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Sent: Tuesday, February 16, 2021 3:18 PM
To: JSheaIA-HearingNPEm Resource
Subject: Interview of Anthony Williams
Attachments: 0408NRC.0280.Williams.pdf

Hearing Identifier: JShea_IA_NonPublic
Email Number: 1284

Mail Envelope Properties (0cc8399be8ee4a3581c86ee0d77b82b7)

Subject: Interview of Anthony Williams
Sent Date: 2/16/2021 3:18:28 PM
Received Date: 2/16/2021 3:18:30 PM
From: JShealA-Hearing Resource

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Files	Size	Date & Time
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0408NRC.0280.Williams.pdf	204363	

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OI INVESTIGATION INFORMATION

Title: Interview of Anthony Williams

Docket Number: 2-2018-033

Location: Chattanooga, Tennessee

Date: Thursday, March 28, 2019

Work Order No.: NRC-0280

Pages 1-60

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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.

ANTHONY WILLIAMS : 2-2018-033

(CLOSED) :

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Thursday,

March 28, 2019

TVA Corporate Office

Chattanooga, Tennessee

The above-entitled interview was conducted
at 3:50 p.m.

BEFORE:

Senior Special Agent SCOTT LUINA

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APPEARANCES:

On Behalf of TVA, the Interviewee, and Other
Individuals Involved in this Investigation:

CHRISTOPHER CHANDLER, ESQ.
Office of the General Counsel
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902
865-632-7317
cchandler0@tva.gov

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

2 3:50 p.m.

3 SR. SPECIAL AGENT LUINA: All right,
4 here we go. Today's date is March 28th, 2019; the
5 time is now 3:50 p.m. This interview is being
6 conducted with Anthony Williams Lawrence -- no,
7 that's not right.

8 MR. WILLIAMS: Anthony Lawrence
9 Williams.

10 SR. SPECIAL AGENT LUINA: Yes, that's my
11 fault. Anthony Lawrence Williams, who is currently
12 employed by the Tennessee Valley Authority, or TVA,
13 as the Site Vice President down at Watts Bar Nuclear
14 Plant. The location of today's interview is also
15 the location of the TVA offices located in
16 Chattanooga, Tennessee. And as I explained to you,
17 sir; my name is Special Agent Scott Luina, L-U-I-N-
18 A, with the Nuclear Regulatory Commission's Office
19 of Investigations Region 2 field office out of
20 Atlanta, Georgia. Also present is Mr. Christopher
21 Chandler, C-H-A-N-D-L-E-R, who's an attorney with
22 the TVA's Office of General Counsel. And I'll ask
23 you some questions about his presence here today,
24 but before we do that, as you can see in front of
25 you, this interview is being recorded, it'll be

1 transcribed at a later date. I need to ask you sir,
2 are you recording or transmitting this interview?

3 MR. WILLIAMS: No, I'm not.

4 SR. SPECIAL AGENT LUINA: And Chris,
5 same question?

6 MR. CHANDLER: No, I'm not.

7 SR. SPECIAL AGENT LUINA: Okay. Also,
8 explain this interview will be conducted under oath.
9 Do you have any objections to providing information
10 under oath today?

11 MR. WILLIAMS: No.

12 SR. SPECIAL AGENT LUINA: If you could
13 please raise your right hand.

14 Mr. Williams, do you swear the testimony
15 you're about to provide today will be the truth, the
16 whole truth and nothing but the truth so help you
17 God?

18 MR. WILLIAMS: I do.

19 SR. SPECIAL AGENT LUINA: Thank you,
20 sir. I appreciate you doing that. I've got some
21 questions I need to ask you, that we ask everyone,
22 the request for counsel to be present during the
23 interview; I need to ask you is Mr. Chandler
24 representing you personally in regard to this
25 investigation?

1 MR. WILLIAMS: No.

2 SR. SPECIAL AGENT LUINA: Yes, he is;
3 he's representing you and the company.

4 MR. WILLIAMS: Okay.

5 SR. SPECIAL AGENT LUINA: He represents
6 you as an employee of the company.

7 MR. WILLIAMS: Yes. And if there's ever
8 a conflict or --

9 SR. SPECIAL AGENT LUINA: Yes, he
10 represents TVA, or unless you want to pay his hourly
11 rate, then maybe he'll represent you.

12 MR. CHANDLER: It's pretty low.

13 (Laughter.)

14 SR. SPECIAL AGENT LUINA: Pretty low.
15 But also, you're not required to have a TVA
16 attorney, you can get your own attorney if you
17 wanted to, a private attorney or something like
18 that. But it is something offered to you and it's
19 your choice; we got to make sure you understand
20 that. So you understand the purpose of his presence
21 here today?

22 MR. WILLIAMS: Yes, I do.

23 SR. SPECIAL AGENT LUINA: Okay. You
24 understand that he also represents the company and
25 potentially other individuals involved in this

1 matter?

2 MR. WILLIAMS: Yes.

3 SR. SPECIAL AGENT LUINA: Okay. Does
4 your employer require you to have an attorney
5 present in your interview by the NRC's Office of
6 Investigations?

7 MR. WILLIAMS: No.

8 SR. SPECIAL AGENT LUINA: Were you in
9 any way threatened with an adverse action if you did
10 not request corporate counsel?

11 MR. WILLIAMS: No.

12 SR. SPECIAL AGENT LUINA: Do you
13 understand you can have a private interview with me
14 at your convenience?

15 MR. WILLIAMS: Yes.

16 SR. SPECIAL AGENT LUINA: All right. Do
17 you feel that you would suffer any adverse
18 consequences from your employer if you would have
19 elected not to have representation here today?

20 MR. WILLIAMS: No.

21 SR. SPECIAL AGENT LUINA: Will your
22 testimony in this matter be inhibited in any way by
23 Mr. Chandler's presence?

24 MR. WILLIAMS: No.

25 SR. SPECIAL AGENT LUINA: Okay, with the

1 knowledge that Mr. Chandler represents you and your
2 employer concurrently in this matter, if you have
3 knowledge or information which you believed to be
4 adverse to your employer, would you feel free to
5 provide such information in your testimony here
6 today?

7 MR. WILLIAMS: Yes.

8 SR. SPECIAL AGENT LUINA: Okay. Any
9 questions about any of that?

10 MR. WILLIAMS: No.

11 SR. SPECIAL AGENT LUINA: Okay, good.
12 Chris, if you could just explain for the record who
13 you're employed by and your purpose for today's
14 interview.

15 MR. CHANDLER: Yes, my name's
16 Christopher Chandler; I'm the Associate General
17 Counsel for nuclear within TVA's General Counsel's
18 Office. I represent TVA and its employees in this
19 matter, including Mr. Williams who is a TVA officer
20 and employee.

21 SR. SPECIAL AGENT LUINA: Okay. And do
22 you see any conflict at all?

23 MR. CHANDLER: I do not.

24 SR. SPECIAL AGENT LUINA: Okay, good.

25 Any questions at this point?

1 MR. WILLIAMS: No.

2 SR. SPECIAL AGENT LUINA: All right.

3 Mr. Williams, I provided you my business card,
4 correct?

5 MR. WILLIAMS: Yes.

6 SR. SPECIAL AGENT LUINA: All right. I
7 always do that with everyone I interview because I
8 always tell him, that hey if you change your mind
9 later on, you can, you're allowed to do that. You
10 can contact me directly if you want to.

11 MR. WILLIAMS: Okay.

12 SR. SPECIAL AGENT LUINA: Or you can
13 contact me through Chris, however you're comfortable
14 if you want to provide additional information. And
15 what I tell people is it doesn't preclude you from,
16 in the future either about this or any matter we
17 investigate or regulate, and of course as you know
18 you can go to the residents at any time and talk to
19 them about it.

20 MR. WILLIAMS: Yes, I do.

21 SR. SPECIAL AGENT LUINA: You
22 understand? Okay, good. About this matter or
23 anything?

24 MR. WILLIAMS: Yes.

25 SR. SPECIAL AGENT LUINA: All right. If

1 you could, give me some background information about
2 yourself, your experience in the nuclear industry.

