


U.S. NUCLEAR REGULATORY COMMISSION		NRC FOIA REQUEST NUMBER(S)	
 <p><b>RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST</b></p>		<b>FOIA — 96-351</b>	
		RESPONSE TYPE	
		FINAL	<input checked="" type="checkbox"/> PARTIAL 10th
		DATE <b>FEB 11 1997</b>	
REQUESTER Mr. J. H. O'Neill, Jr. ATTN: W. R. Hollaway		DOCKET NUMBER(S) (if applicable)	
<b>PART I.—AGENCY RECORDS RELEASED OR NOT LOCATED (See checked boxes)</b>			
<input type="checkbox"/> No agency records subject to the request have been located.			
<input type="checkbox"/> No additional agency records subject to the request have been located.			
<input type="checkbox"/> Requested records are available through another public distribution program. See Comments section.			
<input type="checkbox"/> Agency records subject to the request that are identified in Appendix(es) _____ are already available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.			
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Agency records subject to the request that are identified in Appendix(es) _____ are being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.		
<input type="checkbox"/> The nonproprietary version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.			
<input type="checkbox"/> Agency records subject to the request that are identified in Appendix(es) _____ may be inspected and copied at the NRC Local Public Document Room identified in the Comments section.			
<input type="checkbox"/> Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.			
<input checked="" type="checkbox"/>	<input type="checkbox"/> Agency records subject to the request are enclosed.		
<input type="checkbox"/> Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.			
<b>Fees</b>			
<input type="checkbox"/> You will be billed by the NRC for fees totaling \$ _____.			
<input type="checkbox"/> You will receive a refund from the NRC in the amount of \$ _____.			
<input type="checkbox"/> In view of NRC's response to this request, no further action is being taken on appeal letter dated _____, No. _____.			
<b>PART II. A—INFORMATION WITHHELD FROM PUBLIC DISCLOSURE</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/> Certain information in the requested records is being withheld from public disclosure pursuant to the exemptions described in and for the reasons stated in Part II, B, C, and D. Any released portions of the documents for which only part of the record is being withheld are being made available for public inspection and copying in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC in a folder under this FOIA number.		
<b>COMMENTS</b>			
The review of additional records subject to your request is continuing.			
<div style="text-align: right;">0/1 FIA1</div>			
SIGNATURE, DIRECTOR, DIVISION OF FREEDOM OF INFORMATION AND PUBLICATIONS SERVICES			
<div>FOIA 970213C137 970211 PDR FOIA ONEILL96-351 PDR</div>			

NRC FORM 464 (Part I) (1-91) 9702130137 6pp

**RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) REQUEST  
(CONTINUATION)**

FOIA NUMBER(S)

**FOIA -- 96-351**

DATE

**FEB 11 1997**

**PART II B - APPLICABLE EXEMPTIONS**

Records subject to the request that are described in the enclosed Appendix(es) Y & Z are being withheld in their entirety or in part under the Exemption No.(s) and for the reason(s) given below pursuant to 5 U.S.C. 552(b) and 10 CFR 9.17(a) of NRC regulations.

1. The withheld information is properly classified pursuant to Executive Order. (Exemption 1)

2. The withheld information relates solely to the internal personnel rules and procedures of NRC. (Exemption 2)

☒ 3. The withheld information is specifically exempted from public disclosure by statute indicated. (Exemption 3)

Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).

☒ Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).

4. The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated. (Exemption 4)

The information is considered to be confidential business (proprietary) information.

The information is considered to be proprietary information pursuant to 10 CFR 2.790(d)(1).

The information was submitted and received in confidence pursuant to 10 CFR 2.790(d)(2).

☒ 5. The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. (Exemption 5). Applicable Privilege:

☒ Deliberative Process. Disclosure of predecisional information would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. Where records are withheld in their entirety, the facts are inextricably intertwined with the predecisional information. There also are no reasonably segregable factual portions because the release of the facts would permit an indirect inquiry into the predecisional process of the agency.

Attorney work-product privilege. (Documents prepared by an attorney in contemplation of litigation.)

Attorney-client privilege. (Confidential communications between an attorney and his/her client.)

6. The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy. (Exemption 6)

7. The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated. (Exemption 7)

Disclosure could reasonably be expected to interfere with an enforcement proceeding because it could reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow recipients to take action to shield potential wrongdoing or a violation of NRC requirements from investigators. (Exemption 7 (A))

Disclosure would constitute an unwarranted invasion of personal privacy. (Exemption 7(C))

The information consists of names of individuals and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources. (Exemption 7 (D))

OTHER

**PART II C - DENYING OFFICIALS**

Pursuant to 10 CFR 9.25(b) and/or 9.25(c) of the U.S. Nuclear Regulatory Commission regulations, it has been determined that the information withheld is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest. The persons responsible for the denial are those officials identified below as denying officials and the Director, Division of Freedom of Information and Publications Services, Office of Administration, for any denials that may be appealed to the Executive Director for Operations (EDO).

