

Allegation No.: RI-2002-A-0116
Site/Facility: Hope Creek
ARB Date: 9/23/2002

Branch Chief (AOC): Barkley (Acting)
Acknowledged: No
Confidentiality Granted: No

Issue discussed: Potentially hostile work environment at Hope Creek - see Dave Vito's 9/9/02 E-mail on the issue as well as the allegation receipt report

Alleger contacted prior to referral to licensee (if applicable)? N/A

ALLEGATION REVIEW BOARD DECISIONS

Attendees: Chair - Clifford Branch Chief (AOC) - Barkley (Acting) SAC - Vito
OI Rep. - Monroe RI Counsel - _____
Others - Crlenjak, JWhite, Holody, Holian, Jackson

DISPOSITION ACTIONS: (List actions for processing and closure. Note responsible person(s), form of action closure document(s), and estimated completion dates.)

1. Mr. Clifford to brief Mr. Hub Miller on decisions and rationale reached at panel.

Responsible Person: JClifford ECD: 9/23/02
Closure Documentation: _____ Completed: _____

2. Provide an acknowledgment/closeout letter to the alleger acknowledging his admittance of the violation but also indicating that we were responding to the concerns raised in the individual's letter.

Responsible Person: Vito ECD: 10/02/2002
Closure Documentation: _____ Completed: _____

Concern #2 - Closeout concern. Issue was handled internally. No specifics were provided. Absent more specific information, we plan no further action on this specific item, however the NRC plans to inform the team of concerns of this type prior to the PI&R inspection (work environment).

Concern #3 - Closeout concern - no specifics provided - refer to OSHA.

Concern #4 - Issue previously received and reviewed by the NRC in 2001.
(See File 2001-A-0126) Provide a summary of the results of this matter to this alleger.

Concern #5 - Close - business decision. Absent some indications of adverse radiological impacts from the business decision the matter is outside NRC jurisdiction.

Concern #6 - Close. Alleger has not provided sufficient information to indicate that the licensee should have recognized that the alleger was not fit for duty.

Responsible Person: SAC/Barkley/JWhite ECD: 10/09/2002
Closure Documentation: _____ Completed: _____

ARB MINUTES ARE REVIEWED AND APPROVED AT THE ARB

F-9

4. Bores to contact OSHA regarding Concerns 3 and 4. Provide documentation of referral of issue to OSHA to SAC for file.

Responsible Person: Bores
 Closure Documentation: _____

ECD: 9/27/2002
 Completed: _____

SAFETY SIGNIFICANCE ASSESSMENT: The risk significance of these concerns appears low as one issue raised by the alleged have previously been reviewed by the NRC, may be outside of NRC regulated purview or were personal conflict issues resolved internal to PSEG.

PRIORITY OF OI INVESTIGATION: N/A

If potential discrimination or wrongdoing and OI is not opening a case, provide rationale here (e.g., no prima facie, lack of specific indication of wrongdoing):

N/A

Rationale used to defer OI discrimination case (DOL case in progress):

N/A

ENFORCEMENT STATUTE OF LIMITATIONS CONSIDERATION (only applies to wrongdoing matters (including discrimination issues) that are under investigation by OI, DOL, or DOJ):

What is the potential violation and regulatory requirement? _____

When did the potential violation occur? _____

(Assign action to determine date, if unknown)

Once date of potential violation is established, SAC will assign AMS action to have another ARB at four (4) years from that date, to discuss enforcement statute of limitations issues.

NOTES: (Include other pertinent comments. Also include considerations related to licensee referral, if appropriate. Identify any potential generic issues)

Distribution: Panel Attendees, Regional Counsel, OI, Responsible Individuals (original to SAC)