3 MR. WILLIAMS: Okay, so I'll go
4 backwards; currently I'm the Site Vice President of
5 Sequoyah Nuclear Plant -- I'm sorry; Watts Bar
6 Nuclear Plant.

7 SR. SPECIAL AGENT LUINA: You forgot you
8 moved?

9 MR. WILLIAMS: Yes, it's so short -- so
10 about six weeks ago I moved into this role; before
11 Watts Bar I was the Site Vice President of Sequoyah.
12 I was the Site Vice President at Sequoyah for two
13 years, started in 2016 around February/March time
14 period. Prior to that, I was the general manager of
15 plant operations at Palisades Nuclear Generating
16 Plant up in Michigan and was there for approximately
17 five years, a little bit more. Prior to that, I was
18 many different managerial from a licensed SRO and
19 many managerial spots in the Indian Point Nuclear
20 Power Point, and I was there for about 10-11 years,
21 and then before that I was a licensed SRO at the
22 Salem Nuclear Generating Plant.

23 SR. SPECIAL AGENT LUINA: Okay.

24 MR. WILLIAMS: So started my career in
25 1990 and progressed through different positions;

1 most of them were operations.

2 SR. SPECIAL AGENT LUINA: Okay. So you
3 started TVA, that was the first time, TVA was 2016
4 you think, February/March, as the Site Vice
5 President at Sequoyah?

6 MR. WILLIAMS: That's correct.

7 SR. SPECIAL AGENT LUINA: In that role
8 was Mike McBrearty one of your direct reports?

9 MR. WILLIAMS: No, he wasn't a direct
10 report; he was the licensing manager who reported to
11 the Director of Plant Support which at the time was
12 Dennis Demopoulos. Then Dennis Demopoulos moved
13 into the position of Operations Director, and Al
14 Dodds became the Director of Plant Support. So
15 during my time at Sequoyah, Mr. McBrearty reported
16 to Dennis Demopoulos and Al Dodds.

17 SR. SPECIAL AGENT LUINA: Okay. Prior
18 to getting the TVA to Sequoyah, did you know Mr.
19 McBrearty from the industry at all?

20 MR. WILLIAMS: No.

21 SR. SPECIAL AGENT LUINA: Other sites,
22 had you worked anywhere?

23 MR. WILLIAMS: No.

24 SR. SPECIAL AGENT LUINA: Okay, so you
25 met him the first time you came out here?

1 MR. WILLIAMS: That's correct.

2 SR. SPECIAL AGENT LUINA: All right. In
3 the time that he worked for you or worked on site
4 while you were there, I guess, you were responsible
5 for everyone on the site pretty much that worked for
6 you.

7 MR. WILLIAMS: Yes.

8 SR. SPECIAL AGENT LUINA: How would you
9 describe his performance and his behavior from what
10 you witnessed or observed?

11 MR. WILLIAMS: He was technically very
12 accurate with his assessments in the licensing area,
13 he was -- he had a good relationship with the
14 resident inspector, did a very good job at keeping
15 myself and his site aware of upcoming audits,
16 upcoming issues that the NRC's looking into,
17 requests that they have, pulling the organization
18 together for dealing with any issues associated with
19 the licensing department. So as far as his role and
20 responsibility as a licensed manager at Sequoyah, he
21 was good; he was a solid employee. He wasn't
22 spectacular, he didn't do any real roles outside,
23 above and beyond that siloed activity, but he was
24 confident and very good in that activity.

25 SR. SPECIAL AGENT LUINA: Any

1 performance-related issues while you were there that
2 got raised to your level, I guess, that you became
3 aware of?

4 MR. WILLIAMS: There was some emotion
5 when I first got there from Mike about an issue
6 associated with a shelf life of multi-case circuit
7 breakers. There was a violation that came through
8 one of the inspections that appeared to be a back-
9 fit issue. Mike had some concerns during the
10 inspection, during the finding that they were
11 creating legislation that wasn't in accordance with
12 the current requirements for testing of multi-case
13 circuit breakers.

14 SR. SPECIAL AGENT LUINA: Okay.

15 MR. WILLIAMS: I wasn't here when that
16 inspection occurred, but I do know we got a
17 violation, we were going to communicate that we were
18 not aligned to the region about the violation. We
19 missed the opportunities to do that, then we got
20 into the going into the process of filing a back-fit
21 claim associated with the multi-case circuit
22 breaker.

23 SR. SPECIAL AGENT LUINA: This is the
24 service light issue, right?

25 MR. WILLIAMS: That's correct.

1 SR. SPECIAL AGENT LUINA: The MCB's from
2 2015?

3 MR. WILLIAMS: That's correct.

4 SR. SPECIAL AGENT LUINA: Okay.

5 MR. WILLIAMS: So that all occurred and
6 started before I got there. But I did have
7 discussions with them and when I was the Site
8 President we did put together the request to
9 evaluate, whether it was a back-fit claim or not,
10 with the NRC and that did go through the process and
11 did get communicated that they did see it as a back-
12 fit claim and successful on our license board.

13 SR. SPECIAL AGENT LUINA: Okay. And who
14 did you discuss that with you're saying?

15 MR. WILLIAMS: Mike.

16 SR. SPECIAL AGENT LUINA: He was your
17 main guy?

18 MR. WILLIAMS: He was the guy that
19 communicated the issues, brought me up to speed on
20 those issues, and he at different times throughout
21 the -- gave me milestone updates on where we were on
22 submitting the claims and the paperwork, and that
23 occurred about a year into my role as the Site VP of
24 Sequoyah. And then about a year after I got there,
25 then we were able to submit the paperwork and we

1 were able to close out that issue.

2 SR. SPECIAL AGENT LUINA: With that
3 issue, that's who you would discuss things with, I
4 guess, is Mike. Did you talk to corporate licensing
5 at all about it?

6 MR. WILLIAMS: Joe Shea, we'd talk about
7 where we are at some of the corporate meetings on
8 yes, we're going to meet the milestone on getting
9 the paperwork, getting the reviews done or using
10 somebody from the industry to do a second check on
11 the paperwork and everything else. So it was more
12 of a status update on where we were at the site, at
13 driving through it. So yes, I did talk to Joe Shea
14 about that.

15 SR. SPECIAL AGENT LUINA: Did Mike voice
16 any concerns to you about how this issue was being
17 addressed?

18 MR. WILLIAMS: Yes, there was emotion
19 around the original opportunities. There was a
20 feeling that Mike felt that he was -- I kind of want
21 to say that he felt that he was not being looked at
22 in a favorable light because we didn't address it or
23 we didn't say that we're not aligned with it in the
24 30 days at the beginning.

25 SR. SPECIAL AGENT LUINA: Okay.

1 MR. WILLIAMS: So the way the whole
2 thing rolled out, there was a little bit of -- but
3 we didn't know what we had -- I mean, when I talked
4 to Joe Shea we just didn't know as a company what
5 the issue was getting into this whole aspect of it,
6 so it took us a while to finally figure out this is
7 the process we need to go forward and to address the
8 issue.

9 SR. SPECIAL AGENT LUINA: And you've
10 been doing this a long time, obviously. I mean, do
11 you agree with that or do you come in here and
12 you're like, "Whoa, that's not how this is done.
13 I've been in the industry for a long time, at other
14 sites, and we need to do this?"

15 MR. WILLIAMS: I haven't seen a lot of
16 examples where after an assessment and a finding was
17 issued that we missed that opportunity and didn't
18 understand what it was until after it went to the
19 region reviews and it got issued.

20 SR. SPECIAL AGENT LUINA: Okay.

21 MR. WILLIAMS: I don't think I've ever
22 been in my career in this type of situation where we
23 got a violation and then when we looked at what the
24 real violation was saying, that we recognized that
25 this is a back-fit issue, this is not in accordance

1 with our licensing basis. It's not the way we
2 initially set out the programs for these multi-case
3 circuit breakers. So I don't know if I had any --
4 still I don't think I have any experience other than
5 this one case --

6 SR. SPECIAL AGENT LUINA: Is it because
7 this case is unique or is it --?

8 MR. WILLIAMS: Because I wasn't here
9 when the issue got first identified. I came in like
10 six months after or a year after.

