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**OI INVESTIGATION INFORMATION**

Title: Interview of Deanna Fults

Docket Number: 2-2018-033

Location: Chattanooga, Tennessee

Date: Thursday, May 23, 2019

Work Order No.: NRC-0369

Pages 1-94

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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OFFICE OF INVESTIGATIONS

INTERVIEW

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IN THE MATTER OF: :

INTERVIEW OF : OI Case No.

DEANNA LEIGH FULTS : 2-2018-033

(CLOSED) :

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Thursday, May 23, 2019

Chattanooga, Tennessee

The above-entitled interview was conducted  
at 10:45 a.m.

BEFORE:

Senior Special Agent SCOTT LUINA

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ALSO PRESENT:

SANDY SHEPHERD, ESQ.\*

BILLIE GARDE, ESQ.\*

Of: Clifford & Garde, LLP

1850 M Street NW

Ste. 1060

Washington, DC 20036

\*present telephonically

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

(10:45 a.m.)

SR. SPECIAL AGENT LUINA: All right.

Today's date is May the 23rd, 2019, time is now 10:45 a.m.

This interview is being conducted with Deanna, D-E-A-N-N-A, Leigh, L-E-I-G-H, Fults, F-U-L-T-S, who is currently ECP with the Tennessee Valley Authority. And we're going to talk about some of that involvement here today out at TVA.

But the location of today's interview is at Ms. Fults residents, which is at 4124 Zephyr, Z-E-P-H-Y-R, located in Chattanooga, Tennessee.

And I need to remind you, that I am Special Agent Scott Luina, L-U-I-N-A, with the Nuclear Regulatory Commission Office of Investigations, Region II Field Office out of Atlanta, Georgia. And there's my ID.

Also present, at your request, on the phone, is Ms. Sandy Shepherd who is a paralegal with the law firm Clifford & Garde, because you are represented by Counsel. And Billie Garde might be joining us here in a little bit on the phone but we're going to go ahead and get rolling right now.

And you're okay with that?

1 MS. FULTS: Yes.

2 SR. SPECIAL AGENT LUINA: Okay. And I'll  
3 ask you some questions about her being your  
4 representative.

5 But before we do that, I need to remind  
6 you both that this interview is being recorded and it  
7 will be transcribed at a later date. I need to ask  
8 you, are you recording or transmitting this interview  
9 right now?

10 MS. FULTS: No, I am not.

11 SR. SPECIAL AGENT LUINA: All right, thank  
12 you, ma'am. Also, as I told you prior to going on the  
13 record, that this interview will be conducted under  
14 oath. Do you have any objections to providing the  
15 information under oath today?

16 MS. FULTS: No.

17 SR. SPECIAL AGENT LUINA: All right, good.  
18 If you could please raise your right hand with me, Ms.  
19 Fults.

20 Do you swear the testimony that you're  
21 about to provide today be the truth, the whole truth  
22 and nothing but the truth so help you God?

23 MS. FULTS: I do.

24 SR. SPECIAL AGENT LUINA: All right, thank  
25 you, ma'am, I appreciate that. And, again, it's your

1 request to have Sandy on the phone. You're fine with  
2 her being present in the interview, correct?

3 MS. FULTS: Yes, I am.

4 SR. SPECIAL AGENT LUINA: Okay. And you  
5 do have representation. And she's only representing  
6 you, or, well, she's representing you personally for  
7 the purpose of this interview?

8 MS. FULTS: Correct.

9 SR. SPECIAL AGENT LUINA: And these don't  
10 apply. Okay. Do you understand that you can have a  
11 private interview with me at your convenience?

12 MS. FULTS: Yes, I do.

13 SR. SPECIAL AGENT LUINA: If you change  
14 your mind later on you can always reach out to me  
15 directly if you want to. Or through your attorney,  
16 however you want to do that.

17 Will your testimony in this matter be  
18 inhibited in any way by Ms. Shepherd's presence or by  
19 an attorney's presences if she joins us later on?

20 MS. FULTS: No.

21 SR. SPECIAL AGENT LUINA: Okay, good. All  
22 right, that's enough of those. The other ones don't  
23 really apply to you.

24 So, Ms. Fults, if you could kind of give  
25 me some background information about yourself. Maybe



1 explain your, just your career path. Specifically  
2 dealing with nuclear, the nuclear industry --

3 MS. FULTS: Okay.

4 SR. SPECIAL AGENT LUINA: -- and then your  
5 time out at TVA. And we'll get into --

6 MS. FULTS: I was hired by TVA in 2004, to  
7 go to work in the General Counsel's Office. While I  
8 was there I did, reviewed power contracts. And then  
9 towards the end of that time I worked with labor and  
10 employment law section.

11 SR. SPECIAL AGENT LUINA: Okay.

12 MS. FULTS: And then was moved to the  
13 labor relations department at TVA. Then I was  
14 approached by the director of the EOC, which is  
15 employment, we call it EOC, equal opportunity  
16 compliance, which is like the EOC but that's the  
17 agency for TVA, that handles those claims.

18 So I did investigations and wrote final  
19 agency decisions in that group for a couple of years,  
20 before moving back to labor relations.

21 And then I applied (indiscernible) and was  
22 selected for a job as the Watts Bar employee concerns  
23 specialist. At that time was what our job titles  
24 were.

25 And that was in, I applied in February of

1 2013 and was selected in, was not released to work for  
2 the group until June of 2013, when I started at Watts  
3 Bar. I was there for 18 months, when my co-worker  
4 died in a car accident from Sequoyah and they moved me  
5 to Sequoyah because an outage was about to start.

6 So I worked at Sequoyah as the ECP senior  
7 program manager, because we changed job titled by that  
8 time and we're reporting into nuclear oversight.

9 SR. SPECIAL AGENT LUINA: Okay.

10 MS. FULTS: Previously we worked in  
11 nuclear licensing for Joe Shea. And TVA reorganized  
12 around 2015. That's when we were moved into oversight  
13 as a new for ECP to be viewed as more independent.

14 And we didn't have a number of managers  
15 in-between us and the next thing you know it was just  
16 our managers who then reported to VP or NOS who then  
17 reported to the CNO.

18 SR. SPECIAL AGENT LUINA: That's David  
19 Czufin, is that correct? Is that not who's the  
20 director of oversight right now?

21 MS. FULTS: No. Our nuclear oversight VP  
22 is Greg Boerschig.

23 SR. SPECIAL AGENT LUINA: Boerschig,  
24 that's right. You're right.

25 MS. FULTS: So, when I was at Sequoyah I

1 worked, I think I worked probably with Mike McBrearty  
2 at that time a little bit. And I was selected on this  
3 job in corporate and I moved there once Melody Babb  
4 was hired at Sequoyah.

5 SR. SPECIAL AGENT LUINA: When --

6 MS. FULTS: And that was November of 2015.

7 SR. SPECIAL AGENT LUINA: 2015, to  
8 corporate?

9 MS. FULTS: To corporate.

10 SR. SPECIAL AGENT LUINA: Okay.

11 MS. FULTS: There were issues in licensing  
12 prior to me getting there. And I don't know all of  
13 the specifics.

14 SR. SPECIAL AGENT LUINA: Issues in  
15 license, at corporate nuclear license?

16 MS. FULTS: In corporate nuclear  
17 licensing, yes.

18 SR. SPECIAL AGENT LUINA: Okay.

19 MS. FULTS: And I have worked with Erin  
20 Henderson, who I think is probably one of the subjects  
21 of this investigation, since my time at Watts Bar.  
22 Because she was over, I believe she was PI manager at  
23 that time. And then she --

24 MS. KING: Okay. Performance improvement?

25 MS. FULTS: Yes.

1 SR. SPECIAL AGENT LUINA: Okay.

2 MS. FULTS: And then she got another job  
3 and then got moved to Sequoyah as the licensing  
4 manager. And maybes that, after that point when she  
5 moved downtown was maybe when Mike McBrearty was moved  
6 into Sequoyah. I don't remember the exact  
7 progression.

8 SR. SPECIAL AGENT LUINA: Yes. But you  
9 got to incorporate in November of '15.

10 MS. FULTS: Yes.

11 SR. SPECIAL AGENT LUINA: To incorporate.

12 MS. FULTS: And Erin was already down  
13 there in a role in licensing.

14 SR. SPECIAL AGENT LUINA: Okay.

15 MS. FULTS: It had gotten kind of moved up  
16 I guess at that point in time.

17 SR. SPECIAL AGENT LUINA: In corporate,  
18 okay.

19 MS. FULTS: But I had worked with her as  
20 the licensing manager at Sequoyah as well.

21 SR. SPECIAL AGENT LUINA: And when you  
22 were licensing at Sequoyah --

23 MS. FULTS: I was ECP.

24 SR. SPECIAL AGENT LUINA: Oh, I'm sorry,  
25 you --

1 MS. FULTS: She was licensing.

2 SR. SPECIAL AGENT LUINA: -- you were ECP  
3 at Sequoyah --

4 MS. FULTS: Yes.

5 SR. SPECIAL AGENT LUINA: -- your direct  
6 supervisor was to the site vice president, is that --

7 MS. FULTS: No, it was still nuclear  
8 oversight.

9 SR. SPECIAL AGENT LUINA: Nuclear  
10 oversight.

11 MS. FULTS: So the vice president of  
12 nuclear oversight. Who sits in corporate.

13 SR. SPECIAL AGENT LUINA: Okay.

14 MS. FULTS: We didn't report into Joe Shea  
15 at that point in time.

16 SR. SPECIAL AGENT LUINA: Okay. Nuclear  
17 oversight, okay.

18 And then when you got to corporate, who  
19 was your direct supervisor?

20 MS. FULTS: Inza Hagins-Dyer is who we  
21 reported, all of ECP is reported into Inza since  
22 probably mid-2014, I think.

23 SR. SPECIAL AGENT LUINA: Okay. And  
24 that's, I-N-Z-A, H-A-G-I-N-S, hyphen, D-Y-E-R, is Inza  
25 Hagins-Dyer.

1                   And you were mentioning too, your  
2 background is in law, is that correct? I think.

3                   MS. FULTS: Yes.

4                   SR. SPECIAL AGENT LUINA: Okay.

5                   MS. FULTS: I have a law degree and I'm  
6 licensed to practice in Alabama and Tennessee.

7                   SR. SPECIAL AGENT LUINA: Okay. And has  
8 a lot of your time been in employment law, I guess is  
9 that --

10                  MS. FULTS: Issues related to employment  
11 law.

12                  SR. SPECIAL AGENT LUINA: Okay.

13                  MS. FULTS: I've done investigations of  
14 discrimination for TVA. And then when I was in labor  
15 relations I was one of the primary representatives for  
16 TVA management in arbitration hearings and mediation  
17 before TVA.

18                  SR. SPECIAL AGENT LUINA: TVA --

19                  MS. FULTS: Against the labor unions.

20                  SR. SPECIAL AGENT LUINA: Labor unions,  
21 okay. What's your experience then, I guess with the  
22 discrimination cases related to NRC regulations, like  
23 10 CFR 50.7, employment protection?

24                  MS. FULTS: What we investigate in ECP,  
25 HIRD and chilled work environment claims --

1 SR. SPECIAL AGENT LUINA: Okay. H-I-R-D,  
2 sorry, acronyms, we got to get them all --

3 MS. FULTS: Harassment, intimidation,  
4 retaliation and discrimination claims --

5 SR. SPECIAL AGENT LUINA: Yes.

6 MS. FULTS: -- related to 50.7 protected  
7 activities.

8 SR. SPECIAL AGENT LUINA: Okay. So you  
9 did those when you got the ECP.

10 MS. FULTS: Yes.

11 SR. SPECIAL AGENT LUINA: Then with OGC it  
12 was more the labor relation type of issues?

13 MS. FULTS: With OGC it was all things  
14 like MSPB, merit systems protection board.

15 SR. SPECIAL AGENT LUINA: Okay.

16 MS. FULTS: And I just received a text  
17 message from Billie that says she's at the gate now.

18 SR. SPECIAL AGENT LUINA: Okay.

19 MS. FULTS: We could try to add her in.  
20 I've already explained to him that I'm not that  
21 technically advanced so we may have to try to call her  
22 on another number.

23 SR. SPECIAL AGENT LUINA: Here, I'm going  
24 to turn off the records for a little bit while we work  
25 this out. It's 10:54 a.m.

1 (Whereupon, the above-entitled matter went  
2 off the record at 10:54 a.m. and resumed at 10:56  
3 a.m.)

4 SR. SPECIAL AGENT LUINA: All right, the  
5 time is now 10:56 a.m. and we're back on the record.  
6 And now Ms. Billie Garde, the attorney, G-A-R-D-E, has  
7 joined us that's representing Ms. Fults for the  
8 purpose of this interview.

