

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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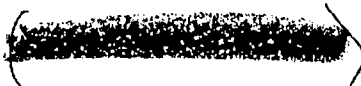
OFFICE OF INVESTIGATIONS

INTERVIEW

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IN THE MATTER OF: :

INTERVIEW OF: *nc* : Docket No. 1-2003-045

 :

(CLOSED) :

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Wednesday, May 12, 2004

PSEG Training Facility

Edison, New Jersey

The above-entitled interview was conducted
at 4:07 p.m.

BEFORE:

Special Agent JEFF TEATOR

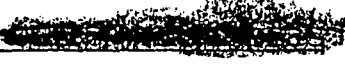
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EXHIBIT *40*
PAGE *1* OF *80* PAGE(S)

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APPEARANCES:

ON BEHALF OF PSEG AND 

JEFF KEENAN

Assistant General Solicitor

PSEG Services

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P R O C E E D I N G S

(4:07 p.m.)

SPECIAL AGENT TEATOR: Today is May 12, the year is 2004. My name is Jeffrey Teator. I'm the Senior Special Agent with the United States Nuclear Regulatory Commission, Office of Investigations, and it's approximately 4:07 in the afternoon.

Today, I am interviewing [REDACTED]
[REDACTED] This interview is taking place at PSEG Training Facility, located in Edison, New Jersey.

[REDACTED] prior to going on the record, did I present you with my credentials?

[REDACTED] Yes.

SPECIAL AGENT TEATOR: And a few, I guess it was a few days ago, did you receive a copy of a subpoena that was issued for you to appear here today?

[REDACTED] Yes.

SPECIAL AGENT TEATOR: Okay. And you're appearing in response to that subpoena. You're being interviewed today as a witness in an investigation I'm conducting into an alleged violation of 10 CFR 50.7, which is employee protection regulation. You're considered a witness in this investigation, and it involves an allegation made that Dr. Kim Harvin was retaliated against by her employer because she engaged

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1 in protected activity, NRC protected activity.

2 (b)(7)(C) you are represented by counsel
3 today. Jeff, if you could identify yourself for the
4 record and explain your representation, please.

5 MR. KEENAN: Yes. My name is Jeff Keenan.
6 I'm Associate General Solicitor of PSEG Services.
7 Today I represent (b)(7)(C) and PSEG Nuclear in a joint
8 capacity. I have reviewed this issue, and I'm not
9 aware of any conflict of interest. If a conflict
10 arises, we'll take a break from the record and figure
11 out how to best handle that. We appreciate this
12 opportunity. We certainly understand (b)(7)(C) is a fact
13 witness in this, and we would also like the
14 opportunity to review the transcript at a mutually
15 convenient time.

16 SPECIAL AGENT TEATOR: Okay. Thank you.
17 (b)(7)(C) a few follow-up questions regarding your
18 representation. Is that your understanding of the
19 representation?

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

21 SPECIAL AGENT TEATOR: Okay. Just for the
22 court reporter, there's a thunderstorm going on
23 outside and the lights just flicked a little bit. I
24 hope this is being recorded. We're going to check in
25 a minute, though.

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1 Is that your understanding of the
2 representation?

3 ([REDACTED]) Yes.

4 SPECIAL AGENT TEATOR: Okay. Does your
5 employer require you to have an attorney represent you
6 if you're interviewed by the Office of Investigations?

7 ([REDACTED]) No.

8 SPECIAL AGENT TEATOR: Okay. Do you
9 understand that you have a right to a private
10 interview with me if you wanted one?

11 ([REDACTED]) Yes.

12 SPECIAL AGENT TEATOR: Okay. Knowing all
13 this, do you wish to go forward with counsel present?

14 ([REDACTED]) Yes.

15 SPECIAL AGENT TEATOR: Okay. We're going
16 to take a very short break. It's 4:10 in the
17 afternoon.

18 (Whereupon, the foregoing matter went off
19 the record at 4:10 p.m. and went back on
20 the record at 4:13 p.m.)

21 SPECIAL AGENT TEATOR: Okay. The tape is
22 recording, and it's now 4:13. We're back on the
23 record.

24 ([REDACTED]) do you have any objection today to
25 providing sworn testimony?

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[REDACTED] No.

SPECIAL AGENT TEATOR: Raise your hand,
please. [REDACTED] do you swear that the
information that you are about to provide to me is the
truth, the whole truth and nothing but the truth?

[REDACTED] I swear.

SPECIAL AGENT TEATOR: Thank you. Can you
give me your date and place of birth, please?

[REDACTED] [REDACTED]

[REDACTED]

SPECIAL AGENT TEATOR: Okay. Social
security number, please.

[REDACTED]: [REDACTED]

SPECIAL AGENT TEATOR: And your current
home address?

[REDACTED]
[REDACTED]

SPECIAL AGENT TEATOR: Your home phone
number?

[REDACTED]

SPECIAL AGENT TEATOR: Did you ever serve
in the United States military?

[REDACTED] No.

SPECIAL AGENT TEATOR: All right. Have
you attended college?

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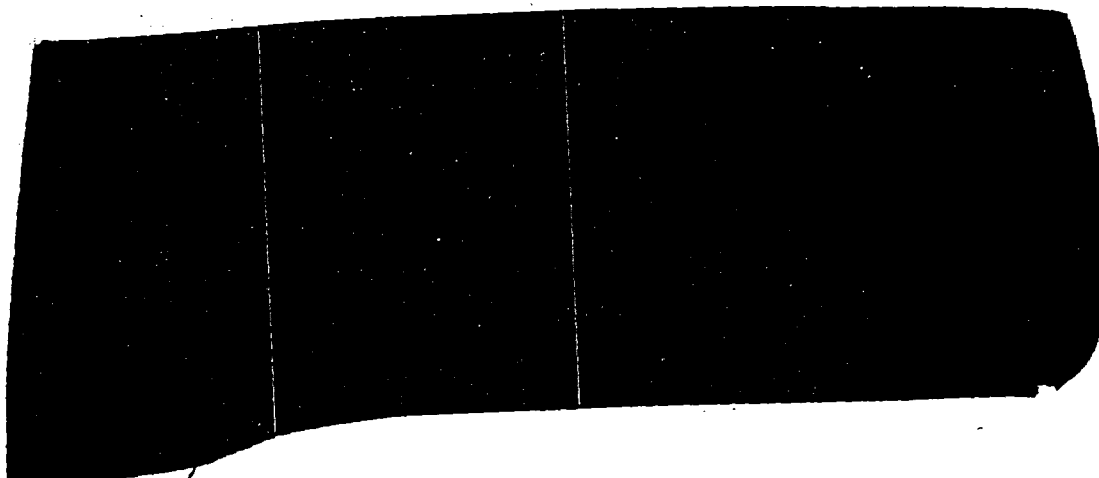
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([REDACTED]) Yes.

SPECIAL AGENT TEATOR: I see you're a

([REDACTED]) Why don't you just tell me what your Bachelor's

--



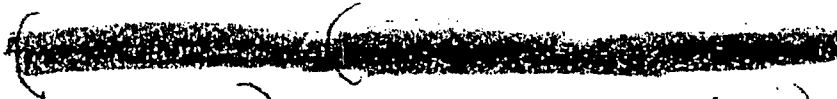
SPECIAL AGENT TEATOR: Okay. Thank you.

Any further? That's a lot.

([REDACTED]) Beyond my ([REDACTED]) I have various executive programs but that's my formal education.

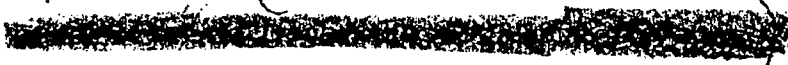
SPECIAL AGENT TEATOR: Okay. Thank you.

At some point were you hired to work for PSEG?



([REDACTED]) I was recruited from ([REDACTED])

SPECIAL AGENT TEATOR: Okay. And your current job title?



SPECIAL AGENT TEATOR: Thank you. And how long have you been in that position?

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1 (b) Eight years.

2 SPECIAL AGENT TEATOR: Okay. Who do you
3 report to today? Who's your supervisor?

4 (b) We just had an HR
5 redesign, and so under the HR redesign I'm reporting
6 (b) (phonetic).

7 SPECIAL AGENT TEATOR: And what's his
8 title?

9 (b) And he reports to (b)
10 (b) His title,
11 I'm not sure exactly. I guess (b)
12 (b) or something. It's just very recent, so we
13 haven't really gotten new titles.

14 SPECIAL AGENT TEATOR: All right. I guess
15 the period of time I'm going to talk to you about is
16 probably going to be mostly the 1999 through March
17 2003 time period. You were in your current position
18 during that time period, I guess?

19 (b) Yes.

20 SPECIAL AGENT TEATOR: Eight years here.
21 And would (b) have been your -- no?

22 (b) No. (b) -- well,

23 (b) (phonetic) was the (b)

24 (b) and then when he retired after that (b)

25 (b) and I

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1 honestly don't remember the exact time that she took
2 over from him.

3 SPECIAL AGENT TEATOR: At one time, would
4 you have reported directly to [REDACTED] then?

5 [REDACTED] Yes.

6 SPECIAL AGENT TEATOR: Okay.

7 [REDACTED] This is very recent
8 reporting to [REDACTED] so I really kind of still report to
9 [REDACTED]

10 SPECIAL AGENT TEATOR: Okay. Do you know
11 Kim Harvin, Nancy Ratigliano (phonetic)?

12 [REDACTED] Yes.

13 SPECIAL AGENT TEATOR: No. There's two
14 names there. Do you know --

15 [REDACTED] Kim Harvin.

16 SPECIAL AGENT TEATOR: Right. Okay.

17 [REDACTED] Or Kim Ratigliano. I
18 never knew her as Nancy.

19 SPECIAL AGENT TEATOR: I've seen it as
20 Nancy.

21 [REDACTED] I've never seen it as
22 Nancy.

23 SPECIAL AGENT TEATOR: Okay. Fine. Do
24 you know her?

25 [REDACTED] Yes, of course.

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1 SPECIAL AGENT TEATOR: How long have you
2 know her?

3 ([REDACTED]) I originally met her when
4 we were both at ([REDACTED])

5 SPECIAL AGENT TEATOR: Oh, okay.

6 ([REDACTED]) And that was -- must have
7 been '85 or '86, something like that.

8 SPECIAL AGENT TEATOR: All right. At any
9 point, did Kim Harvin work directly for you?

10 ([REDACTED]) Maybe [REDACTED] I'm not sure
11 if it was -- somewhere in that vicinity of [REDACTED]
12 Did she work for me? No.

13 SPECIAL AGENT TEATOR: No? Never?

14 ([REDACTED]) Never. Not at ([REDACTED])

15 SPECIAL AGENT TEATOR: Here?

16 ([REDACTED]) Here, yes.

