

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

* * * * *

OFFICE OF INVESTIGATIONS

INTERVIEW

-----X

In the Matter of: :

INTERVIEW OF : Docket No.

GARY LEE PHIPPS : (not assigned)

-----X

Friday, March 8, 1996

3793 NE Ocean Blvd.

Hutchinson Island

Jensen Beach, Florida

The above-entitled interview was conducted at
8:30 a.m.

BEFORE:

JAMES DOCKERY, Investigator

Information in this record was deleted
in accordance with the Freedom of Information
Act, exemptions 7c
FOIA- 96-485

2-95-00

EXHIBIT 3
PAGE 1 OF 52 PAGE(S)

7c portions

1 APPEARANCES:

2
3 On behalf of the U.S. Nuclear Regulatory

4 Commission:

5 JAMES DOCKERY, Senior Special Agent

6 Office of Investigations

7 U.S. Nuclear Regulatory Commission

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9 Suite #2900

10 Atlanta, GA 30323

11 (404) 331-6502

12
13 On behalf of the Interviewee:

14 Gary Lee Phipps, PRO SE

15 [REDACTED]
16 [REDACTED]

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7e Portions

(8:43 a.m.)

MR. DOCKERY: On the record. For the record, today is March 8th, 1996. The time is approximately 8:45 a.m.

My name is James D. Dockery, Senior Special Agent with the Office of Investigations, Nuclear Regulatory Commission.

During this proceeding, which is being recorded for transcription, the Office of Investigations is conducting an interview of Mr. Gary Phipps. This interview pertains to OI Investigation Number 2-95-008. The location of the interview is Jensen Beach, Florida.

Mr. Phipps, would you raise your right hand, please?

Whereupon,

GARY LEE PHIPPS

was called for examination and, having been first duly sworn, was examined and testified as follows:

EXAMINATION

BY MR. DOCKERY:

Q Would you state your full name for the record, please.

A Gary Lee Phipps, P-h-i-p-p-s.

Q Your date of birth?

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1 A (b)(6)
2 Q And your social security number, please. 7c
3 A (b)(6)
4 Q Mr. Phipps, before we went on the record here
5 today, I showed you a copy of Section 1001 of Title 18 of
6 the United States Criminal Code. Is that correct?
7 A Yes, you did and explained it.
8 Q And you understand how that applies to this
9 proceeding?
10 A Yes, I do.
11 Q Mr. Phipps, you have submitted a complaint
12 both to the Department of Labor and the Nuclear Regulatory
13 Commission that claims that you were subject to
14 discrimination by your employer. Is that correct?
15 A Yes.
16 Q Who is your employer?
17 A Florida Power and Light.
18 Q What is the status of that complaint with the
19 Department of Labor?
20 A They found in my favor and then Florida Power
21 and Light went through appeal. We were scheduled to go in
22 front of a court hearing. And because it was going to go
23 to court, I got a lawyer and we settled out of court.
24 Consequently, the court and all that has been cancelled
25 off.

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1 It was -- I don't know how to say it. It was
2 kind of cancelled off by both parties, in the sense that I
3 feel my position is right and they feel their position is
4 right. That's just the way it is.

5 Q Nobody has accepted any responsibility for
6 wrongdoing. That is correct?

7 A Absolutely, they did not accept any
8 responsibility.

9 Q I obviously have read a copy of your complaint
10 and some other documentation. What I want to discuss here
11 today is some specifics regarding that complaint. The
12 complaint I think stands on it itself, but I would like to
13 fill in some blanks that I have.

14 A No problem. That's what we're for.

15 Q First of all, from the standpoint of who is
16 responsible for discriminating against you, I want you to
17 identify who that is within Florida Power and Light?

18 A Well, I feel that after I identified this
19 problem to my union representative and he went to the
20 plant manager and explained the situation -- and I do
21 believe that you have a copy of my original draft which I
22 was going to submit, but it really wasn't proofed out
23 yet.

24 When I showed him a copy, I did not give him a
25 copy. The reason is to show him the seriousness of what I

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1 was saying and I was very concerned and very unhappy with
2 the events of what was happening.

3 I believe you have a copy of this. This is an
4 original draft. It wasn't proofed. Later on, I gave you
5 the final copy which is this. You have this copy.

6 Q Okay. I have this. What you're showing me is
7 a memorandum dated April 11th, 1995. I do have a copy of
8 that. That's what we consider constitutes your complaint
9 against Florida Power and Light?

10 A Yes, sir. This here was drafted in October,
11 shown to the president of the local. I've got his name
12 here, Rick Curtis. And he went to the plant manager and
13 explained the situation.

14 The plant manager, of course according to
15 contract, they couldn't work outside workers without
16 giving us an opportunity to work first. So what they did
17 instead of working myself, they first were going to offer
18 Jim Lewis, who is senior to me --

19 Q I understand all that. All that is in your
20 complaint. That is very clear.

21 A The point is that the plant manager knew that
22 there was a discrimination. I felt I was being
23 discriminated against. There were no bones pulled about
24 it. It stated it very specifically. And he chose to
25 circumvent the situation again. I think that there was

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1 from the production supervisors to the INC Department
2 heads and even including the plant manager. I think it
3 lies in the plant manager's hands.

4 Q Who is the plant manager?

5 A At the time, I think it was Chris Burton. Let
6 me double-check. I'm bad at names.

7 Q We're talking about whoever was the plant
8 manager in 1994?

9 A Yes, sir.

10 Q You don't remember who that was?

11 A I believe it was Chris Burton, but I'm not
12 totally positive. I thought I had it written down here.

13 Q It is. It's on your complaint, Chris Burton,
14 plant general manager?

15 A Once he was made aware of it, he was supposed
16 to put full corrective action into being. I don't think
17 he did.

18 Q Who made the decision? I mean, he wouldn't be
19 responsible for making the decision whether or not you
20 worked. Who made that decision?

21 A He did. He worked me, but he worked me in a
22 simulator and they paid me through the plant account,
23 instead of working me around the other INC specs in the
24 plant. The whole object was to keep me out of the plant.

25 Q How much money did you lose?

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1 A At that time, I didn't lose anything because
2 they made up every single hour in the simulator, had me do
3 work or not work. I was just there.

4 Q Your contention is that you engaged in
5 protected activity?

6 A Yes, sir.

7 Q I accept that as a given. Everybody who works
8 in a nuclear plant engages in safety-related, protective
9 activity. How did the plant manager know that you had
10 engaged in protected activity?

