

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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OFFICE OF INVESTIGATIONS

INTERVIEW

-----X
IN THE MATTER OF: :

INTERVIEW OF : Docket No.

~~XXXXXXXXXXXXXXXXXXXX~~ 7L : 1-2003-045

(CLOSED) :
-----X

Wednesday, June 9, 2004

Human Resources Dept

Building TB2

Salem Hope Creek Nuclear

Station

Hancock's Bridge, NJ

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

BEFORE:

Senior Special Agent JEFF TEATOR

Information in this record was deleted
in accordance with the Freedom of Information
Act, exemptions 2

FOIA

2003-045
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APPEARANCES:

On Behalf of the Witness and PSEG Nuclear:

JEFFRIE KEENAN, Esquire

Assistant General Solicitor

PSEG

(12:10 p.m.)

SR. SPECIAL AGENT TEATOR: Today's date is June 9th. The year is 2004. My name is Jeffrey Teator. I am senior special agent with the United States Nuclear Regulatory Commission Office of Investigations. It is approximately 12:10 in the afternoon.

I am interviewing [REDACTED]. This interview is taking place in the human resources empty office in the building TB2 located at Hope Creek Salem nuclear generating station, Hancock's Bridge, New Jersey.

[REDACTED] prior to going onto the record, did I explain to you this is a voluntary interview?

[REDACTED] Yes, you did.

SR. SPECIAL AGENT TEATOR: Knowing it is voluntary, do you wish to go forward?

[REDACTED] Yes, I do.

SR. SPECIAL AGENT TEATOR: Do you have any objection today to providing sworn testimony to the NRC?

[REDACTED] No, I do not.

SR. SPECIAL AGENT TEATOR: Would you raise

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1 your right hand for me, please, (b)(7)(C)
2 (b)(7)(C) do you swear that the information that you are
3 about to provide to me is the truth, the whole truth,
4 and nothing but the truth?

5 (b)(7)(C) I do.

6 SR. SPECIAL AGENT TEATOR: Thanks. (b)(7)(C)
7 (b)(7)(C) you are being interviewed as part of an
8 investigation I'm conducting into a potential
9 violation of 10 CFR 50.7. That's employee protection
10 regulations.

11 It has been alleged that Kim Harvin's
12 position was eliminated here because she engaged in
13 NRC protected activity, raising safety concerns. And
14 it is also alleged that her last day of access or work
15 here at the site was moved up from April 16, 2003 to
16 March 28, 2003. Those are the two alleged adverse
17 acts that were committed against Kim Harvin because
18 she engaged in protected activity.

19 You are being interviewed as a fact
20 witness. No one has accused you of doing anything
21 wrong at all, but it is your obligation to answer all
22 of my questions truthfully and completely.

23 Do you understand that?

24 (b)(7)(C) I understand that.

25 SR. SPECIAL AGENT TEATOR: Okay. Thanks.

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7C

1 [REDACTED] you are being represented by
2 counsel today. Counsel, if you could identify
3 yourself for the record, please, and explain your
4 representation?

5 MR. KEENAN: Yes. My name is Jeff Keenan.
6 I am Assistant General Solicitor with PSEG Services.
7 Today I am representing PSEG Nuclear and [REDACTED]
8 individually. I am not aware of any conflict of
9 interest. Should a conflict arise, I will take a
10 break from the record and best handle that.

11 We do understand this is a voluntary
12 interview and [REDACTED] is a fact witness who would like
13 to review the transcript when it becomes available.

14 SR. SPECIAL AGENT TEATOR: Okay. [REDACTED]
15 a few follow-up questions for you regarding the
16 representation. Does your employer require you to
17 have counsel represent you if you are interviewed by
18 OI?

19 [REDACTED] No.

20 SR. SPECIAL AGENT TEATOR: Were you in any
21 way threatened with any type of adverse action by your
22 employer if you did not request counsel to represent
23 you during this interview?

24 [REDACTED]: No, they were not.

25 SR. SPECIAL AGENT TEATOR: Do you

1 understand that you have a right to a private
2 interview by me if you wanted one?

3 ([REDACTED]) Yes, I do.

4 SR. SPECIAL AGENT TEATOR: Knowing all of
5 this, do you wish to go forward with counsel present?

6 ([REDACTED]) Yes, I do.

7 SR. SPECIAL AGENT TEATOR: Thank you.

8 ([REDACTED]) could you give me your date and
9 place of birth, please?

10 [REDACTED]
11 [REDACTED]
12 SR. SPECIAL AGENT TEATOR: And your
13 current home address?

14 [REDACTED]
15 [REDACTED]
16 SR. SPECIAL AGENT TEATOR: And your Social
17 Security number, please?

18 [REDACTED]
19 SR. SPECIAL AGENT TEATOR: Your home phone
20 number, please?

21 [REDACTED]
22 SR. SPECIAL AGENT TEATOR: Have you ever
23 served in the United States military?

24 ([REDACTED]) No.

25 SR. SPECIAL AGENT TEATOR: And where did

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1 you go to college?

2

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SR. SPECIAL AGENT TEATOR: What type of
degree did you obtain from there?

6

7

8

9

SR. SPECIAL AGENT TEATOR: What year did
you get that degree?

10

11

SR. SPECIAL AGENT TEATOR: Thanks.

12

I'm getting old.

13

14

SR. SPECIAL AGENT TEATOR: We all are.
Any further degrees?

15

Not yet. I'm in the

16

17

18

19

SR. SPECIAL AGENT TEATOR: Oh, good. At
some point were you hired to work here at PSEG
Nuclear?

20

21

Yes.

22

SR. SPECIAL AGENT TEATOR: When was that?

23

24

Sorry
about that.

25

SR. SPECIAL AGENT TEATOR: You're 20 years

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1 ahead of yourself.

2 [REDACTED] Yeah.

3 SR. SPECIAL AGENT TEATOR: [REDACTED]

4 [REDACTED] Right.

5 SR. SPECIAL AGENT TEATOR: And from [REDACTED]
6 [REDACTED] to the present, have you remained continuously
7 employed here?

8 [REDACTED] Yes, I have.

9 SR. SPECIAL AGENT TEATOR: Your current
10 job title, please?

11 [REDACTED]
12 SR. SPECIAL AGENT TEATOR: How long have
13 you held that position?

14 [REDACTED] Since August of 2003.

15 SR. SPECIAL AGENT TEATOR: Just prior to
16 that, what was your job?

17 [REDACTED]: The [REDACTED]
18 [REDACTED]

19 SR. SPECIAL AGENT TEATOR: When did you
20 hold that position, the dates, please, approximate?

21 [REDACTED]: Approximate dates are -- 8-03
22 is the end date. And approximately two years. So I'm
23 not sure what the month was, sometime in 2001.

24 SR. SPECIAL AGENT TEATOR: At some point,
25 were you the [REDACTED] at Hope Creek?

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1 [REDACTED] Yes, I was.

2 SR. SPECIAL AGENT TEATOR: When was that?

3 [REDACTED] October of '96 relatively --

4 I'm not sure of the exact month -- to October 2000.

5 I went into that [REDACTED] position. The titles
6 changed, Jeff, but the role was very similar from 2000
7 through 2004.

8 SR. SPECIAL AGENT TEATOR: When you were
9 the [REDACTED], who did you report to
10 in that position? 7C

11 [REDACTED]

12 SR. SPECIAL AGENT TEATOR: From 8-01 until
13 about 8-03? [REDACTED]

14 [REDACTED] I believe during that whole
15 time, yeah.

16 SR. SPECIAL AGENT TEATOR: Whoever the [REDACTED]
17 [REDACTED] would have been, that's who you would have --

18 [REDACTED] Right.

19 SR. SPECIAL AGENT TEATOR: That's the
20 title you would have reported to?

21 [REDACTED] That was the chain.

22 SR. SPECIAL AGENT TEATOR: That was the
23 chain of command? Okay.

24 [REDACTED] I don't think there was ever
25 anybody else in that chain if I can remember. [REDACTED] 7C

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1 role changed also. He was a [REDACTED]
2 sometime during that time. He rolled over into ops.
3 And then the specific roles changed and the reporting
4 relationships, but I believe that [REDACTED] was my boss
5 during that whole time period.

6 SR. SPECIAL AGENT TEATOR: Okay. Good.
7 All right. Let's talk about Kim Harvin for a little
8 bit. When did you first meet Kim Harvin? Do you
9 remember?

10 [REDACTED] Date-wise?

11 SR. SPECIAL AGENT TEATOR: Yes,
12 approximately. Did you meet her while working here?
13 [REDACTED] While here, yes. I was still
14 the [REDACTED] at the time.

15 SR. SPECIAL AGENT TEATOR: Okay.

16 [REDACTED] To put a date on it, I don't
17 know if I could.

18 SR. SPECIAL AGENT TEATOR: Right.

19 [REDACTED] It was relatively in the '98
20 or '99 time frame probably. If I was going to put a
21 year on it, I would say '99.

22 SR. SPECIAL AGENT TEATOR: Okay. And did
23 you work with her on any particular projects or
24 assignments from that point up until she left?

25 [REDACTED] Yes.

1 SR. SPECIAL AGENT TEATOR: Can you give me
2 a description of --

3 (b)(7)(C): Sure.