17 SPECIAL AGENT TEATOR: Yes. When?

18 ([REDACTED]) Let's see, she was -- do
19 you mind if I look at some --

20 SPECIAL AGENT TEATOR: Sure. If you think
21 some documents will help you refresh your
22 recollections, please. Is that whole file regarding
23 Kim Harvin?

24 ([REDACTED]) Yes.

25 SPECIAL AGENT TEATOR: Jeff, do I have --

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1 might there be something in there that PSEG hasn't
2 provided to the Commission that might be helpful?

3 MR. KEENAN: I have to look at the
4 documents to see.

5 SPECIAL AGENT TEATOR: Okay.

6 ([REDACTED]) Just one second.

7 SPECIAL AGENT TEATOR: Sure.

8 ([REDACTED]) Okay.

9 SPECIAL AGENT TEATOR: Yes. The question
10 was --

11 ([REDACTED]) Right.

12 SPECIAL AGENT TEATOR: -- at some point
13 did she work for you?

14 ([REDACTED]) Kim was hired in her
15 first date of -- she started on February 23, 1998.

16 SPECIAL AGENT TEATOR: Okay.

17 ([REDACTED]) And she was hired to work
18 in my organization under ([REDACTED]) (phonetic) at
19 the time.

20 SPECIAL AGENT TEATOR: Right.

21 ([REDACTED]) He was the head of -- the
22 [REDACTED], also known as
23 Organization Transformation, and she was going to
24 report to him and he reported to me, so he was in my
25 organization and she was working on my team.

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1 SPECIAL AGENT TEATOR: Okay. I have a
2 copy of Kim's 1998 performance evaluation as part of
3 the package. We got a lot of documents from the
4 Nuclear Department in response to this investigation.
5 Is that your signature there as --

6 [REDACTED] Yes.

7 SPECIAL AGENT TEATOR: -- reviewer,
8 signature, 3-19-99?

9 [REDACTED] Yes.

10 SPECIAL AGENT TEATOR: Okay. And is [REDACTED]

11 [REDACTED] on top of that?

12 [REDACTED] Right.

13 SPECIAL AGENT TEATOR: All right. Jeff,
14 there's a September 27, 2001 email. If you could go
15 to that.

16 MR. KEENAN: Is that [REDACTED] to [REDACTED] 7c

17 [REDACTED]
18 SPECIAL AGENT TEATOR: Right.

19 [REDACTED] Right.

20 SPECIAL AGENT TEATOR: It's from [REDACTED] 7c

21 [REDACTED] to you, right?

22 [REDACTED] Right.

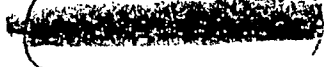
23 SPECIAL AGENT TEATOR: And I'll read it
24 onto the record here. It says, [REDACTED] I hope I am
25 not too late for your budget planning needs. I will

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1 require the services of Kim through the entire 2002.
2 She is actively assisting us in making fundamental
3 changes in our behaviors and thus our performance. I
4 would like to sit with you to determine how we might
5 reduce the costs associated with her services."

6 The question is going to be regarding the
7 first sentence, "I hope I'm not too late for your
8 budget planning needs." Why would his discussion with
9 you on your job get into your budget planning needs,
10 I guess? I'm trying to understand what that meant.

11  Right. That was in
12 September 2001. She was reporting to me, and the way
13 it worked is I had a consulting -- an internal
14 consulting organization. And my people had to have
15 their work hours, their labor hours assigned to a
16 client. So he wanted to make sure that we assigned
17 her hours, labor dollars, to Nuclear.

18 SPECIAL AGENT TEATOR: Okay.

19  So that's why he was
20 saying, "I need her."

21 SPECIAL AGENT TEATOR: But I'm not --
22 maybe I'm not understanding the corporate environment
23 a little bit at PSEG. She was a PSEG employee,
24 correct, not a contractor.

25  Right.

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1 SPECIAL AGENT TEATOR: So why would -- can
2 you explain a little bit more of what your answer to
3 my last question was about, having her services paid
4 by Nuclear and what that meant?

5 (b) (7)(C) Right. We have a shared
6 services organization. This was after the Services
7 Corporation was formed.

8 SPECIAL AGENT TEATOR: Right.

9 (b) (7)(C): It was formed in 2000, I
10 think.

11 SPECIAL AGENT TEATOR: Okay.

12 (b) (7)(C): And when we went to the
13 shared services model, the idea is that you had to
14 charge back the labor dollars and expenses associated
15 with your employees. It was an optional service. So
16 my people -- I was responsible, and still am, for
17 ensuring that all of the hours associated with my
18 people have a client that wants to pay, and we charge
19 back. It's an internal charge-back kind of process.

20 SPECIAL AGENT TEATOR: Okay.

21 (b) (7)(C): So at the time she was on
22 my team charging back her hours at a certain rate to
23 him. Okay. You didn't ask me about the second part,
24 so I won't --

25 SPECIAL AGENT TEATOR: Not yet. Yes.

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1 [REDACTED]: Okay.

2 SPECIAL AGENT TEATOR: So he's telling you
3 in this email that he's going to have Kim working for
4 him down at the site for 2002.

5 [REDACTED]: Exactly. Yes. He's
6 saying -- I have other people. He's saying, "I want
7 Kim to support me for 2002, so assign her hours to
8 Nuclear in the Services Corporation, Shared Services
9 process."

10 SPECIAL AGENT TEATOR: Okay. The last
11 sentence reads, "I would like to sit with you to
12 determine how we might reduce the costs associated
13 with her services." Was that discussion or meeting
14 held?

15 [REDACTED]: Well, subsequent to that,
16 there was some discussion, and we spoke, and as a
17 result of that a decision was made to shift her to
18 report directly to [REDACTED].

19 SPECIAL AGENT TEATOR: Okay.

20 [REDACTED]: Because what we
21 determined was that the Services Corporation, the
22 Shared Services Corporation that was a part of under
23 my organization had some overhead costs associated
24 with it, and by her reporting directly to him and
25 being a direct charge as opposed to a Services

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1 Corporation, Shared Services charge back, he would pay
2 less for her services, because he wouldn't have the
3 overhead associated with the Services Corporation.

4 SPECIAL AGENT TEATOR: Okay. All right.

5 ([REDACTED]) So that's what he is
6 asking, and we did discuss it, and we worked out how
7 to reduce the costs associated with her services,
8 which was by her becoming a direct report to Nuclear.

9 SPECIAL AGENT TEATOR: Okay. What did
10 that mean as far as her working for you at that point?

11 ([REDACTED]) That she wasn't going to
12 work for me.

13 SPECIAL AGENT TEATOR: All right.

14 ([REDACTED]) The arrangement, which is
15 in this email from October 31, was that she would work
16 directly for him and she would be dotted lined to me,
17 and that means she would continue to keep in touch
18 with me, but she would work directly for him and she
19 would no longer work for me in my organization, other
20 than keeping in touch with me through dotted line and
21 letting me know what was going on, so if she was doing
22 something related to something I was working on, we
23 would have some synergy and know what it was, like
24 leadership. I had overall leadership development.

25 SPECIAL AGENT TEATOR: For the calendar

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1 year 2002 then, would you have provided written input
2 to her job performance appraisal?

3 [REDACTED] No.

4 SPECIAL AGENT TEATOR: All right. That
5 would be done by [REDACTED] down at the site.

6 [REDACTED] Right.

7 SPECIAL AGENT TEATOR: [REDACTED] and/or his
8 people. Okay. Let's go back and talk about the
9 budget for just a little bit. And I guess -- well,
10 was there any communication made from Nuclear Business
11 Unit, NBU, right, that's what you guys call it, back
12 up to you in any time in 2002 on whether there would
13 be money budgeted for Kim's job for the calendar year
14 2003? I see budget talked about for '02, and I'm
15 wondering if there was any type of communication like
16 that for '03 that you're aware of?

17 [REDACTED] Not from them to me.

18 SPECIAL AGENT TEATOR: Okay.

19 [REDACTED] I had attempted to ask
20 [REDACTED] about that a couple of times verbally when we
21 were in various meetings, and he didn't really say
22 anything. He didn't respond.

23 SPECIAL AGENT TEATOR: Okay. When were
24 those meetings that occurred?

25 [REDACTED] In late 2003.

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1 SPECIAL AGENT TEATOR: You mean --

2 [REDACTED] I'm sorry, late 2002.

3 SPECIAL AGENT TEATOR: All right.

4 [REDACTED] I remember two occasions,
5 I don't know the exact date. We could figure that
6 out. But one was I was at an event and he was sitting
7 next to me, and the event was the Minority Achievers,
8 and it was a dinner event in Somerset or New Brunswick
9 in the evening and he was sitting next to me. And I
10 said to him, "How's Kim doing?"

11 SPECIAL AGENT TEATOR: Right.

12 [REDACTED] And he said, "Fine." And
13 I said, "Well, you know, we should talk about her."
14 And he kind of was very -- kind of put me off.

15 SPECIAL AGENT TEATOR: Why did you feel
16 the need to talk to [REDACTED] about Kim at that point, for
17 what reason?

18 [REDACTED] Because I wanted to make
19 sure she was okay for 2003.

20 SPECIAL AGENT TEATOR: Okay meaning?

21 [REDACTED] That she would continue
22 to work in Nuclear.

23 SPECIAL AGENT TEATOR: Okay.

24 [REDACTED] And then on another
25 occasion I was interviewing him for a leadership

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1 study, and again I said, "How is she doing?" And he
2 said, "Fine." That was it. So from those two
3 conversations I got the impression that he really
4 didn't want to get into with me.

5 SPECIAL AGENT TEATOR: Right.

6 (b) And so I didn't push it
7 anymore at that point.

8 SPECIAL AGENT TEATOR: Okay.

9 (b) With him.

10 SPECIAL AGENT TEATOR: All right. We're
11 getting maybe, and it's probably my fault, we're
12 getting a little bit ahead.

13 (b) Okay.

14 SPECIAL AGENT TEATOR: But we're going to
15 come back to when you mentioned, "with him." I'm
16 taking from that that you had discussions with others
17 about Kim's job in '03, when you said you didn't get
18 into it with him?

19 (b) Right.

20 SPECIAL AGENT TEATOR: All right. Did you
21 have discussions with others?

22 (b): I believe I talked to
23 (b) to see if there was a possibility that Kim could
24 come back to DQOE, because I was checking that as
25 another way.

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1 SPECIAL AGENT TEATOR: Come back to?
2 [REDACTED] DQOE, that's my
3 organization.

4 SPECIAL AGENT TEATOR: DQOE.

5 [REDACTED]: Yes.

6 SPECIAL AGENT TEATOR: Okay. All right.
7 When do you think you would have had that discussion
8 with [REDACTED]

9 [REDACTED]: I'd have to check.

10 SPECIAL AGENT TEATOR: That's fine.

11 [REDACTED]: Figuring out these dates
12 is very difficult.