11 A Well, first of all, the speak-out does go
12 through the plant manager, okay, with that routing. I had
13 made complaints about the versatile indicators. And I
14 also complained to Chuck Lechler (phonetic). Let me get
15 this correct here. Oh, my God, I can't believe it. I
16 have to look it up. I gave it to the person in charge of
17 the speak-out.

18 Q That's documented in your complaint. Right?

19 A Yes. Anyway, I talked to him and I'm sure
20 that the reports do go through the plant manager. That's
21 the routing. The other thing, I talked quite a bit about
22 the procedure that I was asked to circumvent steps.

23 Q Who was it? What individual took exception to
24 your doing that?

25 A James Kawa.

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1 Q And he was.

2 A He was the production supervisor and he was
3 the shift director at the time of that outage and he
4 personally like supervised me.

5 Q And Mr. Kawa his name is spelled K-a-w-a?

6 A Yes.

7 Q What did he say or do to you that caused you
8 to believe he took exception to your engaging in protected
9 activity?

10 A Well, he took exception to the fact that under
11 the particular mode we were in on the plant condition,
12 that I could go ahead and put the transmitters back in or
13 do anything I wanted to do, because they had no bearing on
14 the safety-related person in the plant. I told him I had
15 a problem with the system configuration problem. Being
16 that I'm working on a part-time basis, that if I put this
17 back in and go on to the next transmitter and do work and
18 find it bad and put it back in.

19 And then I go on to the next one and I don't
20 come back until next week or if I don't come back and I
21 start doing another job, don't do the same job, I can't be
22 guaranteed of the continuity. And there's no proper
23 documentation to let the operations department know that
24 this is really not in service. When I throw the
25 bi-stables and the circuits back in --

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1 Q I understand all that. That's in your
2 complaint also.

3 A Right.

4 Q What did he do? How did he convey his
5 displeasure to you?

6 A There was some verbal going back and forth.
7 It wasn't anything cursing or anything like that. My
8 explanation to him was you can order me to do it and in
9 the morning I'll take it up with whoever I have to take it
10 up with. I gave him the alternative. You can call the
11 shift supervisor and if he says okay, I'll do it and go
12 about my business.

13 If something happens, a licensed individual
14 who is responsible for the system configuration and the
15 plant safety took that responsibility. And my experience
16 is he wouldn't do that.

17 Q That happened when, during the outage?

18 A During the outage in '94.

19 Q Earlier '94?

20 A Yes, sir.

21 Q I believe February of '94?

22 A Yes, sir.

23 Q Did that incident continue to be a bone of
24 contention between the two of you?

25 A No, it didn't seem like it was going to be a

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1 bone of contention. The idea -- the way I laid it out was
2 because I work in the simulator through the week and I
3 only work on weekends and part time. It was a bone of
4 contention with him, the fact that we didn't have
5 continuity with the jobs. Consequently, I wouldn't do
6 what he asked me to do because I couldn't control the
7 work.

8 But the truth of the matter is that even
9 though I work over there full-time for him, I couldn't do
10 it legally or properly beyond the shift, because the next
11 day I might be assigned to another job. I might be sick
12 or I might have a car accident and my work stands alone
13 and documentation should be there and it wouldn't be.

14 Q Let me -- before we go any further, I'm
15 looking at a copy and you have a copy also of your April
16 11th, 1995 complaint?

17 A Right.

18 Q It's addressed to NRC Region II, to Oscar
19 DeMiranda and myself, Jim Dockery, also to the Department
20 of Labor, Wage and Hour Division.

21 "Subject: Florida Power and Light,
22 Management's Punitive Actions for Safety Concerns."

23 This is a true and correct statement of your
24 complaint against Florida Power and Light. Is that
25 correct?

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1 A As best as I can explain it and it's complex.
2 That's how come it's very hard to see -- this is very
3 subtle things they're doing, I mean, just to keep me from
4 working in the plant. What does it matter, you got paid
5 the same? Okay. But it tells other workers and other
6 individuals you don't follow the game, you won't play.

7 Q Does everybody know that you -- well, first of
8 all, would you characterize yourself as a whistle-blower?

9 A Yes, in this case.

10 Q Is everybody that you work with aware of that?

11 A Most people have some awareness, not
12 necessarily by my open verbalness (sic), just the stuff
13 does get around the shop. It's a small shop, 50 people or
14 so and a lot of friends and stuff like that.

15 Q Here's what I want to get to. Under
16 Department of Energy -- I'm sorry, Department of Labor
17 Laws and Nuclear Energy Act, discrimination is illegal,
18 discrimination against an individual for raising safety
19 and health concerns regarding the operation of the plant.
20 As such there are criminal sanctions that go along with
21 that.

22 What I want to try and do here today is
23 identify who is responsible for it, because that is the
24 individual that those criminal sanctions may apply to.

25 A I cannot specifically see the smoking gun. I

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1 know the results. I know how it came about. I know that
2 management, as a whole, got together and made these
3 decision as a group.

4 Q How do you know that? Was there a meeting
5 that you're aware of?

6 A Yes, I believe so. There was a meeting and
7 some of the results of that meeting was interpreted here
8 and was conveyed to Jim Lewis by Jim, my boss, Martin.

9 Q Let's step back. When did this meeting take
10 place?

11 A I have no idea. I'm on night shift. They're
12 on days. They do all kinds of things and I don't know.
13 All I see is results, but the statement here, okay, on
14 page 2 of my statement:

15 "For the similar personnel were not allowed to
16 work overtime unless it was made emergency repairs to get
17 the simulator running. That was the policy on October 26,
18 1994. I had a conversation with Jim Lewis, simulator
19 coworker, at shift change. He told me they came up with a
20 decision to work us in the simulator.

21 "Jim Lewis said that Jim Martin, head
22 simulator supervisor, said the INC Department to only
23 offer Jim Lewis the overtime in the plant. Jim Martin
24 also said it would be unfair. If they would not offer it
25 to both of you, they would not get either of you."

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1 Q We don't have to read from the complaint
2 because I have a copy of that. Do you know who attended
3 that meeting?

4 A I have no idea.

5 Q You don't know when it took place?

6 A No, sir.

7 Q What do you consider the main act of
8 discrimination against you?

9 A I consider the fact they tried to segregate me
10 from normal work activities.

11 Q Who is they?

12 A Plant management. And specifically, I can't
13 -- you know, no one is fessing (sic). No one says Mr.
14 Phipps, you don't want to. We don't want you here
15 working. No one would say that specifically. I heard
16 things like you're not qualified and I addressed that
17 situation.