11 SR. SPECIAL AGENT LUINA: September '15
12 is when it got identified.

13 MR. WILLIAMS: So I've never been in a
14 situation where a violation has been this far on the
15 docket for this long, and then having to figure out
16 how to address or question or challenge it after the
17 fact. I've never been in that type of situation.

18 SR. SPECIAL AGENT LUINA: Was it
19 reasonable, though, based on what you know that it
20 was on the docket that long?

21 MR. WILLIAMS: I think what it really
22 opened up a lot of people's eyes and how to handle
23 this situation, giving us a road map, I want to say
24 it was one of the Exelon plants, a plant that was
25 successful at filing a back-fit claim and kind of

1 set a roadmap on how to do it.

2 SR. SPECIAL AGENT LUINA: Okay.

3 MR. WILLIAMS: Which is kind of unique
4 in this type of situation. Or it's difficult; it's
5 not like there's a reg guideline out there and you
6 just follow procedure and you put out a product that
7 goes to the NRC for review. So I think this is not
8 something that's done normally at plants; they don't
9 get to this situation. And the reason why they
10 didn't get to this situation is because they didn't
11 quite understand what it was when the violation was
12 first discussed and rolled out. It took TVA and
13 Watts and Sequoyah at the time a while to figure out
14 what really was being addressed as the crux of the
15 issue associated with these breakers.

16 SR. SPECIAL AGENT LUINA: Was that a
17 failure on licensing not understanding, NRC wasn't
18 clear, or what was the problem that you could see by
19 looking at it?

20 MR. WILLIAMS: No, I think the NRC was
21 clear. I think they saw shelf life runs the
22 duration for in-service, and implied that you put
23 something on a shelf in a warehouse and it has a
24 ten-year shelf life, and then when you install it
25 into the plant and then it falls under the breaker

1 PM, well that shelf life supercedes the breaker PM
2 and that period of time you take that component, you
3 threw it away and you put a brand new component in.
4 I think that was pretty clear that that was the
5 position of the resident inspector. I don't think
6 they, the people at the site saw the distinction of
7 the shelf life as now gone and now it's superceded
8 by the PM programs.

9 SR. SPECIAL AGENT LUINA: Okay.

10 MR. WILLIAMS: And they were
11 misunderstanding that the violation was saying, well
12 no, it supercedes the PM program. So that shelf
13 life was ticking and in that time period those
14 components no longer meet their requirements.

15 SR. SPECIAL AGENT LUINA: Okay.

16 MR. WILLIAMS: So I think it was more of
17 an engineering at Sequoyah and licensing trying to
18 put all this stuff together and figure out what it
19 all really meant. And a little bit in corporate
20 licensing as well. And then once they're in that
21 point, now how do they -- and once they realize what
22 the issue was, how do they then go back -- and that
23 was the confusing part. I think that's --

24 SR. SPECIAL AGENT LUINA: (Inaudible.)

25 MR. WILLIAMS: Yes.

1 SR. SPECIAL AGENT LUINA: What did
2 McBrearty raise to you specifically, his issues with
3 addressing these MCB's?

4 MR. WILLIAMS: I think he wanted to be
5 aggressive with the resident inspector before he
6 went to the region for review of the violation. I
7 think he was in a position that he wanted to push
8 back on the issue up front.

9 SR. SPECIAL AGENT LUINA: Okay. Yes,
10 and I got a copy of an email -- I'm sorry -- I'll
11 share with you from December 14th, 2017, that
12 McBrearty shared with us, that he provided to you I
13 guess, the brief history of the service life.

14 MR. WILLIAMS: Yes, I do. I'm trying to
15 remember it and see if I explained it right.

16 SR. SPECIAL AGENT LUINA: Yes, it's a
17 whole chronology.

18 MR. WILLIAMS: Yes, so that's why I'm
19 saying why he was emotional; this was an issue that
20 he was emotional on and he briefed it up to me. So
21 the very first question he got into, some issues
22 that Mike had, this was one of them that started
23 before I got there, and this is him bringing me up
24 to speed on what the whole issue is.

25 SR. SPECIAL AGENT LUINA: Why do you

1 keep saying emotional; why do you think he's
2 emotional about this, I guess?

3 MR. WILLIAMS: The tone of his voice
4 when he talked to me face-to-face about it.

5 SR. SPECIAL AGENT LUINA: What was he
6 being emotional about?

7 MR. WILLIAMS: I felt that he saw this
8 as a reflection of him and his performance. He said
9 it a couple times like, I'm being held accountable
10 for this issue. I communicated that with him, I
11 never viewed him as being accountable. A matter of
12 fact, his performance evaluation didn't have any of
13 the stuff on it, so it wasn't like in his evals that
14 he was being held accountable for this issue. But
15 when I say emotional, he was, you can see and hear
16 elevations in his voice and anxiety around the
17 issue.

18 SR. SPECIAL AGENT LUINA: Was any of
19 that dealing with his interaction with corporate
20 nuclear licensing on this issue?

21 MR. WILLIAMS: I'd have to guess, and I
22 don't know what his real -- I don't know what's
23 going on in his mind, but I would say my assumption
24 would be that he had a professional disagreement or
25 he wasn't in line with Joe Shea's take on the issue

1 at the very beginning.

2 SR. SPECIAL AGENT LUINA: At the very
3 beginning?

4 MR. WILLIAMS: Yes, I think when I got
5 there we were all aligned that this is the process
6 we need to go forward to take it. But these are
7 things that happened back --

8 SR. SPECIAL AGENT LUINA: So he's
9 basically bringing them up what got us to this
10 point?

11 MR. WILLIAMS: Yes, he is.

12 SR. SPECIAL AGENT LUINA: All right.
13 Did he specifically mention anything about that to
14 you that he feels either Joe Shea or Erin Henderson
15 or anyone at corporate nuclear license is maybe
16 intentionally not responding to this MCB for some
17 reason?

18 MR. WILLIAMS: Erin wasn't brought in on
19 this issue. This issue was all, at the very
20 beginning, about him and Joe Shea and those type of
21 alignment issues. I don't know if they thought
22 there was a disagreement or that Joe just didn't
23 understand, or we as TVA didn't really understand
24 what the issue was.

25 SR. SPECIAL AGENT LUINA: Okay.

1 MR. WILLIAMS: I took it as we at TVA
2 didn't really understand what the issue was, so
3 rather than jump -- so there was a little bit of
4 let's make sure we understand what we got and at
5 time took place, and like I said I think that
6 frustrated Mike a little bit.

7 SR. SPECIAL AGENT LUINA: Okay. Any
8 mention of like once you figure out the path for the
9 back-fit letter and the denial letter, do you recall
10 Mike coming to you with issues with -- has corporate
11 nuclear license had to sign the letter, he was
12 having problems with that, maybe there was some way
13 to get you just to sign as the site vice president
14 to get it over to the NRC?

15 MR. WILLIAMS: No, I understood that it
16 was -- I mean, it's on my docket, so we own the
17 issue. There was a discussion, I don't know when,
18 but somewhere in here Joe Shea talked to me, and I
19 don't know -- "This is our letter, we need to be the
20 ones to send it out, it's our docket." And I agreed
21 with Joe; I said, "Yeah."

22 SR. SPECIAL AGENT LUINA: Corporate.

23 MR. WILLIAMS: Joe Shea and corporate
24 saying that the letter's got to come from Sequoyah.

25 SR. SPECIAL AGENT LUINA: Okay.

1 MR. WILLIAMS: Sequoyah's the docket,
2 Sequoyah's the one that has the issue. Sequoyah
3 needs to be the one to send the letter, put the
4 letter together and send it to the region.

5 SR. SPECIAL AGENT LUINA: Okay,
6 corporate has to concur, I guess?

7 MR. WILLIAMS: That's right; corporate
8 concurs and provides some oversight and make sure
9 that we have it boxed in the right area. But if
10 they start getting pulled in and doing the level,
11 then you had no oversight in the process. And I
12 understood that. But it was just one call from Joe
13 and we made our milestone and a time line when we'd
14 get the letter together, and we got it submitted to
15 the NRC when we told the NRC we would submit it to
16 them.