4 SR. SPECIAL AGENT TEATOR: -- what you
5 would have worked with her on?

6 (b)(7)(C) In operations. I was the
7 (b)(7)(C) through October of 2000, as we said a few
8 minutes ago. And she had some focused efforts she did
9 with the operators, the licensed operators
10 specifically, a teamwork and improvement initiative
11 there, worked with her on ops. leadership with what we
12 call the shift managers now in the department. And
13 that was when I was the (b)(7)(C)

14 SR. SPECIAL AGENT TEATOR: Okay.

15 (b)(7)(C) There was an effort for the
16 management team. I want to say in the 2000 time
17 frame, 2000/2001 time frame. That was working with
18 her on some management efforts. And then I was on a
19 management effort as well that she was helping me out
20 with when she left the company.

21 So those are the highlights that I recall,
22 Jeff. I would say that I would characterize my
23 efforts with her as being continuous, however, and my
24 interface with her as continuous in the time that we
25 have been talking about. But those were the

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1 highlighted efforts that I can recall.

2 SR. SPECIAL AGENT TEATOR: Can you go into
3 a little more detail on the management effort that she
4 was working with you on when she left the company at
5 the Spring '03?

6 (b)(7)(C) Sure.

7 SR. SPECIAL AGENT TEATOR: I was tasked
8 with working on management effectiveness in the
9 island. That was a task that I received from the vice
10 presidential level and as part of the response to the
11 INPO grade that we received the previous August.

12 SR. SPECIAL AGENT TEATOR: In '03?

13 (b)(7)(C): Yeah.

14 SR. SPECIAL AGENT TEATOR: My strategy at
15 that time was to provide a network of specific
16 short-term assignments with line managers across the
17 horizontal spectrum of the island and take the
18 improvement effort, that 100-day initiative.

19 Working with (b)(7)(C) I was the -- going to be
20 the orchestrator on this effort and the conductor. It
21 was just getting off the ground in the beginning part
22 of 2003.

23 It quickly came to my attention, Jeff,
24 that -- or to my realization that I needed help. Kim
25 had a lot of background on this.

1 SR. SPECIAL AGENT TEATOR: So she was not
2 initially involved in it?

3 (b)(7)(C): No. I actually solicited her
4 help. And she was providing that. I don't have the
5 documents with me that were -- when I say "documents,"
6 that were an official company documents. It was
7 assignments that I had for folks and what their
8 follow-up actions were and how they were doing.

9 And she was helping me with the interview
10 process and basically the follow-up actions as well.
11 I would characterize it for just a collateral duty.
12 It was very labor-intensive on my part. And she was
13 willing to help me out. And that's what she was doing
14 there in the early parts of 2003, particularly
15 concentrated in February.

16 SR. SPECIAL AGENT TEATOR: Now, she is
17 given her 45-day notice February 26, '03?

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

19 SR. SPECIAL AGENT TEATOR: Forty-five days
20 gets her to April 16, '03?

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

22 SR. SPECIAL AGENT TEATOR: But her actual
23 last day here was March 28th?

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

25 SR. SPECIAL AGENT TEATOR: Friday.

1 (b)(7)(C): Well, if you say so. I don't
2 remember the exact date, but --

3 SR. SPECIAL AGENT TEATOR: That's
4 accurate, what I'm telling you.

5 (b)(7)(C) Okay.

6 SR. SPECIAL AGENT TEATOR: Okay? So my
7 question is, after she left, did another consultant or
8 contractor fill the role she was providing for you on
9 this 100-day initiative?

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

11 SR. SPECIAL AGENT TEATOR: Were you still
12 tasked with completing that assignment after she left?

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

14 SR. SPECIAL AGENT TEATOR: Did you have to
15 get anybody to help you? You described it as pretty
16 labor-intensive.

17 (b)(7)(C) I never had any more help on
18 it.

19 SR. SPECIAL AGENT TEATOR: All right.

20 (b)(7)(C): As a matter of fact, a task
21 was never completed.

22 SR. SPECIAL AGENT TEATOR: You continued
23 to work it?

24 (b)(7)(C) Right.

25 SR. SPECIAL AGENT TEATOR: Why wasn't it

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1 completed? Was it because of the change in
2 leadership?

3 ([REDACTED]): Yeah, yeah and with [REDACTED] going
4 a different route.

5 SR. SPECIAL AGENT TEATOR: Did he
6 terminate that?

7 ([REDACTED]): No and not to put a name on
8 that. There was never any official determination. It
9 more went away, Jeff. It's just there was never a
10 firm action by an individual to end it.

11 SR. SPECIAL AGENT TEATOR: Is it fair for
12 me to characterize your involvement with Kim that you
13 -- did you have a lot of interaction with her in the
14 February '03 time period?

15 ([REDACTED]): Yes.

16 SR. SPECIAL AGENT TEATOR: Let's talk
17 about that, then. All right?

18 ([REDACTED]): Yes.

19 SR. SPECIAL AGENT TEATOR: And if we could
20 focus that your answer is to that time period, but if
21 your answers don't apply to that time period, please
22 let me know.

23 During the February '03 time period, did
24 Kim Harvin raise concerns to you that you thought were
25 nuclear safety concerns at that time that you viewed

1 as being a nuclear safety concern?

2 (b) I don't recall.

3 SR. SPECIAL AGENT TEATOR: Did she raise
4 concerns to you regarding leadership weaknesses here
5 down at the site?

6 (b) Yeah. I think she was
7 concerned about leadership weaknesses that asked
8 specifics. I mean, I think we would have to probe
9 that a little bit.

10 SR. SPECIAL AGENT TEATOR: I will. Did
11 she tag any leadership weaknesses that could cause a
12 nuclear problem in the plant, a problem with running
13 the plant? Did she tie that at all?

14 (b); Right. I think I understand
15 your question.

16 Relative to what I was working on at the
17 time and being involved with each manager basically,
18 --

19 SR. SPECIAL AGENT TEATOR: Right.

20 (b) -- it was more strengths and
21 weaknesses of individual managers and being able to
22 coach them, which was her role, --

23 SR. SPECIAL AGENT TEATOR: Right.

24 (b) -- on how to shore up those
25 weaknesses. Having specific nuclear safety concerns

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1 at the time on individuals, I don't recall her having
2 those concerns in February.

3 SR. SPECIAL AGENT TEATOR: Did she raise
4 this issue to your attention during February '03 that
5 she felt there was inadequate attention being placed
6 or given to employee-raised concerns? Did she bring
7 that to your attention during that time period?

8 (b) Say it again?

9 SR. SPECIAL AGENT TEATOR: Yes. That she
10 thought there was inadequate attention being paid by
11 management to employee-raised concerns, concerns
12 raised by employees, to put it a different way?

13 (b) Not specifically the way I
14 understand you asking the question.

15 SR. SPECIAL AGENT TEATOR: Tell me what
16 you --

17 (b) Well, we have talked before
18 on the record about specific events.

19 SR. SPECIAL AGENT TEATOR: Right, yes.

20 (b) And I don't have in my mind
21 which event was where and whatnot from a time
22 standpoint, Jeff.

23 SR. SPECIAL AGENT TEATOR: Right.

24 (b) But she was very close to the
25 operators.

1 SR. SPECIAL AGENT TEATOR: Which one,
2 Salem or Hope Creek?

3 [REDACTED]: Both.

4 SR. SPECIAL AGENT TEATOR: Licensed or not
5 licensed?

6 [REDACTED]: Yes. Both.

7 SR. SPECIAL AGENT TEATOR: Both? Okay.

8 [REDACTED]: Those were degree terms
9 relative to, you know, I would say in general terms,
10 she was more close or closer to Hope Creek than Salem.
11 And also in general terms, she was closer to licensed
12 operators than non-licensed operators. However, I
13 would also characterize that there were exceptions of
14 both.

15 SR. SPECIAL AGENT TEATOR: Right.

16 [REDACTED]: I think she viewed herself as
17 a voice of those, of operations through management.

18 SR. SPECIAL AGENT TEATOR: Right.

19 [REDACTED]: But I don't know a specific
20 event that she could have raised in that time frame
21 relative to specific examples from events. It would
22 not be out of character to do so.

23 SR. SPECIAL AGENT TEATOR: Right. Through
24 you? My question was --

25 [REDACTED]: Anyone in management.

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1 SR. SPECIAL AGENT TEATOR: Right.

2 [REDACTED] I don't recall any specific
3 event that she brought to me.

4 SR. SPECIAL AGENT TEATOR: Right. How
5 about this area? Did she during that time period,
6 February '03 time period, raise any concerns to you
7 relative to she thought that it was non-conservative
8 operating decisions being made inside the plant,
9 non-conservative decision-making?

10 [REDACTED] I think that would be more in
11 the March time frame. And I think that -- how should
12 I say that? I think any conclusion that she would
13 have come to on that would have been influenced by,
14 you know, what people, myself as an example --

15 SR. SPECIAL AGENT TEATOR: Right. That's
16 how they should --

17 [REDACTED] Yeah.

18 -- could have told her.

19 SR. SPECIAL AGENT TEATOR: Grafting
20 issues?

21 [REDACTED] Right, right. The audiotape
22 from the interview we had back last fall or whenever,
23 that would be a good example, where that's where her
24 perspective would come from.

25 SR. SPECIAL AGENT TEATOR: Right.

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1 (b)(7)(C): And so that was an audiotape
2 there. I would say that that example, Jeff, in (b)(7)(C)
3 mind could have been played out in several different,
4 you know -- with more than several, almost many
5 different operators or personnel with operations
6 background who, you know, she had interfaced with and
7 had a respect for as far as decision-making
8 capability. So that's the way I would phrase it.
9 Does that make sense?