13 SPECIAL AGENT TEATOR: Do you want to take
14 a break off the record and you can look? If you want
15 to do that, that's fine with me.

16 [REDACTED]: You can stop it for a
17 second.

18 SPECIAL AGENT TEATOR: Okay. It's 4:29.
19 We're going to take a short break off the record.

20 (Whereupon, the foregoing matter went off
21 the record at 4:29 p.m. and went back on
22 the record at 4:33 p.m.)

23 SPECIAL AGENT TEATOR: It's 4:33 in the
24 afternoon. We're back on the record after a short
25 break. [REDACTED] -- can I call you [REDACTED]

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1 [REDACTED] Sure. Yes.

2 SPECIAL AGENT TEATOR: I've called you
3 that a couple times already.

4 [REDACTED] Please.

5 SPECIAL AGENT TEATOR: You found an email
6 in your file dated -- what's the date on that? March
7 9, 2003. My question to you and you answered that you
8 had a discussion with [REDACTED] I guess, about Kim
9 Harvin. Can you tell me what this email --

10 [REDACTED] Yes. The email is from
11 Kim to me, marked confidential, and she let's me know
12 in here that her position is currently on the list to
13 be eliminated and that she was checking with me to see
14 if we could talk and also to explore -- she says, "I
15 assume coming back to DQOE is not workable." And at
16 that point or sometime in close proximity to that
17 prior or just around that time I checked to see if
18 there was any possibility of her coming back to DQOE.

19 SPECIAL AGENT TEATOR: And was there a
20 possibility?

21 [REDACTED] No.

22 SPECIAL AGENT TEATOR: Why not?

23 [REDACTED] Because we were -- I
24 wasn't being allowed to fill my positions, to fill
25 vacant positions, everything was frozen. I haven't

1 been allowed to fill positions in quite some time.

2 SPECIAL AGENT TEATOR: Even from that day
3 up till now.

4 ([REDACTED]) Right.

5 SPECIAL AGENT TEATOR: Okay. All right.

6 ([REDACTED]) As my people left through
7 attrition, my organization got smaller, and every time
8 I would ask if I could fill a position, I was told no.

9 SPECIAL AGENT TEATOR: Okay. Did you talk
10 to [REDACTED] about whether Kim could come back up here?

11 ([REDACTED]) I believe I did.

12 SPECIAL AGENT TEATOR: Okay. I guess the
13 answer was no.

14 ([REDACTED]) Yes, the answer was no.

15 SPECIAL AGENT TEATOR: All right. Do you
16 know if you communicated that back to Kim Harvin that
17 there wasn't a position for her back --

18 ([REDACTED]) Yes, I did.

19 SPECIAL AGENT TEATOR: And how did she
20 respond to that?

21 ([REDACTED]) She wasn't surprised.

22 SPECIAL AGENT TEATOR: Okay.

23 ([REDACTED]) She said something like,
24 "I just thought I'd check."

25 SPECIAL AGENT TEATOR: Yes.

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1 ([REDACTED]) She says right here she
2 assumed coming back to DQOE is not workable.

3 SPECIAL AGENT TEATOR: Right. You have
4 the October 11, 2001 email from Kim Harvin to you.
5 It's about discussions going towards her transfer down
6 to the site.

7 ([REDACTED]) Yes. This one?

8 SPECIAL AGENT TEATOR: Yes. "I'd like to
9 talk with you before you respond to ([REDACTED]) I'd like
10 to call your Friday or reach me in the Outage Control
11 Center." Do you remember discussing this potential
12 with her about her moving down to the site
13 permanently? I'm using the word, "permanent." She
14 was no longer going to report to you up here.

15 ([REDACTED]) Yes.

16 SPECIAL AGENT TEATOR: She was going to
17 work for the Nuclear Business Unit. Do you remember
18 having a discussion with her about that?

19 ([REDACTED]) Yes.

20 SPECIAL AGENT TEATOR: Did you tell her
21 pros, cons, what that might mean down the road? Did
22 you have a discussion with her about that?

23 ([REDACTED]) I believe I did.

24 SPECIAL AGENT TEATOR: Okay. Can you tell
25 me what you recall of that conversation?

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1 [REDACTED] I don't remember exactly
2 the conversation, but what I recall is we discussed
3 that if she went down there, there would be no
4 guarantees for her to come back. I remember
5 discussing that we would leave open that possibility,
6 though.

7 SPECIAL AGENT TEATOR: Okay. And is that
8 reflected in your October 31, 2001 email to [REDACTED]
9 [REDACTED] Why don't we just go to that and we'll break
10 that down? I'll ask you some questions about that.

11 [REDACTED] Yes, I have that.

12 SPECIAL AGENT TEATOR: Okay. It's from
13 you to [REDACTED]

14 [REDACTED] Right.

15 SPECIAL AGENT TEATOR: Subject, Kim Harvin.
16 in 2002. Do you see that?

17 [REDACTED] Yes.

18 SPECIAL AGENT TEATOR: Did you author that
19 email?

20 [REDACTED] Yes.

21 SPECIAL AGENT TEATOR: I'll read it, and
22 then I'll ask you some questions about each sentence.
23 I think we'll do it that way. [REDACTED] this is to
24 confirm our conversation earlier today re: Kim
25 Harvin's status for 2002. We'll move Kim Harvin over

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1 to your payroll by the end of the year so that she
2 will be on your payroll in 2002 for the entire year.
3 This will be considered a, quote, 'rotational,' end
4 quote, assignment with the understanding that there
5 are no guarantees beyond that." Can you tell me what
6 you meant by when you wrote, "This will be considered
7 a rotational assignment?" What was meant by that?
8 (b) That left open the
9 possibility because we really didn't know what was
10 going to happen, there was a lot of changes going on
11 in the Services Corp, in DQOE, in HR, in PSEG, so
12 given all the ambiguity, I wanted to leave open the
13 possibility that she could come back --

14 SPECIAL AGENT TEATOR: Okay.

15 (b) -- as a possibility. But
16 I wanted her also to know and him to know that there's
17 no guarantees. Given the leadership at that time, it
18 didn't look like she was coming back, but that could
19 have changed.

20 SPECIAL AGENT TEATOR: If she didn't
21 transfer down to work for (b), would she have
22 had a job at Corporate working in your group?

23 (b) She would have initially
24 had a job, but there was no guarantee that job would
25 have continued. I had to downsize my team, and it's

1 not sure if she would have been affected or not.

2 SPECIAL AGENT TEATOR: That was already in
3 motion at that time?

4 [REDACTED]: I'd have to check the
5 dates. I think it was in -- there was a lot of stuff
6 going on, and I don't remember exactly the date when
7 I had to downsize my team.

8 SPECIAL AGENT TEATOR: Okay.

9 [REDACTED] Definitely in the 2001-
10 2002 time frame. I don't remember exactly where it
11 was in there.

12 SPECIAL AGENT TEATOR: The downsizing of
13 your team, was that part of the reason why she
14 transferred down to Nuclear?

15 [REDACTED] It was a win-win-win
16 because I didn't have to downsize another person --

17 SPECIAL AGENT TEATOR: Right.

18 [REDACTED] -- and he picked her up
19 and reduced his costs.

20 SPECIAL AGENT TEATOR: Right.

21 [REDACTED] And she seemed happy with
22 the change, so it was a win-win-win.

23 SPECIAL AGENT TEATOR: Okay. Next
24 sentence, "We will discuss her status towards the
25 latter part of 2002." Discuss her status about what?

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1 (b) Whether she would
2 continue in Nuclear or possibly come back to DQOE --

3 SPECIAL AGENT TEATOR: Okay.

4 (b) -- if things had changed.

5 SPECIAL AGENT TEATOR: Okay. Stopping at
6 that point there, did you -- were you telling (b)
7 that it's a rotational assignment with the
8 understanding there's no guarantee beyond that for her
9 coming back to Corporate?

10 (b) Right.

11 SPECIAL AGENT TEATOR: That's what you
12 meant by that. Did he give you any indication that he
13 expected her to be working down there for a period of
14 time, a particular period of time?

15 (b) Two thousand two. That's
16 all he said.

17 SPECIAL AGENT TEATOR: That's all he said.

18 (b): There was no guarantees
19 in either direction beyond that.

20 SPECIAL AGENT TEATOR: Okay.

21 (b) He did say, as in the
22 email you showed me earlier, that he wanted her for
23 all of 2002.

24 SPECIAL AGENT TEATOR: Right.

25 (b) Two thousand three was a

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1 complete unknown.

2 SPECIAL AGENT TEATOR: Even then.

3 ([REDACTED]) Yes.

4 SPECIAL AGENT TEATOR: And did you talk to
5 Kim about that, that even down there at Nuclear you
6 may not have a job down there in '03?

7 ([REDACTED]) Yes.

8 SPECIAL AGENT TEATOR: Okay. Can you --
9 I know it's a while ago, but can you --

10 ([REDACTED]) There's never any
11 guarantees around here about anything.

12 SPECIAL AGENT TEATOR: I guess not.

13 ([REDACTED]) And just because you have
14 a job today doesn't mean you have a job tomorrow.

15 SPECIAL AGENT TEATOR: Even though you're
16 a full-time employee.

17 ([REDACTED]) Right.

18 SPECIAL AGENT TEATOR: Okay. But do you
19 remember discussing that with Kim? You know, "Kim,
20 you're going down to Nuclear for the year 2002, the
21 whole year, but there's no guarantee for you even
22 being down there in '03."

23 ([REDACTED]) Yes.

24 SPECIAL AGENT TEATOR: You had such a
25 conversation with her about that?

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1 (b)(7)(C) Yes. There's no
2 guarantee. Everything was very unknown, and depending
3 on the value that she added down there and whether
4 they wanted to continue her employment to do what
5 she's doing or related work, that would determine
6 whether they wanted to continue her.

7 SPECIAL AGENT TEATOR: Right. I've seen,
8 I guess, some testimony that Kim believed she was more
9 of a long-term employee down there and was going to
10 last beyond 2002. Based on your discussions with her,
11 the emails between you and (b)(7)(C), can you tell
12 me what basis she had for thinking that?

13 (b)(7)(C): Well, she probably
14 thought she was doing a great job and everybody
15 appreciated and liked what she was doing. So based on
16 that, she thought it would continue.

17 SPECIAL AGENT TEATOR: Right.
18 (b)(7)(C) But in this environment
19 there are no guarantees, and the work that my team did
20 was optional in this company, and the clients decide
21 whether you continue your work or not by whether they
22 like what you're doing and then if they want to
23 continue it. They could even like what you're doing
24 and say, "That was very good, thank you very much,"
25 and not continue to buy your services. So we had to

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1 sell our services a year in advance for the next year.

2 SPECIAL AGENT TEATOR: I'm going to finish
3 with this email, and then I'm going to have a separate
4 question for you.

5 (REDACTED) Okay.

6 SPECIAL AGENT TEATOR: Do you have to go?

7 (REDACTED) No.