18 And then it was: You're not certified. And I
19 addressed that situation, in the sense that I said, "I
20 worked two outages before. I worked safety related
21 equipment, signed off safety documents. And now I'm not
22 qualified. You can hire guys off the street, work them on
23 systems that are safety related and that's no problem.
24 Now you can't work me in the plant."

25 Q That's what you see as the act of

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1 discrimination, the fact that they tried to keep you from
2 working in the plant during an outage?

3 A Normal INC activities, right. And yet they'd
4 work street workers, outside workers, to do the same.

5 Q You did not lose any money?

6 A I did not lose money specifically. At first,
7 they were going to, until I went to Chris Burton -- Rick
8 Curtis. Rick Curtis went to the plant manager and
9 explained to him, you can't do this. This is illegal
10 against the contract.

11 Q Rick Curtis is the union --

12 A He's the president of the local union and
13 abides by the documents for contracts which we work under.

14 Q Your complaint says you're not seeking any
15 monetary gain, punishment or revenge for what you perceive
16 to be discrimination against you. Is that correct?

17 A Yes, that's what I said.

18 Q I'd like to you explain to me how -- why this
19 is anymore than a union grievance or a personnel matter?

20 A Well, because if they start singling out
21 individuals and change their work activities, based on
22 issues they bring up or standing up for, hey I can't do
23 this. Then it's one step further to segregating you to
24 move you out.

25 If I'm not qualified to work in the plant,

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1 then I don't have any rights to go and do the activities.
2 I'll be reduced in the amount of overtime. If they force
3 us to work overtime in the simulator and got all our work
4 done, instead of regular activities -- the contract says
5 we're supposed to be within 10 percent of overtime of the
6 plant people.

7 Q That's all a union matter. Right?

8 A It's a union matter, but the idea was they
9 were trying to single me out.

10 Q That's what we have to focus in on?

11 A That's really it. That's because I brought up
12 safety concerns and people did understand that.

13 Q In great detail, tell me the connection
14 between your bricking up the safety concerns and being
15 discriminated against, with regard to working in the plant
16 during the outage?

17 A Well, I brought up a safety concern. The next
18 time, we don't need you to work in the plant. We have
19 enough people. They could hire in enough people on the
20 outside that way they don't have to work me.

21 Q Isn't it normal to hire outside people during
22 an outage?

23 A Yes.

24 Q And isn't it fair to say that time is of the
25 essence during an outage?

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1 A Yes. And that was another consideration, I'm
2 sure. They had a 38-day outage planned. They don't want
3 any waves.

4 Q After you engaged in your protected activity,
5 did anybody say anything to you that you should not have
6 engaged in that activity?

7 A No.

8 Q Were there any complaints made against you for
9 engaging in protected activity?

10 A No.

11 Q Did the fact that you engaged in protected
12 activity in anyway appear in your performance evaluation?

13 A No. I gave you a copy of the performance
14 evaluation.

15 Q Yes. For the record, I'll reflect that Mr.
16 Phipps has provided me, at my request, with copies of his
17 performance evaluations?

18 A For the past five years and one supervisor who
19 did not put in an evaluation, but his -- the phone number
20 and stuff and contact are there.

21 Q I thank you for that.

22 A It's kind of like, if you go back to the
23 diesel incident -- you remember that back in Turkey Point?
24 Here I said, I tried to bid up here. I couldn't even bid
25 up here. I don't know. I don't accept.

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1 Q That was in 1991?

2 A Yes, sir, I believe it was.

3 Q You received a letter of commendation, I
4 believe, a Cross pen for the concern you raised at that
5 time?

6 A Yes, sir.

7 Q And you were the --

8 A Let me also state that my department head was
9 extremely unhappy, almost angry, couldn't understand why I
10 bought this up and what the diddly did it matter.

11 Q That was in 1991?

12 A Yes, sir.

13 Q After 1991, after bringing that up, you had
14 received a letter of commendation?

15 A Yes.

16 Q You received a Cross pen as an award and you
17 were selected to come to work at the plant here in Port
18 St. Lucie?

19 A Yes. After the first bid was excluded and
20 then they had to repost it. Then after reposting it, then
21 they lost it, a certified letter they lost.

22 Q The fact is: You ended up getting the
23 position?

24 A I ended up eventually getting the position,
25 correct, after I wrote a letter to the vice president.

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1 Q That position is as an INC technician in the
2 simulator?

3 A Right.

4 Q Is that a pretty good job?

5 A It's the premium job on the plant, I'd say.

6 Q And you work nights?

7 A Yes, sir, 11:30 to 7:30.

8 Q That's at your wish?

9 A Yes, sir. I like night shift.

10 Q For the record, so we're clear, identify your
11 supervisor in your current position?

12 A Don Houldsworth. He's my immediate
13 supervisor. He comes in about 5:30 in the morning, checks
14 on the simulator status and activity.

15 Q Spell his name for the record.

16 A First Don, D-o-n. Then H-o-u-l-d-s-w-o-r-t-h.

17 Q He's your current supervisor?

18 A Yes.

19 Q How often do you see him?

20 A Four times a week.

21 Q Has he ever in anyway discriminated against
22 you?

23 A No. He said some things that were kind of out
24 of context and incorrect and we had a beef about it. But
25 his actions are generally very much aboveboard. He's a

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1 very professional man, very knowledgeable man and
2 generally, very fair.

3 Q What you just referred to regarding your
4 conversation you had with him, according to your
5 complaint it happened on February 14th, 1995?

6 A Yes, sir.

7 Q My understanding from reading the Department
8 of Labor investigative report, that you withdraw that
9 complaint against Mr. Houldsworth. Is that correct?

10 A My point is that Mr. Houldsworth said this
11 thing because his priorities for the simulator work he
12 thought might have been in jeopardy. He said some things
13 out of context that you just can't properly say.

14 He didn't understand that I had no control
15 over what other managers were doing. And that the
16 activity that I was doing was proper and legal. He did
17 not take any specific actions on me. It's just that he
18 verbally said some things that were very wrong. I don't
19 think he meant it, like some people say things on the spur
20 of the moment, but they don't follow through.

21 Q How is your relationship with him now?

22 A It's not bad. He's a gruff guy. That's Don.
23 It's just, like I said, we have a professional
24 relationship.

25 Q So you don't have any specific complaint

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1 against him?

