



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

~~THIS DOCUMENT IDENTIFIES  
AN ALLEGER~~

NOV 6 2002

RI-2002-A-0113

Subject: Concern You Raised to the NRC Regarding Salem and Hope Creek

Dear [redacted]

Ex 7c

The NRC Region I office has completed its follow up in response to the discrimination concern you brought to our attention during your meeting with Mr. J. Schoppy, the NRC Senior Resident Inspector at Hope Creek, on August 23, 2002. Enclosure 1 to this letter restates your discrimination concern and describes our review and conclusions regarding that concern.

Thank you for informing us of your concern. We feel that our actions in this matter have been responsive. Should you have any additional questions, or if I can be of further assistance in this matter, please call me via the NRC Safety Hotline at 1-800-695-7403.

Sincerely,

David J. Vito  
Senior Allegation Coordinator

Enclosure:  
As Stated

Information in this record was deleted  
in accordance with the Freedom of Information  
Act, exemptions b7c  
FOIA- 2004-0191

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

~~THIS DOCUMENT IDENTIFIES  
AN ALLEGER~~

Portions 7c

F/15-

**Concern:**

You asserted that you were discriminated against for raising safety concerns through the corrective action process.

You stated that the week of July 1, 2002, you were informed via email that you were placed on the Transient Assessment Response Plan (TARP) callout list for D TARP weeks. You indicated that you reviewed the TARP procedure (SH.OP-AP.ZZ-0101), and determined that in your opinion, you were not qualified to be a TARP team member. You so informed your supervisor. You indicated that you did not receive a satisfactory response from your supervisor, and took your concern to the next level of management - the Engineering Programs Manager. You stated that you outlined for the Engineering Programs Manager the problems with the TARP procedure. According to you, the Engineering Programs Manager agreed that the guidance is not followed as written and requested that you document your concerns in the corrective action process. You were removed from the TARP callout list on July 21, 2002. You stated that you initiated corrective action notification on .

You stated that on , the Engineering Programs Manager completed the evaluation of notification (evaluation ) and determined that all procedure sections were being followed. You stated that subsequently, on August 9, your supervisor challenged you with the completed evaluation, asking for your decision (on TARP participation). You stated that when you asked for time to review the evaluation, a verbal confrontation ensued, wherein your supervisor stated "that's it, you're out of here" and proceeded to escort you off site. nc

You stated that due to stress, you were out sick the week of August 12, 2002, and that upon your return on August 19, 2002, you could not access the protected area and discovered that you had been administratively removed from site (access denied through security). Subsequently that day you indicated that you met with your supervisor and the Engineering Supervisor - Spare Parts Engineering, to discuss your performance. You stated that your supervisor told you that failure to join the TARP team could result in actions up to and including termination. You stated that you told your supervisor that you felt discriminated against for raising the TARP team issue and that you felt that the experience had a chilling effect on you but that you would do what they wanted. You stated that at this point, your supervisor told you that you were suspended but quickly retracted the suspension. Your supervisor went on to say "you can come back, you'll be on the D TARP team, but no more railing about safety indicators [you are in charge of checking the performance indicator data for NRC and WANO input], no slamming management, just smile and be happy." You agreed but were upset by this encounter and felt "chilled." You indicate that you do not feel comfortable discussing the issue with your management for fear of losing your job.

**Response to Concern:**

On September 11, 2002, the Region I Field Office of the NRC Office of Investigations (OI) contacted you to schedule a formal interview. In this initial discussion, you informed OI that you had submitted your discrimination concern to the PSEG Nuclear Employee Concerns Program

(ECP) and that it was your preference at this time to use the ECP and see if your concern could be resolved satisfactorily in that manner. During a subsequent conversation with OI on September 23, 2002, you reiterated your desire to pursue your concern with ECP at this time, and indicated that you did not desire to be formally interviewed by NRC OI. We have discussed this matter and have decided to honor your request that the NRC not pursue a formal discrimination investigation at this time.

Also, as indicated in our previous letter to you dated September 11, 2002, we would like to understand whether you still have any technical concerns with regard to the TARP procedure. While you indicated, in the information you initially provided to Mr. Schoppy, that your TARP concern had been placed in the Corrective Action Process, and had been subsequently evaluated and determined to be satisfactory by the Engineering Programs Manager, you did not indicate whether you felt that your initial concerns had been satisfactorily resolved. If you have any remaining concerns about the TARP procedure that you do not believe have been or will be resolved by way of the corrective action process, please provide those concerns to me by contacting me at the toll free number noted on the cover letter, or by providing comments in writing to:

David Vito  
P. O Box 80377  
Valley Forge, PA 19484.

If you provide us with no additional information on either your discrimination concern or the TARP procedure issue within 30 days of the date you receive this letter, we intend to close our file on these matters. If you choose to provide additional information after that time, we will evaluate whatever information you provide to determine if additional NRC action is appropriate.