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL		
			EDO	SECRETARY	IG
H. J. Miller	Administrator, Region 1	Y/1 7/3, 4, 6, 7, 8, 10	X		
S. Joosten	Executive Assistant	Y/2		X	
J. Lieberman	Director, OE	Y/3 7/1, 2, 5, 9	X		

**PART II D - APPEAL RIGHTS**

The denial by each denying official identified in Part II C may be appealed to the Appellate Official identified there. Any such appeal must be made in writing within 30 days of receipt of this response. Appeals must be addressed, as appropriate, to the Executive Director for Operations, to the Secretary of the Commission, or to the Inspector General, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision."

APPENDIX X  
RECORDS BEING RELEASED IN THEIR ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/ (PAGE COUNT)</u>
1.	No date	Open Enforcement Conference Survey (2 pages)
2.	04/07/94	Salem Generating Station NRC Enforcement Conference - AGENDA (49 pages)
3.	05/11/94	E-mail from D. Holody to J. Gray, et al., Subject: Action Item 94-126 (EA 94-003) with attached 05/10/94 e-mail from J. White to D. Holody (2 pages)
4.	09/15/94	Note from D. Holody transmitting Transcript W/Errata Sheets (5 pages)
5.	12/12/94	E-Mail to D. Holody from Mark A. Satorius (1 page)
6.	01/18/95	Ltr from William H. Briggs, Jr. to James E. Beall (2 pages)
7.	01/27/95	Ltr from Mark J. Wetterhahn to Richard W. Cooper (3 pages)
8.	01/31/95	Ltr from Joseph R. Gray to Ross, Dixon, and Masback (3 pages)
9.	02/06/95	Ltr from William H. Briggs, Jr. to Karla D. Smith (17 pages)
10.	02/08/95	Transcript - Attachment 10 - Closed Enforcement Conference (93 pages)
11.	02/08/95	Transcript - Attachment 12 - Enforcement Conference - Polizzi with attached 4/11/95 letter to V. Polizzi from T. Martin (117 pages)
12.	02/08/95	Transcript - Attachment 13 - Enforcement Conference - Reiter with attached 4/11/95 letter to L. Reiter from T. Martin (65 pages)
13.	02/24/95	Transcript- Attachment 11 - Enforcement Conference - Vondra with attached 4/11/95 letter to C. Vondra from T. Martin (143 pages)

APPENDIX X  
(continued)  
RECORDS BEING RELEASED IN THEIR ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
14.	04/13/95	E-mail to B. Summers from D. Holody with attached EA request (2 pages)
15.	12/08/95	E-Mail to D. Holody, et al., from L. Nicholson, Subject: RA Action Item 95-222 (1 page)
16.	12/12/95	E-Mail to M. Satorius, et al., from D. Holody, Subject: RA Action Item 95-222 (1 page)
17.	12/13/95	Ltr from James Lieberman, Director OE to Mr. E. James Farland (1 page)



APPENDIX Y  
RECORDS BEING WITHHELD IN PART

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	06/30/94	Ltr from James H. Joyner to Steven E. Miltenberger, Subject: Inspection 50-272/94-16; 50-311/94-16; 50-354/94-15 (06/13-17/94) with enclosed NOV and report (13 pages) <b>EX. 3</b>
2.	10/02/95	SECY-95-246, Proposed Cumulative Civil Penalties in the amount of \$600,000 to Public Service Electric & Gas (PSE&G) Company concerning violations at Salem Units 1 & 2 (EA 95-062) (12 pages) <b>EX. 5</b>
3.	05/31/95	Various e-mails W/Background (7 pages) <b>EX.5</b>

APPENDIX Z  
RECORDS BEING WITHHELD IN THEIR ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/ (PAGE COUNT)/EXEMPTIONS</u>
1.	No date	Salem Predecisional Enforcement conference (6 pages) <b>EX. 5</b>
2.	No date	Salem Unit 1 Enforcement Conference Briefing Summary (2 pages) <b>EX. 5</b>
3.	No date	Summary for Falsification of Plant Records (NRC IN 92-30) (5 pages) <b>EX. 5</b>
4.	No date	Enforcement Panel Briefing Form (1 page) <b>EX. 5</b>
5.	04/09/91	Enforcement Panel Briefing Form (1 page) <b>EX. 5</b>
6.	04/08/93	E-Mail from Daniel J. Holody to (1 page) <b>EX. 5</b>
7.	10/18/93	Enforcement Panel Briefing Form (1 pages) <b>EX. 5</b>
8.	11/13/93	Note from D. Holody re: DOL Compliance Officer (CO) Report (1 page) <b>EX. 5</b>
9.	05/04/94	Enforcement Panel Briefing Form (3 pages) <b>EX. 5</b>
10.	02/16/95	E-Mail from Daniel J. Holody to Various, Subject: Salem POPS Enf Panel (11 pages) <b>EX. 5</b>

# SHAW, PITTMAN, POTTS & TROWBRIDGE

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

2300 N STREET, N.W.  
WASHINGTON, D.C. 20037-1128  
(202) 663-8000  
FACSIMILE  
(202) 663-8007

JOHN H. O'NEILL, JR. P.C.  
(202) 663-8148

August 30, 1996

## FOIA/PA REQUEST

Case No.	96-351
Date Rec'd	9-3-96
Action Off.	
Related Case:	