10 SR. SPECIAL AGENT TEATOR: Yes. I
11 understand what you are saying.

12 (b)(7)(C): Okay.

13 SR. SPECIAL AGENT TEATOR: Because I am
14 getting to a point here in a minute about something.

15 (b)(7)(C) Okay.

16 SR. SPECIAL AGENT TEATOR: But I wanted to
17 ask about one other area. Did she raise this in her
18 concerns to you in the February-March '03 time period
19 that she felt there was an overemphasis on production
20 over safety?

21 (b)(7)(C) I don't remember a specific
22 conversation where -- nothing that jogs my memory a
23 year later specifically.

24 SR. SPECIAL AGENT TEATOR: Now, were you
25 ever present for a discussion where she raises --

1 where you're there and she raises this
2 non-conservative operating decision issue to others,
3 others in senior management? Were you present for a
4 meeting where she raised that issue to others at your
5 level or above?

6 I'm wondering how it was perceived I guess
7 is where I'm getting at. If you were present, how did
8 you view management's receiving of her raising that
9 stuff?

10 ([REDACTED]) Right. All right.

11 SR. SPECIAL AGENT TEATOR: That's really
12 where I'm going. If you can comment on that, I'd --

13 ([REDACTED]) Can you ask the question
14 again?

15 SR. SPECIAL AGENT TEATOR: Yes.

16 ([REDACTED]): Ask the question again.

17 SR. SPECIAL AGENT TEATOR: All right.

18 Were you present --

19 ([REDACTED]) Yes.

20 SR. SPECIAL AGENT TEATOR: -- for any
21 meeting where Kim Harvin raised any of the issues,
22 general type issues which I described to you, where
23 she raised those to management from your level and
24 above?

25 ([REDACTED]) Uh-huh.

1 SR. SPECIAL AGENT TEATOR: And if the
2 answer is yes, I would like you to comment, then, on
3 how you viewed management, how they received her
4 raising that issue or did they comment specifically to
5 her about her raising the issue?

6 [REDACTED]: Uh-huh.

7 SR. SPECIAL AGENT TEATOR: Jeff, do you
8 want to add something?

9 MR. KEENAN: Yes.

10 SR. SPECIAL AGENT TEATOR: Go ahead. I'm
11 kind of feeling this out a little bit.

12 [REDACTED]: That's fine.

13 MR. KEENAN: But you have to answer the
14 question first.

15 [REDACTED]: Yes.

16 MR. KEENAN: I don't know if you're saying
17 yes to understanding the question or yes, that you
18 were in attendance where there were discussions of
19 these issues. You didn't answer it yet.

20 [REDACTED]: I don't think I said "Yes" to
21 it.

22 MR. KEENAN: Okay. I just heard "Yes."

23 SR. SPECIAL AGENT TEATOR: One might read
24 that he's --

25 [REDACTED]: "Uh-huh"? Is that what

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1 you're saying?

2 SR. SPECIAL AGENT TEATOR: Yes. Because
3 it picks up on that.

4 [REDACTED]:) Sorry about that.

5 MR. KEENAN: That's all right.

6 SR. SPECIAL AGENT TEATOR: That's all
7 right.

8 [REDACTED] I don't recall any examples,
9 Jeff, that land on me, like I said, from a year ago
10 where, you know, I say to myself -- well, I'm trying
11 to put it in the right context -- she brings up an
12 issue. And there was -- let me back up.

13 There was plenty of meetings on
14 operational issues at the time in the station that any
15 or all of us were into or out of. She may or may not
16 have been there, [REDACTED] office as well.

17 I'm telling you I can't remember today
18 going back and saying. I remember when she brought up
19 that issue, and it got the attention of everyone in
20 the room on some nuclear safety issue.

21 SR. SPECIAL AGENT TEATOR: Right.

22 [REDACTED]) That doesn't -- I just --
23 from a free memory standpoint, I can't recall any
24 issue like that or any event like that that stuck with
25 me.

1 SR. SPECIAL AGENT TEATOR: Same question
2 but if you could recall whether or not you saw her
3 raise an issue about her view of leadership weakness,
4 non-conservative decision-making, and her getting a
5 negative response from senior leadership about
6 bringing that issue up at a meeting. Did you ever
7 witness that occurring?

8 [REDACTED] Yeah. The --

9 SR. SPECIAL AGENT TEATOR: Negative,
10 threatening type of response, anything of that nature?
11 [REDACTED] No, no. But the -- can we
12 talk about it before I go on to the next --

13 SR. SPECIAL AGENT TEATOR: Please. Yes,
14 yes. Let's do so.

15 [REDACTED]: Because talking it through,
16 whether it's on or off the record, for a few minutes
17 is -- would help me. And maybe I can provide useful
18 information.

19 There was a lot of -- there was an
20 exceptional amount in my memory is March. And you and
21 I have talked about those events in detail --

22 SR. SPECIAL AGENT TEATOR: Right.

23 [REDACTED] -- more so than February.
24 But, regardless, there was an exceptional amount of
25 discussion on this topic with, you know, not managers

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1 but at the executive level at the time. And it was
2 going on, you know, in almost every meeting. And this
3 [REDACTED] is one good example. I think we could
4 talk about others. So it's somewhat of a blur to me
5 that I can't single out any particular issue.

6 SR. SPECIAL AGENT TEATOR: Or any
7 particular responses that she may have gotten from
8 executive leadership about raising such issues?

9 [REDACTED]: I think that would be fair
10 from the meetings I attended. Most of the meetings I
11 attended were operationally focused on individual
12 issues or events, as opposed to generic conversation.

13 SR. SPECIAL AGENT TEATOR: Okay. I'm
14 going to go back and test your memory a little deeper.

15 [REDACTED] Okay. It's especially
16 helpful for me.

17 SR. SPECIAL AGENT TEATOR: Okay. Two
18 thousand two time period. From what I understand, Kim
19 Harvin was at a meeting where senior managers, even
20 site executives were present for --

21 [REDACTED] Okay.

22 SR. SPECIAL AGENT TEATOR: -- where she
23 made a comment to the effect of the site management in
24 and of itself was a nuclear safety issue or was a
25 safety issue. Do you recall being present for a

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1 meeting where she made such a statement?

2 [REDACTED]: Two thousand two?

3 SR. SPECIAL AGENT TEATOR: Yes.

4 [REDACTED]: Do we have a location or --
5 2002.

6 SR. SPECIAL AGENT TEATOR: It sounds like
7 it's a regularly scheduled meeting. I don't know if
8 it's a weekly, monthly, but it sounded like it was at
9 a regular type of meeting, where senior-level people
10 here at the site would be in attendance, where she
11 made statements to the effect of in her view, site
12 management in and of itself was a nuclear safety
13 issue.

14 [REDACTED]: Okay.

15 SR. SPECIAL AGENT TEATOR: And then she
16 got some feedback from people attending the meeting
17 about, "What do you mean?" And you went through a
18 list of questions trying to get specifics out of her,
19 what she meant. Do you recall being present for a
20 meeting where that occurred?

21 [REDACTED]: I don't know if I can help
22 you with a meeting and point to facts in time. The --
23 it wouldn't surprise me that that is factual, though.
24 I mean, I'm not trying to doubt her credibility.

25 SR. SPECIAL AGENT TEATOR: Right.

1 [REDACTED] But what I'm saying is that
2 those types of generic statements weren't that unusual
3 in this time frame.

4 SR. SPECIAL AGENT TEATOR: From her or
5 from anyone?

6 [REDACTED] Anyone.

7 SR. SPECIAL AGENT TEATOR: I mean, INPO
8 documentation is written like that as well, Jeff.

9 SR. SPECIAL AGENT TEATOR: Didn't they
10 come in and do a review? I know that's part of INPO.

11 [REDACTED] Right.

12 SR. SPECIAL AGENT TEATOR: They're one and
13 the same, I guess, pretty much.

14 [REDACTED]: Yes. I would only conclude
15 that that is, you know, true what -- the way she has
16 it phrased here or assuming that comes from her, but
17 I don't recall. It didn't land on me as being an
18 issue that was either not identified or not being
19 attempted to be solved.

20 SR. SPECIAL AGENT TEATOR: Do you recall
21 being present for a meeting where she made a statement
22 like that?

23 [REDACTED] No, not specifically. Can we
24 talk about it a little bit more?

25 SR. SPECIAL AGENT TEATOR: Yes.

1 [REDACTED] That was her job --
2 SR. SPECIAL AGENT TEATOR: All right.
3 [REDACTED]: -- to identify that and to
4 improve site management effectiveness.
5 SR. SPECIAL AGENT TEATOR: Even to tie
6 that to nuclear safety? Because that is really the
7 issue as far as the commission is concerned, --
8 [REDACTED] Yes, right. Right.
9 SR. SPECIAL AGENT TEATOR: -- I mean, or
10 it is one of the issues.
11 [REDACTED]: Yes. Sure. No, not
12 directly. That's true, to answer your question.
13 SR. SPECIAL AGENT TEATOR: I'm asking you.
14 [REDACTED] Not directly. Okay. That's
15 true. But improvement of site management was -- I
16 mean, in my mind, I make that link to nuclear safety.
17 SR. SPECIAL AGENT TEATOR: Right. That's
18 pretty easy.
19 [REDACTED] That's why I looked it up in
20 my head a minute or two ago.
21 SR. SPECIAL AGENT TEATOR: Okay. That's
22 fair.
23 [REDACTED] That's why in my mind, in my
24 view, she was part of the management team and
25 responsible for that.