9 So what we're going to do now, we were  
10 talking about your background. And I think --

11 MS. GARDE: Just a minute. This is  
12 Billie.

13 SR. SPECIAL AGENT LUINA: Hey, Billie.

14 MS. GARDE: I also have on the record,  
15 that Sandy Shepherd --

16 SR. SPECIAL AGENT LUINA: Okay.

17 MS. GARDE: -- the paralegal that works  
18 with me is also on the line. And since I'm at the  
19 airport, at some point I'm going to have to sign off  
20 and she's authorized to continue to attend the  
21 interview.

22 So, I just wanted to make sure that's on  
23 the record.

24 SR. SPECIAL AGENT LUINA: Okay.

25 MS. GARDE: And have you had her sign,



1 have you had Deanna sign her kind of agreement  
2 statement yet?

3 SR. SPECIAL AGENT LUINA: No. I just had  
4 her fill out the --

5 MS. GARDE: Okay.

6 SR. SPECIAL AGENT LUINA: -- the  
7 biographical information and stuff. Yes.

8 MS. GARDE: Okay.

9 SR. SPECIAL AGENT LUINA: Yes, I haven't  
10 done --

11 MS. GARDE: All right.

12 SR. SPECIAL AGENT LUINA: -- okay. All  
13 right. Yes, and we had added already, in fact, I  
14 forgot to mention when I came back on the record that,  
15 yes, Ms. Sandy Shepherd is still on the line right  
16 now.

17 All right. All right, Deanna, what we  
18 were talking about? We were talking about your  
19 background, your experience, working out there at the  
20 site.

21 You reported to Ms. Inza in November of  
22 2015. At that time frame. And, yes, you've had a lot  
23 of training and experience and understanding, not just  
24 with your law degree background but understand of the  
25 employment protection rule as far as the NRC --

1 MS. FULTS: Yes.

2 SR. SPECIAL AGENT LUINA: -- 10 CFR 50.7,  
3 okay, good.

4 And I'm assuming you've conducted a few of  
5 those HIRD investigations while --

6 MS. FULTS: It seems like those are the  
7 majority of the investigations that I've conducted.  
8 That and chilled work environment investigations.

9 SR. SPECIAL AGENT LUINA: Okay. And  
10 chilled work environment.

11 MS. FULTS: That's just the nature of the  
12 type of intakes that we've received.

13 SR. SPECIAL AGENT LUINA: Okay. And aside  
14 from, I mean, just reading the regulations themselves,  
15 have you had any training or other follow-on courses  
16 you've been to?

17 MS. FULTS: Yes. I attend national  
18 associate of employee concerns professionals, NAECP  
19 training, once a year. Whenever TVA can afford to  
20 send us to training.

21 I've been a member of the NAECP and I've  
22 attended Ms. Billie Garde's harassment and  
23 intimidation, retaliation and discrimination, the  
24 workplace training. Which is a separate add on to  
25 NAECP conference, when I was first hired into ECP.

1 SR. SPECIAL AGENT LUINA: Okay. All  
2 right. And you were kind of mentioning already, even  
3 when you came into corporate, there was already some  
4 issues or some stuff going on with corporate nuclear  
5 licensing. What can you tell me about that?

6 What were some of the stuff that you are  
7 aware of that was concerning, I guess to you?

8 MS. FULTS: There had been a history of  
9 intakes in the corporate nuclear licensing  
10 organization that pre-dated me.

11 Right now I'm pulling up our access  
12 database so I can speak with more details. I have a  
13 timeline that I had developed in one of our cases.

14 SR. SPECIAL AGENT LUINA: Okay. I'm going  
15 to look at that.

16 MS. FULTS: Oh, that's the right thing.  
17 Yes, slide on over here.

18 SR. SPECIAL AGENT LUINA: Yes, thank you.

19 MS. FULTS: I'm making room for him.

20 SR. SPECIAL AGENT LUINA: Thank you.

21 MS. FULTS: Hopefully that's going to work  
22 here. I've tried to pull up what I can in advance of  
23 us talking today. Hold on here.

24 SR. SPECIAL AGENT LUINA: She's just  
25 trying to sign in right now to the database.

1 (Off record comments.)

2 MS. FULTS: Okay.

3 SR. SPECIAL AGENT LUINA: Do you want to  
4 talk about what you're pulling up right now?

5 MS. FULTS: I'm currently pulling up a  
6 case file, it's NEC-16-00638. Case name, Connor's  
7 licensing retaliation. It was recorded in our  
8 database on June 23rd of 2016.

9 SR. SPECIAL AGENT LUINA: Was this an  
10 investigation you conducted or --

11 MS. FULTS: Yes, I did conduct this  
12 investigation.

13 SR. SPECIAL AGENT LUINA: Okay.

14 MS. FULTS: And as a result of that  
15 investigation, my manager, Inza Hagins-Dyer, asked me  
16 to pull together a timeline of recent concern files  
17 that we had had. Because she was already, when she  
18 was working in the corporate role that's similar to  
19 what I had, supporting the senior manager of ECP at  
20 that time, there were investigations that were done in  
21 the recent history, a year or so prior to me getting  
22 there.

23 And we believed at that time, I certainly  
24 shared in that belief that Joe Shea would not take  
25 this concern seriously, because we didn't necessarily

1 substantiate everything that the concerned individual  
2 said. There were reasons for the decisions that Erin  
3 had taken, but we had found behaviors that Erin and  
4 Joe, Erin was engaging in that Joe was allowing and  
5 tolerating and possibly encouraging, that were causing  
6 problems in the workgroup and continuing to cause  
7 problems.

8 We had seen a pattern with Ms. Henderson  
9 from previous roles that she had been in when I  
10 investigated and talked to other people who had worked  
11 for her that we thought needed to be addressed.

12 And we were concerned that it would not be  
13 addressed unless we had a full scope of how many  
14 concerns and intakes we were receiving in corporate,  
15 from this little small group that had such an  
16 important impact on the whole fleet.

17 SR. SPECIAL AGENT LUINA: Okay.

18 MS. FULTS: So she asked me to pulled  
19 together a chronology of contacts with CNL employees,  
20 to give that to David Czufin, when we met with him to  
21 go over the corrective action letters that we issued  
22 in this particular concern.

23 And I'm opening up that chronology now.

24 SR. SPECIAL AGENT LUINA: And just to  
25 verify, this allegation, this case, was reported by

1 Ms. Connor?

2 MS. FULTS: Yes. Terri Michelle Connor  
3 (phonetic.)

4 SR. SPECIAL AGENT LUINA: Okay.

5 MS. FULTS: And she goes by Michelle.

6 So, the big case that kind of started this  
7 all off for ECP being very involved in CNL business,  
8 we say CNL, corporate nuclear licensing, occurred in  
9 October 2014. So that predated me. That's something  
10 that Inza would know a little bit more about.

11 It was a retaliation, chilled work  
12 environment concern that was substantiated and a  
13 corrective action letter was issued. Those were sort  
14 of in their infancy in our department, so it was  
15 issued, it didn't have maybe necessarily the same  
16 weight that they came to have later.

17 But that case involved the termination of  
18 a supplemental worker creating a chilled work  
19 environment in the nuclear licensing organization.

20 SR. SPECIAL AGENT LUINA: Do you know who  
21 was involved that? Like, who retaliated.

22 MS. FULTS: I believe that was either, I'm  
23 sorry, who retaliated?

24 SR. SPECIAL AGENT LUINA: Yes, who --

25 MS. FULTS: It would have been Joe Shea.

1 SR. SPECIAL AGENT LUINA: Joe Shea.

2 MS. FULTS: And I don't know. I can't  
3 pull this up because I don't have that particular  
4 database. We started using I-Site (phonetic) in late  
5 2014, early 2014.

6 SR. SPECIAL AGENT LUINA: Okay.

7 MS. FULTS: So I can't see the specifics  
8 of that, but there is a concern file, a hard copy  
9 file, that Inza Hagins-Dyer would have.

10 SR. SPECIAL AGENT LUINA: Okay. And she's  
11 talking about, is that Case Number ECP-CHA-2014-006-  
12 CC?

13 MS. FULTS: That's correct.

14 SR. SPECIAL AGENT LUINA: Okay. Go ahead.

15 MS. FULTS: Then we had another case in  
16 May of 2015. It was NEC-15-00530. That's how you can  
17 tell we've moved to the new I-Site database --

18 SR. SPECIAL AGENT LUINA: Okay.

19 MS. FULTS: -- because the numbering is  
20 different. That particular case was a management  
21 personnel case.

22 It was an incident in which a CNL employee  
23 was disrespectful towards a QA employee. That concern  
24 was handled by HR.

25 Then in December 2015 we had another

1 contact. This was NEC 15-01192. And that was a fear  
2 of retaliation. A belief that there's a cultural bias  
3 against reporting unanalyzed conditions.

4 The CI did not wish to file. They came to  
5 Inza Hagins-Dyer and spoke about this. It was around,  
6 I believe it was the same day or near the same day  
7 that we found out about the operations, chilled work  
8 environment at Watts Bar.

9 So late December. End of the year, in  
10 December, near the holidays.

11 That particular person, Inza described to  
12 me they were crying and they were very upset. It was,  
13 I believe dealing with hydrology. And so she wrote  
14 that particular concern up.

15 But we did not move forward with it. She  
16 tried to handle it through informal channels. I don't  
17 know what she did though.

18 SR. SPECIAL AGENT LUINA: Do you know,  
19 these other two you just mentioned, do you know if the  
20 managers you're talking about, Joe Shea and Henderson  
21 involved in those or was it other managers?

22 MS. FULTS: Yes. That would have been --

23 SR. SPECIAL AGENT LUINA: Is there a way  
24 to find that out? Is that in your database?

25 MS. FULTS: This one, at 530 I can check.



1 1192 I can also check for you. We can do that right  
2 now.

3 I don't know how much she would have  
4 documented because I didn't handle those particular  
5 cases.

6 SR. SPECIAL AGENT LUINA: Okay.

7 MS. FULTS: In January of 2016 I did a  
8 pulsing. We didn't say that there was a chilled work  
9 environment. There were some work environment issues  
10 not related to nuclear safety or quality.

11 We provided that to management. Then in  
12 January of 2016, later on, we received another contact  
13 that was from another individual. That number was NEC  
14 16-00132.

15 That particular individual was concerned  
16 about attitudes at the sites of ignoring corporate  
17 nuclear licensing's advice. And the site is failing  
18 to write CRs or notifying the NRC of unanalyzed  
19 conditions.

20 Again, the CI did not wish to file a  
21 concern, they just wanted to report that when they had  
22 filed out their pulsing that it jogged some conditions  
23 for them that they thought, maybe I should tell  
24 someone about this. I don't have specifics, but I  
25 have attitudes and --

1 SR. SPECIAL AGENT LUINA: Okay.

2 MS. FULTS: -- and things that I'm  
3 concerned about. For you guys to be watching.

4 SR. SPECIAL AGENT LUINA: Okay.

5 MS. FULTS: And that was shared with our  
6 staff. So we alerted, in particular, it was at Watts  
7 Bar that this concerned individual was believed that  
8 the attitudes were not favorable to reporting and that  
9 they were not listening to the advice from the CNL  
10 group.

11 SR. SPECIAL AGENT LUINA: Okay.

12 MS. FULTS: May 6th, 2016 we did another  
13 pulsing. We did not identify a chilled work  
14 environment. We provided the report to management.

15 The comments noted overall for  
16 improvements, although the percentage results on the  
17 ratings had not significantly changed from January of  
18 2016.

19 SR. SPECIAL AGENT LUINA: Okay. Good.

20 MS. FULTS: And we had added some  
21 additional questions that were part of their gaps to  
22 excellence plan that were specifically around  
23 management behaviors. When we would have done these  
24 pulsings.

25 So that was what Erin was really focused

1 in on. She is who asked me to add these questions in.  
2 They were part of an action plan that she had to  
3 capture improvements based on this feedback that they  
4 had given.

5 It was, they got negative feedback, not  
6 just from us but from a cultural survey. I'm not, I  
7 don't recall which group was conducting that for TVA  
8 at the time, but they had received poor rankings, or  
9 ratings, on another number of questions related to  
10 trust and management.

11 SR. SPECIAL AGENT LUINA: Okay.

12 MS. FULTS: So, she wanted those  
13 additional questions asked, and we were the ones to  
14 follow-up on it.

15 So, then in June of 2016 we received a  
16 contact. That was NEC 16-00576. This contact was  
17 from Erin Henderson on stating that Michelle Connors  
18 had raised concerns about the nuclear duty officers  
19 that she was experiencing a hostile work environment  
20 from them.

21 We just noted that as another contact.  
22 She spoke to Inza Hagins-Dyers about that. This was  
23 a little irregular for us.

24 We, I say we, it tends to be an ECP that  
25 managers don't always come to us with the best of

1 intentions when they're telling us about an employee  
2 or a problem, that it can sometimes be that they're  
3 trying to shape our perception before that employee  
4 comes to us.