17 SR. SPECIAL AGENT LUINA: Okay. Yes,
18 based on an outsider looking in, when you got there
19 -- and you kind of explained this -- did you have
20 any indications that there was other reasons why
21 from 2015 to 2018 that it would take so long to
22 respond to the MCB, besides what you recounted for
23 me already, like, "Yeah, I was a little suspicious
24 of this or that? This was happening?" I don't
25 know.

1 MR. WILLIAMS: I think when you look at
2 it, I think we tried to see if we can just make it
3 work. I think there was a little bit of the site
4 stepping back and saying, okay now we got it. Did
5 we need to implement a program that we're swapping
6 out these breakers every, whatever period we say
7 that we are. And we started to draw down and see
8 what that really means to implement the corrective
9 actions associated with the violation.

10 SR. SPECIAL AGENT LUINA: Okay.

11 MR. WILLIAMS: And then when we see the
12 scope of it and the magnitude of it and the cost of
13 it, that's when we step back. So the time line,
14 while it was excessive, I think what I got was that
15 we were looking in and trying to find out how to
16 address the violation as it was written.

17 SR. SPECIAL AGENT LUINA: Okay.

18 MR. WILLIAMS: And then that shifted
19 once we realized what it was.

20 SR. SPECIAL AGENT LUINA: Okay, I
21 understand. Now you mentioned corporate licensing
22 and Joe Shea; did McBrearty ever discuss with you
23 problems he was having with Erin Henderson at the
24 corporate?

25 MR. WILLIAMS: Yes, there was a

1 discussion with Joe Shea that I had; myself and
2 Dennis Demopoulos came one morning here and Joe had
3 an allegation from Erin Henderson about harassment.

4 SR. SPECIAL AGENT LUINA: Okay. Do you
5 know when this approximately occurred?

6 MR. WILLIAMS: 2017. It was the first
7 harassment letter by Erin, the first time she
8 submitted harassment, 2017.

9 SR. SPECIAL AGENT LUINA: That was in
10 2018, maybe, March '18? Erin was saying she was
11 being harassed by McBrearty?

12 MR. WILLIAMS: Yes.

13 SR. SPECIAL AGENT LUINA: By Mike?

14 MR. WILLIAMS: The first time.

15 SR. SPECIAL AGENT LUINA: Okay. It
16 happened more than once?

17 MR. WILLIAMS: There was a -- Employee
18 Concerns looked into it and the issue wasn't
19 specifically with Mike McBrearty; the issue was
20 associated with an individual named Michelle and
21 then there was the relationship with Mike McBrearty
22 and Michelle and there's tentacles of Mike reacting
23 to some of these issues that Michelle is having with
24 Erin Henderson. So that was the discussion that Joe
25 and I and Dennis Demopoulos had at that time. From

1 that, I did have a meeting with Mike McBrearty and
2 we did discuss the issues that Michelle and Erin are
3 having is a professional issue that they're working
4 out at their level. He should not be getting
5 involved with it, he should not be making statements
6 or communicating to that.

7 SR. SPECIAL AGENT LUINA: Okay.

8 MR. WILLIAMS: So we had that discussion
9 with Mike.

10 SR. SPECIAL AGENT LUINA: So you think
11 he's talking about this is when Connor filed her
12 complaint against Erin Henderson?

13 MR. WILLIAMS: That's right.

14 SR. SPECIAL AGENT LUINA: Okay.

15 MR. CHANDLER: Did you see -- do you
16 mind if I ask a question?

17 MR. WILLIAMS: No, that's fine.

18 MR. CHANDLER: Did you see when you met
19 with Joe and Dennis Demopoulos, did you see any
20 underlying paperwork?

21 MR. WILLIAMS: No, Joe had the
22 paperwork. He was just talking to Dennis and I
23 about the situation, so it could have been the
24 Michelle claim.

25 SR. SPECIAL AGENT LUINA: Okay, and he

1 was telling you guys because he wanted to let Mike
2 know the status?

3 MR. WILLIAMS: Well, he knew that I was
4 new, so he wanted to bring me up to speed on an
5 issue that Mike and Michelle and Erin, so that whole
6 group, so that was more of a communication to me --
7 I'm showing you where he was physically located --
8 so he was sitting on that side and Dennis Demopoulos
9 were both sitting on that side -- he had the paper
10 just like you did, we were sitting back here like
11 this, and he was just explaining to me the
12 relationship that's going on with Mike McBrearty,
13 Michelle and how issues with Michelle and Erin
14 Henderson are strained. And Mike and Erin who
15 worked together, that also is being affected because
16 Mike is tied emotionally with Michelle.

17 SR. SPECIAL AGENT LUINA: Michelle,
18 okay.

19 MR. WILLIAMS: Does that make sense?

20 SR. SPECIAL AGENT LUINA: Just kind of
21 giving you a heads up of it?

22 MR. WILLIAMS: Yes, he said he'd give me
23 a heads up on it.

24 SR. SPECIAL AGENT LUINA: Okay, be aware
25 of this. And then you went and talked to Mike you

1 said?

2 MR. WILLIAMS: Yes.

3 SR. SPECIAL AGENT LUINA: And what'd you
4 tell him, I guess?

5 MR. WILLIAMS: The issues that Erin and
6 Michelle are having are issues that Erin and
7 Michelle need to work out. Your role as the
8 licensing director/manager at Sequoyah, you have to
9 let them manage their issues; you can't be involved
10 with it.

11 SR. SPECIAL AGENT LUINA: How did he
12 respond to that?

13 MR. WILLIAMS: He was okay with it.
14 There's nothing that stood out in my mind or my
15 memory that he took it negatively or just saying he
16 understood it.

17 SR. SPECIAL AGENT LUINA: You said that
18 was the first complaint from Erin?

19 MR. WILLIAMS: Yes.

20 SR. SPECIAL AGENT LUINA: What was the
21 next time?

22 MR. WILLIAMS: Well, the next one was
23 the investigation. The second complaint was when I
24 got a phone call from Mike Valdusi one night about
25 an investigation that was ongoing and Erin Henderson

1 said that there was a continuation of harassment.
2 And they had an investigator, and the investigator
3 found that he substantiated aspects associated with
4 harassment coming directly from Mike McBrearty.

5 SR. SPECIAL AGENT LUINA: Substantiated
6 aspects of harassment coming from McBrearty; is that
7 right?

8 MR. WILLIAMS: That's correct.

9 SR. SPECIAL AGENT LUINA: All right, and
10 then what else did he tell you?

11 MR. WILLIAMS: He went through the
12 relationship between Mike and Michelle and Michelle
13 communicating some of her issues with Erin and then
14 Mike continuing to take actions against Erin as a
15 result of this relationship with Michelle.

16 SR. SPECIAL AGENT LUINA: And why was
17 Valdusi calling to tell you this, I guess?

18 MR. WILLIAMS: Because I haven't seen a
19 report. I didn't even know there was an
20 investigation going on.

21 SR. SPECIAL AGENT LUINA: Until that
22 phone call from Mike -- you had no idea?

23 MR. WILLIAMS: Until that day, yes.

24 SR. SPECIAL AGENT LUINA: Do you know
25 when that phone call happened?

1 MR. WILLIAMS: No. You know where we
2 had our weekend phone call where we all got on the
3 phone, like a Saturday?

4 It was about a week --

5 SR. SPECIAL AGENT LUINA: Let me ask you
6 -- you know he got sent home -- was it before he got
7 sent home?

8 MR. WILLIAMS: No, no, no, no. So this
9 was the very first time -- Mike's still working at
10 Sequoyah -- I get this phone call the next day -- as
11 soon as I get off the phone call with Mike, I then
12 call Al Dodds, I start going over this issue with Al
13 Dodds. I have not even seen the report, the first
14 draft of the report yet.