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1 SR. SPECIAL AGENT TEATOR: Okay. Well,
2 while we are talking about her function here at the
3 site, why don't we just continue with that? I'll come
4 back to my other stuff later.

5 (b)(7)(C) All right.

6 SR. SPECIAL AGENT TEATOR: Did you think
7 she was -- it sounded like she had been down here for
8 a while doing this management improvement, site
9 management type of work, '98, '99, up through March
10 '03?

11 (b)(7)(C) Right.

12 SR. SPECIAL AGENT TEATOR: Did you see her
13 value increasing as she got toward what became the end
14 of her employment or did you see a decrease?

15 (b)(7)(C) Decrease.

16 SR. SPECIAL AGENT TEATOR: Why?

17 (b)(7)(C): Before I answer that -- well,
18 I can answer that in a larger context, I think.

19 SR. SPECIAL AGENT TEATOR: Good. Okay.
20 Whenever she got here, in '98 or '99 or whatever, I
21 thought her value was on an up slope and continued on
22 that up slope through about 2001, I'll say, type time
23 frame. I don't have an event in mind when I say that,
24 Jeff, through 2001.

25 I would say she was on a down slope in the

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1 last -- I don't want to put a time on it but 15 to 18
2 months of her tenure here. I think that she was
3 dedicated. I think that her intentions were good.

4 SR. SPECIAL AGENT TEATOR: They were good,
5 yes.

6 ([REDACTED]) I think her intentions were
7 good. I think that her window of opportunity for
8 effectiveness with the leadership team passed by and
9 she just wasn't -- she was past the window of
10 opportunity to be successful.

11 By that, I mean she comes in here. Can we
12 do a little bit of background and talk about this for
13 a minute?

14 SR. SPECIAL AGENT TEATOR: Yes. Please.
15 ([REDACTED]) [REDACTED] is here. And Kim comes
16 down from wherever she came from. Let's go back to
17 the -- she is working for some guy in AT&T.

18 SR. SPECIAL AGENT TEATOR: Right.
19 ([REDACTED]) And she is a management
20 consultant kind of person. Somehow she makes her way
21 over to public service and ends up down here. She
22 links up with ([REDACTED]) And they have a vision of how
23 they want to change the management approach. Okay?

24 SR. SPECIAL AGENT TEATOR: Right.

25 ([REDACTED]) Okay. Fine. They bring in

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1 a consulting group that's GAP Consulting Group that
2 I'm sure you're familiar with.

3 SR. SPECIAL AGENT TEATOR: Yes.

4 ~~REDACTED~~ And there's an extremely --
5 use that adverb -- extremely large initiative that's
6 launched to basically, you know, improve the
7 management effectiveness, --

8 SR. SPECIAL AGENT TEATOR: Right.

9 ~~REDACTED~~ -- reprogram everybody's
10 mind. Sorry for the laugh.

11 SR. SPECIAL AGENT TEATOR: That's all
12 right.

13 ~~REDACTED~~ In my impression, you get one
14 shot at that.

15 SR. SPECIAL AGENT TEATOR: Right.

16 ~~REDACTED~~ And it ran its course for two
17 or three years. And I'm not going to pass judgment.
18 For whatever reason, it wasn't effective. Eventually
19 the folks with GAP and the level of effort, that part
20 is gone away. And, to Kim's credit, her heart was in
21 it.

22 SR. SPECIAL AGENT TEATOR: Right.

23 ~~REDACTED~~ And she tried. She stuck
24 with it. And she continued to try to improve things.
25 Towards the end there, when I said she was on a down

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1 slope, she took her role to be more original, if you
2 will.

3 SR. SPECIAL AGENT TEATOR: What do you
4 mean by that?

5 (b) She focused on just, say, the
6 operations department, --

7 SR. SPECIAL AGENT TEATOR: Okay.

8 (b) -- as opposed to trying to
9 change the management team across the site.

10 SR. SPECIAL AGENT TEATOR: Right.

11 (b) I don't know what she was
12 being directed to do, Jeff.

13 SR. SPECIAL AGENT TEATOR: By (b)

14 (b) Right. But this is what I
15 observed.

16 SR. SPECIAL AGENT TEATOR: Right. That's
17 fine. I appreciate that.

18 (b) And she stuck with those
19 areas. And, you know, her heart was and her emotions
20 were always that she could change the place. I don't
21 know whether that is her personality or whether it
22 came from an experience she had with more focused
23 leadership commitment at AT&T and she was successful
24 there. I don't know, but whether it was her, whether
25 it was the leadership commitment, or whether it was a

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1 combination of the two, my take is that is a
2 three-page answer on your text here. But my take is
3 she was just in a position where she couldn't be
4 successful anymore, she lost her overall rapport.

5 SR. SPECIAL AGENT TEATOR: Did you hear
6 other managers at your level and above make statements
7 that led you to believe they felt the same way about
8 her effectiveness or value being on a down slope? Did
9 you hear others comment to that effect?

10 (b) Not directly like we're
11 talking about discussing in the context of this
12 interview.

13 SR. SPECIAL AGENT TEATOR: Right.

14 (b) I will say this in response
15 to that.

16 SR. SPECIAL AGENT TEATOR: Kim was a --
17 you will get a -- you will get one of two opinions on
18 Kim from this I'm sure you've probably already gotten
19 from interviewing folks.

20 But this core group of people who she
21 really helps out and -- really made a very determined
22 effort to make a better leader out of, most of those
23 people were in the operations organization.

24 Outside of that organization, there were
25 people who either didn't understand her role or wanted

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1 no -- you know, didn't appreciate her style and her
2 tactics, which could be pretty up front, pretty much
3 in your face at times when she was trying to help you
4 out. And you will hear a lot of negative comments
5 talking to those individuals.

6 So my answer to you is you can get one or
7 the other answer, but if you're saying it's a negative
8 trend, it would be influenced by that type of opinion
9 and background.

10 SR. SPECIAL AGENT TEATOR: Right. I guess
11 my question was, did any of the managers express a
12 view to you or in your presence that they saw her
13 value decline or being on a down slope?

14 [REDACTED] No, I can't recall anything.

15 SR. SPECIAL AGENT TEATOR: You mentioned
16 a core group that she did help. Who are some of those
17 people? Are there some specific individuals?

18 [REDACTED] Yes. I could give you some
19 examples. [REDACTED] He's a [REDACTED] at Hope
20 Creek.

21 SR. SPECIAL AGENT TEATOR: Right.
22 [REDACTED] He's no longer
23 here. [REDACTED] He's no longer here. I'll
24 broaden it out to pretty much any shift manager in
25 Hope Creek.

1 SR. SPECIAL AGENT TEATOR: All right.
2 () at Salem. I
3 don't know why I work -- or she felt I worked with
4 him. Those are a few names.
5 SR. SPECIAL AGENT TEATOR: All right.
6 Good. Thank you.
7 Have you ever seen her in her role act as
8 more of a line manager instead of what her role should
9 have been, maybe overstepping her bounds in acting as
10 a line manager?
11 () Can you define what you mean
12 by "acting as a line manager"?
13 SR. SPECIAL AGENT TEATOR: Acting as I
14 guess an actual plant manager of the particular group,
15 like yourself. You were the manager of a --
16 () () now.
17 SR. SPECIAL AGENT TEATOR: Right.
18 () No. Not really, no.
19 SR. SPECIAL AGENT TEATOR: Had you ever
20 been present for any type of meeting where ()
21 () asked individuals if facilitators, to include
22 Kim Harvin, were worth the money that the company was
23 spending in making progress go forward?
24 () That () asked?
25 SR. SPECIAL AGENT TEATOR: Yes.

1 [REDACTED] No. I think we may have
2 asked.

3 SR. SPECIAL AGENT TEATOR: Who is "we"?
4 [REDACTED] Other leaders in the
5 organization. We may have asked that, those
6 questions.

7 SR. SPECIAL AGENT TEATOR: To [REDACTED] or to
8 each other?

9 [REDACTED] Well, to each other. I don't
10 know if I can recall ever being in a meeting where we
11 asked [REDACTED] that that I was in, but, I mean, you had
12 to ask the question, Jeff. We were spending millions
13 of dollars on these GAP folks. Kim was there.

14 SR. SPECIAL AGENT TEATOR: I've seen
15 numbers.

16 [REDACTED] And things aren't getting
17 better.

18 SR. SPECIAL AGENT TEATOR: Right.
19 [REDACTED] But I don't recall being in
20 a room when [REDACTED] brought it up or we asked him when
21 I was there. But, you know, in casual conversation
22 with each other, yes. Yes, I asked that question.
23 And others did as well.

24 SR. SPECIAL AGENT TEATOR: Did you ever
25 provide written or verbal input to Kim Harvin's

1 performance partnership?

2 [REDACTED]: No.

3 SR. SPECIAL AGENT TEATOR: I may come back
4 on some stuff, but let's talk about downsizing, if we
5 could. Go back to late '02, early '03 time period.
6 Were you aware that there were discussions being held
7 on downsizing staff positions here down at Hope Creek?

8 [REDACTED] In '02?