2 A No, sir, I do not.

3 Q Who is his direct supervisor?

4 A Jim Martin.

5 Q Do you have any complaint against Mr. Martin?

6 A No, sir. Mr. Martin is a professional, acts
7 that way. I think that some of the problems he's related
8 down to me were given to him from above, not under his
9 control.

10 Q From your complaint, I understand that your
11 coworker in the simulator is Mr. Lewis?

12 A Yes, sir.

13 Q That's James Lewis?

14 A Yes, sir.

15 Q How do you get along with him?

16 A Fine. We see each other in the morning,
17 usually spend 15 minutes to a half hour. Once in awhile,
18 we've gotten together and worked on computers -- our home
19 computers and different things like that.

20 Q You have a relationship with him outside the
21 plant?

22 A Minimal. Yeah, but it's minimal. I'm so busy
23 we don't see each other that often, once a month or once
24 every couple months.

25 Q Do you have any relationship with Mr.

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1 Houldsworth outside the plant?

2 A No.

3 Q Mr. Martin?

4 A No.

5 Q Who does Mr. Martin report to?

6 A Training supervisor, I forget his name.

7 Q Is he anybody you have ever had a problem
8 with, from the standpoint of feeling he discriminated
9 against you?

10 A No, I hadn't even had any kind of real
11 business dealings with him.

12 Q For clarification, Mr. Phipps, in your
13 complaint, the term "up-relieved" is used. What does that
14 mean? I'm not familiar with it.

15 A That means a person that is in a, let's say
16 for instance, a position, a journeyman might move up to
17 supervisor position. Or in another case, a person that is
18 a helper or a cleaning-type person up-relieves to
19 journeyman-type shot.

20 Q Is that a temporary?

21 A It's a temporary situation. It's like I move
22 from the training simulator over to the INC shop
23 temporarily. It's a temporary relocation. In this
24 particular case, it's quite a bit of money. A lot of
25 money is involved. When he up-relieves -- I think, we're

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23
1 talking about Jose.

2 Q No. I just saw the term here up-relieved?

3 A Jose Hernandez, one of the co-workers I was
4 working with, he normally works for the health physics
5 department. He's what they called a de-conner. He cleans
6 contaminated things and stuff like that. I think he's a
7 utility worker of some classification.

8 When he up-relieves, it's about \$10 an hour
9 additional pay, plus the overtime rate of time-and-a-half,
10 times additional monies and stuff. It's very significant
11 to him.

12 Q So it sounds to me like a temporary promotion?

13 A Is a temporary promotion. After the outage,
14 he goes back to his normal classification.

15 Q Have you ever been up-relieved?

16 A Yes, sir.

17 Q When was the last time?

18 A Maybe 1988. I was up-relieved to INC
19 supervisor. I was up-relieved for almost a year at one
20 time.

21 Q You mentioned James Kawa earlier?

22 A Yes.

23 Q He was your?

24 A Supervisor that I reported to when I went over
25 to the INC Department to work on a temporary basis for the

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1 overtime. And that to me is pretty significant because
2 that's time and a half and double time.

3 Q How is your relationship Mr. Kawa now?

4 A I don't talk to him.

5 Q Is that your choice or his?

6 A Basically my choice. I don't choose to
7 confront anything. I don't --

8 Q What position is he in now?

9 A I think he got a promotion over to another
10 department. Significant management changes happened since
11 all this stuff went on. The department head, the two
12 production supervisors were changed out, of course, the
13 plant manager, the vice president.

14 Q When did all that happen?

15 A Within the past year.

16 Q That is as a result of your action?

17 A No, not specifically.

18 Q How about non-specifically?

19 A I imagine it was a factor involved with all
20 the rest of things that were going on in the plant.

21 Q Let me go through your complaint here for a
22 minute.

23 A I need some clarification here. You might
24 have a better understanding of the situation when I came
25 up here how this plant ran.

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25
1 Q I don't want to get into how this plant ran.

2 A No problem.

3 Q I'm concerned with you, specifically and what
4 has happened to you, specifically?

5 A Okay. Like I said, the reason understanding
6 might be beneficial is that they ran to a different set of
7 rules than everyone else has. And I came from another
8 plant that has to conform very strictly to the NRC
9 regulations.

10 Q Are you saying this plant does not conform to
11 NRC regulations?

12 A It did not.

13 Q In what way?

14 A They feel if it's in writing as long as the
15 situation warrants it, we can do what we want to do. They
16 don't realize in procedures and stuff like that, if it's
17 in writing, you have to have an out in writing, otherwise
18 you follow it. It was not a concept with them.

19 Q Who is "them"?

20 A Most supervisors that were at this plant.
21 That was from the plant manager on down. For instance,
22 they had a very hard time when temporary employees, we
23 call itinerants, went from Turkey Point up to here. The
24 reason is that they wondered what in the world is going
25 on.

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1 There's no procedures. They couldn't even
2 provide calibration sheets, proper calibrations sheets
3 that told you exactly what you need to do. You had to
4 pick which calibration sheets were right.

5 That has been corrected since. At the time
6 when I arrived there, that was basically the situation.
7 You had to go through a file and pick out which
8 calibration sheet seemed the most appropriate.

9 Q That seems like a technical matter. To your
10 knowledge, has the NRC dealt with that?

11 A Yes, sir.

12 Q Has things changed?

13 A Yes, sir. What I'm saying is: That is the
14 mode at which they are operating.

15 Q How did that affect you?

16 A I know the laws and rules. I personally can't
17 operate that way. I need to more or less cover my butt,
18 because you don't know what might happen downstream. And
19 they're going to come back on you. I think this last year
20 has been -- or year-and-a-half has been very typical of
21 the plant getting caught up with years and years of abuse.

22 Q How it is running now?

23 A They're working at it. Of course, you know
24 the most recent incident. Right? A guy was making a
25 reactor change and walked off.

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1 Q I wouldn't necessarily be familiar with that?

2 A That's a significant violation. Something
3 similar happened down at Turkey Point. The lessons they
4 got down there they didn't abide by up here because
5 they're different.

6 Q Referring to your complaint, Mr. Phipps, this
7 is at the bottom of page 4 of your complaint. I'll read
8 the statement that you make.

9 "I feel the start of the point of
10 discrimination was October 26, 1994. That is when the
11 final decision was made not to work me in the plant."

12 Who made that decision?

13 A Apparently, Human Resources contacted Jim
14 Martin. And Jim Martin relayed that back down through Jim
15 Lewis and to my boss, Don Houldsworth, to me.