8 SPECIAL AGENT TEATOR: I saw you looking
9 at the clock. We're going to probably be here a
10 little bit.

11 (REDACTED) Okay.

12 SPECIAL AGENT TEATOR: All right. I'll
13 continue reading here in the middle of the email, "We
14 will discuss her status towards the latter part of
15 2002 and determine where and how she can make her best
16 contribution to the business. She'll initially report
17 directly to you and continue to report on a dotted
18 line basis to me throughout the year for continuing
19 with OD and leadership work we have going on
20 throughout the business." Was she doing work for you
21 in addition to work for (REDACTED) Is that what that
22 meant?

23 (REDACTED) Well, she was supposed to
24 be a, quote, unquote, "relationship manager" for
25 Nuclear. I had a system where I had different people

1 on my team who had primary responsibility for
2 different clients, and she was the one that was
3 supposed to keep track of what was going on in
4 Nuclear, not just for what she was doing directly for
5 Harry but to sort of represent and be advocate for my
6 team, DQOE, in Nuclear. That was what she was
7 supposed to do. She didn't really do much in that
8 regard at all.

9 SPECIAL AGENT TEATOR: Okay. Go to my
10 question now. I hear what you're saying about
11 nothing's permanent, everything's on a year-by-year
12 basis, but is there something you can show me in her
13 letter where she's offered the job where that's
14 spelled out to Kim, even back then? I know that was
15 1998, maybe it was a different environment then, I
16 don't know, but is there anything you can show me that
17 would make her -- that she understood when she came
18 here that it was really a year-by-year job based on
19 clients, things like that?

20 ~~(REDACTED)~~: Well, the environment did
21 change. We went through deregulation, and as a result
22 of the Services Corporation and a lot of pressure on
23 costs and a lot of other things, the environment
24 changed dramatically when Services Corporation was
25 formed.

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1 SPECIAL AGENT TEATOR: And that was formed
2 after Kim had already been brought on board.

3 ([REDACTED]) Yes.

4 SPECIAL AGENT TEATOR: Okay. So when that
5 change occurred, though, when the environment changed,
6 was she working up at Corporate or was she already
7 down at Nuclear Business Unit?

8 ([REDACTED]) No, she was already in
9 Corporate. She was still in Corporate.

10 SPECIAL AGENT TEATOR: All right.

11 ([REDACTED]): It changed in 2000. It
12 had been changing before that, but it really changed
13 in 2000 when we went to the shared service model and
14 had to basically sell our services.

15 SPECIAL AGENT TEATOR: Right. Now, I
16 guess that's a good point. Is there something that
17 was put out by your Department to your people to let
18 them know that the environment's changed now. It
19 almost sounds like at that point for everybody you're
20 on a year-by-year contract almost. I mean that's my
21 word, but was there some kind of a memo put out to
22 your people to make them clearly understand that this
23 is a new environment, this is how we're operating?

24 ([REDACTED]) I'm sure there many
25 communications from the ([REDACTED]) that

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1 indicated that the environment has changed.

2 SPECIAL AGENT TEATOR: Right.

3 (REDACTED) And in the new
4 environment there were different types of services.
5 Some were, quote, unquote, "mandatory," and some were
6 optional. My services were optional, and so ours were
7 the most vulnerable.

8 SPECIAL AGENT TEATOR: Okay.

9 (REDACTED) And we had to sell our
10 services, and we were told, "If you don't, you're
11 gone," basically.

12 SPECIAL AGENT TEATOR: So was there a
13 document put out by you or your supervisor to your
14 people telling them that, including Kim? I mean she
15 was in your group at that point, right?

16 (REDACTED) I'm sure there were
17 documents. I don't recall a specific one. I didn't
18 write one because it was coming down from on high.

19 SPECIAL AGENT TEATOR: Right. Jeff, I'd
20 ask if something like that does exist, I'd like to
21 have a copy of it.

22 MR. KEENAN: Yes. I mean we'd be glad to
23 supply that. We haven't looked in that respect before
24 --

25 SPECIAL AGENT TEATOR: Okay.

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1 MR. KEENAN: -- but we can certainly
2 evaluate whether there are Service Company
3 communications regarding the changed environment in
4 particular in response to deregulation and development
5 of the Services Group.

6 SPECIAL AGENT TEATOR: Okay.

7 [REDACTED] I mean I was told that in
8 so many words by my boss, stuff like that, that your
9 services, you personally, your group are optional. If
10 they want them, you're here. If they don't, you're
11 not. That was pretty plain.

12 SPECIAL AGENT TEATOR: So it's almost like
13 everybody in your group was a consultant at that
14 point, contractors.

15 [REDACTED] Yes. We were internal
16 consultants selling our services.

17 SPECIAL AGENT TEATOR: Okay. Right.

18 [REDACTED] And we had to sell a
19 certain amount of our services to stay in business.
20 And as a result, I had to downsize my team.

21 SPECIAL AGENT TEATOR: So wherever your
22 team is working in the Corporation their client had to
23 want to continue them on a year-by-year basis?

24 [REDACTED] A client. It was
25 possible that if Nuclear didn't want to continue her

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1 services that she could have been redeployed somewhere
2 else.

3 SPECIAL AGENT TEATOR: Okay. All right.
4 It's 4:48. We'll take a very short break off the
5 record, then we'll continue, okay?

6 ([REDACTED]) Okay.

7 SPECIAL AGENT TEATOR: Thanks.

8 (Whereupon, the foregoing matter went off
9 the record at 4:48 p.m. and went back on
10 the record at 4:51 p.m.)

11 SPECIAL AGENT TEATOR: Okay. We're back
12 on the record. It's about 4:51 in the afternoon.

13 [REDACTED] talking about your organization
14 just a little bit more and then we'll go and start
15 focusing on Kim Harvin a little bit and what happened
16 with her. But at some point did people in your
17 department lose their positions? Were positions
18 eliminated?

19 ([REDACTED]) Yes.

20 SPECIAL AGENT TEATOR: And was it after
21 Kim went down to work for Nuclear or before or both?

22 ([REDACTED]) I can't remember exactly.
23 It was around the same time.

24 SPECIAL AGENT TEATOR: Okay. Do you know
25 how many?

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1 [REDACTED] Three people in my
2 organization: [REDACTED]

3 [REDACTED]
4 SPECIAL AGENT TEATOR: Okay. Three out of
5 how many?

6 [REDACTED] Three out of at the time
7 ten.

8 SPECIAL AGENT TEATOR: Okay. And Kim's
9 position was eliminated in --

10 [REDACTED] Also [REDACTED]
11 (phonetic) went to another organization, so it was
12 actually four. She wasn't downsized. She ended up
13 getting another position.

14 SPECIAL AGENT TEATOR: Okay. And Kim
15 left, so that would be five. She went to NBU.

16 [REDACTED] Yes. Right. I went down
17 to five from ten.

18 SPECIAL AGENT TEATOR: Okay.
19 [REDACTED] Originally I was 35.
20 I've gone down a lot.

21 SPECIAL AGENT TEATOR: Oh. Kim's position
22 was -- she was notified in late February, and then
23 there was a letter following that, but were there
24 others eliminated in your group, even in that time
25 period, in the spring of '03, or is that the time

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1 period we're talking about here?

2 [REDACTED] The time period we were
3 just talking about was when she first went to -- that
4 was 2001.

5 SPECIAL AGENT TEATOR: Okay.

6 [REDACTED] When she first went down
7 there.

8 SPECIAL AGENT TEATOR: So going forward
9 from there, did you lose -- did people in your
10 Department, other people lose their positions?

11 [REDACTED] We just had a redesign,
12 and I lost my entire Department.

13 SPECIAL AGENT TEATOR: Right. But going
14 back up to the point --

15 [REDACTED] They weren't downsized.
16 It was just shuffled around.

17 SPECIAL AGENT TEATOR: Right. Talking
18 about spring of '03, though, were you still losing
19 people in your Department up through the spring of
20 '03?

21 [REDACTED] Not involuntarily. I had
22 a retirement that I wasn't able to replace --

23 SPECIAL AGENT TEATOR: Right.

24 [REDACTED] -- [REDACTED]
25 (phonetic), and so, basically, what's happened is

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1 through attrition I went way down and they never let
2 me replace any people, and then the only people I had
3 to downsize were the ones I mentioned.

4 SPECIAL AGENT TEATOR: All right. And you
5 touched earlier on discussions you had with [REDACTED] nc
6 [REDACTED] about Kim's status for '03; is that correct?

7 [REDACTED]: Right.

8 SPECIAL AGENT TEATOR: And you already
9 shared those with me.

10 [REDACTED]: I think I had two
11 conversations with him. One was at the Minority
12 Achievers Dinner, and the other one was when I was
13 talking to him in a one-on-one interview.

14 SPECIAL AGENT TEATOR: When do you think
15 the Minority Achievers Dinner was? Would it have been
16 in 2002?

17 [REDACTED]: Yes. Oh, yes. It was in
18 2002.

19 SPECIAL AGENT TEATOR: Okay. Summer?
20 Fall? Spring?

21 [REDACTED]: I'm trying to remember
22 what the weather was. It was cold.

23 SPECIAL AGENT TEATOR: Okay.

24 [REDACTED]: So it must have been the nc
25 winter.

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1 SPECIAL AGENT TEATOR: All right. Is
2 there anything more you can share with me on what you
3 took from what [REDACTED] answered?

4 [REDACTED]: I had heard a rumor prior
5 to my talking to him that night that he was on his way
6 out.

7 SPECIAL AGENT TEATOR: [REDACTED] was.

8 [REDACTED] was.

9 SPECIAL AGENT TEATOR: Okay.

10 [REDACTED] And so when he was very
11 short with me, I interpreted it like, "I'm not telling
12 you anything," and he didn't want to talk to me.

13 SPECIAL AGENT TEATOR: Right.

14 [REDACTED]: His curtness I didn't
15 take personally, I took that he didn't want me to
16 probe anymore, so I backed off.

17 SPECIAL AGENT TEATOR: Did [REDACTED] ever make
18 a statement to you something to the effect of he would
19 have Kim down there on a year-by-year basis but they
20 wouldn't need a change expert forever? Did he ever
21 make a statement like that to you?

22 [REDACTED]: I vaguely recall that,
23 yes.

24 SPECIAL AGENT TEATOR: You vaguely recall
25 that?

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1 () Yes, now that you mention
2 it.

3 SPECIAL AGENT TEATOR: All right. Can you
4 dig a little deeper in your memory to when you think
5 you may have heard that and where you would have heard
6 it from ()

7 () It was probably during
8 the conversation when we were talking about her going
9 down on a rotational assignment.