5 Because immediately after that, within  
6 just a matter of a couple of weeks, two to three weeks  
7 tops, in June of 2016, I'm sorry, July --

8 SR. SPECIAL AGENT LUINA: July.

9 MS. FULTS: -- it was July, I missed read,  
10 July of 2016 we had a concern filed from Michelle  
11 Connors, that was NEC 16-00638, where she alleged HIRD  
12 and a chilled work environment.

13 We did not substantiate HIRD. There were  
14 precursors to a chilled work environment.

15 SR. SPECIAL AGENT LUINA: Okay.

16 MS. FULTS: And we issued corrective  
17 action letters at that time. And I can provide you  
18 more details on that.

19 SR. SPECIAL AGENT LUINA: One of the  
20 questions I want to ask you about, it was mentioned in  
21 that investigation, I don't know if you have it in  
22 front of you or not.

23 MS. FULTS: Yes. I can pull that up.

24 SR. SPECIAL AGENT LUINA: You can come up  
25 with that?

1 MS. FULTS: I'll get that final report  
2 next. Final licensing report. Okay, I'm opening that  
3 now.

4 SR. SPECIAL AGENT LUINA: Okay. I'm not  
5 sure where it's at in there but I know I've read  
6 through that. And there's a mention about the  
7 investigation concluded that behaviors exhibited by  
8 the senior manager, Erin Henderson, including the  
9 perception that employees were written up after  
10 disagreeing with her.

11 MS. FULTS: Yes.

12 SR. SPECIAL AGENT LUINA: Have the  
13 potential to create a work -- so that's something that  
14 you gathered through interviews I guess with some of  
15 these employees? They just --

16 MS. FULTS: Yes.

17 SR. SPECIAL AGENT LUINA: Or you didn't  
18 find evidence that it was actually happening, that's  
19 why you wrote it up as a perception --

20 MS. FULTS: Yes, it's a perception. We  
21 did not find evidence of that.

22 The standard response at TVA has been, in  
23 these instances, that management has the right. And  
24 we can't look behind necessarily the merits of  
25 someone's performance is bad because what we did find

1 was a pattern of Erin Henderson placing people on  
2 performance improvement plans. A high number of  
3 performance improvement plans.

4 Even this year we had a report in one of  
5 our NSCMP meetings, or perhaps it may have been a  
6 nuclear safety culture meeting, where I filled in for  
7 Inza, and there was talk of how many people have been  
8 placed on performance improvement plans.

9 And there has been a big push at TVA to  
10 start managing performance better.

11 SR. SPECIAL AGENT LUINA: Okay.

12 MS. FULTS: That's a way to make employees  
13 more accountable. It's also a way to save money,  
14 because you don't have to give out the standard three  
15 to five percent, whatever folks believe that they're  
16 entitled to, as average employees.

17 And so, over the last year we had a series  
18 of contacts and just general conversations, even in  
19 ECP, that TVA was changing the way it was doing  
20 business, it was going to start holding employees  
21 accountable. By doing that, they were going to manage  
22 performance more strictly than they had in the past.

23 But at the end, the point being was, in  
24 one of these safety culture meetings, I believe it was  
25 Paul (indiscernible) who said, well, even if all this

1 talk that we were doing this, I think we had, what,  
2 eight people placed on PIPs this year. A PIP,  
3 performance improvement plan.

4 I don't know that it was eight, but the  
5 point was that it was a very small number across the  
6 fleet. Even with saying we were going to start  
7 managing expectations.

8 And I thought to myself then, she, Erin  
9 Henderson, had placed more people on PIPs or had  
10 separations agreements for employees then, you know,  
11 it was half the fleet at that point in time. So,  
12 compared to what had happened in the whole year --

13 SR. SPECIAL AGENT LUINA: And that was for  
14 2018 time frame?

15 MS. FULTS: Yes.

16 SR. SPECIAL AGENT LUINA: Okay.

17 MS. FULTS: So it's just a high number.  
18 I did write that up. And I was asked later to write  
19 that up again.

20 I have the interview notes. I can, if I  
21 need to, I can go and tell you who all had said what,  
22 if that was what you were looking for.

23 SR. SPECIAL AGENT LUINA: Okay.

24 MS. FULTS: But, the statement here in the  
25 report says, the investigator noted five separate

1 instances in three different departments, in the past  
2 three years, not including the concerned individuals  
3 stated fear of being written up.

4 And I added that in parentheses to show  
5 that she had a reasonable fear. Because these are  
6 small departments that Erin has managed. We're  
7 talking four and five employees was all she ever  
8 managed.

9 SR. SPECIAL AGENT LUINA: Yes.

10 MS. FULTS: Where employees were either  
11 placed on a performance improvement plan or have  
12 received negative comments on service for reviews for  
13 what they perceived as disagreeing with a senior  
14 manager.

15 Two individuals indicated that they are  
16 under a physician's care for ongoing stress related  
17 illnesses that developed once they began working for  
18 the senior manager.

19 This investigation, I talked to people who  
20 had all worked for Erin. I talked to people that were  
21 still in roles that hadn't already left the company.

22 And males and females alike would cry. I  
23 started just carrying a box of Kleenexes with me to  
24 the sites that I talked to people because they would  
25 get so upset about how they felt, with the way she



1 treated them or spoke to them. Or would embarrass  
2 them in front of their peers.

3 SR. SPECIAL AGENT LUINA: Okay.

4 MS. FULTS: So it was a very uncomfortable  
5 investigation for me because I had not seen her behave  
6 in that way, but there were a number of people who had  
7 said it. Said much that it needed to be written  
8 somehow to be addressed.

9 SR. SPECIAL AGENT LUINA: Okay. So,  
10 that's that particular --

11 SR. SPECIAL AGENT LUINA: That's that one,  
12 yes.

13 MS. FULTS: -- piece of the report.

14 SR. SPECIAL AGENT LUINA: Okay. And then  
15 what else, we'll go back to that chronology --

16 MS. FULTS: Okay.

17 SR. SPECIAL AGENT LUINA: -- on that.

18 MS. FULTS: So on the chronology, the  
19 second piece of that was just more analysis on Page 2.  
20 And I'm looking in here.

21 And at that time we issued two corrective  
22 action letters, which was a little unusual.

23 SR. SPECIAL AGENT LUINA: Yes.

24 MS. FULTS: I got to look at them to see  
25 again it's been awhile.

1 SR. SPECIAL AGENT LUINA: Okay.

2 MS. FULTS: We did that. This was just a  
3 breakdown of the classification of types of concerns  
4 we had had in two year's time.

5 We had four concerns saying retaliation or  
6 HIRD. Two saying a chilled work environment and  
7 licensing, one that was an HR type issue, one  
8 involving misconduct and one involving a technical  
9 concern.

10 So that's a high number. That's six,  
11 seven, eight, nine in two years from a small  
12 organization.

13 SR. SPECIAL AGENT LUINA: Okay. And you  
14 issued the, corrective action letters --

15 MS. FULTS: Yes.

16 SR. SPECIAL AGENT LUINA: -- from it?

17 MS. FULTS: So the first corrective action  
18 letter was issued, along with the report, to Joe Shea.

19 SR. SPECIAL AGENT LUINA: Shea, yes.

20 MS. FULTS: And then the second one, and  
21 I'm just looking to say, I think the second one was  
22 addressed to his VP, which would have been David  
23 Czufin.

24 SR. SPECIAL AGENT LUINA: Okay.

25 MS. FULTS: But I want to make sure.

1 SR. SPECIAL AGENT LUINA: And that's C-Z-  
2 U-F-I-N?

3 MS. FULTS: That is correct. Well, if it  
4 ever lets me open it.

5 (Off record comments.)

6 MS. FULTS: So that was issued to David  
7 Czufin. And that was asking him that we use this  
8 timeline.

9 The first corrective action letter focused  
10 primarily on the relationship between the senior  
11 manager, fleet regulatory operations. That would be  
12 Erin Henderson and her employees.

13 The second corrective action letter,  
14 addressed to David Czufin, senior vice president  
15 engineering and operations support, was written to  
16 address the observation from ECP's report that there  
17 has been a history of work environment concerns in the  
18 CNL organization.

19 We recommended at that time that those  
20 historical concerns, again, be reviewed with actions  
21 taken to preclude recurrence of similar issues. And  
22 we said that repeated concerns had been raised with  
23 CNL over the past couple of years.

24 When we present this to David Czufin, Inza  
25 setup the appointment to meet with him, and she

1 brought me along. I had not really, at that point,  
2 had to have much dealings with him.

3 I think I had been on the staff, in  
4 corporate, for nine months. I had been to a few  
5 meetings. I hadn't had to really report on anything.

6 We gave him the corrective action letters,  
7 we gave him the report. It may have been that it was  
8 a summary of the report, but we gave him some  
9 information. We briefed him on what we were doing  
10 with Joe Shea. And then we gave him the chronology.

11 He looked at it and then he said, this is  
12 just a CYA, isn't it. I was taken aback by that but  
13 I didn't shy away from the comment because it was  
14 directed towards Inza and myself. And I said, yes, it  
15 is a CYA, we want to make sure this, we're addressing  
16 what we've seen as a pattern.

17 But that comment stuck out to me for a  
18 very long time about it being a CYA --

19 SR. SPECIAL AGENT LUINA: Yes.

20 MS. FULTS: -- because that's the  
21 perception that has been recurring when there is  
22 anything that ECP finds that is negative towards TVA  
23 management.

24 SR. SPECIAL AGENT LUINA: Okay. Okay.

25 MS. FULTS: It's a prevailing attitude

1 that he summed up --

2 SR. SPECIAL AGENT LUINA: Yes.

3 MS. FULTS: -- better than anyone.

4 SR. SPECIAL AGENT LUINA: Okay. Okay.

5 Okay, well, after the Connor case, were you involved  
6 at all in any allegations from Mr. McBrearty?

7 MS. FULTS: I was involved in some of his  
8 traffic with ECP.

9 SR. SPECIAL AGENT LUINA: Okay.  
10 (Indiscernible?)

11 MS. FULTS: It looks like the next thing  
12 that would have occurred was April 17th of 2017.  
13 There was a case file, NEC 17-00410, that was alleging  
14 a hostile work environment and HIRD. Inza  
15 investigated that particular concern.

16 SR. SPECIAL AGENT LUINA: Yes.

17 MS. FULTS: Then it looks like the next  
18 one would have been July 31st of 2018.

19 SR. SPECIAL AGENT LUINA: July?

20 MS. FULTS: Yes. That's NEC 17, or maybe  
21 that's, I might have written the wrong number down.  
22 I think it was July 31st of 2017. Let me double check  
23 this for you.

24 (Off record comments.)

25 MS. FULTS: I'm looking in our database

1 right now.

2 SR. SPECIAL AGENT LUINA: Yes, that would  
3 be --

4 MS. FULTS: Yes. So that was 17683 and it  
5 was reported in our database on July 31st of 2017.

6 SR. SPECIAL AGENT LUINA: July 31st.

7 MS. FULTS: That was opened by Inza. The  
8 concern was that the senior manager of licensing is  
9 retaliating against the licensing manager at Sequoyah.

10 Now, I did some interviews on that  
11 particular concern for Inza.

12 SR. SPECIAL AGENT LUINA: This is the one  
13 where he, you closed 00410 and then there's the  
14 allegation that Ms. Henderson brought something up  
15 about that during a meeting, is that correct?

16 MS. FULTS: Absolutely.

17 SR. SPECIAL AGENT LUINA: Okay.

18 MS. FULTS: That is correct.

19 SR. SPECIAL AGENT LUINA: All right.

20 MS. FULTS: It was partially  
21 substantiated. And we issued a requirement to act  
22 letter, to Joe Shea at that point in time.

23 And during those interviews, this was  
24 involving a conversation that occurred in a staff  
25 meeting that included managers, and at least one

1 individual contributor, where Erin talked about Mike  
2 McBrearty having filed an ECP concern and that it was  
3 not substantiated.

4 And it was brought to our attention to  
5 investigate. We confirmed that the conversation had  
6 occurred.

7 SR. SPECIAL AGENT LUINA: As part of that  
8 investigation, did you all look at that, created any  
9 type of, again, like a chilling effect with people in  
10 the staff?

11 MS. FULTS: Let me look at the questions  
12 I asked. I'm looking in the database to see my notes,  
13 to see what the questions were. And I did what I was  
14 directed to do by Inza. I didn't have the full case  
15 itself --

16 SR. SPECIAL AGENT LUINA: Okay.

17 MS. FULTS: -- I just conducted interviews  
18 on part of it.

19 SR. SPECIAL AGENT LUINA: Okay.

20 MS. FULTS: So my questions were, were you  
21 in attendance at a licensing staff meeting the week of  
22 July the 17th of 2017, what were some of the topics --

23 SR. SPECIAL AGENT LUINA: Okay.

24 MS. FULTS: -- was there discussion of  
25 performance of site licensing offices, what were

1 discussed, were specific sites and their personnel  
2 discussed, if so, what was specifically stated by the  
3 senior manager for fleet regulatory operations.