16 Q Do you know who at Human Resources?

17 A No, sir. Like I said, I think they had a
18 meeting. That wasn't an individual. It was -- how to put
19 it, when you have a group of people making a decision and
20 something of that nature is a conspiracy.

21 Q That would be true if they got together and
22 agreed to do something illegal. Would you have any idea
23 who that was?

24 A No, sir. I'm not privy to that information.
25 I just know the results.

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1 Q Who do you think I could talk to that would
2 know who that was?

3 A Well, I think that one of the men would be
4 Chuck Scott, and his boss, Andy DeSoiza. They had
5 discussed that situation and those issues. And any
6 meetings or prior to and the meeting with department head
7 and what-have-you were discussed through them and the
8 plant manager.

9 Q Would you spell Mr. DeSoiza's name for this
10 nice, young lady?

11 A Yes, D-e-S-o-i-z-a.

12 Q What is Mr. Scott's position? You mentioned
13 Chuck Scott?

14 A Chuck Scott, he's in human relations. He's
15 under Andy DeSoiza. Specific titles, I don't know. What
16 can I say.

17 Q There was an outage in February of 1995?

18 A Yes, sir.

19 Q As I understand it, you were called in to do a
20 special job at that time in the plant?

21 A Yes, sir. They had a call up. They couldn't
22 get enough personnel from the regular department to go up
23 on top of the pressurizer at power and install vibration
24 sensors. The point was they were trying to determine the
25 leaks and where they were.

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1 Okay. It's very hot very nasty job; 150, 160
2 degree temperatures, stay-time very short; radiological
3 problems there; dangerous situation. If you feel, you
4 might not get back up because you hit a pipe or something
5 like that, even though you had insulating clothing on, you
6 might get trapped. The pipe temperatures were melting the
7 boots.

8 Q Was your being called on to work that
9 particular job, was that punitive?

10 A No, sir, absolutely not. It was voluntary.
11 They were looking to get work done. Like I said, they can
12 call me to do nasty jobs, but when it was the regular
13 outage to do normal work, they couldn't use me.

14 Q Did you have any special expertise that
15 applied to that particular job?

16 A Yes. I've been in many situations like that
17 before. I have 18 years experience with the company.

18 Q I kind of gathered from your complaint that
19 you had some special ability that perhaps these other
20 people didn't have to perform that particular job?

21 A No. That wasn't why I was called out. It's
22 just according to the contract that they called me out.

23 Q So that particular incident that was done
24 according to the contract and according to whatever
25 regulations?

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1 A Yeah, right. The point is that I can work
2 and do jobs, you know, even the hard jobs, willing to
3 work. But on the regular basis and stuff like that, they
4 don't think they need me. When they can't get anybody
5 else, you know, they'll scrape the barrels and take who
6 they have to get.

7 As you know, when they went down to the
8 regular outage, they didn't ask me over. And I objected
9 to that and I told them: "What is going on here?" "Well,
10 you're not certified yet." "What do you mean? I'm
11 certified enough to go up there and work in those
12 conditions and I'm not certified to work in your plant."

13 Q Has that question been answered now?

14 A Yes, sir. They went through and finally made
15 an evaluation, almost two years later since I arrived on
16 plant. After I provided the documentation from my
17 previous plant, then they took that and made some
18 evaluations. I had some objections about some things they
19 should additionally qualify me for, general things like
20 "ray-cheming" (phonetic).

21 Do you know what that process is?

22 Q Yes, I do.

23 A If I'm qualified at that plant, I should be
24 qualified at this plant. Yet I'm not. I tried to fight
25 them and it's a bureaucracy. I don't know. They gave me

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1 a general plant qualification and some of the specifics
2 they left out. I don't think they did a real thorough job
3 in some cases.

4 Q I keep coming back to the question of if I
5 were to identify an individual or individuals who might be
6 subject to criminal sanctions for discriminating against
7 you, who would I be looking at?

8 A Well, I would certainly start with Andy
9 DeSoiza and talk to him about meetings that they had prior
10 to. The other thing that was amazing to me was the plant
11 manager again was privy to this information.

12 Yet, later on, I think it was in February, I
13 went up and I actually went -- let's get the exact date
14 here -- I actually went into the office and confronted
15 Andy DeSoiza because I was getting short on time. See if
16 I can get the date of the first meeting. He was in total
17 shock. He never even understood the fact that I had felt
18 discriminated against.

19 Q Did he discriminate against you, do you
20 believe?

21 A Well, if he, as part of those decisions,
22 realizing the fact that I felt I was discriminated against
23 and he was looking to please management and try to
24 manipulate the rules to keep me out the plant, because
25 they felt it was better for the plant or something like

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1 that, I think, yeah.

2 Q So you think that the Office of Investigations
3 should look at Mr. DeSoiza as a possible criminal target?

4 A I think they should look at that chain there,
5 the H.R. chain, from Chuck Scott, Andy DeSoiza, the plant
6 manager. Those are people that are the privy. They know.
7 They know who's making decisions. They know what was
8 said. I'm sure Rick Curtis, you should ask him more
9 specifically about what he said to the plant manager.

10 Q Rick Curtis again is the union president?

11 A Union representative. I wasn't in the meeting
12 that he went and talked to Chris Burton, but I did show
13 him that letter. Did you ever get a copy of that, because
14 I turned it over to one of the NRC guys, my original
15 draft?

16 Q No. As a matter of fact, this complaint makes
17 reference to a letter that I did not get.

18 A Well, if you need a copy -- like I said, this
19 is the original draft. I was just trying to put down what
20 I was feeling and what I was thinking. I was intending to
21 write to the NRC and I had second thoughts. Well, look,
22 let me let my union know personnel have one shot at this.
23 Okay. And that's what I did.

24 This isn't exactly full and complete, but it
25 does summarize that I was in that modality. I was

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1 thinking those terms. I did express the fact that I felt
2 discriminated against and felt that they were illegal
3 against the contract.

4 Q Who did this letter go to, if anybody?

5 A It didn't go to anybody at the time. I showed
6 Rick Curtis and let him read it fully and he took it
7 pretty seriously. I did give it to one of the NRC
8 inspectors who interviewed me.