Director, Division of Freedom of  
Information & Publications Services  
Office of Administration  
U.S. Nuclear Regulatory Commission  
Two White Flint North Building  
11545 Rockville Pike  
Rockville, MD 20852

**Re: Freedom of Information Act Request Regarding the Salem Generating  
Station, Docket Nos. 50-272 and 50-311**

Dear Sir or Madam:

This is a Freedom of Information Act request pursuant to 5 U.S.C. § 552(a)(3) and 10 C.F.R. § 9.23. We request that you make available to Shaw, Pittman, Potts & Trowbridge the documents responsive to the attached Request for Production of Documents. These documents need to be made available as soon as possible to support depositions in an accelerated legal action. In order to expedite production of the documents, we have deliberately tailored this request to be narrow in scope and straightforward in the type of documents requested. We have already obtained copies of relevant documents presently available at the N.R.C. Public Documents Room and they need not be produced again in response to this request. Of course, we agree to bear the cost of this request as per 10 C.F.R. §§ 9.23(b)(4), 9.33, 9.39, and 9.40, and we authorize you to respond to this request piecemeal as documents become available. Please contact me at (202)663-8148, or William Hollaway at (202)663-8294, at your convenience if you have any questions regarding this request.

Please direct your response, pursuant to 10 C.F.R. § 9.27, to:

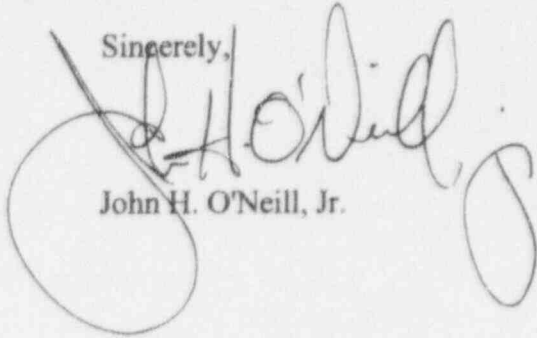
William R. Hollaway, Ph.D.  
Shaw, Pittman, Potts & Trowbridge  
2300 N Street, N.W.  
Washington, D.C. 20037-1128  
(202)663-8294  
Fax: (202)663-8007

9612030313

Director, Division of Freedom of Information and Publications Services  
August 30, 1996  
Page 2

Thank you for your cooperation in this matter.

Sincerely,



John H. O'Neill, Jr.

Attachment

**REQUEST FOR PRODUCTION OF DOCUMENTS****I. DIRECTIONS AND INSTRUCTIONS**

1. The term "NRC" means the United States Nuclear Regulatory Commission, all offices and/or branches thereof specifically including, but not limited to, headquarters in Rockville, Maryland and the Region I office in King of Prussia, Pennsylvania, and also includes all employees, consultants, agents, and representatives to the maximum extent permitted by 10 C.F.R. § 9.3, unless otherwise indicated by the request.
2. The term "Salem" means one or both units of the Salem Generating Station located in Hancocks Bridge, New Jersey and operated by the Public Service Electric and Gas Company.
3. The term "SAP" means the Salem Assessment Panel that was developed in 1995 specifically to review Salem Generating Station on an ongoing basis, including all members and supervisors thereof.
4. The term "PSE&G" refers to the operator of Salem, Public Service Electric and Gas Company.
5. The term "PECO Energy" refers to PECO Energy Company, formerly known as Philadelphia Electric Company.
6. The term "Delmarva" refers to Delmarva Power & Light Company.
7. The term "Atlantic Electric" refers to Atlantic City Electric Company.
8. The term "SALP" means the Strategic Assessment of Licensee Performance, a comprehensive review of plant performance, performed for each plant on an 18-month cycle. The most recent SALP review for Salem was issued on January 3, 1995.
9. The term "Enforcement Action" means a civil penalty levied by the NRC against the licensees of Salem pursuant to single or multiple violations at Salem. The most recent Enforcement Action regarding Salem was issued on October 16, 1995.
10. The term "AIT" means the Augmented Inspection Teams that performed investigations of Salem in 1992, 1993, and 1994, including all members and supervisors thereof.
11. The term "SIT" means the Special Inspection Team that performed an investigation of Salem in 1995, including all members and supervisors thereof.

12. The term "PA" means the comprehensive Performance Assessment evaluation of Salem performed in July-August, 1995 to aid in focusing future NRC inspection resources at Salem.
13. The term "Confirmatory Action Letter" means the letter from the NRC to PSE&G on June 9, 1995 confirming PSE&G commitments to take specific actions prior to the restart of Salem and confirming that failure to take these actions may result in enforcement action.