9 SR. SPECIAL AGENT TEATOR: Late '02, early
10 '03. I'm talking staff positions, business support,
11 business services, IT, Kim's position. Do you view it
12 as a staff position?

13 [REDACTED] Let me get my thoughts
14 together. Late '02.

15 SR. SPECIAL AGENT TEATOR: Yes.

16 [REDACTED]: Early '03.

17 SR. SPECIAL AGENT TEATOR: Right.

18 [REDACTED] If you want to do this off
19 the record?

20 SR. SPECIAL AGENT TEATOR: No.

21 [REDACTED] That's fine. Okay. I'm
22 going to go through thinking through this in my mind.

23 SR. SPECIAL AGENT TEATOR: Okay.

24 [REDACTED]: Late '02, early '03. And
25 Kim's let go in early '03.

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1 SR. SPECIAL AGENT TEATOR: She's given
2 notice February 26, '03. She's informed.

3 [REDACTED] Okay. I just want to make
4 sure I got my dates right. What I recall is your
5 question is was I aware of business-type reductions,
6 staff-type reductions, right? In this time frame?

7 SR. SPECIAL AGENT TEATOR: Yes.

8 [REDACTED] Because when you asked the
9 question, I immediately thought about the big reorg.
10 we did last year.

11 SR. SPECIAL AGENT TEATOR: Right. This
12 would have been before that.

13 [REDACTED] My memory is that if I got my
14 facts straight, this is business support and [REDACTED]
15 [REDACTED] who was in that position at the time and
16 was -- if I've got my facts straight, he was reducing
17 staff. And a lot of them were going to Newark. And
18 I think he also asked was I aware of the staff and how
19 that related to Kim.

20 SR. SPECIAL AGENT TEATOR: Right.

21 [REDACTED] I don't know of any
22 relationship to Kim. If I'm going to do this like a
23 Windows Explorer-type thing, I don't -- this is what
24 I know right here.

25 SR. SPECIAL AGENT TEATOR: [REDACTED]

1 drove people?

2 ([REDACTED]) Right, right. I don't know
3 anything about staff outside of his group or Kim
4 either.

5 SR. SPECIAL AGENT TEATOR: Switch gears a
6 little bit. I'm going to do this a few times here
7 today.

8 ([REDACTED]) Okay.

9 SR. SPECIAL AGENT TEATOR: Did Kim Harvin
10 ever say in your presence or give an impression to you
11 that she knew her position down here was a full-time
12 position, yet was temporary in nature?

13 ([REDACTED]) She described to me several
14 times, of which I can't say that I ever fully
15 understood what their relationship was between Newark,
16 her job in Newark being assigned to some manager in
17 Newark, working for ([REDACTED]) and whether it was
18 temporary or long-term.

19 SR. SPECIAL AGENT TEATOR: Right.

20 ([REDACTED]) She did mention that to me
21 during the course of the time I knew her. And I never
22 fully understood what the situation was, Jeff, and,
23 quite frankly, it wasn't of much of an interest to me.
24 But I knew that that was something she was concerned
25 with.

1 SR. SPECIAL AGENT TEATOR: Okay. Can you
2 tell me a little bit more about what she was concerned
3 about?

4 [REDACTED] Well, I think she viewed it
5 as job security, as an element of job security. And
6 the way I took it was she was permanently assigned
7 down here, that that was a more secure position than
8 having some remote manager that she is reporting to.

9 SR. SPECIAL AGENT TEATOR: Did you know
10 that at some point she was transferred, her job was
11 transferred down here?

12 [REDACTED] She mentioned that to me.

13 SR. SPECIAL AGENT TEATOR: Okay.

14 [REDACTED] I don't know when exactly.

15 SR. SPECIAL AGENT TEATOR: When that
16 occurred --

17 [REDACTED] That meant something to her.

18 SR. SPECIAL AGENT TEATOR: Right. I was
19 going to say, when that occurred, do you recall her
20 being more at ease with her job security?

21 [REDACTED] I think so. I think so.
22 That's my memory, but, you know, I can't recall
23 exactly what she said and the feelings that she felt,
24 like she was secure or not.

25 SR. SPECIAL AGENT TEATOR: Yes. Why don't

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1 we take like a five-minute break? It's 12:51.

2 [REDACTED] Okay.

3 (Whereupon, the foregoing matter went off
4 the record at 12:51 p.m. and went back on
5 the record at 12:58 p.m.)

6 SR. SPECIAL AGENT TEATOR: We're back on
7 at 12:58. And I want to talk a little bit more just
8 before I move to a slightly different area about Kim's
9 effectiveness, her job performance.

10 Were you part of any conversation where
11 individuals discussed that they felt it was time for
12 Kim Harvin to move on?

13 [REDACTED] Do you have a time frame or
14 --

15 SR. SPECIAL AGENT TEATOR: No.

16 [REDACTED] Yeah. We had some
17 discussions after the INPO evaluation in 2002, which
18 would be -- is in my memory, Jeff, later on in 2002.
19 The -- and I can't remember how. There was an
20 assignment that was provided to us as a leadership
21 team. And by definition of "leadership team," I would
22 say vice presidents and directors at the time.

23 SR. SPECIAL AGENT TEATOR: Okay.

24 [REDACTED] And I can't remember what the
25 exact circumstances were of the assignment, but I

1 remember "What are your recommendations?"; make
2 recommendations to go on -- you know, "What's holding
3 you back organizationally or how would you set things
4 up?" And so we made recommendations, and we had a
5 meeting on that.

6 SR. SPECIAL AGENT TEATOR: All right.

7 [REDACTED] I don't think Kim was at that
8 meeting. I know I made a recommendation and --

9 SR. SPECIAL AGENT TEATOR: Was one of them
10 that her services were no longer required?

11 [REDACTED] Well, I questioned her
12 effectiveness as one element, I did, not through
13 discussion with other people, but I put that as a
14 bullet on a work document that was probably two or
15 three pages long and said, "We need -- we ought to
16 think about how this person's position in the
17 organization and this person's position in the
18 organization in the organization," boom boom boom boom
19 boom, from a leadership standpoint and -- from my
20 memory -- and "What exactly is Kim Harvin's role and
21 effectiveness?"

22 I mean, she wasn't singled out. I mean,
23 I named her by name as a recommendation, but she
24 wasn't singled out. There was others as well in that
25 time frame and said, you know, "What role does" -- you

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1 know, I think the other person who I was talking
2 about, if my memory serves me right, is a [REDACTED]
3 [REDACTED] who's a -- [REDACTED] another [REDACTED] but [REDACTED] does
4 this leadership-type work.

5 SR. SPECIAL AGENT TEATOR: Leadership
6 academy?

7 [REDACTED] Yes.

8 SR. SPECIAL AGENT TEATOR: Okay.

9 [REDACTED] In the training center. And
10 that's where, of course, [REDACTED] is assigned.

11 (End of Tape 1, Side A.)

12 (Beginning of Tape 1, Side B.)

13 [REDACTED] (Tape begins in
14 mid-sentence.) -- statement that I wrote.

15 SR. SPECIAL AGENT TEATOR: Okay.

16 [REDACTED] Okay? On that particular
17 day. And it wasn't intended to. It was intended to
18 be a -- the reason I wrote it down was I was not able
19 to attend the meeting. And I asked [REDACTED]
20 I remember this very well because I remember the
21 consequence it caused.

22 I was off that day for some other reason.
23 I believe it was some personal reason. And I was at
24 home. And, anyway, I gave it to [REDACTED], who
25 was a peer of mine at the time. And I said, [REDACTED]

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1 this is my input for the meeting." It was --
2 three pages long. "You need to bring it in."

3 SR. SPECIAL AGENT TEATOR: Right.

4 [REDACTED] And it had general thoughts
5 about -- Kim wasn't in much of the document at all,
6 but while we're here on this --

7 SR. SPECIAL AGENT TEATOR: Yes.

8 [REDACTED] -- one, it's germane -- and
9 some thoughts on how we could reorganize the managers
10 and directors to get more operationally focused.

11 Well, I mean, that caused quite a
12 reaction. And I was the only one, as it turned out,
13 who was prepared for the meeting, although I was
14 absent. And that letter got distributed in a meeting.
15 And somehow it got into -- I believe it got into Kim's
16 hands as well. I don't think that she took the whole
17 thing very well.

18 What the intent was is that we were
19 supposed to, as I said, make recommendations. It was
20 purely a brainstorming meeting.

21 SR. SPECIAL AGENT TEATOR: Right.

22 [REDACTED] And that's what happened. My
23 memory of the event was that there was other -- I
24 mean, I probably upset my other people here, [REDACTED]
25 [REDACTED] and [REDACTED] more so than Kim. They

1 felt like they had been stepped on a little bit as
2 well.

3 But you asked me a question.

4 SR. SPECIAL AGENT TEATOR: Right.

5 [REDACTED]: And that's the event that I
6 recall in that time frame.

7 SR. SPECIAL AGENT TEATOR: Was the
8 reaction to you questioning Kim's role or was the
9 reaction at the meeting to your document as a whole or
10 was it just visibly to you questioning your role?

11 [REDACTED]: My reaction -- or excuse me
12 -- my memory of the reaction was that [REDACTED]
13 and [REDACTED] were more reacting to their specific
14 role. Kim wasn't taking it quite as personally.

15 SR. SPECIAL AGENT TEATOR: Right.

16 [REDACTED]: And there was some patchwork
17 that I had to do with the three of them that I recall,
18 actually, on the phone that morning because they
19 actually called me at home. I was just trying to
20 brainstorm.