9 Q Ron Fields?

10 A Ron Fields.

11 Q He's an agent of the NRC, Office of the
12 Inspector General?

13 A Yes, sir. He interviewed me. And during that
14 interview, I gave him a copy of this.

15 Q I haven't seen the letter you're referring to.
16 And I assume you only have one copy?

17 A I only have one copy. I could have a copy
18 back to you this afternoon or I could mail you a copy.

19 Q I'll be gone this afternoon. If you could
20 mail me a copy of that?

21 A No problem, I can do that. Same address just
22 put Jim Dockery?

23 Q Yes. After you showed that letter to your
24 union representative, he met -- he had a meeting with who?

25 A The plant manager.

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1 Q As a result of that meeting, what occurred?

2 A They decided -- first off, it was discussed
3 about having Jim work over in the plant in the INC
4 Department.

5 Q Jim Lewis?

6 A Jim Lewis. They didn't feel I was qualified
7 or certified to work over there, even though I had worked
8 over there a couple outages previous to that. They said
9 Jim had worked in the plant before that. Jim only worked
10 seven months in the plant, Jim Lewis.

11 He's a very good INC technician. This has
12 nothing to belittle him on. He doesn't have half the
13 qualifications I do, especially in the nuclear industry
14 and documented.

15 When they came through and did the
16 evaluations, he had to go through twice as much to get
17 his certification that they wanted, to go into the plant,
18 that I did. And the qualification sheets they had when
19 they looked them over, mine was twice as thick as his.
20 You have copies of his qualifications and stuff. Right?

21 Q I believe so. As a result of that meeting
22 between union representative and plant management, did you
23 eventually end up working in the plant?

24 A I worked one time because I brought up an
25 incident in the previous outage about a hydrogen panel.

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1 That's for the turbine generator system. I made some
2 statements to the fact they had design problems.

3 Q I don't think I made myself clear. What I'm
4 trying to get to is: You went to your union
5 representative and complained about the fact you were not
6 going to --

7 A Work in the plant. Right.

8 Q If I understand you correctly, he went to the
9 plant manager?

10 A Plant manager.

11 Q What was the result of that meeting?

12 A They said we'd be worked in the simulator the
13 same amount of overtime as the contract personnel.

14 Q Did that happen?

15 A Yes, we did.

16 Q According to your complaint and some other
17 information that I've read, there was a particular need at
18 that time for overtime work in the plant simulator. There
19 was lot of INC work that needed to be done. Is that
20 correct?

21 A Well, let me tell you this much, I got three
22 or four months ahead on my regular PM work.

23 Q "PM" being?

24 A Preventive maintenance and regular
25 calibrations and stuff. I got very far ahead. After the

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1 outage, it was a lot of loose time. Does that make things
2 clear? I was doing work -- I worked, but I was doing work
3 that was normally scheduled for later on.

4 Q So it sounds like it was kind of advantageous
5 to you down the road because you were ahead of schedule?

6 A Sure, in some case.

7 Q Mr. Martin, who was your supervisor then or a
8 supervisor manager, made some statements I think at the
9 time that it was important to have you available to work
10 in the simulator?

11 A We were doing some modifications, okay. Now
12 it also must be noted that had Mr. Martin -- the overtime
13 for us did not come out of his budget. He loved that. He
14 got a lot of work done and he didn't have to pay for it.
15 That was because, like I said, it was a contract-issue
16 thing. And the plant manager said, "We'll pay for it, but
17 we don't want him working over here in the plant. Work
18 him as you see fit."

19 Q Did either you or Mr. Lewis work during that
20 outage in the plant?

21 A I did for one weekend.

22 Q That was the job you described in the
23 high-heat area?

24 A No. This was working on a hydrogen panel. I
25 guess I've become quite an expert at a particular type of

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1 instrument we had down at the other plant. I redesigned,
2 along with one of the other engineers, a new system for
3 it. Before I could redesign a new system, we had to
4 operate the old system.

5 Q That was the incident I was referring to,
6 where you had special expertise?

7 A Right.

8 Q You were called in by name?

9 A I was called in by name because they said we
10 don't need you. Yet they gave a temporary employee, who
11 was actually a former FPL employee the job to do and he
12 couldn't do it. He came over to the simulator to have me
13 teach him what to do. And my boss, Don was upset about
14 that.

15 And so my boss, Don, jumped on the INC
16 Department and said, "What the hell you doing? You don't
17 need him and yet you can't do the work and you got people
18 coming over here to get all the information and so they
19 can do the work over there."

20 Q Don is Don Houldsworth?

21 A Don Houldsworth. Can you imagine that. They
22 don't need me. Yet they can't get the people over there
23 to do the work. I'm not certified to go over and work.
24 Yet they have to come over to me to get the calibrations
25 so they can do the work over there. It's a strange irony.

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1 Isn't it?

2 Q During outages when they bring in temporary
3 INC technicians, who would make more on a per-hour basis
4 working in the plant during an outage, you or one of the
5 temporary workers that they bring in?

6 A I would. Then again, I'm -- by contract
7 issue, I was going to be worked anyway, you know, whether
8 they're there or they're not. So they had to pay me
9 before they hired somebody else to work them. That's the
10 other thing about the qualifications. They're supposed to
11 take all qualified personnel and work them first, before
12 they work outside people.

13 That's how come Jose Hernandez was up-relieved
14 and he was allowed to work in the INC Department, before
15 they pulled outside workers to give them the premium
16 money. It's a common sense thing. Wouldn't you want to
17 work your workers first?

18 Q I'm referring again to your complaint both to
19 the NRC and Department of Labor?

20 A What page?

21 Q Page 5, at the top of the page. In that
22 paragraph there's a sentence quote:

23 "They want all their rights, even though
24 that's what lead them to this problem. And I only wanted
25 to yield some of them for a short time -- I'm sorry wanted

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1 them to yield some of them for a short time."

2 I'm not sure I understand what that refers to?

3 A Okay. What I was referring to and it's a fact
4 that they tried to stick with the idea and said you're not
5 certified to work over here. Okay. Then they said that,
6 "Well, we don't have enough supervisors to give you close
7 supervision to go out and perform work in the plant."

8 Q We've got to identify who "they" is?

9 A They was -- like Tom Glen was one of the ones
10 that made statements like that.

11 Q Tom?

12 A Glenn.

13 Q G-l-e-n-n?

14 A I believe that is correct, G-l-e-n-n, Tom
15 Glenn.

16 Q Did Mr. Glenn discriminate against you in some
17 way?

18 A I think he was part of the overall decision,
19 along with Mr. Kawa.

20 Q What position was Mr. Glenn in at the time?

21 A The way the INC department is broken down,
22 they have a department head and then they have production
23 supervisors. One for unit one and one for unit two.