4 And these questions were ones that Inza  
5 drafted. I have an email her from that I'm reading  
6 into the file right now.

7 Was the fact that an employee concern had  
8 been filed, discussed, if so, what details were  
9 discussed, was the specific name of any concerned  
10 individual discussed and was any feedback given to the  
11 senior manager about discussing details.

12 And so I interviewed each of the people  
13 that were in attendance. It was just intended to  
14 track down that particular --

15 SR. SPECIAL AGENT LUINA: Piece of it.

16 MS. FULTS: -- piece of it.

17 SR. SPECIAL AGENT LUINA: Okay. That's  
18 fine. Portion of the interview, okay.

19 Did he report any other concerns to you  
20 guys? Did he comment at all after that one?

21 MS. FULTS: I do not believe that he did.  
22 However, I was at Sequoyah filling in for Melody Babb  
23 during some, in absence of hers.

24 And I had an individual come in and ask me  
25 why there was no ERB, employee review board, or



1 employment review, I can't remember. ERB.

2 SR. SPECIAL AGENT LUINA: Yes, employee  
3 review board. Yes.

4 MS. FULTS: Why there had not been an ERB  
5 for Mr. McBrearty. That he had been out for a number  
6 of months.

7 And so we documented that in the file.  
8 Inza, at that point I let her know, and I don't know  
9 who all she talked to, but there had not been any  
10 action taken on him.

11 And this individual was a licensing  
12 employee at this site. So they --

13 SR. SPECIAL AGENT LUINA: At Sequoyah?

14 MS. FULTS: At Sequoyah. They said, well,  
15 we know the NRC is asking questions about what's  
16 happened to the Sequoyah site licensing manager, where  
17 he's at, what's going on, at an industry event, it's  
18 sort of embarrassing.

19 SR. SPECIAL AGENT LUINA: Okay. Is ECP or  
20 you guys usually involved in ERBs?

21 MS. FULTS: Yes. We have been a required  
22 participant, up until the time that our positions were  
23 decided to be eliminated, and we were not on that call  
24 obviously.

25 SR. SPECIAL AGENT LUINA: Yes. Yes,

1 certainly. So I guess to your knowledge, was there an  
2 ERBs for Mr. McBrearty?

3 MS. FULTS: I do not know if one actually  
4 occurred. I was not on that particular one.

5 SR. SPECIAL AGENT LUINA: Okay.

6 MS. FULTS: And I asked our staff last  
7 night if anyone else had been on the call for Mr.  
8 McBrearty, they did not recall it. They thought Inza  
9 had been on that particular ERB.

10 I went into our folder that we keep on ERB  
11 mitigation plans to see if there had been one for him  
12 that was documented, and if so, and if she attended  
13 it, she did not document it in our particular folder  
14 where we keep them.

15 SR. SPECIAL AGENT LUINA: Okay. Okay.  
16 Speaking of Mr. McBrearty, do you know, are you aware  
17 what led to him being removed from the site?

18 MS. FULTS: I am aware of that. And I  
19 became aware of that through the termination of, or  
20 the ERB that was held for Beth Wetzel.

21 SR. SPECIAL AGENT LUINA: Wetzel, okay.  
22 So, in that, okay, I guess how did you become aware of  
23 it?

24 MS. FULTS: So, I knew at some point that  
25 he was being held off, and then I didn't see him. I

1 didn't go out to the site very often, but I was aware  
2 through talking with Inza and with Melody that he  
3 wasn't there.

4 Melody was getting comments from the plant  
5 support director as well. This guy is gone. I think  
6 it was making his job a little bit hard. That was,  
7 his name is Al.

8 SR. SPECIAL AGENT LUINA: Al Dodds.

9 MS. FULTS: Al Dodds. He had expressed  
10 some concerns, I think with people. Inza was aware  
11 that, with this site licensing manager being gone and  
12 someone filling in, that creates stressors on the  
13 staff.

14 SR. SPECIAL AGENT LUINA: Okay.

15 MS. FULTS: For a long period of time.  
16 And when the concerned individual came into Melody's  
17 office that day that I was filling in, they said, how  
18 do we know if we're doing something wrong. He's been  
19 gone, what has he done.

20 There was rumors around it being because  
21 Mike continued to allege that Erin was harassing him  
22 and that he was being investigated for that.

23 So, the employees that were there had some  
24 knowledge. I don't know how they had that knowledge,  
25 but this person was pretty well informed and knew as

1 much as I did about this situation.

2 SR. SPECIAL AGENT LUINA: Who was that  
3 person.

4 MS. FULTS: It was, let me check that  
5 number. So I don't tell you the wrong name. And this  
6 concerned file was NEC 18-00680. Parties. It was  
7 Zachary Kitts.

8 SR. SPECIAL AGENT LUINA: Kitts.

9 MS. FULTS: Yes.

10 SR. SPECIAL AGENT LUINA: That's, K-I-T-T-  
11 S?

12 MS. FULTS: K-I-T-T-S. And he goes by  
13 Zak.

14 SR. SPECIAL AGENT LUINA: Okay. Okay.

15 MS. FULTS: Zak --

16 SR. SPECIAL AGENT LUINA: He's coming in,  
17 telling you that --

18 MS. FULTS: -- came in and told me all of  
19 that information.

20 SR. SPECIAL AGENT LUINA: So this is just  
21 a contact report I guess this is?

22 MS. FULTS: Just a contact. The CI did  
23 not wish to file a concern when asked, so ECP  
24 documented it as a contact only at this point.

25 SR. SPECIAL AGENT LUINA: Okay. So during

1 the Wetzel ERB, you said you learned some more  
2 information then --

3 MS. FULTS: Yes.

4 SR. SPECIAL AGENT LUINA: -- about the --

5 MS. FULTS: That was in September. So  
6 this concern was filed on August the 1st of 2018, and  
7 it wasn't until 9/20/18 that, I have documents saved  
8 in our mitigation plan folder regarding Beth Wetzel.

9 SR. SPECIAL AGENT LUINA: Okay.

10 MS. FULTS: And let me open that  
11 particular file up. It looks like the date of the ERB  
12 would have been September the 19th, but I'm going to  
13 double check that.

14 (Off record comments.)

15 MS. FULTS: There were, and I'm just  
16 double checking our spreadsheet as well. I'm going to  
17 search to see if anything was on the spreadsheet for  
18 Mr. McBrearty as well.

19 SR. SPECIAL AGENT LUINA: And what  
20 spreadsheet is this?

21 MS. FULTS: This is a spreadsheet that we  
22 started tracking ERBs that were attended.

23 SR. SPECIAL AGENT LUINA: Oh, okay.

24 MS. FULTS: We started that practice  
25 because the CNO senior advisor, Melissa Meed back in

1 early 2018, started saying that ECP was not following  
2 up on all actions and was placing the blame on us that  
3 pulsings had not been conducted in the right amount of  
4 time. It will show that we were doing what we should  
5 for the confirmatory order.

6 SR. SPECIAL AGENT LUINA: Okay.

7 MS. FULTS: So we had to start tracking.  
8 We have asked management for this information to ask  
9 if they've communicated to the employees.

10 And it became an administrative burden on  
11 us to go and continue to follow-up and to put it all  
12 in one place. Because when she said that, all we had  
13 were a series of emails from me to the manager in that  
14 particular instance --

15 SR. SPECIAL AGENT LUINA: Okay.

16 MS. FULTS: -- saying, I need this  
17 information --

18 SR. SPECIAL AGENT LUINA: Yes.

19 MS. FULTS: -- or tell me what questions  
20 you need me to ask. Because we were getting, we never  
21 got, here's part of the problem.

22 Once an ERB would occur, there were always  
23 changes.

24 SR. SPECIAL AGENT LUINA: Yes.

25 MS. FULTS: And so we never have seen

1 final versions of an ERB to know if they've completed  
2 all the actions, unless they shared that information  
3 with us.

4 SR. SPECIAL AGENT LUINA: Okay.

5 MS. FULTS: I did not see on our  
6 spreadsheet that an ERB was completed for Mike  
7 McBrearty. Inza could have just overlooked that, if  
8 she didn't do it. But I know that none of the staff  
9 members did it. And I did not participate on that  
10 one.

11 SR. SPECIAL AGENT LUINA: Okay. I tend to  
12 participate on them if they're corporate employees or  
13 if it's something that we think it could be of  
14 potential conflict for the site ECP rep.

15 So when the RP employees were let go at  
16 Watts Bar, I filled in on that one for Ruth Fordham  
17 (phonetic.) And then if they are out on any kind of  
18 absence, I fill in.

19 So there is some across the fleet that I  
20 would have done. And that's why I checked to see if  
21 someone else had maybe done that.

22 SR. SPECIAL AGENT LUINA: Okay.

23 MS. FULTS: So, there were a series of  
24 individuals at that time, in licensing, that were  
25 receiving of separations. And under our ERB

1 procedure, as it was drafted, it was discretionary as  
2 to whether they had to do an ERB or not if they were  
3 going to be offering a volunteering separation package  
4 to employees.

5 So, the first one that really kind of  
6 caught my attention was for Ed Schrull on September  
7 the 7th of 2018. He was being offered a no-fault  
8 separation.

9 And at that time, there were some red  
10 flags for us because the discussion started veering  
11 into disciplinary space. And if it's a disciplinary  
12 action then it's a required ERB so how can you mark it  
13 as not being required.

14 So that was my first basic question when  
15 I was on that particular call.

16 And then, fast forward 12 days later and  
17 we had the first of two ERBs for Beth Wetzel. And at  
18 that time it was also a no-fault separation. And we,  
19 both myself and Inza were on that particular ERB.

20 SR. SPECIAL AGENT LUINA: This is  
21 September 19th, is that what that says?

22 MS. FULTS: Yes. Yes, September the 19th  
23 of 2018.

24 So, actually, this would have been, we did  
25 two different ERBs for Mr. Schrull. The first one was



1 on August the 31st, and then the second one would have  
2 been the September the 7th date.

3 So, by the time we got to Beth Wetzel,  
4 there had been three ERBs in the span of a couple of  
5 weeks. Again, for a very small staff.

6 And both of these were managers in the  
7 licensing organization.

8 SR. SPECIAL AGENT LUINA: Okay.

9 MS. FULTS: So at that point in time,  
10 Inza, I believe Inza was off work that day, if I can  
11 recall. We, I didn't see when we got the information.  
12 Let me see if I can see that.

13 We don't always get the information, the  
14 packets, until the day of. So I'm looking to see if  
15 we got that in advance. We did get that in advance.  
16 Which in advance just usually means the day before.

17 SR. SPECIAL AGENT LUINA: Got it.

18 MS. FULTS: The package, to see who the  
19 individual was --

20 SR. SPECIAL AGENT LUINA: Okay.

21 MS. FULTS: -- to be able to verify their  
22 protected activity. And to talk with other staff  
23 members if it potentially impacted one of their sites  
24 as well.

25 So, at that point in time, ECP, that would

1 be myself, I documented, at Inza's request, the  
2 concerns related to Beth Wetzel --

3 Oh, it looks like we got a message from  
4 you, Billie, that you need to hang-up?

5 MS. GARDE: Yes. I'm on the plane, I'm  
6 going to have to hang up.

7 MS. FULTS: All right. Well, we thank you  
8 --

9 MS. GARDE: So you can continue with  
10 Sandy.

11 MS. FULTS: Okay. We thank you.

12 MS. GARDE: Scott, don't pull any funny  
13 business.

14 SR. SPECIAL AGENT LUINA: All right.

15 (Laughter.)

16 MS. FULTS: We thank you for joining us  
17 and have a safe trip.

18 MS. GARDE: Okay. All right.

19 MS. SHEPHERD: Yes, fly safe.

20 MS. GARDE: All right, bye.

21 MS. SHEPHERD: Bye.

22 SR. SPECIAL AGENT LUINA: Bye.

23 MS. FULTS: So, Inza asked me to document  
24 our concerns because of this number of, people that  
25 were being paid off to leave that were managers.

1 Because these individuals had also participated in our  
2 investigations and had been critical of Erin  
3 Henderson. So --

4 SR. SPECIAL AGENT LUINA: So, other people  
5 besides Schrull and Wetzel?

6 MS. FULTS: Well, Schrull was a couple of  
7 times. We had the ERB on him. Then we had Ms.  
8 Wetzel. And we also had another employee who had  
9 resigned on his own at that point in time, or around  
10 the same time period.