15 SR. SPECIAL AGENT LUINA: This was at
16 night when you're home?

17 MR. WILLIAMS: Yes.

18 SR. SPECIAL AGENT LUINA: Okay. On the
19 weekend, during the week?

20 MR. WILLIAMS: No, it was during the
21 week.

22 SR. SPECIAL AGENT LUINA: All right, so
23 go ahead. I'm just reading from your notes and
24 stuff.

25 MR. WILLIAMS: Yes, so we're talking

1 about the issues, talking about how we're going to
2 have to manage it. Don't have the report yet, but
3 when we do get the report, we're going to have to
4 sit back, we're going to have to do a fact-finding,
5 we need to see what the issues are.

6 SR. SPECIAL AGENT LUINA: Valdusi said
7 it has been substantiated. Are they still
8 investigating it?

9 MR. WILLIAMS: He said it's being
10 investigated but they're finding aspects of
11 harassment that are being substantiated.

12 SR. SPECIAL AGENT LUINA: Okay, and then
13 what happened after he talked to Al Dodds?

14 MR. WILLIAMS: I mean, neither one of us
15 -- obviously, these issues were occurring over at
16 corporate, so we didn't really see any of these
17 aspects or these behaviors at Sequoyah. So we were
18 a little bit surprised by it. We discussed what
19 we'd be doing in the morning, we'll go through the
20 report, go through the reviews, make sure we
21 understand where we are with this investigation.

22 SR. SPECIAL AGENT LUINA: So did you get
23 the report in the morning?

24 MR. WILLIAMS: So then -- no, not yet --
25 then we come in the morning -- so Al and I then we

1 started talking with the investigative team. There
2 was an investigator that was on it that was giving
3 us some of the information that he was finding from
4 the investigative report.

5 SR. SPECIAL AGENT LUINA: Do you know
6 who that was? Is it OGC attorney, is it --?

7 MR. WILLIAMS: Yes, it was OG.

8 SR. SPECIAL AGENT LUINA: Was the last
9 name Slater or something, John Slater?

10 MR. WILLIAMS: Yes.

11 SR. SPECIAL AGENT LUINA: S-L-A-T-E-R?

12 MR. WILLIAMS: So then John --

13 SR. SPECIAL AGENT LUINA: Who's he
14 briefing, he's briefing you and --?

15 MR. WILLIAMS: Al.

16 SR. SPECIAL AGENT LUINA: Al, okay. On
17 the phone?

18 MR. WILLIAMS: Yes.

19 SR. SPECIAL AGENT LUINA: Okay.

20 MR. WILLIAMS: So we're getting little
21 information about what they found. So then we'll
22 challenge them because some of the information that
23 was in the substantiated portion of it was
24 associated with protected activity that Mike was
25 involved in.

1 SR. SPECIAL AGENT LUINA: You don't have
2 the report, though; he's just telling you stuff and
3 you're like, "Whoa, this is just --?"

4 MR. WILLIAMS: So then we had a phone
5 call where all of us -- it wasn't working; the
6 communication was very over the phone with Slater
7 with us, with Al and everything else. So then we
8 all got on a phone on Saturday and we went over
9 everything with everybody on it and what we're going
10 to do and what were some of the actions associated
11 that we need to take actions now on.

12 SR. SPECIAL AGENT LUINA: Who was on the
13 phone call?

14 MR. WILLIAMS: I want to say Amanda
15 Pullum was on the phone, I know Al Dodds was on the
16 phone, Slater was on the phone, and there was
17 another female on the phone. I'm drawing a blank on
18 her name.

19 MR. CHANDLER: Was it Jennifer Grace?

20 MR. WILLIAMS: Jennifer Grace, yes.

21 SR. SPECIAL AGENT LUINA: That's it?

22 MR. WILLIAMS: No, I think there might
23 have been one or two other people, but those were
24 the people that were doing all the talking.

25 SR. SPECIAL AGENT LUINA: Was David

1 Czufin on the phone or Mike Valdusi?

2 MR. WILLIAMS: No, no, no, no. I don't
3 think those two guys --

4 SR. SPECIAL AGENT LUINA: Joe Shea?

5 MR. WILLIAMS: Joe might have been on
6 the phone call, but he didn't do any of the talking.
7 These were the people that were doing all the
8 discussions on what the issues are. Because right
9 now we were entering fact-finding at this point, Al
10 Dodds and I.

11 SR. SPECIAL AGENT LUINA: Okay, why is
12 that? Just to --

13 MR. WILLIAMS: Because we don't have
14 anything other than people talking; we don't have
15 anything paper in front to know what --

16 SR. SPECIAL AGENT LUINA: No draft
17 report or nothing?

18 MR. WILLIAMS: No, the draft report came
19 after. But what they did provide to us on that
20 phone call was some hard facts, some hard details,
21 "Hey, there was a text message and in that text
22 message this is what it said. Here's a phone call,
23 an interview of Mike Polickoski and Mike Polickoski
24 he said this and this and this."

25 SR. SPECIAL AGENT LUINA: You mean Jim?

1 MR. WILLIAMS: Jim Polickoski. Yes, Jim
2 Polickoski. Thank you, that's right. He's
3 corporate.

4 SR. SPECIAL AGENT LUINA: Let me spell
5 that name for the record here. Where's it at?

6 Do you know how to spell it off the top
7 of your head?

8 MR. CHANDLER: It's P-O-L-I-C-K-I-S-K-I.

9 SR. SPECIAL AGENT LUINA: S-K-I? Or is
10 it --?

11 MR. WILLIAMS: K-O-S-K-I?

12 SR. SPECIAL AGENT LUINA: Yes, P-O-L-I-
13 C-K-O-S-K-I.

14 MR. CHANDLER: Yes. You get the
15 spelling bee bell when you get it wrong, so.

16 SR. SPECIAL AGENT LUINA: All right,
17 talk about the phone calls.

18 MR. WILLIAMS: So then we start getting,
19 hey here's some facts and it's clearly, clearly
20 unprofessional behavior. So then we had a question
21 about well, is that harassment; it's definitely
22 behavior that's not appropriate for a manger, and
23 then we get into some of the discussions where the
24 investigator saying, "Well, when I interview Mike
25 I'm getting some emotional response from him when

1 we're talking about Erin Henderson. He was
2 aggressive on how she had some time sheets checked
3 and gate logs checked to see if --" so the
4 investigator is saying that Mike was very --
5 McBrearty during the interview was emotional and
6 very -- so Al Dodds and I we're looking at it and
7 afterwards, after that we have factual stuff where
8 he's undermining her authority and he has an
9 emotional response to it, so we don't know all the
10 facts and everything else, but we knew enough that
11 it could potentially lead to a bad environment, a
12 bad situation.

13 SR. SPECIAL AGENT LUINA: What were you
14 concerned about based on that information?

15 MR. WILLIAMS: Mike going off.

16 SR. SPECIAL AGENT LUINA: You really
17 were?

18 MR. WILLIAMS: Yes, he had shown that
19 he's been a little bit emotional with some of these
20 things before.

21 SR. SPECIAL AGENT LUINA: Is this
22 something you've witnessed personally when you
23 talked to him?

24 MR. WILLIAMS: Yes, and like I said, the
25 reason why I brought up this whole issue with the

1 shelf life discussion is because he displayed some
2 emotion in that issue. I hear the investigator talk
3 about similar emotion directed towards Erin and then
4 I see hard data of him taking actions, that to
5 Erin's employee, undermining her authority as a
6 manager.

7 SR. SPECIAL AGENT LUINA: Okay.

8 MR. WILLIAMS: So the situation -- he's
9 reaching out now to other people and he's creating
10 potentially a very adverse environment. And while
11 we were doing the investigation we wanted to make
12 sure that it does not get outside of our ability to
13 control this situation. So that's when we made the
14 decision that we were going to have Mike stay home -
15 -

16 SR. SPECIAL AGENT LUINA: Who made that
17 decision?

18 MR. WILLIAMS: I did.

19 SR. SPECIAL AGENT LUINA: You did?

20 MR. WILLIAMS: Yes.

21 SR. SPECIAL AGENT LUINA: Okay, with?

22 MR. WILLIAMS: Al Dodds.

23 SR. SPECIAL AGENT LUINA: With Al Dodds.
24 But did you say you were the ultimate decision-maker
25 as site vice president?

