

Allegation No.: RI-2002-A-0113
Site/Facility: Salem & Hope Creek
ARB Date: 9/22/03

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

Ex 7c

Issue discussed: The allegor was originally concerned with [redacted] ability to perform duties in accordance with the Transient Assessment Response Plan (TARP) team formation procedure. When contacted by OI [redacted] chose not to be interviewed and stated that [redacted] would try to resolve [redacted] concerns within the PSEG corrective action process. The NRC issued a conditional closeout letter to the allegor stating that the NRC will consider this allegation closed unless [redacted] contacts us within 30 days of the date of the letter. [redacted] did contact NRC in a November 20, 2002, letter and stated that [redacted] wanted the NRC to keep the issue open.

In a telephone call and subsequent letter dated 12/20/02, the allegor wanted the NRC to pursue [redacted] H&I claim and wanted to address the TARP issue.

DRP reviewed a 2/19/03 OI transcript (previously completed) and the final OI Report (OI Case no. 1-2003-010) and did not identify any new technical issues. In their final report, OI did not substantiate that H&I took place.

In a 9/2/03 information package, the allegor indicated that PSEG is showing a continuing pattern of discrimination since he/she is taking medication that precludes him/her from being on the TARP team (Medical Department at PSEG is aware) but yet the individual received an unsatisfactory mid-year performance appraisal on 8/28/03.

Allegor contacted prior to referral to licensee (if applicable)? Yes

ALLEGATION REVIEW BOARD DECISIONS

Attendees: Chair - Crlenjak Branch Chief (AOC) - Barber SAC - Vito, Harrison
OI Rep. - Wilson RI Counsel - Farrar Others - Conte, Caron, Holody

DISPOSITION ACTIONS:

- 1) DRP completed review of the 9/3/03 information package and did not identify any new technical issues.

Responsible Person: Barber
Closure Documentation: _____

ECD: 09/22/03
Completed: 09/11/03

- 2) OI to review the 9/3/03 information package to determine if the unsatisfactory mid-year performance appraisal related to his/her engagement in protected activities. Provide documentation of review to SAC by e-mail for file.

Responsible Person: Wilson/Monroe
Closure Documentation: _____

ECD: 9/26/03
Completed: _____
Information in this record was deleted
in accordance with the Freedom of Information
Act, exemptions 5 FRC
FOIA- 2004-0191

SAFETY SIGNIFICANCE ASSESSMENT:

PRIORITY OF OI INVESTIGATION:

Allegor initially declined to have the NRC pursue his discrimination issue. Thus, the original OI Case (1-2002-033) was closed since the allegor did not want to be interviewed and agreed no immediate safety issues existed when [redacted] was contacted by OI. In [redacted] 12/20 letter, no new technical information was provided to warrant raising OI's priority on this case. Later, he/she requested that OI pursue H&I. In their final report, OI did not substantiate that H&I took place.

[redacted] Ex 5

ARB MINUTES ARE REVIEWED AND APPROVED AT THE ARB F/5

Portions Ex 5 F 7c