10 SPECIAL AGENT TEATOR: Okay. That would
11 be --

12 () In one of those
13 conversations we were working out that arrangement --

14 SPECIAL AGENT TEATOR: All right.

15 () -- and he said --
16 actually, it might have been after she was already
17 down there. It was after she was down there, and I
18 was checking in on her performance. She was down
19 there already, working down there, I don't remember
20 exactly when it was, but he definitely said, "She's
21 doing a great job, but I don't know that we're going
22 to need a change person forever."

23 SPECIAL AGENT TEATOR: Right.

24 () "Eventually we'll get it
25 right, and we won't need" -- that's typical in change.

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1 SPECIAL AGENT TEATOR: Okay. Do you think
2 it was by phone or in person?

3 [REDACTED]:) It was on the phone.

4 SPECIAL AGENT TEATOR: Okay. Do you keep
5 a phone log or notes of phone calls?

6 [REDACTED]:) Sometimes but I don't
7 have that.

8 SPECIAL AGENT TEATOR: Okay. All right.

9 [REDACTED]:) It was kind of an off-
10 the-cuff kind of throw-away comment. It was kind of
11 like, "Well, in change, you don't need a change person
12 forever. Once you change, you don't need them
13 anymore." So it was kind of like that. It wasn't a
14 statement of specific things, "I'm going to need her
15 this long. I'm not going to need her after that," or
16 anything like that.

17 SPECIAL AGENT TEATOR: Right. If you
18 could pull out the Winston Strawn transcript, please,
19 Jeff. Did you get a copy of your transcript?

20 [REDACTED]:) Yes, I did.

21 SPECIAL AGENT TEATOR: Okay. If you can
22 go to Page 5, please, beginning on Line 10, you
23 answered -- there's a question up above that but you
24 answer on Line 10, "I don't remember any conversations
25 about the permanency of her position specifically.

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1 When she moved over there was a conversation that,
2 which is documented in this letter, that there's no
3 guarantees that she was to move over." Is there
4 another document that might be out there, letter form,
5 or are you talking about the email?

6 ([REDACTED]) The email.

7 SPECIAL AGENT TEATOR: Okay. All right.
8 Thank you. We talked a little bit about this but if
9 you can go to the bottom of Page 6, please. Beginning
10 on Line 20 the question is -- and this is Mike McGarry
11 (phonetic) asking the questions, an attorney with
12 Winston Strawn. Line 20 reads, question, "If she
13 hadn't been moved over, would her job have been
14 eliminated in Corporate?" Answer, "I can't say for
15 sure. I would say it was highly likely."

16 ([REDACTED]) It was possible. I
17 really didn't know.

18 SPECIAL AGENT TEATOR: Okay.

19 ([REDACTED]) I'd be speculating.

20 SPECIAL AGENT TEATOR: You were
21 speculating.

22 ([REDACTED]) I said whether her's
23 specifically would have been included would have -- I
24 would have been speculating.

25 SPECIAL AGENT TEATOR: But it was a

1 possibility.

2 ([REDACTED]) And so I said I had to
3 last year go down a number of positions. Those are
4 the positions I was just talking about. And whether
5 her's specifically would have been included, I don't
6 know.

7 SPECIAL AGENT TEATOR: Go off from the
8 transcript for just a minute. Do you recall maybe
9 having lunch with ([REDACTED]) up here at Corporate where he
10 specifically told you that, "I'm not going to need her
11 services in 2003"? Can you recall having been part of
12 such a conversation with ([REDACTED]) at a lunch or --

13 ([REDACTED]) I don't remember ever
14 having lunch with him.

15 SPECIAL AGENT TEATOR: Okay. Ever? Not
16 in the cafeteria, the Corporate cafeteria or anything
17 like that?

18 ([REDACTED]) I had a meeting with him.
19 I don't remember having lunch with him. We sat
20 together at that Minority Achievers.

21 SPECIAL AGENT TEATOR: I guess the
22 important part of the question is do you recall him
23 ever stating to you specifically that he was not going
24 to need her services in 2003?

25 ([REDACTED]) I don't recall that.

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1 SPECIAL AGENT TEATOR: Okay. When did you
2 first hear that Kim's position was going to be
3 eliminated down at Salem-Hope Creek? When did you
4 first learn that, and who did you hear it from?

5 (b)(7)(C) called me, and
6 I was sitting in my office, and (b)(7)(C) said, "I want you
7 to know because you may get a call that we just
8 terminated Kim or Kim was just terminated. She just
9 was told."

10 SPECIAL AGENT TEATOR: Right.

11 (b)(7)(C) "And you may get a call."

12 SPECIAL AGENT TEATOR: From who?

13 (b)(7)(C) From Kim.

14 SPECIAL AGENT TEATOR: Okay. Did (b)(7)(C) tell
15 you --

16 (b)(7)(C), And (b)(7)(C) wanted me to hear
17 it before I heard it from Kim.

18 SPECIAL AGENT TEATOR: Why?

19 (b)(7)(C): I don't know.

20 SPECIAL AGENT TEATOR: Did you get a call
21 from Kim?

22 (b)(7)(C) I did get a call from
23 Kim, and I got that email from Kim, and I'm trying to
24 think if I got the email before or after I talked to
25 her. She was notified -- did you say earlier when she

1 was notified?

2 SPECIAL AGENT TEATOR: She was notified in
3 late February verbally. It was February '03.

4 (b) Okay. I was notified the
5 same day. (b) called me the same day. And then she
6 sent me this would have been a week or two later.

7 SPECIAL AGENT TEATOR: This meaning what?
8 (b) This email about that her
9 position was currently on the list to be eliminated.

10 SPECIAL AGENT TEATOR: That's one we've
11 already talked about, right?

12 (b) Right.

13 SPECIAL AGENT TEATOR: Okay. All right.

14 (b) So that was the next
15 contact after (b).

16 SPECIAL AGENT TEATOR: Okay. And you
17 testified in your Winston Strawn transcript on Page 11
18 I think about the discussion you had with Kim after
19 Kim was informed that here position was being
20 eliminated.

21 (b) Right. Right.

22 SPECIAL AGENT TEATOR: Beginning at Line
23 6, and I'll read the question, the question is, "I
24 think we are interested in whether or not she provided
25 any information to suggest or to support an allegation

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1 that her job was eliminated because she raised her
2 safety concerns." Answer, "Absolutely not. That
3 question never came up. She did say something about
4 more of a diversity issue in terms of women having a
5 hard time down there, having chartered diversity for
6 the enterprise." So I think she was seeing if I would
7 -- where I was at on that issue."

8 Line 16, "She asked for my advice in
9 coaching and I gave it to her, which was that I
10 thought that her career and she personally would be
11 better off putting her energy into doing something on
12 the outside. That was my coaching to her." That's
13 the sentence I wanted to ask you about, "She
14 personally would be better off putting her energy into
15 doing something on that outside." What did you mean
16 by that when you told Kim that? What made you say
17 that during this interview, I guess, to Mike McGarry?
18 Is there something you were aware of that Kim was
19 doing that you disagreed with?

20 (REDACTED) No. I just didn't think
21 she was being appreciated in the Company, generally.

22 SPECIAL AGENT TEATOR: Okay.

23 (REDACTED) So I thought she was a
24 great person and she has a lot of positive energy and
25 she should put her energy where it's appreciated, not

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1 where it's not appreciated. So I thought she should
2 do consulting on the outside, go somewhere else where
3 she could really thrive. I wasn't hearing a lot of
4 positive things about her.

5 SPECIAL AGENT TEATOR: All right. When
6 did that start happening, I guess?

7 ([REDACTED]) When did I start not
8 hearing good, positive things about her?

9 SPECIAL AGENT TEATOR: When did you start
10 hearing not positive things about her? When did that
11 start happening?

12 ([REDACTED]) Over time I heard not
13 positive things about her for a number of years.

14 SPECIAL AGENT TEATOR: While she was at
15 Nuclear, after she went to Nuclear or before she went
16 down to there?

17 ([REDACTED]) Both, before and after.

18 SPECIAL AGENT TEATOR: Okay. Can you tell
19 me --

20 ([REDACTED]) I didn't think she was
21 highly thought of by some powerful people.

22 SPECIAL AGENT TEATOR: She was highly
23 thought of?

24 ([REDACTED]) She was not highly
25 thought of by some powerful people.

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1 SPECIAL AGENT TEATOR: Okay. Were any of
2 those people working at Nuclear?

3 (b) I'm talking about more
4 people in Corporate. In Nuclear, there were people
5 that were not very positive about her. I don't know
6 if they were the leadership team.

7 SPECIAL AGENT TEATOR: Okay. Tell me what
8 you heard about the people working at Nuclear while
9 Kim was down there, positive or negative.

10 (b) Well, I had heard, not so
11 much firsthand, though, so I don't know if I should go
12 into it, it was more secondhand.

13 SPECIAL AGENT TEATOR: All right. It's
14 going to come out as secondhand. That's the way it
15 will -- and I can follow up with those people if I
16 need to.

17 (b) I had heard that (b)
18 (b) (phonetic), and she once passed along an
19 voicemail from him, that he was very positive about
20 her. Other people were not so positive about her I
21 had heard.

22 SPECIAL AGENT TEATOR: Like?

23 (b) (b)
24 (phonetic), one being. Didn't get along at all.
25 (b) (phonetic) did not say good things

1 about her.

2 SPECIAL AGENT TEATOR: He was Nuclear?

3 [REDACTED] He was Power, an [REDACTED]

4 [REDACTED]

5 SPECIAL AGENT TEATOR: Right.

6 [REDACTED] But in a significant
7 position to have influence, because he was in charge
8 of [REDACTED] and she was sort of doing HR type work.

9 SPECIAL AGENT TEATOR: Right.

10 [REDACTED] And he never had a good
11 thing to say about her. [REDACTED] never had a good
12 thing to say about her. [REDACTED] (phonetic) never
13 had a good thing to say about her. [REDACTED]
14 (phonetic) never had a good thing to say about her.

15 SPECIAL AGENT TEATOR: Stop for a minute.

16 Any of those four people you just mentioned [REDACTED]--

17 [REDACTED] [REDACTED]

18 SPECIAL AGENT TEATOR: -- [REDACTED]

19 [REDACTED] did any of them say they were
20 unhappy with her because she raised concerns down at
21 the site, any type of concerns? Did they attach that
22 criticism to her raising concerns down at the site,
23 nuclear safety concerns?

24 [REDACTED] Not nuclear safety. No,
25 that never came up.

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1 SPECIAL AGENT TEATOR: Any kind of safety
2 concerns?

3 [REDACTED] Not safety concerns.

4 SPECIAL AGENT TEATOR: Maybe, generally,
5 if you could tell me what the criticism was about --
6 just so I understand a little bit.

7 [REDACTED] once said that she
8 butted into issues she had no right to be involved in,
9 and I think it was employee relations concerns, that
10 she was acting beyond her purview.

11 SPECIAL AGENT TEATOR: Union management?

12 [REDACTED] Union management and
13 employee relations kinds of things. She was entering
14 areas of employee relations which she should not have
15 been entering.