## II. DOCUMENTS REQUESTED

1. All documents concerning the NRC's Salem Assessment Panel ("SAP") established on August 2, 1995, especially including but not limited to:
  - a. All internal NRC discussions concerning the formation and purpose of the SAP;
  - b. Transcripts, meeting minutes, summaries, and handouts of all meetings of the SAP;
  - c. Lists of attendees at all meetings of the SAP;
  - d. All materials presented to the SAP;
  - e. All notes taken during presentations and meetings of the SAP;
  - f. All reports or memoranda of the SAP;
  - g. All reports or memoranda written by any members of the SAP concerning Salem.
2. All documents concerning the NRC's Systematic Assessment of Licensee Performance ("SALP") reviews of Salem from 1990 through the present, especially including but not limited to:
  - a. Transcripts, meeting minutes, summaries, and handouts of all NRC meetings on the Salem SALP reports;
  - b. Lists of attendees at all meetings on the Salem SALP reports;
  - c. Variances, differences or changes between consecutive Salem SALP reports;
  - d. Internal NRC discussions about interim drafts of the Salem SALP reports;
  - e. Internal NRC discussions about final drafts of the Salem SALP reports;



- f. Internal NRC discussions about variances, differences or changes between interim reports and the final Salem SALP reports;
  - g. The basis for each of the findings in the Salem SALP reports;
  - h. Region I's knowledge of issues raised in the Salem SALP reports;
  - i. Region I's knowledge of PSE&G's plans to address issues raised in the various Salem SALP reports;
  - j. Internal Region I discussions concerning the findings and conclusions expressed in the Salem SALP reports;
  - k. Whether NRC or Region I ever expressed any concerns about poor or declining performance or the like to PSE&G related to the Salem SALP reports;
  - l. Communications between NRC and Region I personnel concerning consistencies or inconsistencies between the various Salem SALP reports;
  - m. All documents setting forth or discussing the deliberations and considerations on the SALP boards reviewing Salem performance from 1990 to the present;
  - n. To the extent not covered by previous requests, all other documents regarding the Salem SALP reports.
3. All documents concerning potential and actual NRC enforcement actions regarding Salem from 1990 to the present, including but not limited to:
- a. Transcripts, meeting minutes, summaries, and handouts from all Enforcement Conferences concerning Salem between NRC and PSE&G, including but not limited to meetings on February 2, 1992; April 9, 1992; April 6, 1993; February 1, 1994, July 28, 1994; February 10, 1995; June 1, 1995, June 23, 1995; July 13, 1995, and July 28, 1995;
  - b. Lists of attendees at all Enforcement Conferences concerning Salem between NRC and PSE&G;
  - c. Transcripts, meeting minutes, summaries, and handouts from all internal NRC meetings concerning enforcement actions regarding Salem;
  - d. Lists of attendees at all internal NRC meetings concerning enforcement actions regarding Salem;
  - e. Communications with PSE&G concerning potential and actual NRC enforcement actions regarding Salem;

- f. Communications with others concerning potential and actual NRC enforcement actions regarding Salem, especially including but not limited to PECO Energy, Delmarva, and Atlantic Electric;
  - g. Internal NRC discussions concerning potential NRC enforcement actions regarding Salem;
  - h. Internal NRC discussions concerning actual NRC enforcement actions regarding Salem, including but not limited to the \$50,000 civil penalty issued March 9, 1994; the \$500,000 civil penalty issued October 5, 1994; \$80,000 civil penalty issued April 11, 1995; and the \$600,000 civil penalty issued October 16, 1995;
  - i. The basis and rationale for taking each of the enforcement actions regarding Salem;
  - j. Internal NRC discussions about drafts of the enforcement actions regarding Salem;
  - k. Internal NRC discussions concerning the findings and conclusions expressed in the enforcement actions regarding Salem;
  - l. Internal NRC discussions concerning PSE&G's responses to each of the enforcement actions regarding Salem;
4. All documents concerning meetings between the NRC and PSE&G management or Board of Directors concerning the performance of Salem from 1990 to the present, including but not limited to:
- a. Transcripts, meeting minutes, summaries, and handouts from all meetings, including but not limited to meetings on June 25, 1992; July 1, 1992; October 10, 1992; July 16, 1993; July 18, 1993; August 6, 1993; May 7, 1994; March 20, 1995; March 21, 1995; April 3, 1995; June 5, 1995; and May 24, 1996;
  - b. Lists of attendees at all such meetings;
  - c. Communications with PSE&G concerning such meetings;
  - d. Communications with others concerning such meetings, especially including but not limited to PECO Energy, Delmarva, and Atlantic Electric;
  - e. Internal NRC discussions concerning such meetings.
5. All documents concerning the NRC Augmented Inspection Team ("AIT") investigations of incidents at Salem from November 11-December 3, 1991; December 14-23, 1992; June 5-28, 1993; and around April 1994, including but not limited to:

- a. Transcripts, meeting minutes, summaries, and handouts from all AIT meetings regarding Salem;
  - b. Lists of attendees at all AIT meetings regarding Salem;
  - c. Communications with PSE&G concerning the AIT investigations at Salem and AIT meetings regarding Salem;
  - d. Communications with others concerning the AIT investigations at Salem and AIT meetings regarding Salem, especially including but not limited to PECO Energy, Delmarva, and Atlantic Electric;
  - e. Internal NRC discussions concerning the AIT meetings regarding Salem;
  - f. The reasons why the NRC decided to do the AIT investigations at Salem.
  - g. The basis for each of the findings in the AIT reports of investigations at Salem;
  - h. Notes taken by inspectors during and after the AIT investigations at Salem;
  - i. Internal NRC discussions about interim drafts of the AIT reports of investigations at Salem;
  - j. Internal NRC discussions about final drafts of the AIT reports of investigations at Salem;
  - k. Internal NRC discussions concerning the findings and conclusions expressed in the AIT reports of investigations at Salem.
6. All documents concerning the NRC Special Inspection Team ("SIT") review of Salem performance from March 26-May 12, 1995, including but not limited to:
- a. Transcripts, meeting minutes, summaries, and handouts from all SIT meetings regarding Salem;
  - b. Lists of attendees at all SIT meetings regarding Salem;
  - c. Communications with PSE&G concerning the SIT investigation at Salem and SIT meetings regarding Salem;
  - d. Communications with others concerning the SIT investigation at Salem and SIT meetings regarding Salem, especially including but not limited to PECO Energy, Delmarva, and Atlantic Electric;
  - e. Internal NRC discussions concerning the SIT meetings regarding Salem;