1 MR. WILLIAMS: Yes.

2 SR. SPECIAL AGENT LUINA: Okay. And it
3 was for all those reasons you just explained to me?

4 MR. WILLIAMS: Yes, I didn't know
5 everything, but I knew enough to understand that
6 there's something here and I know that these people
7 have to work together, and I didn't know if I would
8 be able to control it if it gets out of hand. So
9 while we're doing an investigation it's not unusual
10 that you remove people from a situation that has
11 potential to get worse.

12 SR. SPECIAL AGENT LUINA: Have you done
13 something like that in the past as the manager?

14 MR. WILLIAMS: Yes.

15 SR. SPECIAL AGENT LUINA: I mean, not
16 here obviously, but other --?

17 MR. WILLIAMS: Oh, no, here. We do it
18 here. Yes, we do --

19 SR. SPECIAL AGENT LUINA: Even the short
20 time you've been here?

21 MR. WILLIAMS: Yes. No, well, a lot of
22 our investigations with employees to get them -- I
23 mean, they're either emotional or they're adverse --
24 people lying and then you challenge their
25 trustworthiness, so you want to separate them

1 because you don't trust them, you don't know what
2 they're going to do in the site, so let's finish the
3 investigation, but get them out of the controls. An
4 operator who manipulated a switch and he lied about
5 it, we removed him from the site because if I can't
6 trust him to tell, I don't know what he's going to
7 do on the controls of a reactor, so you remove them
8 from the situation while you're continuing your
9 investigation. So it's not unusual practice that
10 first you secure the environment and then you
11 continue with the investigation. Because I knew we
12 weren't done with the investigation.

13 SR. SPECIAL AGENT LUINA: Was it
14 recommended to you by anybody to remove him from the
15 site?

16 MR. WILLIAMS: When we talked on the
17 phone there was a lot of recommendations. The
18 recommendations were about where the -- if this does
19 fully get substantiated, where they would be going.
20 The recommendations did not talk about you need to
21 do this now; there was none of that.

22 SR. SPECIAL AGENT LUINA: No one
23 directed, no one said, "No, Tony. Send his ass home
24 tomorrow?"

25 MR. WILLIAMS: No.

1 SR. SPECIAL AGENT LUINA: Okay.

2 MR. WILLIAMS: Now, there were people
3 that when you start digging in on the phone calls
4 and when the team is coming together, there was a
5 pretty wide split on where we were with just some of
6 the preliminary information. Do we meet termination
7 criteria with what we have right now? I think the
8 reason why you got a big split on that position was
9 some people pulled in the multiple employee concerns
10 that Mike registered on Erin's department as part of
11 the hostile, and other people did not see that as
12 something you would necessarily bring into a
13 retaliatory type of action. But I know, I was in
14 the party that well, that action, I don't want to
15 punish or penalize a person for using that type of
16 response, but I understand how it could undermine
17 her authority. But I knew with what the issues
18 were, with the, his interactions with Polickoski,
19 the way his text messages were on Erin, text
20 messages on Joe Shea, what he was doing, that alone
21 gave me cause to see the termination -- I mean, see
22 the staying him at home while we continued the
23 investigation.

24 SR. SPECIAL AGENT LUINA: Did you make
25 that decision on that Saturday?

1 MR. WILLIAMS: No, this was --

2 SR. SPECIAL AGENT LUINA: You came back
3 to work?

4 MR. WILLIAMS: Yes, we came back to
5 work. Al and I we did talk about it some more and
6 then we made it -- I forget when the actual day was
7 when we made the decision.

8 SR. SPECIAL AGENT LUINA: Let me look at
9 my calender real quick.

10 MR. WILLIAMS: Yes, it was that morning
11 --

12 SR. SPECIAL AGENT LUINA: Do you have
13 any notes from this at all, from this phone call or
14 do you keep like a notebook or anything? I know a
15 lot of managers seem to do that.

16 MR. WILLIAMS: I do have some notes on
17 it, but I mostly have the notes on my review of the
18 reports.

19 SR. SPECIAL AGENT LUINA: The report?

20 MR. WILLIAMS: Yes.

21 SR. SPECIAL AGENT LUINA: I have down
22 that -- oh, this is 2019.

23 MR. WILLIAMS: It was the morning of
24 when he was asked to stay home; that was when I made
25 the decision.

1 SR. SPECIAL AGENT LUINA: That morning
2 you did. Yes, because I got that he was asked to
3 stay home on the 25th of May, that Friday.

4 MR. WILLIAMS: Yes.

5 SR. SPECIAL AGENT LUINA: So that
6 morning is when you --?

7 MR. WILLIAMS: Yes.

8 SR. SPECIAL AGENT LUINA: Did you see
9 the report at that point?

10 MR. WILLIAMS: Yes.

11 SR. SPECIAL AGENT LUINA: Okay, you got
12 to see the direct report at that point. So it was
13 that Saturday, I guess potentially the 19th?

14 MR. WILLIAMS: It could be very well the
15 19th.

16 SR. SPECIAL AGENT LUINA: Okay. Yes, if
17 you could check old emails or notebooks or anything.

18 MR. WILLIAMS: Well, I might be able to
19 go back to my calendars and see when we had the
20 calendar. The meeting invite would be on my
21 calendar.

22 SR. SPECIAL AGENT LUINA: For the 19th
23 meeting?

24 MR. WILLIAMS: For the phone call, yes.

25 SR. SPECIAL AGENT LUINA: Okay, the

1 phone call. Then --

2 MR. CHANDLER: You're going to find it's
3 archived now and it's really hard to find.

4 MR. WILLIAMS: Oh, is it?

5 MR. CHANDLER: It's there, you got to
6 look for it. Just looking on my phone I couldn't
7 find it, so.

8 MR. WILLIAMS: Okay.

9 SR. SPECIAL AGENT LUINA: And then you
10 made the decision to send him home because you agree
11 with the report and all the other stuff, you told me
12 already.

13 MR. WILLIAMS: Yes.

14 SR. SPECIAL AGENT LUINA: And you tell,
15 I guess, Al Dodds?

16 MR. WILLIAMS: Yes. We both at this
17 time we did not make a decision on where this is
18 going to end up in adverse action space. So Al and
19 I were not, we did not think at this time that we
20 were at termination for Mike McBrearty.

21 SR. SPECIAL AGENT LUINA: You just
22 thought you were at admin leave at a minimum?

23 MR. WILLIAMS: We just thought there was
24 the potential this situation can get worse and we
25 needed to just make sure that it doesn't get worse

1 while we're continuing the investigation.

2 SR. SPECIAL AGENT LUINA: Was part of
3 your thinking that if it did go bad, it's going to
4 come back on you?

5 MR. WILLIAMS: Oh, no, no, no, no.

6 SR. SPECIAL AGENT LUINA: No, I'm
7 talking about if he does go off on the site or
8 something like that and does something --?

9 MR. WILLIAMS: No, I was concerned about
10 Erin. I was concerned that this would go off and he
11 would be put a very emotional response on Erin is
12 what I --

13 SR. SPECIAL AGENT LUINA: That's what I
14 meant, if he did something disruptive at work, it
15 could come back around to you saying, "Hey, why
16 didn't you send him home when you knew this
17 information about him?"

18 MR. WILLIAMS: I don't think -- I think
19 it was more I was worried about if it did go wrong,
20 the situation that Erin would be in, would be
21 something I wouldn't want Erin to have to put in
22 that situation.

23 SR. SPECIAL AGENT LUINA: Okay.

24 MR. WILLIAMS: So it was more --

25 SR. SPECIAL AGENT LUINA: So who else

1 did you -- did you talk with anybody else about your
2 decision or -- I mean, you said you talked to Al
3 Dodds -- did he agree with you or was he like,
4 "You're way off. We don't need to do this?"

5 MR. WILLIAMS: My impression for Al is
6 that he was -- he understood the reasoning for
7 having Mike be home while we continue the rest of
8 this investigation as we get deeper into the issues.
9 Him and I were aligned about we don't know where we
10 are yet. Some of the data that's in the
11 investigative report hasn't been -- like usually
12 when you do a fact-finding you're pulled in and
13 you're given all the data and you sit there and you
14 say this is a fact, this is a fact, this is opinion,
15 this is a fact, so we were in the process of doing
16 that.