16 SPECIAL AGENT TEATOR: Okay.

17 [REDACTED] And that bothered [REDACTED]
18 And I think [REDACTED] was of a similar mind.

19 SPECIAL AGENT TEATOR: About the employee
20 relations type issues.

21 [REDACTED] Yes.

22 SPECIAL AGENT TEATOR: [REDACTED]

23 [REDACTED]: [REDACTED] never had a good
24 thing to say about her, and I can't quote specifically
25 but he thought she was a little bit off the beaten

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1 track, shall we say.

2 SPECIAL AGENT TEATOR: But to finish on
3 that area, none of that criticism was related to her
4 raising safety concerns at the plant?

5 ([REDACTED]) I never heard any
6 conversation from her or anyone else regarding nuclear
7 safety concerns.

8 SPECIAL AGENT TEATOR: Right. Nuclear
9 safety -- the NRC views it pretty broadly, frankly,
10 maybe more --

11 ([REDACTED]) She worked on the
12 culture.

13 SPECIAL AGENT TEATOR: Let me finish for
14 a minute -- maybe more broadly than some of the people
15 down at Salem-Hope Creek view it, frankly. It's just
16 the way it is. That's the way the Commission looks at
17 it. Did any of that criticism -- was any of that
18 criticism voiced, to your knowledge, because she
19 raised safety concerns down at the plant?

20 ([REDACTED]) No, but ([REDACTED]) criticized,
21 he said things like, "I don't know what the heck she's
22 doing. She's in outage" -- you know, he said, "She's
23 way outside what her job is." He was annoyed, very
24 annoyed --

25 SPECIAL AGENT TEATOR: Right.

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1 ([REDACTED]) -- that she was doing things
2 that he thought were completely inappropriate for her
3 to be doing.

4 SPECIAL AGENT TEATOR: All right.

5 ([REDACTED]) And I don't know exactly
6 what those things are, but it had to do with her
7 working in outages, in control center. I don't know
8 what she was doing. I don't even know exactly what
9 she was doing. I never understood, personally,
10 exactly what she was doing. She didn't tell me.

11 SPECIAL AGENT TEATOR: All right. Let's
12 talk about ([REDACTED]) for a minute. 7C

13 ([REDACTED]) Okay .

14 SPECIAL AGENT TEATOR: Did you ever hear
15 ([REDACTED]) give positive or negative feedback regarding
16 Kim's performance, other than what you've already
17 talked about, he answered, "Fine."

18 ([REDACTED]): Well, he wrote her
19 performance appraisal --

20 SPECIAL AGENT TEATOR: Right.

21 ([REDACTED]) -- and gave written
22 input, and I shared that with her. And it's all
23 documented, I'm sure you have copies. And he said
24 positive things, and he had some room for improvement. 7C

25 SPECIAL AGENT TEATOR: Right.

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1 ([REDACTED]) And I shared that with
2 her directly and went over it with her.

3 SPECIAL AGENT TEATOR: All right.

4 ([REDACTED]):) I attached it to her
5 performance appraisal. So, generally, he was positive
6 about her, and he wanted her to have -- the major
7 criticism that I recall that he had about her was that
8 she was doing too much at the individual level,
9 individual one-on-one coaching, and he wanted her to
10 be more of an organizational -- be more at the
11 organizational level around leadership.

12 SPECIAL AGENT TEATOR: Okay. Did [REDACTED] --
13 ([REDACTED]):) So I supported her in
14 that.

15 SPECIAL AGENT TEATOR: I'm sorry, I
16 stepped on you.

17 ([REDACTED]):) That's okay.

18 SPECIAL AGENT TEATOR: Did [REDACTED] ever tell
19 you that he had any criticism of her work because she
20 raised any type of safety concern? I'm going to use
21 general, safety concern.

22 ([REDACTED]):) No.

23 SPECIAL AGENT TEATOR: Never?

24 ([REDACTED]):) Never. Absolutely not.

25 SPECIAL AGENT TEATOR: Continue, please,

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1 with the transcript, bottom of Page 11. Mr. McGarry
2 asked you at Line 21, "Well, how did she take the
3 advice which we just discussed," Lines 10 through 20,
4 and you answered, "She really appreciated it. She
5 called me back and left me a message saying that I was
6 right. She didn't say what I was right about, but I
7 assumed that was what she meant," continuing on Page
8 12, "that she'd be better off leaving." Line 2 and 3
9 read, "And she asked me if she had been blackballed."
10 What did she mean by that? Did she get into with you
11 of why she -- go ahead and share with me. You're
12 shaking your head yes, you're nodding.

13 [REDACTED] She didn't get into what
14 she meant by that. I know what the word means, and I
15 assumed what she meant is is she kind of being
16 considered persona non grata, she's going to be
17 pigeonholed, no one's going to take her, she's like
18 blackballed.

19 SPECIAL AGENT TEATOR: Right. You
20 answered you weren't aware of that.

21 [REDACTED] I said not that I was
22 aware of.

23 SPECIAL AGENT TEATOR: Right.

24 [REDACTED] I didn't know if she had
25 or had not, although in my mind I knew that there were

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1 a number of people who didn't think highly of her, so
2 I didn't get into that with her and tell her [REDACTED]
3 [REDACTED] -- yes, I didn't get into that. I didn't
4 think there was any reason to say that at that point.
5 It wasn't blackballed, it was just that you're either
6 highly thought of, negatively thought of or somewhere
7 in the middle.

8 SPECIAL AGENT TEATOR: Right.

9 [REDACTED] And I thought she was not
10 highly thought of by a lot of people.

11 SPECIAL AGENT TEATOR: Right. But when
12 she asked you if she had been blackballed, did she
13 tell you why she asked that question, why she felt she
14 maybe was blackballed? Did she get into that at all?

15 [REDACTED] She did not. No, she
16 didn't.

17 SPECIAL AGENT TEATOR: Ever.

18 [REDACTED] No.

19 SPECIAL AGENT TEATOR: Did you tell
20 anybody in your management about her asking you that
21 question, whether she was blackballed or not?

22 [REDACTED] No. I never told anyone
23 about this conversation with her until this.

24 SPECIAL AGENT TEATOR: Right. Go to Page
25 17, please. I'm going to turn the tape off, but why

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1 don't you read Page 17 beginning at, I guess, Line 4,
2 it's talking about ([REDACTED]) (phonetic) and ([REDACTED])
3 ([REDACTED]) (phonetic). It's 5:14. We'll turn the tape
4 off.

5 (Whereupon, the foregoing matter went off
6 the record at 5:14 p.m. and went back on
7 the record a short time later.)

8 SPECIAL AGENT TEATOR: Have you had a
9 chance to read that portion of the transcript. On
10 Line 5 of Page 17, talking about ([REDACTED]) and
11 ([REDACTED]) then on Line 24, I'm skipping quite a bit here,
12 but you did have a chance to read the page, talking
13 about ([REDACTED]) again, and the statement on Line
14 24, "They had some private conversations with people
15 about Kim and her contribution down there." Is that
16 referring to Salem-Hope Creek?

17 ([REDACTED]) Yes.

18 SPECIAL AGENT TEATOR: Can you tell me
19 what you know of those conversations about --

20 ([REDACTED]) Well, they were working
21 on a leadership development -- Leadership University
22 for Power, and there was somewhat of a power struggle
23 going on over who was going to be in charge.

24 SPECIAL AGENT TEATOR: Right.

25 ([REDACTED]) And there was the ([REDACTED])

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1 [REDACTED] work, and then there was
2 [REDACTED] who was doing some work, and then there
3 was Kim. And she was viewed not that favorably in
4 terms of the role that [REDACTED] had given her to suddenly
5 manage leadership development when all this other work
6 was already going on that was supported by [REDACTED]
7 [REDACTED] ([REDACTED]) and [REDACTED]
8 sort of reported to -- dotted line reported to [REDACTED]
9 but he also reported directly to the Chairman. So it
10 was a lack of clarity and there was some problems in
11 that.

12 SPECIAL AGENT TEATOR: Talk about a power
13 struggle between her and these other people.

14 [REDACTED]: Who was going to manage
15 leadership at Nuclear, basically. Who was going to
16 manage leadership -- competency, direction, leadership
17 development, that whole thing.

18 SPECIAL AGENT TEATOR: When was this going
19 on that you're referring to?

20 [REDACTED]: Well, there was an email
21 where she talked about it. Let me find it. I believe
22 it was late 2002.

23 SPECIAL AGENT TEATOR: I'll turn the tape
24 off for a minute.

25 (Whereupon, the foregoing matter went off

1 the record for a short period of time.)

2 SPECIAL AGENT TEATOR: Were you -- at that
3 time when you're talking about these individuals,
4 ([REDACTED]) did they
5 provide you any feedback about their view of Kim's job
6 performance down there at the site? Did they give you
7 any input on their view of Kim's job performance down
8 there at that time? This is late in 2002. If they
9 did, I think it's relevant.

10 ([REDACTED]) I had heard that Kim was
11 viewed as ([REDACTED]) spy. I had heard that several
12 times, that people didn't trust her, that -- let's
13 see, there was something ([REDACTED]) was very upset with
14 her. I'm trying to remember what it was. It was
15 something she had done. I can't remember exactly what
16 it was that ([REDACTED]) got really upset with her about.

17 SPECIAL AGENT TEATOR: Did you get any
18 input from anyone that they didn't view her down there
19 in late 2002 as providing value? You're nodding.

20 ([REDACTED]) Yes. She was in some
21 sticky wickets. She was involved in leadership stuff,
22 and people were questioning the value of what she was
23 doing. They had invested an enormous amount of money
24 in GAP, which she was associated with, and people were
25 questioning whether that was producing any value.

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1 SPECIAL AGENT TEATOR: Who? Do you
2 remember who was questioning that and telling you
3 about that?

4 (REDACTED).

5 SPECIAL AGENT TEATOR: How about anybody
6 directly working for Nuclear?

7 (REDACTED) I had heard from a number
8 of people that there were two camps. There was the
9 camp of people that thought GAP and Kim were great,
10 and there was the other camp of people that thought it
11 was a bunch of crap, it was a big waste of money. And
12 people were lining up on both sides.

13 SPECIAL AGENT TEATOR: Two camps in
14 Nuclear?

15 (REDACTED) Yes. There were the
16 people that believed in GAP and believed that what
17 (REDACTED) was doing with GAP and what Kim was doing was
18 producing some results and was good stuff, and other
19 people thought it was a giant waste of money.

20 SPECIAL AGENT TEATOR: Do you know on
21 which side of the equation the Vice Presidents would
22 have been on?

23 (REDACTED) It probably varied with
24 Vice President. There was probably a little war going
25 on where (REDACTED) was I think supporting it. I

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1 don't know all the Vice Presidents.

2 SPECIAL AGENT TEATOR: [REDACTED]

3 (phonetic)?