- f. The reasons why the NRC decided to perform the SIT investigation at Salem,
  - g. The basis for each of the findings in the SIT report regarding Salem,
  - h. Notes taken by inspectors during the SIT investigation at Salem,
  - i. Internal NRC discussions about interim drafts of the SIT report regarding Salem,
  - j. Internal NRC discussions about final drafts of the SIT report regarding Salem,
  - k. Internal NRC discussions concerning the findings and conclusions expressed in the SIT report regarding Salem.
7. All documents concerning the NRC's Performance Assessment ("PA") review of Salem from July 11-August 25, 1994, including but not limited to:
- a. Transcripts, meeting minutes, summaries, and handouts from all meetings concerning the PA review regarding Salem,
  - b. Lists of attendees at all meetings concerning the PA review regarding Salem,
  - c. Communications with PSE&G concerning the PA review and PA review meetings regarding Salem,
  - d. Communications with others concerning the PA review and PA review meetings regarding Salem, especially including but not limited to PECO Energy, Delmarva, and Atlantic Electric,
  - e. Internal NRC discussions concerning the PA review meeting regarding Salem,
  - f. The reasons why the NRC decided to do a PA review regarding Salem,
  - g. The basis for each of the findings in the report regarding the PA review regarding Salem,
  - h. Notes taken during the PA review regarding Salem,
  - i. Internal NRC discussions about interim drafts of the PA review report regarding Salem,
  - j. Internal NRC discussions about final drafts of the PA review report regarding Salem,
  - k. Internal NRC discussions concerning the findings and conclusions expressed in the PA review report regarding Salem.

- 8 All documents concerning the Confirmatory Action Letter of June 9, 1995 (CAL No. 1-95-009), including but not limited to:
- a Communications with PSE&G concerning the Confirmatory Action Letter;
  - b Communications with others concerning the Confirmatory Action Letter, especially including but not limited to PECO Energy, Delmarva, and Atlantic Electric;
  - c Internal NRC discussions concerning the Confirmatory Action Letter;
  - d Discussions with Region I concerning non-final drafts of the Confirmatory Action Letter;
  - e Discussions with Region I concerning final drafts of the Confirmatory Action Letter;
  - f Region I's knowledge of the issues raised in the Confirmatory Action Letter;
  - g Region I's knowledge of PSE&G's plans to address issues raised in the Confirmatory Action Letter.

348574-01 / DOC5DC1

## OPEN ENFORCEMENT CONFERENCE SURVEY

Licensee Public Service Electric + Gas  
 Facility Salem  
 EA 94-112  
 Date of Enforcement Conference 7/28/94  
 Presiding NRC Official Tim MARTIN

• **Impact on The NRC's Ability to Conduct an Enforcement Conference and/or Implement The Agency's Enforcement Program**

1. Was there a delay in the enforcement process due to holding an open enforcement conference? a. Yes b. No *Slightly*

If yes, what was the cause for the delay?

- a. Providing sufficient public notice of the conference.  
 b. Licensee requested additional time to prepare for the open enforcement conference.  
 c. Other. Explain. Had to send Commission Paper to get approval to be open because of public interest

If yes, how long was the delay? couple weeks

2. Were any members of the public disruptive to the proceedings? a. Yes b. No

• **Impact on Licensee's Participation During the Open Enforcement Conference**

3. Does the staff believe that the licensee's communication with the staff during the open enforcement conference was less candid or more guarded than in past enforcement conferences or in other meetings where the public was not present? In answering this question, consideration should be given to whether the licensee tended to answer staff questions more narrowly or whether the licensee volunteered additional information or whether the staff had to be more persistent in questioning the licensee to gain full information during the open enforcement conference. Consideration should also be given to whether there was any change in practice in the licensee having an attorney present at the conference.

- a. No difference.  
 b. Little difference.  
 c. Big difference. Explain. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*X/1*



12. Was substantially more staff time spent in preparing for the open enforcement conference? a. Yes ☒ b. No

If yes, explain. Although more people involved

In answering questions thirteen through nineteen, the staff should give consideration to such issues as the need for certain staff members to attend the open enforcement conference, the need to provide escorts, the need to make copies of handouts, the need to answer questions from the audience after the conference, the need to respond to the open enforcement conference survey, etc.