17 SR. SPECIAL AGENT LUINA: Okay.

18 MR. WILLIAMS: Yes, so we're going
19 through the report and we're underlining statements
20 that are made by other individuals and saying well,
21 this is an opinion, this is a fact, we found this
22 text message, we found this email, we found this,
23 and these are opinions, and correlating where we
24 were in the fact-finding. But we never got to a
25 point where we concluded that we were in adverse

1 action space or not. Now, we did have a mitigation
2 plan; we did understand and communicated it to the
3 department to share with the individuals in the
4 licensing department at Sequoyah that, "Hey, this is
5 an investigation that's going on." It's not unusual
6 that while investigation is going on, that you
7 remove people while you continue on -- particularly
8 when there's potential for hostile work environment
9 and emotional type of issues, it's not unusual that
10 while you investigate the facts that you just remove
11 people that keep -- so nothing -- you can control
12 the situation.

13 SR. SPECIAL AGENT LUINA: Okay.

14 MR. WILLIAMS: So we had that
15 communication with the licensing department. I had
16 two discussions with some of the -- so about half of
17 the licenses in the department I talked face-to-face
18 with and explained the situation that Mike, he did
19 not get terminated, this is an investigation that's
20 in process. When you start dealing with issues that
21 are associated with this type of issue, this is not
22 unusual, so. I repeated that a couple times with
23 the licensing department.

24 SR. SPECIAL AGENT LUINA: Okay. On the
25 25th of May before, did you relay anything up to

1 your chain of command, who you report to, above you?

2 MR. WILLIAMS: Yes.

3 SR. SPECIAL AGENT LUINA: Who do you
4 report to?

5 MR. WILLIAMS: It was Valdusi at the
6 time.

7 SR. SPECIAL AGENT LUINA: Valdusi, okay.

8 MR. WILLIAMS: Yes, they were there when
9 I -- Valdusi was told when I made the decision to
10 have Mike stay at home.

11 SR. SPECIAL AGENT LUINA: Again, he
12 didn't direct you?

13 MR. WILLIAMS: No.

14 SR. SPECIAL AGENT LUINA: Joe Shea
15 didn't direct you?

16 MR. WILLIAMS: No.

17 SR. SPECIAL AGENT LUINA: I know he's
18 not in your chain of command. He didn't call you up
19 and say anything?

20 MR. WILLIAMS: No.

21 SR. SPECIAL AGENT LUINA: All right.
22 And you talked to Al Dodds about it and then he just
23 walked off site, right?

24 MR. WILLIAMS: Yes.

25 SR. SPECIAL AGENT LUINA: Okay. And you

1 mentioned something to me; so in your mind sending
2 him home was not an adverse employment action?

3 MR. WILLIAMS: No. Well, I understand -
4 - I mean, I've been in the industry long enough, you
5 know that when you send somebody home, it's an
6 emotional issue. And I didn't feel that he's
7 sitting at home, he doesn't understand where this is
8 going to end up with his job and everything else.
9 So while I don't consider it a, by the definition of
10 a chilled work environment, confirmatory action
11 letter this is an adverse action that you require an
12 ERB associated with it at the time, I do recognize
13 that this is an emotional situation that he's going
14 to be in wondering if he's got a job or not. I also
15 recognize that he's in this situation because of
16 things he did; these were actions that he did do
17 that definitely are unprofessional, definitely
18 undermine Erin, definitely did it for a reason that
19 he did not agree with her. I mean, so there was --
20 this is a situation that he put himself into, so.

21 SR. SPECIAL AGENT LUINA: And you based
22 that upon the OGC report?

23 MR. WILLIAMS: I based it upon the text
24 messaging to Jim Polickoski and the communication
25 with Jim that let me explain to you what type of

1 boss you have, type of discussion. So he is
2 actively making statements, negative statements on
3 an employee's boss and that's unprofessional.

4 SR. SPECIAL AGENT LUINA: Okay, and it
5 raises to a level of termination in your opinion?

6 MR. WILLIAMS: You know, at certain
7 levels, higher levels in the organization, the way
8 you behave has a different level of reaction and
9 response. I can't have managers displaying that
10 type of behavior and if they're the ones who are
11 supposed to be setting the example, what is Jim
12 supposed to be thinking who is a licensing
13 specialist when a manager is doing that, what type
14 of environment does he create for the company. So
15 it's caustic when a higher level person performs --
16 takes actions that are so unprofessional. So I
17 never made the decision whether this was termination
18 or not; there are other things that came out later
19 when they finally did complete the investigation
20 that continued to show a repeated pattern. I get if
21 it was one bad day, that has a little bit to weigh
22 into it, but when you looked at the final report,
23 you found emails, you found other things that he was
24 doing repetitive over a long period of time. That's
25 not a bad day; that's a behavior that was portrayed

1 on her for a long period of time. So as a manager,
2 we never made the decision, but I could definitely
3 see that behavior leading to termination.

4 SR. SPECIAL AGENT LUINA: Okay. If the
5 decision would have been made, would it have been
6 your decision to make as the site vice president?

7 MR. WILLIAMS: No, this would have been
8 -- the way the process was going to be laying itself
9 out, once the report gets finalized and all the data
10 is done, then Al Dodds would be moved in and he
11 would then get all the data, Mike McBrearty would
12 come back, we would have a fact-finding, we'd go
13 through all the details, all the facts with
14 McBrearty and go through all the question and
15 answering and explain the situation, any things that
16 we didn't know, we didn't -- we never got there --

17 SR. SPECIAL AGENT LUINA: You never got
18 that far.

19 MR. WILLIAMS: Yes, but that's the way
20 the process would have gone. As soon as the report
21 got finalized, then we go into official fact-
22 finding, investigation, then it goes and Al Dodds
23 would make the recommendation on the actions to
24 take, and then I would then receive it at the ERB
25 and verify that it's aligned with our policies,

1 aligned with past practices of TVA. It's not
2 retaliatory, it's not because of any action that
3 he's taken, it's very specific to behaviors that are
4 -- so yes, that's how.

5 SR. SPECIAL AGENT LUINA: Yes, up into
6 and prior to May 25th, 2018 when you made that
7 decision that morning, in your initial review and
8 scrub of that draft report and your discussions on
9 the phone call, was any information provided by
10 TVA/OGC, Slater, or anyone else on the phone that
11 was just completely not true, like that -- you said
12 you're checking the facts, that's a fact, that's an
13 opinion, that's a fact, that's an opinion -- I mean,
14 did you find anything that you're like, "Wait a
15 minute?"

16 MR. WILLIAMS: I wouldn't say --

17 SR. SPECIAL AGENT LUINA: That made you
18 question that report, I guess, or the results of it?

19 MR. WILLIAMS: No, no, no. I can
20 honestly say there was never anything in there that
21 I questioned on the report as being valid. I think
22 all the stuff he said was true in the report, but
23 sometimes you draw a conclusion from a fact; so you
24 get these three or four facts, this is our
25 conclusion, well I read it and this is my conclusion

1 over here.

2 SR. SPECIAL AGENT LUINA: He's got two
3 lawyers.

4 (Laughter.)

5 MR. WILLIAMS: So that's where a lot of
6 the discussion was, like hey --

7 SR. SPECIAL AGENT LUINA: An analysis of
8 the fact, not that the facts aren't true, but how we
9 weigh on them and look at them?

10 MR. WILLIAMS: Yes. I mean, we had a
11 lot of discussions on there was allegations to
12 Employee Concerns from Mike McBrearty. Well, we
13 conclude that's verging on harassment. He knows
14 that they're unsubstantiated, but he does it time
15 and time and time again. And I was like, "Oh, I
16 don't know if that's harassment." So it's not --
17 yes, that is a fact that there were three, but I
18 guess we had difference of opinions on what the
19 conclusions were from those actions. There were a
20 lot of the report that yes, we were totally aligned
21 in the conclusions and the facts, and there was a
22 lot of the report that we were aligned on the facts,
23 but not so much the conclusions. And that's what a
24 lot of the discussion was going on during that
25 period of time. The investigation was still going

1 on, there was still data reviews, and then there was
2 other people and other aspects associated with this
3 investigation that was pulling in more data and more
4 stuff like that. And then when you look at it at
5 the very end, there was more and it was repetitive
6 and it was over a long period of time.