11 And then of course Mr. McBrearty, we  
12 didn't really know what his status was.

13 SR. SPECIAL AGENT LUINA: Okay.

14 MS. FULTS: But we knew that he had filed  
15 a number of concerns.

16 SR. SPECIAL AGENT LUINA: It was enough to  
17 make you want to document something.

18 MS. FULTS: Absolutely.

19 SR. SPECIAL AGENT LUINA: What did you  
20 document there, it says?

21 MS. FULTS: So I documented the concerns  
22 with Ms. Wetzel's and with Mr. Schrull's packages and  
23 a set of talking points. And then I discussed those  
24 concerns with the ERB team on September the 19th of  
25 2018.

1 SR. SPECIAL AGENT LUINA: So you wrote  
2 something up that went --

3 MS. FULTS: I did.

4 SR. SPECIAL AGENT LUINA: -- with the ERB  
5 package?

6 MS. FULTS: I wrote it up so that we were  
7 documented for ourselves what the concerns were.

8 SR. SPECIAL AGENT LUINA: Okay.

9 MS. FULTS: And I sent it to Inza so she  
10 could discuss it with Greg Boerschig and anyone else  
11 that she needed to discuss it with.

12 SR. SPECIAL AGENT LUINA: Okay.

13 MS. FULTS: And she had asked me to try  
14 to, surreptitiously pull the case law, if we could.  
15 Because we got a copy of the general counsel's report  
16 that was investigating Mike McBrearty, and also Beth  
17 Wetzel and a couple of other employees, that didn't  
18 end up, there was one that didn't end up being the  
19 subject of any kind of disciplinary action, but she  
20 too had been very critical of Erin and a couple of  
21 investigations that I had done.

22 So, Inza had said, if you can pull this  
23 without having to pay for anything, pull these cases  
24 because we don't know if maybe the law was being  
25 represented correctly even in the findings that they

1 had against McBrearty or in Ms. Wetzl, to lead the  
2 determination.

3 And I couldn't do it. I wrote my notes  
4 out beside, couldn't find this one, like on free legal  
5 searches. Because she did not want to tip off the  
6 general counsel's office that we were going behind  
7 them on it because of our concerns.

8 SR. SPECIAL AGENT LUINA: Okay, so explain  
9 that to me again. Did you read the OGC report?

10 MS. FULTS: Yes. We received a copy of  
11 it.

12 SR. SPECIAL AGENT LUINA: And what did you  
13 think?

14 MS. FULTS: I --

15 SR. SPECIAL AGENT LUINA: Legally thinking  
16 I guess.

17 MS. FULTS: Well, I haven't done that kind  
18 of law for TVA for a very long time.

19 SR. SPECIAL AGENT LUINA: Okay.

20 MS. FULTS: And certainly not as it  
21 related to the whistleblower's statute. I was very  
22 concerned about it because the investigation was about  
23 McBrearty. And then all of a sudden, all these other  
24 employees were getting caught up in it too.

25 So, it seemed to me we had a lot of people

1 who were expressing concerns.

2 In Mr. Schrull's case, they had, we didn't  
3 get the package in advance for him, we got it a few  
4 minutes beforehand, or maybe a couple of hours tops.  
5 And Inza was out in the field or out on leave that day  
6 and we get this package in that says that he had been  
7 investigated by HR, he could have caused a potentially  
8 chilled work environment by a comment that he had  
9 made.

10 I know these individuals. They're smart  
11 people, they're very forthcoming and have been  
12 cooperative in investigations. And he's one that  
13 seemed a little bit more inclined to be a sensitive  
14 person, so I didn't, I was surprised by it.

15 But I also said to Inza, hey, what do you  
16 know about Ed Schrull supposedly causing a chilled  
17 work environment. And I got her on the phone that day  
18 and was like, something is not right, this doesn't  
19 sound like him.

20 And she was concerned as well. She  
21 started asking questions of Joe Shea and Erin  
22 Henderson.

23 I wasn't on all of the conversations or  
24 the emails, but to the extent of, why do we not know  
25 that you guys and H, have had HR investigate an

1 employee for causing a chilled work environment,  
2 that's our business, why would HR be able to make that  
3 determination.

4 And so that was one where we were really  
5 starting to see that they didn't value our opinions or  
6 our expertise in that field and they were going to,  
7 not only use OGC but they use HR to look into  
8 something like that.

9 SR. SPECIAL AGENT LUINA: Did you see the  
10 HR report (indiscernible?)

11 MS. FULTS: I can't remember if I did or  
12 not.

13 SR. SPECIAL AGENT LUINA: Okay. That's  
14 all right.

15 MS. FULTS: I think I did. I think it was  
16 a couple of pages, and I may be able to pull that up.  
17 But we didn't get it in advance.

18 SR. SPECIAL AGENT LUINA: In advance from  
19 the ERB.

20 MS. FULTS: And so I sent some emails  
21 saying, we need to have this.

22 SR. SPECIAL AGENT LUINA: Okay. What were  
23 you saying, Inza said, hey, pull some stuff on this  
24 OGC report, like the law --

25 MS. FULTS: The case law.

1 SR. SPECIAL AGENT LUINA: -- but don't  
2 get?

3 MS. FULTS: You know, don't go buying any  
4 kind of subscriptions or anything --

5 SR. SPECIAL AGENT LUINA: Okay.

6 MS. FULTS: -- because they were like MSPB  
7 cases. They are not all easily searchable unless it's  
8 on West Law or LexisNexis.

9 SR. SPECIAL AGENT LUINA: Okay. It's like  
10 a subscription service --

11 MS. FULTS: You have to pay.

12 SR. SPECIAL AGENT LUINA: Okay.

13 MS. FULTS: And so I had called around to  
14 see if we could get some free cases pulled, that kind  
15 of thing. We didn't have a lot of time to go behind  
16 those cases, but --

17 SR. SPECIAL AGENT LUINA: But you're both  
18 lawyers, Inza is a lawyer too, right?

19 MS. FULTS: No. She never (indiscernible)  
20 bar exam but she did go to law school.

21 SR. SPECIAL AGENT LUINA: Right. She went  
22 to law school, okay.

23 MS. FULTS: And so that's why she said, I  
24 don't know if these cases are being applied correctly,  
25 this seems, it seems like they're casting a very wide



1 net, is how we both felt about that.

2 SR. SPECIAL AGENT LUINA: Okay.

3 MS. FULTS: To get people who were in fact  
4 being critical of Erin, or Erin and Joe.

5 SR. SPECIAL AGENT LUINA: Okay. What else  
6 about the OGC report did you --

7 MS. FULTS: So the OGC report, and I have  
8 it, I do still have that saved in the folder. So, let  
9 me see here. Let me see if I've got the one for  
10 Schrull, since you asked that question as well.

11 SR. SPECIAL AGENT LUINA: This is the ERB  
12 you referenced?

13 MS. FULTS: Yes. For Ed Schrull the  
14 second ERB, we had to have two because they were just  
15 going to offer him a package, and then they said, but  
16 what if he doesn't take the package. So then they had  
17 to have the second ERB for him at that time.

18 And that, so the intention was to allow  
19 him to retire early by offering him a no-fault  
20 separation agreement. If he chooses not to accept, he  
21 will be terminated due to performance.

22 Well, what performance, because the HR  
23 investigation was saying he potentially caused a  
24 chilled work environment, so I don't know if that  
25 performance or he's a poor performer, what's he not

1 doing.

2 SR. SPECIAL AGENT LUINA: Okay. So they

3 --

4 MS. FULTS: Because you all tied it to  
5 something that can be a chilled work environment. We  
6 don't know. And it wasn't very clear.

7 SR. SPECIAL AGENT LUINA: So they didn't  
8 put that in there? They had the performance issue and  
9 the ERB records.

10 MS. FULTS: No. He got coached. Okay, I  
11 remember this now. He, if he had caused a chilled  
12 work environment and it was so severe, it took several  
13 months, I believe, for them to address this with him,  
14 and they verbally coached him, there was nothing in  
15 his record, so how could that be severe enough to  
16 terminate him.

17 Those were our questions and the main red  
18 flags for us.

19 Let's see. And I'm looking just to see if  
20 this report is in here. I believe it is because it's  
21 a 38 page.

22 SR. SPECIAL AGENT LUINA: Can I get copies  
23 of all these?

24 MS. FULTS: Sure.

25 SR. SPECIAL AGENT LUINA: Thank you.

1 MS. FULTS: Let me make a note. And these  
2 are, my handwritten notes are on there as well, Sandy,  
3 for your benefit. Schrull ERB package.

4 And a lot of times we would be asked to do  
5 follow-up pulsings in an ERB. And this one stuck out  
6 because they were planning to have the ORAU, which is  
7 Oak Ridge Associated University come and do a survey  
8 of employees, six months after whatever corrective  
9 actions were taken. Or maybe it was 90, it might have  
10 been 90 days. But it would be afterwards.

11 And they did not want ECP to be involved.  
12 So of course we were, we viewed that as being, they  
13 don't want our input at the end.

14 Okay, the HR investigation into Ed Schrull  
15 was included in the ERB package. Initially it was not  
16 included.

17 SR. SPECIAL AGENT LUINA: Oh, I see.

18 MS. FULTS: And so, Inza had asked me to  
19 send an email saying we can't participate until we can  
20 see everything about this. You're referring to an HR  
21 report, where is it at. So they resent the package to  
22 include the HR report.

23 And his performance rating had been a  
24 solid at that point in time. In March of 2018 for his  
25 previous year's performance. So for it to say

1 performance, we were, again, unsure.

2 And Mike McBrearty was interviewed as a  
3 part of that HR investigation. Oh here, you can  
4 scroll through that, you can.

5 SR. SPECIAL AGENT LUINA: Okay. I'll look  
6 through that. That would just be good, I don't want  
7 to get too down that rabbit hole, I don't think right  
8 now.

9 MS. FULTS: But it did provide the basis  
10 for us to be suspicious of the next ERB involving Beth  
11 Wetzel.

12 SR. SPECIAL AGENT LUINA: Wetzel, okay.  
13 So what happened with that ERB? Do you have that one?

14 MS. FULTS: I do.

15 SR. SPECIAL AGENT LUINA: I'd like to get  
16 a copy of that too, if you want to provide that, that  
17 would be great.

18 And I think that's, is that the first time  
19 the OGC report comes up, is in the Wetzel ERB --

20 MS. FULTS: Yes.

21 SR. SPECIAL AGENT LUINA: -- as part of  
22 the package?

23 MS. FULTS: That's the first time I ever  
24 saw it.

25 SR. SPECIAL AGENT LUINA: Okay. And so,

1 I'm assuming it's this, let me see which one you got.

2 MS. FULTS: This would have been the one  
3 dated 9/19/18. Inza was in attendance.

4 Joe Shea presented this on behalf of  
5 licensing since it involved Erin being the person  
6 alleging she was being harassed.

7 SR. SPECIAL AGENT LUINA: You were present  
8 for this meeting?

9 MS. FULTS: Yes, sir.

10 SR. SPECIAL AGENT LUINA: Okay. It's Joe,  
11 is that --

12 MS. FULTS: Shea. RC Reeves, Joe Calle,  
13 Steve Bono, Inza Hagins-Dyer, John McCammon  
14 Consultant, who TVA had paid to observe confirmatory  
15 order issues. And one of those was observing a  
16 certain number of ERB calls.

17 And then Ryan Dreke (phonetic) from OGC  
18 was on the call. And at that time, we did receive a  
19 copy of the OGC investigation that provided the basis.

20 And you'll see on my copy where I wrote  
21 down, couldn't find this one, couldn't find this one,  
22 for each of the cases.

23 SR. SPECIAL AGENT LUINA: Like you  
24 couldn't --

25 MS. FULTS: And what I could find.

1 SR. SPECIAL AGENT LUINA: -- find Ed  
2 Schrull --

3 MS. FULTS: Yes, like I couldn't find them  
4 for free.

5 SR. SPECIAL AGENT LUINA: Yes.

6 MS. FULTS: Like you said, on the open  
7 source.

8 SR. SPECIAL AGENT LUINA: You couldn't  
9 really do a good analysis of the --

10 MS. FULTS: No.

11 SR. SPECIAL AGENT LUINA: -- law they had  
12 executed.

13 But yes, was there anything else about  
14 that report that, I guess you were looking at, from  
15 the Wetzel standpoint, or were you looking at it from  
16 the --

17 MS. FULTS: We were looking at it, we were  
18 looking at it particularly for Beth Wetzel's decision.  
19 You'll see here, yes, where the form was changed.

20 He, Joe McCammon, said you should change  
21 this particular question from participating in a  
22 particular investigation by providing a written or  
23 signed statement, he said you need to mark that as yes  
24 because she had participated in investigations for us.  
25 Other, not just the one OGC had done.

1                   So, I have some questions on here. It  
2 looked as if Beth Wetzel was kind of caught up in what  
3 had happened with the investigation involving Mike  
4 McBrearty.

5                   At one point, Joe Shea said to answer a  
6 question, when I had said, my question was, how was  
7 this resolved, my observation was it seems to be this  
8 is part of an investigation which is already underway.  
9 At that point Joe Shea says, I just turned it over to  
10 the ongoing investigation.

