During the April 22, 1993, conversation with WHITE, MILTENBERGER indicated that VONDRA would continue in the position of SGS General Manager, but he was issued a "Final Written Warning," which required VONDRA to take specific action to correct his performance, or otherwise be terminated from employment with PSE&G. VONDRA is now the Regional Manager - South, Fossil Production Department, PSE&G, a position that is comparable to his former position of SGS General Manager.

During the April 22, 1993, conversation with WHITE, MILTENBERGER indicated that REITER, the former General Manager, QA/NSR, SGS, would be reprimanded for failing to bring the issue to the attention of higher management when it was obvious that he had been unsuccessful in his attempts to resolve the situation. This matter was also a factor in REITER's transfer from his former position as General Manager of QA/NSR to a lesser position of Director, Process Improvement, SGS. REITER is no longer an employee of PSE&G.

On July 15, 1993, WILLIAMS filed a complaint with the U.S. Department of Labor (DOL). WILLIAMS alleged that PSE&G had denied him compensation and promotion to the level of others who performed the same function. WILLIAMS claimed that he was denied promotion because of his practice of "speaking-up" on matters that were judged to adversely affect nuclear safety. In a letter dated October 19, 1993, to MILTENBERGER, the DOL District Director advised that DOL had found in favor of WILLIAMS. This issue will be addressed in OI report 1-93-021S.

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## LIST OF EXHIBITS

<u>Exhibit No.</u>	<u>Description</u>
1	HPES Report #SCVR-92-22, Received by HPES 11/18/92, with Attached Handwritten Note from A. C. TAYLOR.
2	OI Request for Investigation to Hayes from Letts, dated June 29, 1993.
2A	PSE&G Document Titled, "Investigation of the Submission of a Quality/Safety Concern and Incident Report on December 3 and 4, 1992, and Related Activities at the Salem Generating Station, Task Force Report of Investigation, Executive Summary," dated April 2, 1993.
2B	SERT Report 92-01, dated May 2, 1992.
2C	Nuclear Department Incident Report, p. 1, dated April 26, 1992, prepared by CRAIG.
3	Testimony of WILLIAMS, dated September 29, 1993.
4	Testimony of WILLIAMS, dated June 13, 1994.
5	Testimony of CRAIG, dated November 1, 1993.
6	Testimony of CRAIG, dated June 24, 1994.
7	Nuclear Department Incident Report, pp. 1 and 4, prepared by WILLIAMS, Undated.
8	Memorandum to REITER from VONDRA, dated December 4, 1992.
9	Testimony of KAFANTARIS, dated November 30, 1992.
10	Testimony of MORRONI, dated July 7, 1994.
11	Nuclear Department Incident Report, Incident Report No. 92-796, p. 1, prepared by MORRONI, dated December 3, 1992.
12	Testimony of POLIZZI, dated February 16, 1994.
13	Letter to Monroe from BRIGGS, dated February 22, 1994, with Attachment of POLIZZI's February 3, 1993, Testimony to Winston and Strawn.
14	Testimony of BAILEY, dated December 14, 1993.
15	Testimony of VONDRA, dated December 15, 1993.
16	Testimony of BUDZIK, dated June 14, 1994.

- 17 Testimony of SHEDLOCK, dated July 7, 1994.
- 18 Testimony of CELLMER, dated August 9, 1994.
- 19 Testimony of MOORE, dated June 29, 1994, and August 9, 1994.
- 20 Testimony of LIDEN, given on February 2, 1993 to Winston and Strawn.
- 21 Testimony of REITER, dated December 20, 1993.
- 21A Letter dated December 10, 1993, to K. Monroe from Mark J. WETTERHAHN, Counsel for PSE&G, Winston & Strawn.
- 22 Report of Interview with HADDEM, dated August 9, 1994, with Attachments.
- 23 Handwritten Memorandum to SEM [MILTENBERGER] from LAR [REITER], dated December 23, 1992.
- 24 Testimony of LaBRUNA, dated July 21, 1994.
- 25 Memorandum to REITER from VONDRA, with Handwritten Notation, dated December 4, 1992.
- 26 Testimony of MILTENBERGER, dated July 22, 1994.
- 27 Testimony of HAGAN, dated July 22, 1994.
- 28 Memorandum to REITER from VONDRA, dated February 8, 1993.
- 29 Handwritten Note to CAV [VONDRA] from LAR [REITER], undated.
- 30 Report of Interview with WANG, dated June 1, 1994.
- 31 Report of Interview with LEPOW, dated August 4, 1994, with Attachment.
- 32 Testimony of CIANFRANI, dated December 8, 1993.
- 33 Excerpts from Personal Log of CIANFRANI, signed by CIANFRANI on December 8, 1993.
- 34 Conversation Log with CIANFRANI, dated August 9, 1994.
- 35 Quality/Safety Concern No. 3606, from WILLIAMS, dated December 4, 1992.
- 36 Letter to DOUGHERTY from WILLIAMS, dated January 27, 1993.
- 37 Memorandum to MILTENBERGER from POLIZZI, dated April 29, 1993.
- 38 Memorandum to VONDRA from THOMSON, dated February 18, 1993.

- 39 Memorandum to REITER from WILLIAMS, dated December 15, 1992.
- 40 Memorandum to REITER from WILLIAMS, dated January 6, 1993.
- 41 Memorandum to REITER from WILLIAMS, dated February 1, 1993.
- 42 Memorandum to WILLIAMS from MILTENBERGER, dated February 3, 1993.
- 43 Memorandum to WILLIAMS from DOUGHERTY, dated February 12, 1993.
- 44 Document Titled, "Nuclear Department Action Tracking System Response Approval Form," dated January 28, 1993.