4 [REDACTED] -- I
5 actually interviewed all of them on leadership, but I
6 don't remember specifically on that.

7 SPECIAL AGENT TEATOR: [REDACTED]

8 (phonetic)?

9 [REDACTED] Yes, [REDACTED] Which side of
10 the equation they fell on regarding Kim?

11 SPECIAL AGENT TEATOR: Right.

12 [REDACTED] (phonetic).

13 None of them really talked to me specifically about
14 Kim.

15 SPECIAL AGENT TEATOR: Okay. All right.

16 [REDACTED] I do remember [REDACTED]
17 being very supportive. He's the only one I remember
18 distinctly being very supportive. When I interviewed
19 some of the other ones, the didn't even bring it up.

20 SPECIAL AGENT TEATOR: You weren't
21 interviewing them about Kim, though.

22 [REDACTED] No. I was interviewing
23 them about leadership development.

24 SPECIAL AGENT TEATOR: Okay. When do you
25 think you heard from [REDACTED] that he was

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1 supportive of what Kim was doing? When do you think
2 that would have occurred?

3 ([REDACTED]) It was probably n 2002,
4 sometime in 2002.

5 SPECIAL AGENT TEATOR: Do you think it may
6 have been toward the end or the beginning?

7 ([REDACTED]) Yes, probably the middle.

8 SPECIAL AGENT TEATOR: Middle?

9 ([REDACTED]) She had done something
10 with the union leadership that was a very effective
11 meeting, and he was telling her how great -- what a
12 great job she did, and she forwarded me the voicemail.

13 SPECIAL AGENT TEATOR: Do you know what
14 the Navigan (phonetic) study is that was done down at
15 the site?

16 ([REDACTED]) No.

17 SPECIAL AGENT TEATOR: Okay. Did you have
18 any information that made you aware that the site was
19 looking to downsize also, they were looking to
20 eliminate positions?

21 ([REDACTED]) I had heard.

22 SPECIAL AGENT TEATOR: Okay. And when did
23 you hear that? When do you think first heard that?

24 ([REDACTED]) Which downsize? They
25 were always downsizing.

1 SPECIAL AGENT TEATOR: Well, I guess in
2 late '02 or early '03 is what I'm talking about.
3 That's the time period I'm talking about.

4 (b) I don't remember
5 specifically.

6 SPECIAL AGENT TEATOR: Okay. But you
7 aware that there were downsizings going on down at the
8 site?

9 (b) Oh, yes.

10 SPECIAL AGENT TEATOR: Okay. I guess it
11 was across the Company, not just in Nuclear.

12 (b) Oh, yes.

13 SPECIAL AGENT TEATOR: All right. So
14 (b) calls you and tells you Kim's job has been
15 eliminated, okay? And Kim's getting 45 days where
16 she's going to be paid for 45 days. At some point a
17 decision was made, though, to accelerate her access to
18 the client, to the site, all right? That did occur.
19 That's a fact. Did you have any involvement in that
20 decision?

21 (b) No.

22 SPECIAL AGENT TEATOR: Were you aware that
23 that acceleration occurred when it was occurring?

24 (b) No.

25 SPECIAL AGENT TEATOR: Okay.

1 [REDACTED] I think I heard about it
2 after from [REDACTED].

3 SPECIAL AGENT TEATOR: Okay. Have you
4 since learned why that -- I'm going to use the word,
5 "acceleration." Have you learned why that occurred?

6 [REDACTED] The only thing I heard
7 was that [REDACTED] said she was continuing to set up
8 meetings with people and do work of some nature after
9 she already knew she was going to be gone. That
10 infuriated him. That wasn't the thing that infuriated
11 him that I was talking about earlier, which I'm trying
12 to remember. It was something else that she had done
13 where she -- I don't know the exact circumstances, but
14 she had taken [REDACTED] side on something when she was
15 supposed to be doing something with [REDACTED]
16 And he was wanting to represent [REDACTED] so it
17 became a power struggle between [REDACTED] representing
18 [REDACTED], and [REDACTED] and
19 her taking on [REDACTED] side. So there was a big power
20 struggle.

21 SPECIAL AGENT TEATOR: And [REDACTED]
22 [REDACTED]

23 [REDACTED] Yes.

24 SPECIAL AGENT TEATOR: Okay.

25 [REDACTED] Which oversaw Nuclear.

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1 SPECIAL AGENT TEATOR: All right. Did
2 (b)(7)(C) -- when he was telling you about Kim's
3 continuing to set up meetings, in your opinion, it
4 infuriated --

5 (b)(7)(C) Infuriated him.

6 SPECIAL AGENT TEATOR: -- (b)(7)(C) Did he
7 say to you that he had provided any input or direction
8 into this acceleration of Kim's departure from the
9 site?

10 (b)(7)(C) He didn't say it
11 directly, but it wouldn't have surprised me.

12 SPECIAL AGENT TEATOR: Okay. What did he
13 say? Did he talk about the acceleration, other than
14 what you've already --

15 (b)(7)(C) He said something about,
16 "She's off the property."

17 SPECIAL AGENT TEATOR: All right. That's
18 a little harsh, isn't it? That's my opinion.

19 (b)(7)(C) It seemed to be harsh,
20 "She's off the property."

21 SPECIAL AGENT TEATOR: Right. Did he give
22 you any more reasons for why that occurred other than
23 her continuing to set up meetings?

24 (b)(7)(C) That was the only thing
25 he said.

1 SPECIAL AGENT TEATOR: All right.

2 ~~REDACTED~~ He said, "She's
3 continuing to do her job. She still didn't get the
4 message."

5 SPECIAL AGENT TEATOR: In any of your
6 discussions with Kim Harvin, any of them, even up
7 through today, did she make a link with her job being
8 eliminated to her raising safety concerns down at the
9 plant? Did she make that claim to you, that she
10 thought her job was eliminated because she had raised
11 such concerns down at the plant?

12 ~~REDACTED~~ She never spoke to me.
13 I haven't talked to her, but she did send me something
14 recently at home.

15 SPECIAL AGENT TEATOR: Okay. Do you have
16 it?

17 ~~REDACTED~~ You said up till today.
18 Yes, she sent me this. I got it at home.

19 SPECIAL AGENT TEATOR: It's 5:29. I'll
20 take a look at it off the record.

21 (Whereupon, the foregoing matter went off
22 the record at 5:29 p.m. and went back on
23 the record a short time later.)

24 SPECIAL AGENT TEATOR: Okay, ~~REDACTED~~ I just
25 provided you with a copy of a June 14, 1999 memo from

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[REDACTED]

([REDACTED]) (phonetic).

SPECIAL AGENT TEATOR: -- ([REDACTED]) from

([REDACTED]) (phonetic).

([REDACTED]) ([REDACTED])

SPECIAL AGENT TEATOR: ([REDACTED]) sorry.

Were you made aware of this issue described in this memo?

([REDACTED]) Yes.

SPECIAL AGENT TEATOR: Okay.

([REDACTED]) She sent it to me.

SPECIAL AGENT TEATOR: All right. And the cover there. And what if anything was done to address the issue described in the memo? I'm not being critical if something was or wasn't done. I just want to understand what if any action was taken as a result of what ([REDACTED]) said in this memo?

([REDACTED]) Right. I'm trying to remember. I called ([REDACTED]) (phonetic) about it.

SPECIAL AGENT TEATOR: And who is he?

([REDACTED]) He is the ([REDACTED])

([REDACTED]) He's

now a ([REDACTED]) And discussed it. I discussed it with Kim, and I got back with ([REDACTED]) I don't remember exactly. I really can't remember exactly, this was five years

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1 ago, but I believe that Kim said it was a
2 misunderstanding or something.

3 SPECIAL AGENT TEATOR: Okay. Did anything
4 similar to this occur from that point forward with
5 Kim's interactions with anybody that you're aware of,
6 any other memos like this? It's really a complaint.
7 Anything similar to that regarding Kim Harvin from
8 that point forward?

9 [REDACTED] There was an integrity
10 complaint.

11 SPECIAL AGENT TEATOR: About what and from
12 who?

13 [REDACTED] Someone had filed an
14 internal integrity complaint regarding her
15 relationship with GAP International and Landmark, and
16 that they thought that there was some kind of
17 inappropriate fiduciary or financial relationship in
18 that GAP was getting a lot of money to do work there
19 in Nuclear and she -- her husband worked for Landmark
20 and they felt that somehow Landmark -- that the money
21 was being funneled back from GAP to Landmark to her
22 husband and that it was a conflict of interest. It
23 was an accusation to that effect. It was investigated
24 internally, and my understanding is that they
25 concluded that there was no conflict of interest.

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1 SPECIAL AGENT TEATOR: Okay.

2 ~~XXXXXXXXXX~~ But it was a full
3 investigation.

4 SPECIAL AGENT TEATOR: Do you know when
5 that complaint, internal complaint or allegation was
6 made?

7 ~~XXXXXXXXXX~~ It was shortly after GAP
8 was brought on board. I don't remember when that was.
9 Probably in '99. She also hadn't gone through proper
10 -- one result of that also, although she did not --
11 the investigation showed that there was no conflict of
12 interest. It did show that she did not follow proper
13 internal procurement procedures, and we put a letter
14 in her personnel file to that effect.

15 SPECIAL AGENT TEATOR: Okay.

16 ~~XXXXXXXXXX~~ She didn't follow
17 procedures and there was no -- she didn't follow the
18 procedures she was supposed to follow.

19 SPECIAL AGENT TEATOR: Was she put on any
20 type of warning that, "If such activity happens again
21 --

22 ~~XXXXXXXXXX~~ Yes, we wrote a letter.

23 SPECIAL AGENT TEATOR: -- you could be
24 subject to up and including dismissal?"

25 ~~XXXXXXXXXX~~ We sent her a letter, and

1 the letter would have said something like that.

2 SPECIAL AGENT TEATOR: Right. Any other
3 -- was there anything else similar to that?

4 [REDACTED] She didn't follow proper
5 procedures in her expense accounting and reporting --
6 not accounting, reporting. She was always late, and
7 [REDACTED] put a letter in her file.

8 SPECIAL AGENT TEATOR: [REDACTED]
9 [REDACTED] when she
10 was still working for him, because she was always
11 late. He'd always have to be chasing her down.

12 SPECIAL AGENT TEATOR: Even back then.
13 [REDACTED] She would submit her
14 bills like six months late all the time.

15 SPECIAL AGENT TEATOR: Okay.
16 [REDACTED] And he kept telling her
17 she couldn't do that, and she was continuing to do it,
18 so finally we put a letter in her file about that, in
19 her personnel file. I don't have her personnel files.
20 Maybe you have them. There was a letter that [REDACTED]
21 wrote.