11                   So he starts to say that the part of this  
12 write up says that Ms. Wetzel could provide no  
13 specific evidence to support her concern that her  
14 supervisor would improperly leverage her travel  
15 voucher review.

16                   At some point she gotten into a dispute  
17 saying that her travel wasn't getting paid for, for  
18 her time in INPO. And he said, in this write up it  
19 says, the aspect for a claim of previous retaliatory  
20 practice by her supervisor was in part the subject of  
21 investigation which forms the basis of the proposed  
22 action.

23                   There is a call that occurred in July 2018  
24 where Ms. Wetzel was asked, what was she experiencing  
25 specifically that led her to believe that something

1 was going on with regard to her supervisor's review of  
2 her travel vouchers. And she responded that she had  
3 nothing to add on her previous email.

4 So there was a dispute, some phone calls,  
5 emails, back and forth. She believed that her  
6 supervisor, Erin, was taking steps to block her  
7 proposed loan arrangement at NEI.

8 Multiple emails between her and her  
9 supervisor and various other parties shown an effort  
10 that was diligent on behalf of her supervisor to  
11 ensure that the contract was ironed out. The contract  
12 was completed in April of 2018, in time to support the  
13 planned start date of May 2018.

14 So --

15 SR. SPECIAL AGENT LUINA: (Indiscernible.)

16 MS. FULTS: -- the bottom line was that  
17 she continued to say, Erin has harassed me, is  
18 continuing to harassment, is slowing down on these  
19 travel vouchers.

20 We had had people just telling us  
21 different times, you know, the person who used to  
22 approve travel vouchers was a lady by the name of Kris  
23 Willingham (phonetic,) and she was a real strictly  
24 because her name is on that. She's an admin.

25 And so she would bounce travel vouchers



1 back to people all the time.

2 SR. SPECIAL AGENT LUINA: Yes.

3 MS. FULTS: And people would say, what a  
4 pain in the butt, these are minor petty type things.  
5 But we would hear about it in the ECP.

6 SR. SPECIAL AGENT LUINA: Okay.

7 MS. FULTS: So, we heard about that kind  
8 of thing from employees.

9 SR. SPECIAL AGENT LUINA: Okay.

10 MS. FULTS: And so, for someone to get  
11 terminated because of a dispute about a travel voucher  
12 taking too long, it was kind of common in the CNL  
13 organization that everybody had issues from one time  
14 or another that they could point to or it was  
15 anecdotal about Kris Willingham and her approval of  
16 vouchers.

17 SR. SPECIAL AGENT LUINA: Oh, okay.

18 MS. FULTS: And she even called me before  
19 I went out on maternity leave, being upset about how  
20 someone else was being treated about not approving a  
21 voucher.

22 SR. SPECIAL AGENT LUINA: Okay.

23 MS. FULTS: So, for admins, that is a span  
24 of control for them. They know their names are on it,  
25 they do not want to get in trouble if they've approved

1 something that's incorrect.

2 But some of them are a little more vocal.

3 SR. SPECIAL AGENT LUINA: Okay.

4 MS. FULTS: And Kris happens to be one who  
5 is.

6 So, I was surprised that something that  
7 was so common place was leading to someone being  
8 terminated. And I shared that concern with Inza.

9 So, the writeup, the next part that really  
10 kind of blew me away was on Page 11 of this 30 page  
11 document. What was the individuals explanation of the  
12 policy violation or issue.

13 And it says, the individuals view of the  
14 policy violation was not described in the report.  
15 Joe, and it should say Joe Shea.

16 I asked him about this particular thing  
17 and he said, she was not confronted, to my knowledge,  
18 during the investigation. So if she was never given  
19 an opportunity to explain why she continued to say or  
20 continued to think that Erin was harassing her --

21 SR. SPECIAL AGENT LUINA: Oh, okay.

22 MS. FULTS: -- about the travel voucher  
23 taking so long. And I don't know if Kris Willingham  
24 was the one who approved it or if it was really just  
25 going to Erin at that point. I don't know who would

1 have approved it for her.

2 SR. SPECIAL AGENT LUINA: Okay.

3 MS. FULTS: RC Reeves said it was  
4 important to close the loop on this, about the  
5 voucher. John McCammon said, had some questions about  
6 whether this is willful or not, under 10 CFR 50.55.

7 SR. SPECIAL AGENT LUINA: What, her, the  
8 travel voucher stuff?

9 MS. FULTS: Yes. That her continuing to  
10 pursue this line would have made a difference as to  
11 whether she was willfully violating the statute or  
12 not.

13 SR. SPECIAL AGENT LUINA: Okay.

14 MS. FULTS: And then willfully violating  
15 disciplinary policies of TVA.

16 SR. SPECIAL AGENT LUINA: Why?

17 MS. FULTS: By continuing to allege this  
18 about the travel vouchers.

19 SR. SPECIAL AGENT LUINA: Okay. So  
20 they're saying that because she kept, she was  
21 harassing Henderson because you kept bringing up the  
22 same issues about the travel vouchers?

23 MS. FULTS: Yes.

24 SR. SPECIAL AGENT LUINA: And that's a  
25 terminational offense?

1 MS. FULTS: Yes. Apparently.

2 SR. SPECIAL AGENT LUINA: Oh.

3 MS. FULTS: She had been --

4 SR. SPECIAL AGENT LUINA: Did they talk  
5 about if she, because I know this is in some of the  
6 ERBs, if she participated in protective activity?

7 MS. FULTS: They do ask that question.  
8 That's up here on one of the other pages of the form.

9 SR. SPECIAL AGENT LUINA: And what did it  
10 say?

11 MS. FULTS: This is, to their knowledge,  
12 Joe Shea filling this out, has she raised any  
13 concerns, has she contacted HR, contacted legal,  
14 contacted the NRC, DOL or other external regulatory  
15 agency. They always no so they can say we didn't know  
16 this person had alleged something.

17 SR. SPECIAL AGENT LUINA: Yes. And they  
18 did say she's raised safety or --

19 MS. FULTS: And had written CRs.

20 SR. SPECIAL AGENT LUINA: -- and written  
21 CRs. I mean, that's probably everybody.

22 MS. FULTS: Well --

23 SR. SPECIAL AGENT LUINA: No, that's --

24 MS. FULTS: -- they don't have a lot of  
25 confidence in the CAT program, so no, not everybody

1 writes CRs.

2 SR. SPECIAL AGENT LUINA: Yes, okay. Got  
3 it. Okay, so, I don't know where you're at down here.

4 MS. FULTS: So --

5 SR. SPECIAL AGENT LUINA: Oh, you  
6 challenged some of the stuff on there.

7 MS. FULTS: Yes. Challenged some of the  
8 stuff on there, challenged the fact that she didn't  
9 give, was never given an opportunity to actually  
10 respond. And that she was probably not even properly  
11 on notice, and if continue down this path, hey, we're  
12 going to discipline you.

13 SR. SPECIAL AGENT LUINA: Yes.

14 MS. FULTS: Or forget any iron, you're not  
15 going to be working at all.

16 SR. SPECIAL AGENT LUINA: Okay.

17 MS. FULTS: No one ever had that  
18 conversation with her.

19 Joe Shea, Inza and I have had  
20 conversations about Joe Shea not being able to show  
21 leadership courage. That he's frequently one to not  
22 deal well with conflict and backs Erin up and does not  
23 listen. Or argues about ECP and our ability to do  
24 anything.

25 SR. SPECIAL AGENT LUINA: And it does seem

1 like that too, from other people I've interviewed. Do  
2 you have any knowledge or know why he supports her so  
3 much?

4 Or she's getting, I don't want to say  
5 getting away with all this, but it seems like it's  
6 just a lot that's going on there with, like you  
7 mentioned earlier, all these people on PIPs. Like,  
8 people being voluntarily separated and it's different  
9 the rest of the fleet.

10 What's unique about Erin Henderson, I  
11 guess?

12 MS. FULTS: I don't know. I mean, I think  
13 she's a very bright individual. She went to law  
14 school as well for a semester to, so she's done a wide  
15 range of things.

16 At her to ream, reference somebody that  
17 she was brought in because she had been, had some  
18 connections with Bill Johnson, but I don't know. I  
19 have no idea.

20 SR. SPECIAL AGENT LUINA: Okay.

21 MS. FULTS: Those are just rumors.

22 SR. SPECIAL AGENT LUINA: All right. I  
23 was just curious if you knew. All right.

24 MS. FULTS: So --

25 SR. SPECIAL AGENT LUINA: So anyways, keep

1 going. What's ERB.

2 MS. FULTS: Let's see. I'm trying to see  
3 what else is in here. Let's see.

4 It did appear that the individual's  
5 involvement in a protected activity contributed in any  
6 way to the proposed action. Her involvement is the  
7 nature of the OGC investigation. And her behavior is  
8 outlined in the report. I think that got added.

9 SR. SPECIAL AGENT LUINA: What are you  
10 saying now? Does it appear --

11 MS. FULTS: In March, yes.

12 SR. SPECIAL AGENT LUINA: Oh, okay, you're  
13 ready the question. Does it appear the individuals  
14 involved in protected activity contribute in any way  
15 to the proposed action? Why is yes checked?

16 MS. FULTS: They marked yes to presume  
17 that. And then those comments were added in. And may  
18 have been typed up at the final ERB report. So I  
19 don't know.

20 SR. SPECIAL AGENT LUINA: And what does  
21 this say?

22 MS. FULTS: Her involvement is the nature  
23 of the OGC investigation, and her behavior is as  
24 outlined in the report. Then Ryan Dreke said no.

25 So there was some discussion around that.

1 I don't recall all the discussion. But he says no  
2 because it's in bad faith and therefore not protected  
3 activity.

4 So she --

5 SR. SPECIAL AGENT LUINA: Bad faith.

6 MS. FULTS: -- had not engaged in  
7 protected activity because there was this belief from  
8 OGC that she was willful in continuing to persist and  
9 say this about Erin after any reasonable person would  
10 have given it up and just let this go.

11 SR. SPECIAL AGENT LUINA: I'd feel like  
12 she, okay. All right. So, all right.

13 MS. FULTS: And that's where I guess two  
14 reasonable people can differ.

15 SR. SPECIAL AGENT LUINA: Yes.

16 MS. FULTS: So I don't know what the  
17 reasonable person standard is there. And then we ask,  
18 and they amend the communication plan, and they said  
19 yes, they would.

20 Because I pointed out, people hear that  
21 you're getting let go because of harassing your  
22 supervisor. That's a big problem for TVA because when  
23 people either, they won't question anything. They  
24 might stop asking any questions if it can viewed as  
25 being harassment.



1 I mean, certainly questioning a travel  
2 voucher before had never risen to the level that  
3 people would be terminated.

4 SR. SPECIAL AGENT LUINA: Yes, that's  
5 weird.

6 MS. FULTS: I need to take a break.

7 SR. SPECIAL AGENT LUINA: Yes, take a  
8 break? We can.

9 MS. FULTS: I'm going to get some water.

10 SR. SPECIAL AGENT LUINA: All right. The  
11 time is now 11:59 a.m. and we're going to take a quick  
12 break while she gets some water.

13 MS. SHEPHERD: Okay.

14 (Whereupon, the above-entitled matter went  
15 off the record at 11:59 a.m. and resumed at 12:01  
16 p.m.)

17 SR. SPECIAL AGENT LUINA: All right, time  
18 is now 12:01 p.m. and we're back on the record. And  
19 earlier we were talking about the OGC report that she  
20 reviewed. Is this the copy that you have in front of  
21 me that's dated August 10th, 2018?

22 MS. FULTS: It is.

23 SR. SPECIAL AGENT LUINA: From OGC. Okay.  
24 The title, report of investigation of Erin Henderson's  
25 allegations of harassment and hostile work

1 environment.

2 Now, prior, is this the only copy of the  
3 OGC report you've ever seen, I guess?

4 MS. FULTS: Yes, it is.

5 SR. SPECIAL AGENT LUINA: Okay. All  
6 right. Okay, anything in there that jumped out at you  
7 as concerning as an ECP professional?

8 MS. FULTS: Well, we were given this, and  
9 at the meeting, RC Reeves told us that we needed to  
10 destroy our copies.

11 SR. SPECIAL AGENT LUINA: Who told you  
12 that?

13 MS. FULTS: RC Reeves in HR. She was  
14 human resources.

15 SR. SPECIAL AGENT LUINA: Okay.

16 MS. FULTS: And so, that jumped out at me  
17 immediately. Because ECP had to be a part of these  
18 conversations. We had to rely on some of this to talk  
19 and to be able to speak intelligently about what had  
20 occurred.

21 And I kept it, you know. And we've always  
22 kept it, after we were accused of not doing what we  
23 should in ERBs, we started keeping copies of  
24 everything that we had.