7 SR. SPECIAL AGENT LUINA: That's my
8 understanding; it was in August 2018, August 10th
9 the final report came out; does that sound --?

10 MR. WILLIAMS: Yes.

11 SR. SPECIAL AGENT LUINA: And then you
12 all had a meeting is my understanding on August 16th
13 I believe it was?

14 MR. WILLIAMS: It at MRM at the Watts
15 Bar, it was probably foreshadowing my next job.

16 SR. SPECIAL AGENT LUINA: Okay. And
17 then it's my understanding at this meeting you have
18 some information you learned about Mr. McBrearty.
19 What is that?

20 MR. WILLIAMS: So Mike gave us a phone
21 call and said that he's resigning from TVA, he let
22 me know he got a job with his past boss, he's going
23 to be going out to Dubai working for his previous
24 boss that he had out in (Inaudible.)

25 SR. SPECIAL AGENT LUINA: When did he

1 call you?

2 MR. WILLIAMS: It was in the morning at
3 the MRM at Watts Bar, so --

4 SR. SPECIAL AGENT LUINA: How'd that
5 happen on the same day; do you know?

6 MR. WILLIAMS: No, I don't know.

7 SR. SPECIAL AGENT LUINA: Did he know
8 that the MRM was happening?

9 MR. WILLIAMS: Well, he had the job
10 beforehand. He was leaving in a week to go to
11 Dubai.

12 SR. SPECIAL AGENT LUINA: That's what he
13 told you?

14 MR. WILLIAMS: Yes, so he was sitting on
15 this job offer and then he made the decision. I
16 don't know if he knew the report was finalized or he
17 knew the investigation was continuing.

18 SR. SPECIAL AGENT LUINA: I guess, my
19 question; did you tell him?

20 MR. WILLIAMS: No.

21 SR. SPECIAL AGENT LUINA: You didn't
22 tell him the investigation's done, we're meeting
23 today and termination's on the table or something
24 like that?

25 MR. WILLIAMS: I only had like one or

1 two interactions with him during this period of
2 time. None of it was about the details of this
3 stuff; it was just we still got a lot of stuff, we
4 haven't made any determinations.

5 SR. SPECIAL AGENT LUINA: Do you know if
6 Al Dodds told him?

7 MR. WILLIAMS: I don't know if he told
8 him anything about the reports.

9 SR. SPECIAL AGENT LUINA: Okay. Then
10 this information comes out that he's resigning or he
11 says he's going to resign at least, and you all have
12 that meeting on the 16th.

13 MR. WILLIAMS: Yes.

14 SR. SPECIAL AGENT LUINA: And is
15 anything decided at that meeting? If he decides to
16 recant and pull that back the resignation, what are
17 we going to do?

18 MR. WILLIAMS: Well, the process then
19 would continue on. We got the final report now, now
20 Al would call him back into the site. We'd go
21 through the fact-finding, we'd start and go
22 highlighting all the facts.

23 SR. SPECIAL AGENT LUINA: So the MRM was
24 just --?

25 MR. WILLIAMS: The MRM, that was

1 something different. So we were at -- that's where
2 I physically was at the time when we got -- it was
3 just that day all the senior leadership team was at
4 Watts Bar having a management review of Watts Bar,
5 so we were all physically there -- David Czufin,
6 myself, Mike Valdusi -- so we were all, after that
7 MRM, we were going to go and have a
8 telecommunications with -- who was the vice
9 president of legal?

10 SR. SPECIAL AGENT LUINA: Sherri.

11 MR. WILLIAMS: Sherri. So Sherri was
12 having that phone call to go over the final
13 investigation report. Before we even got into that
14 phone call, Mike had resigned.

15 SR. SPECIAL AGENT LUINA: Okay, and
16 officially sends something over to HR as far as you
17 know?

18 MR. WILLIAMS: He officially, "Oh, I
19 don't know about that." That's when I had the phone
20 call with him communicating to me that he officially
21 resigns.

22 SR. SPECIAL AGENT LUINA: Okay.

23 MR. WILLIAMS: It was verbal, about a
24 ten-minute phone call.

25 SR. SPECIAL AGENT LUINA: He called you

1 directly?

2 MR. WILLIAMS: Yes.

3 SR. SPECIAL AGENT LUINA: Okay, have you
4 talked to him since at all, anything?

5 MR. WILLIAMS: I talked to him once
6 right after and wished him well and that's pretty
7 much it, no real communications with him.

8 SR. SPECIAL AGENT LUINA: Okay. Is
9 there anything I haven't asked you about that you
10 feel is relevant to this matter?

11 MR. WILLIAMS: No, I think you get the
12 understanding of everything. I might be off on some
13 of the dates and everything else, but the issues
14 associated with removing him from the situation, the
15 bases for that --

16 SR. SPECIAL AGENT LUINA: And that was
17 the sole reason you made that decision, based upon
18 the information you were provided by OGC?

19 MR. WILLIAMS: Yes. Now, another thing
20 just so you're aware; Al's his direct boss, so Al's
21 taking the actions and stuff like that. So Al might
22 say, "Well, I make the decision. It's an ownership
23 issue and stuff like that."

24 SR. SPECIAL AGENT LUINA: My call, huh?

25 MR. WILLIAMS: Yes, but we did talk

1 about it and he said no, he needs to be removed from
2 the situation.

3 SR. SPECIAL AGENT LUINA: So Al agreed?

4 MR. WILLIAMS: Yes.

5 SR. SPECIAL AGENT LUINA: You weren't
6 directing Al to go do this and he was like, "I don't
7 believe --?"

8 MR. WILLIAMS: No, no, no. The only
9 thing, I would say Al has been pretty consistent in
10 all the process that at the very end of this
11 investigation we need to get bak into the fact-
12 finding process, and I fully agree, where all the
13 material, all the facts and all that stuff gets laid
14 on his boss, and then the boss does the
15 investigation, the fact-finding and recommends the
16 actions to be taken against him. We were aligned,
17 we had a lot of discussion on the aspects of Mike
18 going to Employee Concerns; is that something that
19 you use it or you don't use it? It can get to the
20 point where it does, it undermines a person's
21 authority. At the end of the day that wasn't, in
22 our minds, in Al's mind, that wasn't what we were
23 worried about; we were worried about all these other
24 things he's doing that in itself is enough
25 unprofessional behavior, undermining and, like I

1 said, it creates a very caustic environment within
2 the organization, and he's a manager.

3 SR. SPECIAL AGENT LUINA: Right.

4 MR. WILLIAMS: And that's the reasons
5 why.

6 SR. SPECIAL AGENT LUINA: If there's
7 nothing else, I got some questions we'll ask you
8 here at the end.

9 MR. WILLIAMS: Sure.

10 SR. SPECIAL AGENT LUINA: And give you
11 an opportunity to add anything if you want to.

12 All right, have I or any representative
13 of the NRC threatened you in any manner today?

14 MR. WILLIAMS: No.

15 SR. SPECIAL AGENT LUINA: Have you been
16 offered any reward or compensation in return for the
17 information that you have provided during this
18 interview?

19 MR. WILLIAMS: No.

20 SR. SPECIAL AGENT LUINA: Have you
21 provided the information freely and voluntarily?

22 MR. WILLIAMS: Yes.

23 SR. SPECIAL AGENT LUINA: Is there
24 anything else you'd like to add for the record at
25 this time?

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MR. WILLIAMS: No.

SR. SPECIAL AGENT LUINA: Okay, nothing else -- if you think of anything, you've got my card and you can reach out to me, or you can reach out to Chris.

MR. WILLIAMS: Yes.

SR. SPECIAL AGENT LUINA: The time is now 4:52 p.m. on March the 28th, 2019 and this interview is concluded.

(Whereupon, the above-entitled matter went off the record at 4:52 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
Anthony Williams

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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