24 Mr. Kawa was one of the unit supervisors. And
25 Mr. Glenn was one of the unit supervisors. So they make

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1 their recommendations up to the department head and he
2 reports to the plant manager.

3 Q Okay. When you make the statement here, "They
4 want all their rights", what rights are those?

5 A They have the right to decide where I work and
6 what I do and what-have-you, okay. And I acknowledge
7 that.

8 Q When you say "they" in that context?

9 A Management. Okay. I'm referring to specific
10 meetings that we were having with Andy DeSoiza and Mr.
11 Scott.

12 Q Chuck Scott?

13 A Chuck Scott, yeah. In those meetings they
14 wanted to be very clear about what they can do and what
15 they can't do and what they did was all legal and perfect
16 and what-have-you. They didn't want me to work in the
17 plant, if they didn't have to work me in the plant. They
18 could work me in the simulator. They can do what they
19 want. To some extent, I can't argue with that. But on
20 the other hand, I felt that it was an arbitrary decision
21 based on my actions.

22 Q Let's get to that now, your actions. When you
23 say your actions, you're referring to some protected
24 activity you engaged in?

25 A A specific protected activity, I'm not totally

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1 sure of. I know one of them was in the procedural issue
2 where I had a disagreement with Jim Kawa and over the
3 steps and what-have-you.

4 Q That's documented in your complaint. I'm
5 aware of that.

6 A Did you get a copy of that procedure and see
7 what the specific things that he asked me to do?

8 Q It probably wouldn't mean anything to me. I
9 don't have the technical expertise. Obviously, it's
10 important to you.

11 A Sure. It says do this, that's what it means.
12 I can't interpret it any other way. When it says to put
13 it back in service. That means operations feels that loop
14 is in service and it's operable. It doesn't mean to put
15 it back in service and throw -- the indicators on the trip
16 logic is okay, but the transmitter is not even hooked up,
17 no tubing to it.

18 Q How was that conflict, if you will, eventually
19 resolved?

20 A He backed off and let us go ahead and replace
21 the tubing on that transmitter without going to other
22 transmitters. I understand his point of production is to
23 -- see if I put that one back in service, went onto the
24 next one and found out we had -- how many we had bad, then
25 we'd go in there in one shot and fix them all. That does

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1 make sense. But that's not way the procedure is written.
2 There wasn't any flexibility I could find within the
3 procedure.

4 Q Let me -- again, I'm not -- I have no
5 technical expertise on this.

6 A Sure.

7 Q I want to understand what you're telling me.
8 The way he wanted to do it made sense, but procedurally,
9 it was your feeling it could not be done that way?

10 A Right. And it would be a violation of system
11 configuration. I brought that up to him and that term
12 went of over his head apparently. Their concept of system
13 configuration a year and a half, two years ago is
14 completely different than it is today. Today it's a new
15 ball game.

16 Q Would it be fair to say, Mr. Phipps, on that
17 occasion he yielded to your expertise?

18 A Yes, because I gave him both choices. I think
19 he might even have talked to the shift director at the
20 time. I don't know. But a shift director wouldn't allow
21 me to do that because he would have to document it in his
22 books that it's out of service, if he did that. When you
23 take something out of the service you have throw the
24 bi-stables.

25 Q Was that situation eventually resolved to your

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1 satisfaction?

2 A Yeah. We just went ahead and repaired the
3 transmitters one at a time, until we got it fixed. We did
4 it in the most expedient manner that we could.

5 Q The outcome of that event was within
6 regulations?

7 A Within regulations, without a problem, just
8 grumbling on his part. That don't bother me. He can
9 have a problem with it. And he might have thought I tried
10 to slow things down. The comment was made I kind of
11 slowed things down. I wasn't trying to slow things up. I
12 was trying to do it right and cover myself and my actions
13 and activities to the best way I knew how.

14 Q Has anybody ever made the comment to you they
15 were going to get even with you or get back at you for
16 anything?

17 A No, sir. That's not the way it's worked.

18 Q You mentioned that you initially took your
19 complaint to Mr. Ron Fields. Were you dealing with -- Mr.
20 Fields is the investigator from the NRC Inspector
21 General's Office. Were you dealing with him on another
22 matter?

23 A Yes, sir. He called me in to clarify some of
24 the statements I made.

25 Q Actually, I'm not sure that I need to be privy

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1 to that. It's a matter unrelated to what we're talking
2 about here today. Is that correct?

3 A Yes. For the most part, yeah, it's unrelated.
4 It was things that happened down at the other plant.

5 Q So it's not -- I don't know of any
6 relationship that could exist between what you were
7 talking to him about and what we're discussing here today?

8 A Right. I was called in by him because he was
9 making a further investigation. He wanted clarifications
10 when they had made an interview with me. All I did -- he
11 was amazed. I just come up and told him all the answers.
12 He was very happy with that.

13 At that time, I handed him that piece of paper
14 and explained to him that I felt this was one wrong. And
15 I wanted the clock -- there's a six-month time period
16 which you have to report those things. I wanted the clock
17 to start then. It wasn't exactly how it had to work.
18 That's how come I had to eventually get this letter out.

19 Q By this letter, you're referring to your April
20 11th complaint that we've been looking at here today?

21 A Yes. It had to in within the six-month time
22 period.

23 Q Referring to the Department of Labor time
24 period?

25 A Right.

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1 Q Which is the filing period?

2 A Yes, sir. But I did initiate with him. Then
3 he went and gave a copy, I think, to Oscar DeMiranda and
4 then you were also involved thereafter.

5 Q Right. When did you settle with the company,
6 approximately?

7 A I had it here, too.

8 Q I think I've got it. Let me put it another
9 way. Since you settled with the company, are you
10 satisfied with the way you've been treated?

11 A Yeah. I think there is a much deeper
12 understanding. They're not going to tread in those areas
13 again. I don't foresee -- I think a lot of people realize
14 I'm a good worker and a hard worker. You can check with
15 the supervisors I worked with during the past outage.
16 Chuck Connell, I worked for him specifically.

17 Q When was most the recent outage,
18 approximately?

19 A It was that huge outage where Unit II was down
20 for four months or five months.

21 Q During 1995?

22 A Yes, sir. I worked over there full-time. And
23 another guy, Andy -- I forget his name. I'm so bad with
24 names. I remember them if I walk out the door, of course.
25 Like I said, you can check. They found out I was a very

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1 good, competent worker and worked hard and got things
2 done. My paperwork is not exactly perfect. That's
3 always been a problem.

