

From: Richard Barkley *RI*
To: David Vito
Date: Thu, Jul 22, 1999 2:24 PM
Subject: H&I/ECP WORDS FOR PENDING LETTER TO INDIVIDUAL ON 6/24
ENFORCEMENT CONFERENCE RESULTS

Dave,

As requested, attached are the words I drafted up for the subject letter. The letter provides the results of the 6/24 enforcement conference with PSE&G on an H&I issue and responds to the individual's assertions regarding the Employee Concerns Program (ECP) at Artificial Island. My suggested words are consistent with Glenn's thoughts and proposed approach in this matter. Please note that PSE&G has completed the employee survey referenced in their July 6, 1999, letter. I have contacted the ECP group at PSE&G and they will provide me with the results of that survey in the very near future. I am assuming that the survey results will be consistent with those obtained last year.

In addition, I recommend that we either take this matter to an allegation panel or sit down with Randy and provide our basis why no further NRC action on the individual's assertions is warranted. Given the sensitivity and visibility of the concerns, I would strongly prefer a formal allegation panel in the matter.

Please note that Glenn and I are out of the office all next week. Steve Barr will be capably filling in for us. I think that Steve would do a fine job running an allegation panel in this matter if necessary to meet enforcement timeliness goals. Otherwise, please wait until Glenn and I return from vacation to panel the issue. Thanks!

CC: A. Randolph Blough, Glenn Meyer, Jeff Laughlin, ...

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We note that the Employee Concerns Program was established by PSE&G in 1995 and was subsequently revised based on the results of a benchmarking survey at other nuclear plants. The ECP organization and processes are not prescribed by NRC regulation, but are a voluntary effort on the part of PSE&G to help employees resolve safety concerns within the nuclear organization in situations where the employee feels that the concern is not adequately being addressed by their direct supervisor or manager. A July 1997 review by the NRC of the ECP at Salem, documented in NRC Inspection Report 50-311/97-80, found the ECP and its supporting policies to be strong and provided an environment conducive to problem identification and employee concern resolution.

In response to your comments on the ECP at the enforcement conference, PSE&G provided supplemental information in this matter to the NRC on July 6, 1999. Their correspondence in this matter is provided as Enclosure 2 to this letter. We note that the ECP recently performed another station-wide survey to assess employee willingness to raise nuclear safety concerns and to use the ECP; the results of that survey were reviewed by the NRC. Based on the information provided by PSE&G, the results of the recent station-wide survey, and our previous review of this program in July 1997, the NRC does not have sufficient basis for conducting an additional review of this matter. Should you provide the NRC with substantial new information in this matter, we will evaluate whether further NRC action in this matter is warranted.