21 SR. SPECIAL AGENT TEATOR: Do you think
22 you still have that document?

23 [REDACTED]: I do.

24 SR. SPECIAL AGENT TEATOR: Could you
25 provide it to Jeff?

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[REDACTED] Yes.

SR. SPECIAL AGENT TEATOR: Is there a date on it?

[REDACTED] No.

SR. SPECIAL AGENT TEATOR: You are testifying here today you prepared that in preparation for this late 2002 meeting to discuss the INPO 3 score and how the company could move forward to improve that?

[REDACTED] If we could go off the record for a few minutes and I can talk to Jeff, I would be willing to say that. There's a reason I want to do that. I have it with me.

SR. SPECIAL AGENT TEATOR: Okay. Yes. It's 1:05. We'll take a short break.

(Whereupon, the foregoing matter went off the record at 1:05 p.m. and went back on the record at 1:16 p.m.)

SR. SPECIAL AGENT TEATOR: Okay. It's 1:16. We're back on the record. We were talking a little bit about this document that you prepared for a meeting which you did not attend. But just so we're -- the record is clear on what that document is and what caused you to generate it, maybe you could tell me, was that document generated by you based, in part,

1 on the INPO grade, the INPO 3 grade, that the plant
2 got?

3 (b) That's my memory, yes.

4 SR. SPECIAL AGENT TEATOR: And after
5 receiving that grade, did senior leadership here at
6 the site task the vice presidents with doing follow-up
7 to see what could be done to improve what was felt by
8 INPO to be lacking?

9 (b) Yes.

10 SR. SPECIAL AGENT TEATOR: Maybe you could
11 talk a little bit about that and how that caused you
12 to generate this document, which in it you question
13 what Kim's value or effectiveness is to the bottom
14 line.

15 (b) Sure.

16 SR. SPECIAL AGENT TEATOR: If you can go
17 into that a little bit? And keep it general. And if
18 I've got some specifics, I will come back at you on
19 that.

20 (b) Okay. My memory of the event

21 starting in August of 2002 with the INPO grade was
22 that in September of 2002, myself and my peers at the
23 time, (b) and (b)

24 (b) received letters, one of which I am holding
25 in my hand, for performance improvement plan requests.

1 And this kicked off a -- to us individually. And this
2 kicked off a series of events and management
3 initiatives.

4 SR. SPECIAL AGENT TEATOR: What was the
5 date of that?

6 (b) The date was September 20th,
7 2002. The response to those letters from the same
8 individuals, (b)
9 was October 18th, 2002. I have a signed copy of that
10 as well. And that from my memory of events moves on
11 to a broader spectrum of management issues that need
12 to be done.

13 One of the subjects of that from my memory
14 was in the Fall of 2002, -- I'm not certain of the
15 date -- we were assigned to come up with
16 recommendations on organizational changes that would
17 be effective to improve performance. And "we" being
18 the directors and vice presidents.

19 SR. SPECIAL AGENT TEATOR: Can you read in
20 your write-up there in preparation for that meeting
21 what you wrote about Kim Harvin, please?

22 (b) Yes, I can. I was unable to
23 attend the meeting. And this document is one and a
24 half pages long. And I provided this document in
25 writing to (b) who distributed the

1 document at the meeting for discussion. I was not in
2 attendance at the meeting.

3 The statement says that pertains to Kim,
4 "What are [REDACTED] of the Nuclear Training
5 Center staff and Kim Harvin doing for us that adds
6 value to the bottom line?"

7 SR. SPECIAL AGENT TEATOR: Why did you
8 feel you needed to put that in the write-up in
9 preparation for that meeting?

10 [REDACTED] Both of these individuals are
11 involved in -- or were involved in leadership activity
12 and for the level of the effort that was needed for
13 leadership and what they were doing for us at the time
14 was -- basically my view was the value we were getting
15 from their efforts in return was what we were looking
16 for for improvement.

17 And from my memory, what I meant by it
18 was, are these two individuals going to turn the tide
19 for us for leadership? Do we need more? Do we need
20 less? And I was raising that question.

21 SR. SPECIAL AGENT TEATOR: In INPO's
22 evaluation, did they talk to areas that Kim Harvin was
23 responsible for improving? Do you remember?

24 [REDACTED] Yes. I can say that without
25 even referring to any documentation.

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1 SR. SPECIAL AGENT TEATOR: How did INPO
2 rate the site on those areas which Kim was responsible
3 for?

4 [REDACTED] There were finding in
5 organizational effectiveness and organizational
6 assessment. To say the degree to which Kim was
7 involved in those and directly responsible for those,
8 I cannot and would not pass judgment on that.

9 SR. SPECIAL AGENT TEATOR: You used the
10 word "findings." What does that mean? Is that
11 positive or is it --

12 [REDACTED] That would be a negative.
13 That is an area for improvement would be the correct
14 terminology.

15 SR. SPECIAL AGENT TEATOR: Okay. Jeff,
16 that document, the write-up that [REDACTED] prepared in
17 preparation for that meeting, that would be provided
18 to the commission as part of what we are looking at?

19 MR. KEENAN: Yes. And the company would
20 be glad to provide that. We will seek to put that
21 under 2-390 protection.

22 SR. SPECIAL AGENT TEATOR: Okay. Thanks,
23 [REDACTED] for going through that.

24 [REDACTED] Uh-huh.

25 SR. SPECIAL AGENT TEATOR: Let's talk a

1 little bit about the elimination of Kim Harvin. When
2 did you first hear discussion of the possibility that
3 a position would be eliminated? Do you recall?

4 ([REDACTED]) I don't have the exact date,
5 Jeff. It was -- I can say it was late in February.
6 We discussed earlier in this meeting, in this
7 interview that Kim was working with me on this 100-day
8 initiative, I guess how I referenced it before at the
9 beginning of this. And I referenced it as being
10 labor-intensive and having to elicit her help.

11 She had a -- as I recall, she had a
12 regularly scheduled meeting with me to work on that in
13 my office.

14 SR. SPECIAL AGENT TEATOR: Right.

15 ([REDACTED]) I do not know what day it
16 was. And I recall her breaking the news to me at that
17 time. That was the first I had heard of it.

18 SR. SPECIAL AGENT TEATOR: Okay. After
19 hearing from her about her position being eliminated,
20 did you learn why that decision had been made, the
21 basis for that decision to eliminate her position?
22 Did you learn from the decision-makers, ([REDACTED]) on
23 why he made that decision?

24 ([REDACTED]) No, I don't think I ever
25 knew, nor did I ask.

7C

1 SR. SPECIAL AGENT TEATOR: At any point,
2 did Kim Harvin tell you why she believed her position
3 was eliminated?

4 (REDACTED) I don't remember talking to
5 her about that, Jeff. I remember trying to -- my
6 memory is I remember trying to get her help as far as
7 future employment goes, whether it was internal or
8 external.

9 SR. SPECIAL AGENT TEATOR: Right.

10 (REDACTED) And if it was -- I was pretty
11 friendly with her. And to say that my -- I would
12 characterize it as my emphasis towards her was to get
13 her looking forward and not dwelling on the past. And
14 so that's what I was trying to do. Anything, any
15 items that she was bitter about, I tried to steer her
16 another way at that time.

17 SR. SPECIAL AGENT TEATOR: All right.
18 Were you surprised to learn that her position had been
19 removed? Did that surprise you?

20 (REDACTED): A little bit, yeah. I would
21 say yes.

22 SR. SPECIAL AGENT TEATOR: Why do you say
23 that? Why?

24 (REDACTED) There was no other surplus
25 activities going on at the time. It was not a

1 programmatic issue on the site that we were going
2 through a reallocation of resources on the site or,
3 you know, head count reduction or however you want to
4 say the term.

5 SR. SPECIAL AGENT TEATOR: Right. But

6 ([REDACTED]) group had moved some people.

7 ([REDACTED]) That was focused for that
8 group. And I don't -- and she wasn't working for him.

9 SR. SPECIAL AGENT TEATOR: Right. That's
10 right. So based on that, that's why you were
11 surprised?

12 ([REDACTED]) Yes.

13 SR. SPECIAL AGENT TEATOR: Did you -- or
14 let me ask it this way, are you aware of any
15 information which leads you to believe that her
16 position was eliminated because she raised concerns to
17 senior management? I'm being pretty general about
18 concerns, but are you aware of any information which
19 would lead you to believe that her position was
20 eliminated because she raised concerns to senior
21 management?

22 ([REDACTED]) No. She did come to me. I
23 can't recall if I had been on the record with you on
24 this or not, but she did come to me on the week that
25 she was leaving. I don't have the exact date.

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1 SR. SPECIAL AGENT TEATOR: Her last date
2 was March 28th. That would have been a Friday.

3 [REDACTED] I want to say it was either
4 a Wednesday or Thursday night. I want to say it was
5 a Thursday night. But it was right before she was
6 leaving.

7 SR. SPECIAL AGENT TEATOR: Right.

8 [REDACTED] And she explained to me that
9 -- she didn't explain to me. She asked me some
10 questions. And this has been --

11 SR. SPECIAL AGENT TEATOR: About the
12 interview?

13 [REDACTED]: Correct. And I did read that
14 this morning to refresh my memory.

15 SR. SPECIAL AGENT TEATOR: Okay. Good.

16 [REDACTED] That discussion took place on
17 the positive side for Kim that night.