13. Was a higher level of management involved in the open conference than the level of management typically involved in closed conferences? a. Yes ☒ b. No

If yes, explain. Regional Administrator normally does not attend ELS, but attended this one

14. Were there substantially increased demands on the public affairs staff? a. Yes ☒ b. No

If yes, explain. Although alot of media attended

15. Were there substantially increased demands on the legal staff? a. Yes ☒ b. No

If yes, explain. \_\_\_\_\_

16. Were there substantially increased demands on the security staff? a. Yes ☒ b. No

If yes, explain. \_\_\_\_\_

17. Were there substantially increased demands on the enforcement staff? a. Yes ☒ b. No

If yes, explain. \_\_\_\_\_

18. Were there substantially increased demands on the technical staff? a. Yes ☒ b. No

If yes, explain. \_\_\_\_\_

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
AGENDA**

**INTRODUCTION**

**S. MILTENBERGER**

**APRIL 7, 1994 EVENT**

**J. HAGAN**

Event Analysis  
Independent Assessment  
Event Significance

**POTENTIAL VIOLATIONS**

Failure to take corrective actions  
Loss of configuration control

**C. LAMBERT**

Command and Control  
E-Plan Communications  
Procedural Adequacy

**L. CATALFOMO**

Request for Discretionary Enforcement

**F. THOMSON**

**REGULATORY ASSESSMENT**

**F. THOMSON**

**SALEM IMPROVEMENT FOCUS**

**S. MILTENBERGER**

Equipment  
Procedures  
People

**SUMMARY**

**S. MILTENBERGER**

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
EVENTS ANALYSIS**

**Initial load reduction to reactor trip**

- Circulating water pumps tripping due to marsh grass
  - Dedicated team at circulating water structure experiences difficulty due to quantity of grass
- Operators make decision to take Unit off-line
  - Shift supervisor directs transfer of electrical busses
  - Operator has primary temperature trending down but does not communicate this to shift supervisor
- Control rods manually withdrawn to restore primary temperature; results in an automatic reactor trip
- Automatic plant protection systems function as designed to trip the reactor

**Root cause**

- Control rods withdrawn farther than required
- Inadequate command and control

# SALEM GENERATING STATION NRC ENFORCEMENT CONFERENCE EVENTS ANALYSIS

## First Safety Injection

- Immediately following the reactor trip a safety injection occurs
  - Main turbine stop valve closure generates a pressure pulse in the main steam lines
  - Main steam flow transmitters respond to the short duration pressure pulse
- Operators enter the emergency operating procedures
  - Operators recognize only Train A actuation
  - Single train actuation results in additional component verification and positioning per procedures
- Pressurizer goes solid, PORVs operate as designed to control primary system pressure
- Operators verify plant conditions and reset safety injection allowing the securing of Emergency Core Cooling System equipment
- Primary system temperature increases due to residual heat

## Root cause

- Operator error allowed a low primary system temperature. This, coincident with a false short duration high steam flow signal, generated the safety injection.
- The false high steam flow signal was due to a steam flow transmitter design vulnerability.

# SALEM GENERATING STATION NRC ENFORCEMENT CONFERENCE EVENTS ANALYSIS

## Second safety injection

- Primary system temperature increase results in secondary system pressure increase
  - Operators do not adequately communicate this with each other
- Atmospheric Relief Valves (MS-10) do not open at their setpoint
  - Operator does not take manual control as trained
- Stearns generator safety valve operates to control secondary system pressure
- Second safety injection results from low pressurizer pressure
- Pressurizer PORVs operate as designed to control primary system pressure
- Pressurizer relief tank rupture disc functions as designed

## Root cause

- Personnel performance
  - Less than adequate crew communications (primary system temperature increase and effect on secondary system)
  - Operator not taking manual control of MS-10
- Inadequate design of the MS-10 automatic control system

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
INDEPENDENT ASSESSMENT OF EVENT**

**Three independent assessments**

- Post trip review
  - Salem Operations & Technical Departments
  
- Significant Event Response Team
  - Multi-disciplined team convened by station manager
  - Specific charter
  
- NRC Augmented Inspection Team
  - Dedicated team formed by NRC to assess significant industry events
  - Specific charter

Conclusions of the three independent assessment efforts are similar



**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
EVENT SIGNIFICANCE**

- Inadequate management direction and inappropriate operator actions resulted in unnecessary challenges to protection equipment
  - Non-conservative operational decisions during the transient resulted in inappropriate focus on secondary plant recovery with degrading RCS conditions
  - Operator errors and supervisors' failure to maintain command and control complicated transient response
  - Crew communications and teamwork were below performance expectations
  - Long term tolerance of hardware issues led to RCS pressure boundary challenge
  - Contingency actions not adequately addressed for control room response based on circulating water problems

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**Summary of Potential Violation (B)**

Contrary to 10CFR50, Appendix B, Criterion XVI, PSE&G failed to identify and take corrective actions for conditions adverse to quality

- Spurious high steam flow signals leading to unnecessary safety injection
- Main Steam Atmospheric Relief Valve (MS10) reset/windup condition

**PSE&G Position**

We agree with the finding

Spurious high steam flow signals

- PSE&G did not recognize that rapid closure of turbine stop valves caused a pressure wave to reflect back and forth initiating the high steam flow signal
- Computer analysis was required to confirm that rapid turbine stop valve closure initiated a reflective pressure wave resulting in subsequent high steam flow signals