22 SPECIAL AGENT TEATOR: Anything else that
23 you can recall, any other complaints, issues about --
24 [REDACTED] I would frequently hear
25 that she was not trusted down in Nuclear by some

nc

1 people, because she considered a spy for [REDACTED]. 7C

2 SPECIAL AGENT TEATOR: Right.

3 [REDACTED]: But not a formal
4 complaint. The formal complaints were this thing from
5 [REDACTED], the integrity thing and the thing with the
6 expenses and the procurement with the GAP.

7 SPECIAL AGENT TEATOR: Right. Do you know
8 if her expense reporting issues had anything to do
9 with her being accelerated from the site?

10 [REDACTED]: I don't know if they did
11 or not.

12 SPECIAL AGENT TEATOR: After Kim had been
13 informed in late February '03 that her position was
14 eliminated, did you hear about any concerns raised
15 with the way she was acting down there at the site
16 after she had been made aware of that?

17 [REDACTED]: Yes, that she kept making
18 -- pretending it wasn't happening. She was setting up
19 -- that's what [REDACTED] was saying, that she kept
20 setting up meetings and doing work and stuff like
21 that.

22 SPECIAL AGENT TEATOR: Okay. How about
23 concerns raised with her emotional state?

24 [REDACTED]: Well, she was very upset. 11C

25 SPECIAL AGENT TEATOR: Right. But did you

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1 get any concerns or issues raised by people at the
2 site regarding the way Kim was acting down there after
3 she was informed her job was eliminated?

4 (REDACTED): No. I didn't talk to
5 anybody down there.

6 SPECIAL AGENT TEATOR: All right. It's
7 5:39. I'm just about finished up. We'll take one
8 more break and then we'll conclude, okay?

9 (REDACTED) Okay.

10 (Whereupon, the foregoing matter went off
11 the record at 5:39 p.m. and went back on
12 the record a short time later.)

13 SPECIAL AGENT TEATOR: Okay. We're back
14 on the record.

15 (END TAPE 1, SIDE A)

16 (BEGIN TAPE 1, SIDE B)

17 (REDACTED) -- the same genres,
18 somewhat inappropriate behavior or decisionmaking,
19 which was she had invited a whole bunch of people and
20 their spouses to attend a workshop in Toronto and had
21 indicated that (REDACTED) was going to pay for everybody,
22 including the spouses, and he had not agreed to do
23 that. So it was kind of inappropriate, and so she
24 ended up actually paying for \$3,000 out of her own
25 pocket, and I ended up paying for her, but that was

10

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1 it. That was all I agreed to pay for --

2 SPECIAL AGENT TEATOR: When did this come
3 up?

4 ([REDACTED]) -- as a development
5 activity. This was probably in 2002.

6 SPECIAL AGENT TEATOR: Okay.

7 ([REDACTED]) I'd have to check the
8 file exactly. It was a development opportunity.

9 SPECIAL AGENT TEATOR: Do you know if a
10 letter was put in her personnel file because of that
11 issue?

12 ([REDACTED]) I don't know. She was
13 already working down there.

14 SPECIAL AGENT TEATOR: Okay.

15 ([REDACTED]) I didn't put one in, but
16 there was some emails about it.

17 SPECIAL AGENT TEATOR: Do you think you
18 have those in your folder?

19 ([REDACTED]) Something about it.

20 SPECIAL AGENT TEATOR: You don't have to
21 look now.

22 ([REDACTED]) Yes. Mission Control.
23 It was called Mission Control, and it was another
24 program somewhat related loosely to the Landmark and
25 GAP workshop stuff and she got all excited about it

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1 and invited a whole bunch of people to go and told
2 people that [REDACTED] was going to pay for it.
3 Unbelievable.

4 SPECIAL AGENT TEATOR: All right. After
5 looking at the file that you prepared today, emails,
6 whatever is in there, I may need to interview you
7 about -- if I can do it over the phone, I will; if I
8 can't, I'll have to come back and do it in person.
9 And if I do, I'll contact you --

10 [REDACTED] Okay.

11 SPECIAL AGENT TEATOR: -- and we'll
12 schedule it that way. But to kind of finish up here,
13 what's your understanding for why Kim's job was
14 eliminated down at the site? What's the basis for
15 your answer? I'll ask you what your basis would be?
16 Do you know why the position was eliminated?

17 [REDACTED] No. I don't really know.

18 SPECIAL AGENT TEATOR: Did you ever hear
19 why her position was eliminated?

20 [REDACTED] I would be speculating
21 that it had something to do with [REDACTED] And
22 since he was leaving, she was kind of his person, so
23 they got rid of her. That's what everybody thinks,
24 because she was really working for [REDACTED] and so a new
25 regime was coming in. I mean this happens a lot in

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1 organizations.

2 SPECIAL AGENT TEATOR: Right.

3 () The top person leaves and
4 their people go, and then the new person comes in and
5 they bring their own people. So everyone -- I
6 shouldn't say everyone, the general belief that I had
7 heard was that she left because () left. 7c

8 SPECIAL AGENT TEATOR: Do you have
9 anything more you can add on that?

10 () Well, she didn't have a
11 broad base of support other than () and a few
12 people, so with the change of regimes, () coming in
13 and problems down in Nuclear in terms of results and
14 () wanting to get more control over it via
15 () and () didn't like her, I told you that
16 already, so why would he keep her? 7c

17 SPECIAL AGENT TEATOR: Why would who keep
18 her?

19 () () And why would
20 -- she didn't have anybody to support unless she was
21 going to support () and that was not going to
22 happen.

23 SPECIAL AGENT TEATOR: Why?

24 () Because she was ()
25 person. She was very closely associated with () 7c

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1 So if he was leaving, I had heard she was out.

2 SPECIAL AGENT TEATOR: How about (b)(7)(C)
3 (b)(7)(C) let's talk about him for a minute. Were you
4 ever present for a discussion he had regarding Kim's
5 performance --

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

7 SPECIAL AGENT TEATOR: -- down at the
8 site? And if so, when was it and what was said?

9 (b)(7)(C): He asked me -- I was in
10 a meeting with (b)(7)(C) and myself
11 sometime in 2002, and he asked me, "What does she do
12 down there?"

13 SPECIAL AGENT TEATOR: Right.

14 (b)(7)(C) "What does she do,"
15 something like that. And I told him what she was
16 doing. He asked me about GAP, how I viewed GAP and
17 the work she was doing down there, and I gave a very
18 kind of objective explanation of it, because he didn't
19 know anything about it.

20 SPECIAL AGENT TEATOR: Right.

21 (b)(7)(C) He said, "What is that?"
22 So I tried to explain it in a way that he'd understand
23 about the culture change down there that she was
24 helping with. I wasn't overwhelmingly positive or
25 negative at the time. I just described what it was,

1 and then he also asked me about Gallop and I talked
2 about Gallop and different things. And that was it.

3 SPECIAL AGENT TEATOR: Okay. But he was
4 asking questions about what's she doing. Is he
5 commenting on her job performance?

6 [REDACTED] He didn't come out and
7 say anything, but by the tone I got the impression
8 that he didn't think very highly of her, but that
9 would be speculation.

10 SPECIAL AGENT TEATOR: Okay. All right.

11 [REDACTED]: It was kind of like,
12 "What is she doing here?" You could ask, "What is she
13 doing down there," or "What is she doing down there,"
14 kind of thing. It was like, "What is she doing down
15 there?" He wasn't at all clear on what she was doing
16 down there.

17 SPECIAL AGENT TEATOR: All right. I don't
18 have anything more to ask you this evening. I
19 appreciate your time and patience going through some
20 of this stuff. Jeff, is there something you want to
21 go over with your client?

22 MR. KEENAN: No, nothing further.

23 SPECIAL AGENT TEATOR: [REDACTED] is there
24 something you want to add? I mean, you know, the
25 allegation is that Kim Harvin's position was

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1 eliminated because she raised nuclear safety concerns
2 and also that her removal from the site was
3 accelerated because she had raised such concerns. Do
4 you have anything else to add regarding whether in
5 fact that's true or not that we haven't talked about
6 today?

7 [REDACTED] The first I heard about
8 it was when I read it in the Morning Report at work
9 and then when she sent me this when she was doing her
10 thing down there. So I didn't know anything about the
11 safety -- her relating it to the safety concerns.

12 SPECIAL AGENT TEATOR: When you mention
13 the Morning Report, what appeared in the Morning
14 Report?

15 [REDACTED]: Just the newspaper
16 clipping.

17 SPECIAL AGENT TEATOR: Okay. Regarding
18 her civil suit that we're talking about?

19 [REDACTED]: Yes.

20 SPECIAL AGENT TEATOR: Okay. And the
21 other thing you mentioned --

22 [REDACTED]: It was some newspaper or
23 something, newspaper clipping.

24 MR. KEENAN: Is that just recently, [REDACTED]
25 or was this in late March?

1 [REDACTED] Yes, when she was out
2 there doing her thing. That's when I read about it
3 like everybody else.

4 SPECIAL AGENT TEATOR: In March 2004 when
5 she had --

6 [REDACTED] Right, just now.

7 SPECIAL AGENT TEATOR: -- the anniversary
8 of TMI?

9 [REDACTED]: Right.

10 SPECIAL AGENT TEATOR: And did she in fact
11 send you something in the mail regarding her
12 presentation that she gave on that day?

13 [REDACTED] Yes. I got this after
14 that.

15 SPECIAL AGENT TEATOR: After the fact.

16 [REDACTED] I read it on the Morning
17 Report at work, which is when she did it.

18 SPECIAL AGENT TEATOR: Right.

19 [REDACTED] The newspaper clippings.
20 And that was the first time that I realized what she
21 was trying to say.

22 SPECIAL AGENT TEATOR: Okay. In your
23 opinion, do you think that's true?

24 [REDACTED] No.

25 SPECIAL AGENT TEATOR: Why?

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16

1 [REDACTED] I don't think that's why
2 they removed her.

3 SPECIAL AGENT TEATOR: And the reasons why
4 they did you've already gone over those.

5 [REDACTED] I think she was [REDACTED]
6 person, and [REDACTED] was gone and so was she. 70

7 SPECIAL AGENT TEATOR: And she didn't have
8 any support by a lot of the --

9 ([REDACTED]): She didn't have support
10 in Corporate at all, as I mentioned, and she didn't
11 have the broad base of support down there, and they
12 didn't produce the results that were wanted in terms
13 of INPO results and whatever else they were measured
14 by down there. So she had spent a lot of money and
15 time and they weren't seeing the results.

16 SPECIAL AGENT TEATOR: Okay. Anything
17 else you want to add?

18 ([REDACTED]): No.

19 SPECIAL AGENT TEATOR: Okay. If you think
20 of something, please tell Jeff and he can get a hold
21 of me.

22 ([REDACTED]): Okay.

23 SPECIAL AGENT TEATOR: All right? It's
24 5:52. This interview is concluded. Thank you.

25 ([REDACTED]): Okay.

1 (Whereupon, at 5:52 p.m., the Interview of
2 [REDACTED] was concluded.)
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