4 Q Perhaps you can provide me with that name when
5 you send a copy of the other letter?

6 A Andy Pauly. He was the shift director. Chuck
7 Connell was my direct supervisor. In fact, they traded me
8 off to work for Jerry Schmitz (phonetic) because I had
9 expertise on electronic controller stuff.

10 Q The point is and what I want to get at is:
11 Your relationship with those gentlemen has been
12 satisfactory. Is that correct?

13 A Absolutely. They have a correct -- they're
14 new. They're replacement for the other people and they
15 have the attitude that we're going to do it right. I
16 think they always have had.

17 Like I said, it was some of them in realizing
18 my expertise on electronics and stuff like that,
19 especially on controllers, one of the guys from -- I
20 think, was from Rochester doing lead-lag controllers and
21 stuff like that. They were having problems with that
22 during the outage.

23 Q It sounds like your situation is satisfactory
24 to you?

25 A Absolutely. It's 180 from where it was.

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1 Q Between the specifics of your complaint and
2 the other documentation that you provided, I'd say
3 everything is pretty well documented and I have a pretty
4 good understanding of it. I don't have anymore questions
5 to ask of you right now. I may at some future point.

6 A I'm a phone call away.

7 Q Before we go off the record, is there anything
8 you'd like to add?

9 A We concentrated more on when I worked the
10 previous outages and then the statements that why the
11 actual INC Department people didn't want me in there. We
12 didn't talk very much about the indicator problems that I
13 reported.

14 Q I accept that as a given. I don't know --
15 technically, I don't anything about that. That has been
16 satisfied to your satisfaction?

17 A Pretty much, yeah, I'd say so. I asked the
18 NRC representatives here to take the opportunity to find
19 out what the periodic schedule of testing is and then to
20 go up and follow through with the technician and observe
21 the test.

22 Q That's a technical matter that I'm not
23 qualified to address. If you have something --

24 A You've got to understand when I first bring it
25 to speak-out and speak-out brings it up, it eventually

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1 got to the plant manager and back out.

2 Q The plant manager was?

3 A Chris Burton.

4 Q Has the situation been resolved?

5 A Yes, they're addressing it. And I think as
6 far as my safety issues with it, I think they're going to
7 be resolved in the sense we're not going to have
8 significant problems.

9 Q By all means, if they're not resolved, you
10 should talk to the resident inspector or talk to Mr.
11 DeMiranda in the region?

12 A I stated I had an interview with one of the
13 NRC inspectors following through with that. And his
14 questions about why it took so long for the company to
15 come forward and make these changes, why I kept having to
16 pursue it and bringing it up, even so far as putting a
17 video tape up to the NRC. Did you see that one?

18 Q No, I wouldn't necessarily see that one.
19 Again, that's a technical regulatory matter that I'm not
20 qualified to deal with.

21 A If you saw it, it's so blatant. There's a
22 problem.

23 Q For our purposes here today, as long as you
24 feel that's being addressed adequately --

25 A Yes, sir, I do. I believe it. I have to

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1 state it wasn't addressed until I started working on the
2 shift and Chuck Connell and Andy Pauly were privy to the
3 information which was not given to them by the plant
4 management or senior plant management, because I gave them
5 a copy of the video tape, too.

6 It went from the vice president, even probably
7 the president saw it, on down. It just got stopped and
8 stymied. It never got down to the department head level.
9 I don't understand that. I think it was a -- I believe it
10 was conspiracy to minimize anything I said or did and to
11 ignore and to circumvent.

12 Q It must have come out somehow, because it's
13 being addressed now?

14 A Absolutely. That was after I worked in the
15 plant and after the immediate people became aware of it
16 and other technicians starting bringing up the issues
17 which they were ignoring before and telling the true
18 facts. Then the management -- the new management actually
19 analyzed it and realized there was a true problem.

20 Q Okay. The important thing is that problem is
21 being addressed?

22 A I know. Why such a gap? Why did it take a
23 year?

24 Q I don't know.

25 A Got it.

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1 Q Anything else you want to add?

2 A No, I think you've covered it. I'm not trying
3 to grind axes. Like I said, I believe that the plant is
4 making some turnarounds. Whether it stops, I don't know.
5 I want to work hard. I want to try to make a decent
6 living. I want the security that I'm not going to be
7 manipulated around, because I feel that something should
8 be addressed.

9 In fact, you probably would never have gotten
10 a call or anything else, if they hadn't tried to
11 manipulate me out of the plant or anything else, because I
12 believe in going to the speak-out. And I believe in
13 letting the plant take care of plant business. Or they're
14 going to have to cover their butts because once I report
15 it, that's what I'm supposed to do.

16 When they start trying to dip into my pocket
17 or manipulate the situation around, I have to sit there
18 and say wait a minute. The layoffs did concern me. If I
19 was deemed not certifiable or qualifiable to work in the
20 plant, then I wouldn't be able to -- say for instance, a
21 layoff comes up, I wouldn't be able to bump back into that
22 slot. You can't bump back in, you're not qualified.

23 Q Of course, if anything like that does happen
24 in the future, you should make the appropriate complaints
25 to the NRC, Department of Labor or whatever. As for the

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1 most recent events --

2 A I think things have turned around and working
3 in the proper way according to the contracts and according
4 to reasonable expectations and considerations. In fact, I
5 was asked specifically, "Hey, you going to work over at
6 the outage this time?" I said, "It's not my decision.
7 Sure, I'll work over there. You tell me what, when and
8 where."

9 That was Andy Pauly asked me that, looking
10 forward, anticipating, because like I said, I work hard
11 for him. In fact, as you'll see my appraisals, they're
12 good appraisals.

13 Q All right. You have nothing more to add?

14 A Nothing more to add.

15 MR. DOCKERY: We'll go off the record at
16 approximately 10:00 a.m.

17 (Whereupon, at 10:00 a.m., the above-entitled
18 interview was concluded.)

19

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1 REPORTER'S CERTIFICATE

2

3

4 CASE TITLE: INVESTIGATIVE INTERVIEW OF

5 GARY LEE PHIPPS (CLOSED)

6 DATE: March 8, 1996

7 LOCATION: Jensen Beach, Florida

8

9 I hereby certify that the proceedings and evidence were

10 contained fully and accurately on the tapes and notes

11 reported by me at the interview in the above case

12 before the: U.S. NUCLEAR REGULATORY COMMISSION.

13

14

15 DATE: March 11, 1996

16

17

18 Marcella R. Samson

19 Official Reporter

20 Notary Public

21

22 My Commission Expires:

23



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