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**MS10 Reset Windup**

- Since 1977, issue had been addressed via operator intervention and training
- Elimination of reset/windup was included in scope of Digital Feedwater System design change initiated in 1991. Implementation scheduled for Spring 1995 Outage

**Root Cause**

- Management failure to take appropriate and timely corrective actions

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**Corrective Actions Taken**

**Generic Corrective Actions**

- Reinforcement that individuals are expected to identify and participate in the correction of identified problems
- Line management owns the problem and the permanent solutions
- Monitoring effectiveness of corrective action

**Spurious High Steam Flow Signals**

- Steam Hammer Hydraulic Analysis performed to determine effect on pressure sensing lines resulting from rapid stop valve closure
- Modifications implemented for Salem Units 1 and 2 to reduce transmitter sensitivity to high steam flow spikes
- Root Cause Analysis Procedure being developed to provide guidance from low level problems up to and including highly significant issues

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**MS10 Reset/Windup**

- Modifications implemented for Salem Units 1 and 2 to correct response of MS10s
- Verification of modification adequacy confirmed on Salem simulator and through post modification testing
- Systematic review of work-arounds completed with prioritization of followup actions in process
- All work lists being integrated and priorities being evaluated by station management

**Safety significance**

Combination of these deficiencies unnecessarily challenged operators and automatic safety systems and complicated recovery from the event

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**Summary of potential violation (E)**

Contrary to 10CFR50, Appendix B, Criterion VIII, identification and control of materials, parts, and components, requires in part, that measures be established for the identification and control of parts and components

- Unit 2 Power Operated Relief Valve (PORV) internals made of 17-4PH stainless steel (original design material) were installed in valves 2PR1 and 2PR2, in lieu of internals made of type 420 stainless steel
- Installed Unit 1 summator module for the high steam flow setpoint did not have the proper identification and contained an incorrect electronic part

**PSE&G Position**

We agree with the finding. Our review determined these examples to be isolated occurrences. These occurrences were self identified



**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**Root Cause**

- **PORV internals**
  - The primary causal factor is that the work order planning process for DCPs, with shared installation activities, did not assure the proper parts are installed
  - Installation and Test Engineer (I&TE) and the station planner did not perform adequate comparisons between the work order and the DCP
  - I&TE did not follow through with station personnel involved in the valve work
  - Upon completion of field activities the work package review by several groups was inadequate due to a lack of attention to detail
  - Late issuance of the DCP
- **Summator module**
  - Installation of the wrong module by the I&C technician was personnel error

# SALEM GENERATING STATION NRC ENFORCEMENT CONFERENCE POTENTIAL VIOLATIONS

## Corrective actions taken

### ● PORV internals

- Safety evaluation on 17-4PH SS justified continued operation with this material until the 8th refueling outage
- All other joint 2R7 (E&PB/Maintenance) installation DCP projects were reviewed to assure no other similar occurrences. Similar DCPs for 1R11 are being reviewed.
- Major DCPs SORC approved six months prior to outage start
- An independent root cause investigation is complete and under review by management. Corrective actions include:
  - ▲ The E&PB planning procedure will be modified to assure the proper review of the work order parts list against the DCP BOM.
  - ▲ E&PB will prestage all material for DCPs where joint installation responsibilities are agreed upon.
  - ▲ A project directive will be issued to reinforce project expectations relative to scope of responsibilities and attention to detail as delineated in the Root Cause Report.
  - ▲ Investigation results rolled down to project personnel

# **SALEM GENERATING STATION NRC ENFORCEMENT CONFERENCE POTENTIAL VIOLATIONS**

- **Summator module**
  - All Unit 1 "special" modules were removed and checked for the correct electronic configuration
  - All Unit 2 modules were verified based on external ID on the case. All Unit 2 "special" modules will be removed and checked for the correct electronic configuration during the 2R8 outage
  - A configuration upgrade to provide a sketch for each special application is in process
  - I&C Techs were briefed by supervision on this error and management expectations

## **Safety Significance**

- **PORV Material**
  - The 17-4PH SS is an acceptable alternative material. The PORVs are capable of performing as required and did not contribute to the April 7 Event as this was a Salem Unit 2 issue
- **Summator Module**
  - Steam flow summator replacement did not contribute to the April 7th Event and resulted in a conservative SI actuation setpoint bounded by the Accident Analysis.
- **These are isolated occurrences**

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**Summary of potential violation (A)**

Contrary to Technical Specification 6.1.2 and its implementing procedure NC.NA-AP.ZZ-0002(Q), Command and Control was not properly exercised on April 7, 1994

**PSE&G position**

We agree with the finding that there was inadequate command and control demonstrated on April 7, 1994

- Delay in decision to trip turbine
- Utilization of resources

**Root Cause**

Management did not provide adequate guidance specific to the recurring grass intrusion problems which resulted in rapid down transients

Poor judgment on the part of shift supervisor

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**Corrective Actions Taken**