18 SR. SPECIAL AGENT TEATOR: Right.

19 [REDACTED] And she came to seek my
20 advice on something. And she was leaving either the
21 next day or two days from then. And she said that I
22 was busy with a meeting, which I was on this 100-day
23 initiative thing, --

24 SR. SPECIAL AGENT TEATOR: Right.

25 [REDACTED] -- which I obviously lost her

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1 as a consultant at that point. But she said to me --
2 she asked me a question. And it was -- we were the
3 only two in the room. And she said, "What do I --
4 what does one do" -- this is the way I remember her
5 asking the question. "What does one do if one has a
6 nuclear safety concern?"

7 SR. SPECIAL AGENT TEATOR: Right.

8 (REDACTED) Okay? And I asked her, "You
9 know what the answer to that is. Why are you asking?"

10 And then she says, "Well, it's a personal
11 issue."

12 And I said, "Okay." And this is the way
13 I remember the conversation going. And I said, "Well,
14 the first thing you do is you go to your supervisor."

15 And she says to me, "What if your
16 supervisor is the (REDACTED)"

17 "Well, you go to his supervisor."

18 And I said, "Well" -- and she goes, "Well,
19 he's the (REDACTED)"

20 And I said, "Look, okay." I got the
21 picture. You are the person who has the concern.
22 Okay? You are the concerned individual. And you are
23 looking for some advice. I have one set of advice to
24 you." And it was pretty matter of fact. I said, you
25 know, "You have the employee concerns avenue, and you

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1 should exercise that."

2 SR. SPECIAL AGENT TEATOR: Right.

3 ~~REDACTED~~ And I provided her that
4 advice because it was all boilerplate, Jeff. And she
5 said, "Well, how do NRC allegations go from your
6 view?"

7 And I walked her through that, and I
8 walked her through, you know, how it's viewed from a
9 credibility standpoint from the individual and the
10 level of detail that is in the allegation. And I
11 said, "If you start talking about any issue, the
12 conversation is over. I mean, I am counting on you to
13 go do the right thing."

14 SR. SPECIAL AGENT TEATOR: What do you
15 mean by that?

16 ~~REDACTED~~ I was a member of line
17 management at the time. I probably would have a
18 different perspective with the safety-conscious work
19 environment understanding I have now.

20 SR. SPECIAL AGENT TEATOR: Right.

21 ~~REDACTED~~ But I did not on that night
22 solicit what the issue was from her.

23 SR. SPECIAL AGENT TEATOR: Okay.

24 ~~REDACTED~~ So I did encourage her to go
25 to employee concerns and, if necessary, external

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1 avenues through the NRC. So that was my memory of
2 that.

3 SR. SPECIAL AGENT TEATOR: While we're
4 talking about it, you said you did read your Winston
5 Strawn transcript.

6 (REDACTED) Right.

7 SR. SPECIAL AGENT TEATOR: Can you pull
8 that out, please?

9 (REDACTED) Sure. What page is it?

10 SR. SPECIAL AGENT TEATOR: Why don't you
11 read from page 53? Beginning on line 11, there is a
12 question. Then you answer it, and it continues over
13 onto, the answer continues over onto, page 54, up to
14 line 7. I'm going to ask you about that.

15 While you are reading that, we will go off
16 the record. It's 1:30.

17 (Whereupon, the foregoing matter went off
18 the record at 1:30 p.m. and went back on
19 the record at 1:32 p.m.)

20 SR. SPECIAL AGENT TEATOR: Okay. We are
21 back on. It's 1:32 in the afternoon. Have you had a
22 chance to read that portion of the transcript, (REDACTED)

23 (REDACTED)
24 (REDACTED) Yes, I have.

25 SR. SPECIAL AGENT TEATOR: On page 54,

1 beginning at line 5, you say these words, "And we
2 suffered down here from her input. And it clashed
3 with our technical background. Do you know what I
4 mean?" Can you tell me what you meant by that, that
5 "we suffered down here from her input" and "it clashed
6 with our technical background"?

7 (b) Kim -- yes, I can. Kim
8 looked at things from a leadership and an
9 organizational development standpoint and never looked
10 at issues to solve them from a systematic or
11 analytical standpoint. It was always jump in with all
12 your emotion and energy and how people felt about each
13 other and whatever the subject matter was at the time.

14 That was a difficult thing. That was a
15 difficult subject for much of the site to understand
16 why that wouldn't work. And some people saw the value
17 on that. Others didn't.

18 SR. SPECIAL AGENT TEATOR: Right.

19 (b) And Kim was very aggressive
20 about that and felt very strongly about the importance
21 of it. And for those who never did see the value in
22 it, it always felt like they were being chased by her
23 or she was chasing them, if you will, or really, it
24 was low, low value, something of low value for them to
25 occur.

1 And I think that is where my terminology,
2 the word "suffering" --

3 SR. SPECIAL AGENT TEATOR: That's a word,
4 right.

5 ([REDACTED]) Yeah. That's what I meant by
6 the word "suffering."

7 SR. SPECIAL AGENT TEATOR: Next area I
8 want to go over on the transcript -- and I'll give you
9 a chance to read this -- I guess there's a page 57 and
10 58, up to line 19. If you could look at that? And
11 we'll go off the record while you --

12 ([REDACTED]) Starting where?

13 (Whereupon, the foregoing matter went off
14 the record and went back on the record at
15 1:37 p.m.)

16 SR. SPECIAL AGENT TEATOR: It's 1:37 in
17 the afternoon. ([REDACTED]) have you had a chance to review
18 that portion of the transcript?

19 ([REDACTED]) Yes, I have.

20 SR. SPECIAL AGENT TEATOR: Okay. I had a
21 question for you about it. On page 58, line 8 reads,
22 "She had a couple of thoughts on initiatives, going on
23 both here and some" -- it says "coals," but it's a
24 typo. It's probably goals. No. Coals.

25 ([REDACTED]) Coals.

1 SR. SPECIAL AGENT TEATOR: Coals in the
2 fire. Okay. There you go. Sorry. "And some coals
3 in the fire in Newark relative to job opportunities.
4 And something happened with her and [REDACTED]
5 quickly, which March 28 became her last day."

7C

6 I guess that's the phrase I want to talk
7 to you about, "And something happened with her and [REDACTED]
8 [REDACTED] quickly." Do you know what happened with her
9 and [REDACTED] which caused March 28th to become her
10 last day?

11 [REDACTED] No, I don't. No, I don't.
12 I can comment on the job opportunities, but I don't
13 know what transpired between her and him.

14 SR. SPECIAL AGENT TEATOR: What made you
15 say there, though, that "Something happened with her
16 and [REDACTED] quickly"?

17 [REDACTED] I do know that, that she met
18 with [REDACTED]

19 SR. SPECIAL AGENT TEATOR: Okay.

20 [REDACTED]: And I do know that the result
21 of that meeting was that her date was moved up.

22 SR. SPECIAL AGENT TEATOR: How do you know
23 that?

24 [REDACTED] She told me.

25 SR. SPECIAL AGENT TEATOR: Do you remember

1 what she told you about that?

2 [REDACTED] No, Jeff. I didn't -- my
3 memory of that -- if you will recall from the previous
4 interviews, that was the time when all of the -- there
5 was a lot going on. Operational stuff was going on.

6 SR. SPECIAL AGENT TEATOR: Did she tell
7 you about that, her meeting with [REDACTED] while she
8 was still employed or after she had left the company?

9 [REDACTED] She told me while she was
10 still being employed because I remember her saying to
11 me in this time frame that her date had been moved up.
12 And at that time, it looked like any job opportunity
13 that was available -- if there was a job opportunity
14 available, it was in Newark. And she was trying to
15 work that angle.

16 She was also trying to work working with
17 -- seeing if there was something she could do when [REDACTED]
18 came in as the new [REDACTED] And then that door closed for
19 her. So I remember that and her telling me that. And
20 that would have been before she left the company.

21 SR. SPECIAL AGENT TEATOR: After Kim got
22 her 45-day notice, did she tell you she believed she
23 would be working up to her last day, which was
24 supposed to have been April 16th? Did she tell you
25 she was going to work up to her last day? Was that

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1 your impression that she thought she was going to work
2 up to her last --

3 [REDACTED] My memory is yes.

4 SR. SPECIAL AGENT TEATOR: To which?

5 [REDACTED] That she was going to work up
6 to her last day. And I say that -- I can't remember
7 an exact conversation with her, but I can remember
8 what her strategy was. And what she was basically
9 doing, Jeff, was she was out looking for another job
10 internally.

11 SR. SPECIAL AGENT TEATOR: Right.

12 [REDACTED] They were into her
13 opportunities down here. She was also looking at
14 opportunities in Newark, as I stated. And she had a
15 third strategy that was to stay on. And [REDACTED] start
16 date was on or around April 1st. There was a one or
17 two-week time overlap between her last day and [REDACTED]
18 first day.

19 SR. SPECIAL AGENT TEATOR: Right.

20 [REDACTED] There was an intersection.
21 And that was an element of her strategy to stay on, to
22 get a chance to delay [REDACTED] and maintain employment.

23 SR. SPECIAL AGENT TEATOR: Do you know why
24 that day was moved up from April 16 to March 28? Do
25 you know why?

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1 () I really don't know.

2 SR. SPECIAL AGENT TEATOR: Did you ever
3 attempt to find out why that decision was made?

4 () Other than hearing things --
5 Jeff, here was my approach to it.