25 If it was just my informal notes or, which

1 I usually just wrote it on what I had printed out, and  
2 always maintained that because of being questioned  
3 about it. And so I kept it and I asked Inza, should  
4 I destroy this, and she said no. So that's why I  
5 still have it because my manager told me, do not  
6 destroy this.

7 SR. SPECIAL AGENT LUINA: Okay.

8 MS. FULTS: We needed it in the course of  
9 our business.

10 SR. SPECIAL AGENT LUINA: Was there  
11 anything else in here?

12 MS. FULTS: Then it immediately stuck out  
13 to me that there were, that this was Ms. Wetzel  
14 participating in an investigation involving Mike  
15 McBrearty and she was being terminated. So she gets  
16 asked all these questions, she talks about it again  
17 and then she's terminated as a result of participating  
18 in this investigation of an issue raised by someone  
19 else.

20 SR. SPECIAL AGENT LUINA: Okay, explain it  
21 to me again? How do you pull that out of --

22 MS. FULTS: These people are all  
23 interviewed --

24 SR. SPECIAL AGENT LUINA: Okay.

25 MS. FULTS: -- because of someone else's

1 conduct.

2 SR. SPECIAL AGENT LUINA: McBrearty?

3 MS. FULTS: McBrearty's conduct.

4 SR. SPECIAL AGENT LUINA: Okay.

5 MS. FULTS: And then their terminated. Or  
6 they're subject to disciplinary actions.

7 SR. SPECIAL AGENT LUINA: Okay. And you  
8 think the only thing they're guilty of is  
9 participating in the OGC investigation?

10 MS. FULTS: Exactly.

11 SR. SPECIAL AGENT LUINA: And providing  
12 truthful information and feedback.

13 MS. FULTS: Correct. Exactly. That's  
14 exactly what we were concerned about.

15 And I'm looking because I think I probably  
16 have some written notes on this too somewhere. I  
17 drafted a document.

18 SR. SPECIAL AGENT LUINA: Yes, I saw that.

19 MS. FULTS: And I'm going to see where I  
20 have it.

21 (Off record comments.)

22 MS. FULTS: General concerns. This  
23 document Inza asked me to put together, was titled,  
24 general counsels for recent proposed adverse actions  
25 in nuclear regulatory affairs.

1                   Eleven concern intakes raised with ECP and  
2 nuclear regulatory affairs since 2015, two of which  
3 specifically question the ERB process for Mike  
4 McBrearty.

5                   In 2016, my investigation for Michelle  
6 Connor --

7                   SR. SPECIAL AGENT LUINA: I'll probably  
8 request a copy of this too.

9                   MS. FULTS: And noted.

10                  SR. SPECIAL AGENT LUINA: You going to be  
11 all right?

12                  MS. FULTS: I'm sorry. I'm getting really  
13 sick.

14                  SR. SPECIAL AGENT LUINA: Do you want to  
15 take another one?

16                  MS. FULTS: It had noted, this pattern she  
17 had of writing up individuals, and then including  
18 comments related to employees need for respectful  
19 communications, when they may be expressed an opinion  
20 that differed from hers.

21                  SR. SPECIAL AGENT LUINA: Okay. You don't  
22 have to read all of it, I'm sorry. Yes, I want you to  
23 save your voice.

24                  I'll just look at it while you're looking  
25 at --

1 MS. FULTS: Okay. And we had noted that  
2 there were five instances of individuals reporting to  
3 the senior manager. Or in McBrearty's case, working  
4 with her as a peer who have left their position, been  
5 placed on a PIP or are being offered no-fault  
6 separations in a two year time period.

7 SR. SPECIAL AGENT LUINA: Okay.

8 MS. FULTS: The part about Henderson  
9 admitting that Schrull was only ever verbally coached  
10 as a part of trying to give him a no-fault separation.  
11 The second bullet point.

12 SR. SPECIAL AGENT LUINA: The question  
13 about ECP. Mr. Schrull, respond to ECP senior manager  
14 that he had concerns with the programs reputation and  
15 when asked to clarify he stated that management is  
16 always found to be the problem with ECP. And he  
17 expressed concerns with the way in which we gathered  
18 information for our findings.

19 And this is something you wrote up?

20 MS. FULTS: Yes.

21 SR. SPECIAL AGENT LUINA: The general  
22 concerns you've had?

23 MS. FULTS: Yes.

24 SR. SPECIAL AGENT LUINA: Okay, I'll get  
25 into this too. And you have a concern that says,

1 concerns with Wetzel's adverse employment action.

2 She went on to say that the employees were  
3 critical of the senior manager. It appears that vocal  
4 employees are the ones being asked to leave, which  
5 could in turn cause other employees to become  
6 reluctant to voice raising an opinion.

7 The OGC report appears to be largely  
8 focused on the conduct of McBrearty. The letter from  
9 Ms. Quirk.

10 MS. FULTS: Who is the general counsel for  
11 TVA.

12 SR. SPECIAL AGENT LUINA: Was issued on  
13 August 10th recommending the termination for  
14 McBrearty. But they went on for Ms. Quirk's employee,  
15 (indiscernible) was left unsigned and undated.

16 MS. FULTS: Yes. So we don't really know  
17 when they were really recommending that they be let  
18 go. We just weren't clear on the timeline.

19 SR. SPECIAL AGENT LUINA: Do you have a  
20 copy of the OGC recommendation to terminate?

21 MS. FULTS: Yes. It's in that packet.

22 SR. SPECIAL AGENT LUINA: Oh, in the ERB  
23 packet?

24 MS. FULTS: Yes.

25 SR. SPECIAL AGENT LUINA: Okay. One the

1 letters.

2 MS. FULTS: It's like a really informal  
3 looking memo. Because in the OGC report ignored the  
4 case that was Ms. Connor's concern.

5 SR. SPECIAL AGENT LUINA: It ignored it?

6 MS. FULTS: It referred to all these other  
7 cases but nothing about hers. And that's because that  
8 report talked about Erin needing to improve on her  
9 communication skills.

10 SR. SPECIAL AGENT LUINA: Yes. Because  
11 senior manager had in fact used travel vouchers at the  
12 basis for initiating the investigation of McBrearty's  
13 travel with Connor. It's not clear how Wetzels  
14 stated concern was addressed by Shea. Okay.

15 MS. FULTS: And travel vouchers, Sandy,  
16 for your information on the call --

17 MS. SHEPHERD: Yes.

18 MS. FULTS: -- that was a big part of how  
19 Mr. McBrearty was investigated when he first started  
20 saying that Erin was harassing him.

21 MS. SHEPHERD: Okay.

22 MS. FULTS: Because she believed that  
23 Michelle was overly emotional and was possibly having  
24 an inappropriate relationship with Mike McBrearty,  
25 because Michelle was a licensing CFAM and she would



1 have to work and provide some oversight to this site  
2 licensing managers. And that's what Mike McBrearty  
3 was.

4 SR. SPECIAL AGENT LUINA: This --

5 MS. SHEPHERD: Okay.

6 SR. SPECIAL AGENT LUINA: -- document you  
7 wrote up here, this general concerns with recent  
8 proposed adverse actions --

9 MS. FULTS: Yes.

10 SR. SPECIAL AGENT LUINA: -- and nuclear  
11 regulatory affairs, I'd like to request that.

12 But did you do this before or after the  
13 ERB or recently, or when did you do this?

14 MS. FULTS: I think I've got that email  
15 pulled up so I can tell you exactly when I did it. I  
16 sent that --

17 SR. SPECIAL AGENT LUINA: Oh, to Inza?

18 MS. FULTS: -- to Inza on the same day of  
19 the ERB.

20 SR. SPECIAL AGENT LUINA: 9/19. And then  
21 what happened with this document after that? And  
22 what's the purpose of it?

23 MS. FULTS: That was so we could document  
24 --

25 SR. SPECIAL AGENT LUINA: Oh, okay.

1 MS. FULTS: -- just what had occurred,  
2 what we planned to talk about. And so she could  
3 discuss that with Greg Boerschig.

4 SR. SPECIAL AGENT LUINA: Yes, can I get  
5 a copy of these attachments in this email as well?

6 The, okay, so you don't know if it was  
7 added to the record somewhere or put down, it's just  
8 some type of talking points kind of. That's what you  
9 were talking about earlier --

10 MS. FULTS: Yes.

11 SR. SPECIAL AGENT LUINA: -- talking about  
12 memo.

13 MS. FULTS: Yes.

14 SR. SPECIAL AGENT LUINA: And so do you  
15 know if Inza talked to Boerschig about this stuff?

16 MS. FULTS: I don't know. I'm not privy  
17 to their conversations.

18 SR. SPECIAL AGENT LUINA: But past this  
19 you didn't discuss this again with --

20 MS. FULTS: No.

21 SR. SPECIAL AGENT LUINA: Okay.

22 MS. FULTS: She asked me to pull this  
23 together.

24 SR. SPECIAL AGENT LUINA: Okay. I'm  
25 sorry, you're --

1 MS. FULTS: That's okay.

2 SR. SPECIAL AGENT LUINA: Okay.

3 MS. FULTS: I knew this was coming. I was  
4 starting to get scratchy all day.

5 SR. SPECIAL AGENT LUINA: That's all  
6 right.

7 MS. FULTS: I've been drinking lots of hot  
8 tea and coffee.

9 SR. SPECIAL AGENT LUINA: Is there  
10 anything else about the Wetzel ERB? You just had that  
11 one?

12 MS. FULTS: I can't remember if we had one  
13 or two. Let me look. I think we only had the one for  
14 her, because I had gotten better about, if they don't  
15 accept this then we will draft it so that we've got  
16 our contingencies all in place, you know.

17 SR. SPECIAL AGENT LUINA: Okay.

18 MS. FULTS: So let me just double check my  
19 tracking chart. Wetzel. Okay, I think that's the  
20 only one, let me make sure.

21 Oh no, we had another one. That was on  
22 December the 19th of 2018. Because she rejected the  
23 voluntary separation package.

24 SR. SPECIAL AGENT LUINA: Oh, so that was  
25 the first one probably then.

1 MS. FULTS: The September 19th one was the  
2 first one, the second one was --

3 SR. SPECIAL AGENT LUINA: I have the wrong  
4 date then.

5 MS. FULTS: -- December 19th.

6 SR. SPECIAL AGENT LUINA: I wrote down the  
7 wrong date. Okay, you're right.

8 MS. FULTS: Of 2018.

9 SR. SPECIAL AGENT LUINA: Okay. But the  
10 same, nothing changed with the facts of that, it was  
11 just because she rejected you had to have another ERB  
12 to do a new offer?

13 MS. FULTS: Yes.

14 SR. SPECIAL AGENT LUINA: Okay.

15 MS. FULTS: I think so.

16 SR. SPECIAL AGENT LUINA: And then did you  
17 have another one after that?

18 MS. FULTS: No, that's it.

19 SR. SPECIAL AGENT LUINA: Because she was  
20 ultimately terminated --

21 MS. FULTS: Yes, she was.

22 SR. SPECIAL AGENT LUINA: So --

23 MS. FULTS: So that was just to say we are  
24 terminating her.

25 SR. SPECIAL AGENT LUINA: Oh, the December

1 one was. In your role, do you all get to, were you at  
2 that one or was it Inza?

3 MS. FULTS: It says I was, and I guess I  
4 was. I'm sure I was because --

5 SR. SPECIAL AGENT LUINA: Do you always  
6 get to kind of get an alignment or do you all have to  
7 vote or how does it --

8 MS. FULTS: We don't vote. We are not  
9 voting members. We are quorum members. We're there  
10 to weigh in on protected activities and to take  
11 actions that may be assigned and to, I viewed it as  
12 asking questions about the mitigation plan or saying  
13 how might this impact the employees that are left  
14 behind.

15 SR. SPECIAL AGENT LUINA: Okay.

16 MS. FULTS: So we were asking those  
17 questions.

18 SR. SPECIAL AGENT LUINA: Okay.

19 MS. FULTS: Or if we had knowledge of  
20 something that might be relevant we would --

21 SR. SPECIAL AGENT LUINA: You'd let them.

22 MS. FULTS: -- volunteer that.

23 SR. SPECIAL AGENT LUINA: If they say,  
24 this is what we think we can do, then you all --

25 MS. FULTS: Yes.

1 SR. SPECIAL AGENT LUINA: -- can either  
2 agree or --

3 MS. FULTS: And this, there was no package  
4 given. I don't have a package saved because they  
5 would have just used the previous one.

6 They did not ask for any new protective  
7 activity because this was just an update. And my  
8 notes on the chart say no, we were not asked, this was  
9 just an update.

