

g:\alleg\panel\20020137arb.wpd ALLEGATION REVIEW BOARD DISPOSITION RECORD

Allegation No.: RI-2002-A-0137  
Site/Facility: Salem  
ARB Date: 10/30/2002

Branch Chief (AOC): Meyer  
Acknowledged: No  
Confidentiality Granted: No

**Issue discussed:** Allegor contends that bolting being installed (Hilti bolts) to support a modification in which cable trays are being covered with fire wrap material, will not hold up the cable trays due to added weight of the fire wrap material.

Allegor contends he was harassed for raising this concern. Allegor is also concerned that he will be suspended by NPS, and that this will negatively affect his ability to get work at other nuclear facilities in the near future. Allegor also indicated that he has been put on undesirable jobs since raising his concern.

Allegor contacted prior to referral to licensee (if applicable)? Not Asked

**ALLEGATION REVIEW BOARD DECISIONS**

**Attendees:** Chair - Clifford Branch Chief (AOC) - Barber (Act) SAC - Vito  
OI Rep. - Wilson RI Counsel - \_\_\_\_\_ Others - Linville, Walker, Pindale

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

- 1) Contact allegor to ascertain if they object to referral of issue to licensee. Provide documentation of allegor's response to SAC for file.

Responsible Person: SAC  
Closure Documentation: \_\_\_\_\_

ECD: 11/8/2002  
Completed: 11/11/02

- 2) Acknowledgment letter

Responsible Person: SAC  
Closure Documentation: \_\_\_\_\_

ECD: 11/19/2002  
Completed: \_\_\_\_\_

- 3) Refer technical issue to PSEG. DRP to provide enclosure for referral letter.

Responsible Person: Meyer  
Closure Documentation: \_\_\_\_\_

ECD: 11/15/2002  
Completed: \_\_\_\_\_

- 4) Review licensee response.

Responsible Person: Meyer/Linville  
Closure Documentation: \_\_\_\_\_

ECD: 12/31/2002  
Completed: \_\_\_\_\_

- 5) Perform prima facie review to assess whether OI should investigate assertion of H&I. Provide documentation of review to SAC and OI for file. OI will open investigation if Regional Counsel determines that a prima facie case exists.

Responsible Person: Fewell  
Closure Documentation: \_\_\_\_\_

ECD: 11/8/2002  
Completed: \_\_\_\_\_

**ARB MINUTES ARE REVIEWED AND APPROVED AT THE ARB**

F-1170

**SAFETY SIGNIFICANCE ASSESSMENT:** The risk significance of this concern appears low since additional bolting could be added at a later date, if needed.

**PRIORITY OF OI INVESTIGATION:**

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):

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

Alleger asserts that some of the reprimands he receive were justified because of a self admitted absentee problem, while the other reprimand are based on an overly critical subjective judgement of his workmanship on the job by his supervisor.

**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)

NOV 13 2002

Ernie Wilson, FOD OI, discussed with SAC the priority of the OI Investigation 12002-042 on H & I as normal.