6 SR. SPECIAL AGENT TEATOR: Right.

7 () The -- it didn't smell right.

8 SR. SPECIAL AGENT TEATOR: Okay.

9 () Here's a single female -- not
10 a single -- a female manager, who is a single surplus
11 individual. Okay? And that had -- in my mind, that
12 had warning flags associated with it. And, you know
13 --

14 SR. SPECIAL AGENT TEATOR: From a 50.7
15 perspective, or --

16 () No. From an employment
17 perspective. It had nothing to do with 50.7.

18 SR. SPECIAL AGENT TEATOR: What didn't
19 smell right, though, to you?

20 () My understanding was that her
21 job was surplus.

22 SR. SPECIAL AGENT TEATOR: Okay.

23 () There was no systematic
24 approach to -- on the island at the time by management
25 to surplus jobs. The only one that you've mentioned

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1 -- and that was going on -- was five or six months
2 prior, in August with a relatively small group in
3 business support, 10 to 12 people. Their jobs were
4 being reanalyzed.

5 SR. SPECIAL AGENT TEATOR: Right.

6 [REDACTED] This was one person who
7 happened to be a female manager who was surplusd. I
8 felt that was odd from an employment standpoint, not
9 from a 50.7, from an employment standpoint. And so I
10 wasn't going to ask questions about that.

11 You know, later on in August of 2003, the
12 site undergoes all 1,800 people -- well, all
13 management personnel undergo a -- you know,
14 retargeting their jobs, --

15 SR. SPECIAL AGENT TEATOR: Right.

16 [REDACTED] -- which was not unusual from
17 an employment strategy.

18 SR. SPECIAL AGENT TEATOR: Was the
19 decision to eliminate her position unusual because you
20 viewed her as being the only one? Is that what you're
21 saying?

22 [REDACTED] Yeah, yeah, that it had
23 nothing to do with her as a person. There was one
24 individual's job who was surplusd. And it was not as
25 a programmatic look, either in a small group or

1 elsewhere or in a large across the board.

2 SR. SPECIAL AGENT TEATOR: So the two
3 issues, the one is her decision to eliminate her
4 position. She's informed of that February 26th.
5 Sometime after that, she tells you during a regularly
6 scheduled meeting you're having with her?

7 [REDACTED] And it came up, right.

8 SR. SPECIAL AGENT TEATOR: Right. And
9 then another decision was made to have her last day
10 moved up, right? Are you aware of any information
11 that either of those two decisions were made because
12 Kim Harvin raised concerns to management here at the
13 site?

14 [REDACTED] I'm not aware of it.

15 SR. SPECIAL AGENT TEATOR: All right. I
16 guess you touched on it twice here now. On page 59,
17 beginning on line 2, I'll just read it. Line 2 reads,
18 "I said I am not interested in knowing that. You need
19 to let this thing follow its course. And it's not
20 appropriate for me to be involved. And that's really
21 all I have to add on that score." Is that a
22 discussion that you're relating to the Winston Strawn
23 attorneys about a discussion you had with Kim?

24 [REDACTED] Yes. I was reading while you
25 were saying it. I'm sorry. Yes.

1 SR. SPECIAL AGENT TEATOR: To me, I read
2 that, it sounds like you were short and cold with Kim
3 on that.

4 [REDACTED]: Okay. That was not the case.
5 I could elaborate on that if you'd like.

6 SR. SPECIAL AGENT TEATOR: Please. Yes
7 because to me, it just sounds real short with her.

8 [REDACTED]: Okay. That was not the case.
9 The meeting on Thursday night lasted, I want to say,
10 45 minutes, the conversation with her and I, just to
11 put a time perspective on it.

12 SR. SPECIAL AGENT TEATOR: Right.

13 [REDACTED]: And it was really me
14 listening to her without going into the specifics of
15 what her exact safety concerns were. And, Jeff, I
16 would maintain to this day that that's not my --
17 that's something that needed to be turned over to
18 people who are trained in that professionally at that
19 point.

20 SR. SPECIAL AGENT TEATOR: What she was
21 claiming?

22 [REDACTED]: Right, right. I mean,
23 anything that I could have done would have been to
24 help her to describe it to the employee concerns
25 manager or anyone else.

1 She was -- her demeanor at that time --
2 and she was trying to -- I would say she was trying to
3 -- she didn't feel like she was being heard.

4 SR. SPECIAL AGENT TEATOR: Hurt?

5 [REDACTED]: Heard, h-e-a-r-d.

6 SR. SPECIAL AGENT TEATOR: Okay.

7 [REDACTED]: She didn't feel like she was
8 being heard, if I could summarize the tone of her
9 position at the time that evening.

10 SR. SPECIAL AGENT TEATOR: Right.

11 [REDACTED]: And, as I said, it lasted
12 about 45 minutes. I don't think I would have helped
13 that. I know I wouldn't because -- to this day
14 because I along with a few others probably listened to
15 her more than anyone else.

16 She isn't who we wanted to be heard from
17 at the state -- at the point that she had gotten to at
18 that point. She wanted corporate leadership to hear
19 what she had to say.

20 SR. SPECIAL AGENT TEATOR: Right.

21 [REDACTED]: And that was pretty clear to
22 me on that Thursday night or whatever it was.

23 SR. SPECIAL AGENT TEATOR: That would be
24 on or about March 27th because her last day is March
25 28th?

1 [REDACTED]: If that's when the dates fell
2 out. The day before she left.

3 SR. SPECIAL AGENT TEATOR: During that
4 discussion, is she telling you she believes [REDACTED] 7C
5 eliminated her position because she raised safety
6 concerns with him? Is that where she's telling you
7 that? That's the way the Winston Strawn transcript
8 reads.

9 [REDACTED]: I don't recall her saying
10 words to that effect.

11 SR. SPECIAL AGENT TEATOR: Right.

12 [REDACTED]: What I do recall her going
13 through is that -- it was something of an indirect
14 conversation, but "How do I handle this situation if
15 I have these safety concerns and if the safety
16 concerns" that she has "go up to the corporate level?"

17 SR. SPECIAL AGENT TEATOR: Right.

18 [REDACTED]: That's what she was saying to
19 me.

20 SR. SPECIAL AGENT TEATOR: Right.

21 [REDACTED]: Okay? Now, in that regard,
22 this is putting a tone on it for you, me saying,
23 "Well, what exactly are the concerns in trying to
24 resolve that for her individually?" That would be in
25 my opinion incredibly naive. But at that point, you

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1 know, all I could do was say --

2 SR. SPECIAL AGENT TEATOR: "This is the
3 process"?

4 (REDACTED): "Here's the process that is
5 involved. And you've got to believe in that." And I
6 remember walking her through, "If you don't -- if your
7 concern is at a corporate level and you don't have
8 confidence in the independence of the internal
9 process, of the internal investigation process,
10 there's other avenues. And that's why it's set up
11 this way."

12 SR. SPECIAL AGENT TEATOR: Right.

13 (REDACTED) I mean, I wasn't trying to --
14 it may sound in the tone of this interview or whatever
15 you want to call it that it's short, but --

16 SR. SPECIAL AGENT TEATOR: Well, that
17 particular part just jumped out at me as --

18 (REDACTED) I gave her the boilerplate
19 answer.

20 SR. SPECIAL AGENT TEATOR: Right.

21 (REDACTED) And that was --

22 SR. SPECIAL AGENT TEATOR: It seemed like
23 you had a relationship with her.

24 (REDACTED) We did.

25 SR. SPECIAL AGENT TEATOR: Right.

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1 ~~XXXXXXXXXX~~ Or I did. And --

2 SR. SPECIAL AGENT TEATOR: You're a good
3 talker.

4 ~~XXXXXXXXXX~~ Yes.

5 SR. SPECIAL AGENT TEATOR: You don't give
6 "Yeses" or "Nos" types, which is good. That just
7 struck me that --

8 [REDACTED]: That was the tone of the
9 conversation. I remember it very clearly because I --
10 well, you know, look where we are today. I saw it a
11 something fairly significant.

12 SR. SPECIAL AGENT TEATOR: It's 1:50. I'm
13 going to take a short break, and then we're going to
14 finish up.

15 (Whereupon, the foregoing matter went off
16 the record at 1:50 p.m. and went back on
17 the record at 1:57 p.m.)

18 SR. SPECIAL AGENT TEATOR: ' It's 1:57. I
19 have got a couple of questions to ask you, (b)(7)(C)
20 Comment if you can. The question is, do you know if
21 there was a desire to have Kim out of here before the
22 new leadership came on board in early April 2003? Can
23 you comment on that at all?

24 ~~REDACTED~~ I don't know that to be true.

25 I would question -- I would ask that question myself

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1 based on the timing of the event, but I know of no
2 issues where that was true or not. But I have the
3 same question in my mind.

4 SR. SPECIAL AGENT TEATOR: Jeff, is there
5 something you want to go over with your client?

6 MR. KEENAN: No, nothing further. We
7 would just appreciate the chance to review the
8 transcript when it's available.

9 SR. SPECIAL AGENT TEATOR: Yes. ([REDACTED])
10 anything you want to add?

11 ([REDACTED]) Nothing further.

12 SR. SPECIAL AGENT TEATOR: It's 1:57.
13 This interview is concluded. Thank you.

14 (Whereupon, at 1:57 p.m., the foregoing
15 matter was adjourned.)
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