10 The same mitigation plan applied that  
11 applied to Mr. Schrull's termination, which was that  
12 this ORAU survey was going to be completed at a later  
13 date. And --

14 SR. SPECIAL AGENT LUINA: Do you all --

15 MS. FULTS: -- that was it.

16 SR. SPECIAL AGENT LUINA: So in, I don't  
17 mean to jump around on you but I got --

18 MS. FULTS: That's okay.

19 SR. SPECIAL AGENT LUINA: -- let me go  
20 through my (indiscernible.)

21 In May 2018, yes, you said you weren't  
22 discussed on that.

23 In August 2018, so prior to Wetzel's ERB,  
24 were either you or Inza notified that maybe an ERB  
25 would be occurring dealing with McBrearty? I mean, I

1 know you searched for his name, you couldn't find  
2 anything.

3 MS. FULTS: I was not.

4 SR. SPECIAL AGENT LUINA: Okay.

5 MS. FULTS: And when Zak came to talk to  
6 me, it kind of triggered for me again, hey, yes, he's  
7 not here and this is going to be weird. Melody even  
8 talked about it at different times that she had the  
9 conversations with Al Dodds about whether Mike was  
10 coming back or not and what they were doing with him.

11 SR. SPECIAL AGENT LUINA: Did anyone raise  
12 the issue to you, or were you aware, you mentioned  
13 that people were saying like, oh, it seems like if  
14 anybody voices concerns or raises their opinion,  
15 they're being retaliated against or something is  
16 happening to them by Henderson.

17 Was there anything about like, oh, if you  
18 go to, if you report concerns to ECP, this is what  
19 happens to you?

20 MS. FULTS: Well, they're saying it now.

21 SR. SPECIAL AGENT LUINA: Okay.

22 MS. FULTS: With the organization change.

23 SR. SPECIAL AGENT LUINA: But at the time,  
24 did that come up at all, in your review of the OGC  
25 report or in any allegations from McBrearty, that he

1 was being retaliated against because he filed concerns  
2 with the ECP? Those last two concerns we talked  
3 about.

4 MS. FULTS: I know that there were  
5 conversations. Certainly, Joe Shea had made comments,  
6 I need to find an email, where he pushed back on the  
7 findings.

8 We'd done a pole survey as a part one of  
9 these investigations asking some general questions.  
10 And he did not like those results, so he tried to  
11 essentially invalidate the results. That the feedback  
12 was not good feedback and we used the wrong title and  
13 questioning how many people really were surveyed.

14 SR. SPECIAL AGENT LUINA: This is like a  
15 pulsing survey you did after --

16 MS. FULTS: Yes. This was apart of one of  
17 these investigations that Inza has. And she said,  
18 well, let's just pulse some people to see how things  
19 are going.

20 I know in that regard they had, I say  
21 they, Joe and Erin were starting to develop this  
22 perspective that employees were using this process,  
23 not Mike himself or all people, but just this process  
24 can be used to harass people and Inza should know  
25 better, that that's what this guy is doing.



1           And that was the general tone. They  
2           didn't say that to me, but I know that she and I  
3           talked about that, that there was this perception that  
4           they were, they didn't appreciate the feedback or the  
5           role that we had to play.

6           SR. SPECIAL AGENT LUINA: So you hadn't  
7           heard a concern that maybe McBrearty was accused of  
8           abusing the ECP program?

9           MS. FULTS: It was not brought to us.

10          SR. SPECIAL AGENT LUINA: Not brought to  
11          you.

12          MS. FULTS: It would have been brought to  
13          the general counsel's office.

14          SR. SPECIAL AGENT LUINA: Okay. That's a  
15          good question. Why did the office of general counsel  
16          conduct this investigation from, because I'm assuming  
17          it came from Ms. Henderson about her being --

18          MS. FULTS: Yes.

19          SR. SPECIAL AGENT LUINA: Why?

20          MS. FULTS: Well, why did HR investigate  
21          Ed Schrull? I have to answer a question with a  
22          question.

23                 I think it's pretty obvious that they  
24                 didn't value our input. And like the comment had  
25                 been, and Inza had asked me to type that, so he said

1 that to her, that ECP is always finding something  
2 against management.

3 SR. SPECIAL AGENT LUINA: Okay.

4 MS. FULTS: So, she wanted that included.  
5 TVA, even in our own group, when the feedback is such,  
6 we could bait it, you're looking at it to say, well,  
7 we want it to be more robust and we're looking and  
8 trying to get all the angles and see. But they go to  
9 the general counsel's office to investigate so that  
10 they can also place the company in the best defensive  
11 position.

12 SR. SPECIAL AGENT LUINA: Thank you.  
13 Okay, so did that, okay, yes, because isn't TVA's  
14 office of general counsel --

15 MS. FULTS: They're the legal counsel for  
16 TVA.

17 SR. SPECIAL AGENT LUINA: That's supposed  
18 to be protecting the company.

19 MS. FULTS: Yes. Yes.

20 SR. SPECIAL AGENT LUINA: And why would  
21 they be asking, how can they run an independent  
22 investigation into the company?

23 MS. FULTS: Well, they can't.

24 SR. SPECIAL AGENT LUINA: Okay.

25 MS. FULTS: They can't.

1 SR. SPECIAL AGENT LUINA: Okay.

2 MS. FULTS: They can't do that when  
3 they're handling allegations for you guys either, so.

4 SR. SPECIAL AGENT LUINA: Okay.

5 MS. FULTS: Whenever we get RFIs, the  
6 general counsel's office tends to run investigations  
7 on those too.

8 SR. SPECIAL AGENT LUINA: They all come to  
9 you guys?

10 MS. FULTS: No, that's been separate. I  
11 don't know if we ever did those. It's not in my  
12 period of time have we done those investigations.

13 There was a thought process at one point  
14 with one of our CEOs that, and I think it probably  
15 predated Bill Johnson, it might have been a Johnson  
16 idea, you know, you got these attorneys so you might  
17 as well use them. And so, rather than paying people  
18 outside or using ECP, they would pay the attorneys --

19 SR. SPECIAL AGENT LUINA: Outside, yes.  
20 Okay, anything else about the Wetzel?

21 MS. FULTS: I don't think so.

22 SR. SPECIAL AGENT LUINA: Okay.

23 MS. FULTS: I am checking one thing to see  
24 if we had added this to our organizational stressor  
25 index at any point in time.

1 SR. SPECIAL AGENT LUINA: That's another  
2 thing I want, if you could add to your notes.

3 MS. FULTS: Okay.

4 SR. SPECIAL AGENT LUINA: The, you  
5 mentioned the pulsing email that --

6 MS. FULTS: Yes.

7 SR. SPECIAL AGENT LUINA: Yes. You don't  
8 have to look for it right now, you can find, catch me  
9 with that later. If you could still find that email  
10 with him responding about picking apart something or  
11 not agreeing with you all's findings or whatever.

12 MS. FULTS: I can find that. I'm just  
13 looking to see if --

14 SR. SPECIAL AGENT LUINA: And do you have  
15 similar feedback from other managers or other  
16 departments that --

17 MS. FULTS: It was probably, I would say  
18 it came from Joe Schea's organization, probably more  
19 than other organizations. With the exception of  
20 feedback that we kept getting from Lee Sanders at  
21 Watts Bar as the plant support director.

22 SR. SPECIAL AGENT LUINA: Yes, you said  
23 Watts Bar, yes. Okay.

24 MS. FULTS: Those two places it did happen  
25 a lot. And I'm just making sure that there wasn't

1 anything on our OSI, which is an organizational  
2 stressor index, that would have been added based on  
3 McBrearty being out for so long. I don't see it. I  
4 don't see that Melody added that anywhere.

5 SR. SPECIAL AGENT LUINA: Okay. And as  
6 your time at ECP, do you get, we call them frequent  
7 flyers, you know, frequent allegers, people coming in  
8 with several and several concerns over and over again?

9 MS. FULTS: We do. I mean, that is --

10 SR. SPECIAL AGENT LUINA: How many? Like,  
11 somebody that's like excessive, would you think?

12 MS. FULTS: Well, it's hard to quantify  
13 that because there could be a grain or a kernel of  
14 truth or a safety implication in anything that's  
15 brought up by an individual. So they can come in 800  
16 times and that 801st time it's something real and it's  
17 something serious.

18 So we don't ever have a preconceived  
19 notion that what they're telling us is excessive or  
20 harassing.

21 SR. SPECIAL AGENT LUINA: Based on their  
22 frequency?

23 MS. FULTS: Yes.

24 SR. SPECIAL AGENT LUINA: Okay. I have  
25 had, because there's an importance of one of the

1 procedures.

2 It says that you can use these processes  
3 that are available if you're citing things and they're  
4 untrue, they can be viewed as something to subject you  
5 to disciplinary action. Which is what provides the  
6 basis for Beth's termination.

7 SR. SPECIAL AGENT LUINA: Oh. Is there  
8 something in there about, obviously you noted a policy  
9 that talks about how, hey, anyone is free to go talk  
10 to ECP and you are not in free of retaliation --

11 MS. FULTS: Yes.

12 SR. SPECIAL AGENT LUINA: -- there's  
13 policies like that?

14 MS. FULTS: Yes, there are policies like  
15 that as well.

16 SR. SPECIAL AGENT LUINA: Can you get  
17 those to me? Okay.

18 MS. FULTS: And that's the differing --

19 SR. SPECIAL AGENT LUINA: The professional  
20 opinion.

21 MS. FULTS: Well, we don't really have a  
22 DPO procedure, but there is a procedure along that  
23 line.

24 SR. SPECIAL AGENT LUINA: Okay. And I saw  
25 you wrote those concerns about Wetzel and Schrull's

1 thing.

2 MS. FULTS: Yes.

3 SR. SPECIAL AGENT LUINA: Did you write up  
4 anything similar to that about McBrearty's?

5 MS. FULTS: No because he was not an  
6 employee at my site.

7 SR. SPECIAL AGENT LUINA: Okay.

8 MS. FULTS: So he worked and reported to  
9 the site vice president at Sequoyah.

10 SR. SPECIAL AGENT LUINA: Okay.

11 MS. FULTS: So, Melody was aware of those  
12 issues. Melody Babb.

13 SR. SPECIAL AGENT LUINA: Melody Babb?

14 MS. FULTS: Yes.

15 SR. SPECIAL AGENT LUINA: Okay.

16 MS. FULTS: And I was involved with the  
17 issues that were in corporate, or specific to the  
18 corporate employees.

19 SR. SPECIAL AGENT LUINA: Was there  
20 anything I haven't asked you about that you feel is  
21 relevant you want to talk about?

22 We covered it pretty well. A lot of this  
23 stuff.

24 MS. FULTS: Unless you have any follow-ups  
25 for me.

1 SR. SPECIAL AGENT LUINA: I don't right  
2 now that I can think of. I think I got some of those  
3 documents I'll look at again.

4 Are you still trying to see, are you  
5 trying to find --

6 MS. FULTS: Yes, I'm trying to find that  
7 email because I'll shoot this stuff to you.

8 SR. SPECIAL AGENT LUINA: Yes. If there's  
9 nothing else I'm going to wrap this up.

10 MS. FULTS: Okay. I don't have anything  
11 else to add. Sandy, is there anything that you wanted  
12 to say or add?

13 MS. SHEPHERD: No.

14 SR. SPECIAL AGENT LUINA: Okay. Well,  
15 there's some closing questions I need to ask you --

16 MS. FULTS: Okay.

17 SR. SPECIAL AGENT LUINA: -- Deanna. I  
18 need to ask you, have I or any representative of the  
19 NRC threatened you in any manner today?

20 MS. FULTS: No.

21 SR. SPECIAL AGENT LUINA: Have you been  
22 offered any reward or compensation in return for the  
23 information that you have provided during this  
24 interview?

25 MS. FULTS: No.



1 SR. SPECIAL AGENT LUINA: Have you  
2 provided the information freely and voluntarily?

3 MS. FULTS: Yes.

4 SR. SPECIAL AGENT LUINA: Is there  
5 anything else you'd like to add for the record at this  
6 time?

7 MS. FULTS: No, not at all.

8 SR. SPECIAL AGENT LUINA: Okay. If you  
9 think of anything you can reach out to me directly, or  
10 through your attorney, however you feel comfortable.

11 And this doesn't preclude you from  
12 obviously reporting, I know you've talked to people  
13 from the NRC, you can speak freely with them if you  
14 need to, however you want to do that, through your  
15 attorney or directly --

16 MS. FULTS: Okay.

17 SR. SPECIAL AGENT LUINA: -- about safety  
18 concerns or anything that you want to discuss with us,  
19 okay?

20 MS. FULTS: Okay.

21 SR. SPECIAL AGENT LUINA: All right, time  
22 is now 12:26 p.m. and this interview is concluded.

23 MS. FULTS: All right.

24 (Whereupon, the above-entitled matter went  
25 off the record at 12:26 p.m.)

**CERTIFICATE**

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

Name of Proceeding: Interview of  
Deanna Fults

Docket Number: 2-2018-033

Location: Chattanooga, TN

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and, thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings as recorded on tape(s) provided by the NRC.



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