**Personnel/Training**

- Individuals whose performance was less than expected have been provided additional training and evaluation
- Additional simulator training sessions have been conducted for all operating crews to reinforce
  - Low power/low temperature operation issues
  - Rapid down power transients
  - Importance of team interaction within the crew
- Information Directive issued to all shift personnel to reinforce and clarify management expectations
  - Command, control and communications
  - Proper resource management

**Safety significance**

Inadequate command and control resulted in unnecessary challenges to the plant protection systems

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**Summary of apparent violation (C)**

Contrary to 10CFR50.57 and PSE&G's implementing procedure, Event Classification Guide Attachment 8, PSE&G failed to communicate within the prescribed time frame all required information, specific omissions:

- SI logic train disagreement and subsequent failure of certain plant equipment to align as expected
- Exact cause of the reactor trip
- Effect of event on the plant
- Operator plan to recover from solid plant condition



**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**PSE&G position**

We agree with the finding. Event information was not fully communicated and documented on the NRC Data Sheet

- Information provided was inappropriately judged to be adequate based on Emergency Coordinator assessment of plant conditions and expected plant response

**Root Cause**

Failure to provide adequate training to the Emergency Coordinator on the information needs of the NRC Operations Center



**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**Corrective Actions**

- ECG Attachment 8 procedure has been revised to address maintaining open line with NRC Operations Center if requested
- NRC Data Sheet will be revised to direct Emergency Response Data System (ERDS) requests at Initial Notification
- Additional guidance has been provided to all Emergency Coordinators discussing NRC data requirements
- Emergency Coordinator training program to be revised to include additional guidance on filling out NRC Data Sheet

**Safety Significance**

NRC must have adequate information relative to plant events in order to properly exercise its emergency response procedures

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**Summary of potential violation (D)**

Contrary to the requirements of T.S. 6.8.1 and R.G. 1.33 Appendix A, inadequate or nonexistent procedural guidance existed relative to:

- Recovery of RCS temperature from below minimum temperature for criticality
- Rapid power reduction due to grass intrusion
- Recognition of and response to SI train logic disagreement
- Recovery from solid plant conditions

# SALEM GENERATING STATION NRC ENFORCEMENT CONFERENCE POTENTIAL VIOLATIONS

## PSE&G position

On April 7 existing procedures met the requirements of Reg. Guide 1.33 and TS 6.8.1

- Recovery of RCS temperature
  - Alarm response procedure
    - ▲ AR.ZZ-0004 RCS Tave LO
- Rapid Power Reduction
  - Integrated Operating Procedure
    - ▲ IOP-4 Power Operation
  - Abnormal Operating Procedure
    - ▲ AB.CW-0001 Loss of Circulating Water
    - ▲ AB.COND-0001 Loss of Condenser Vacuum
- SI Train Logic Disagreement
  - Emergency Operating Procedures
    - ▲ EOP.TRIP-0001 Reactor Trip or Safety Injection
- Solid Plant Conditions
  - Emergency Operating Procedure
    - ▲ EOP.TRIP-0003 SI Termination
    - ▲ EOP-FRCI-0001 Response to High Pressurizer Level

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**PSE&G position (cont'd)**

Procedures exist to address a broad spectrum of events and conditions but cannot be expected to address every possible event scenario

- Simulator training scenarios are established to supplement procedural guidance
- Events are evaluated for lessons learned and enhancements to procedures and training programs
- Past experience with rapid down power transients did not result in similar problems. This was an isolated problem due to inappropriate control of RCS temperature
- Existing procedures met Reg. Guide 1.33 requirements and combined with training (classroom and simulator) provided the required guidance

**Lessons learned**

- Procedure enhancements and training improvements implemented

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**Summary of Potential Violation (F)**

- Failure to meet Technical Specification 3.0.3 requirements to bring the plant to hot shutdown within six hours

**PSE&G Position**

We believe discretionary enforcement was appropriate and could not have been reasonably anticipated

- Both trains of SI declared inoperable after second safety injection was reset due to block of auto actuation capability
- EOPs structured around SI being blocked after reset. Operating procedures call for reset in Mode 5 only
- Decision made to utilize Tech. Spec. while in EOPs
  - Per TS 3.0.3 plant was required to be in Hot Shutdown in six hours
- Additional time was needed prior to initiating a plant cooldown
  - Operator made prudent decision to re-establish a bubble in the pressurizer to assure a well controlled plant cooldown

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
POTENTIAL VIOLATIONS**

**PSE&G Position (cont'd)**

- Request for discretionary enforcement was consistent with intent of NRC policy
  - Literal compliance with the Technical Specification was not in the best interest of the Public Health and Safety
  - Additional action statement time allowed cooldown at a lower rate thus minimizing unnecessary challenges to the plant
  - Seeking a license amendment was impractical due to short time period involved

PSE&G could not reasonably have predicted the exact sequence of events on April 7, 1994 nor the need for enforcement discretion



**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
REGULATORY ASSESSMENT**

Based on the prior discussion of the potential violations, the following mitigating factors apply

- Comprehensive corrective actions taken
- Event consequences bounded by updated Final Safety Analysis Report (UFSAR) Condition II accident analysis criteria
- No safety limits exceeded
- Plant safety equipment performed as designed
- Comprehensive investigation of the event
- The health and safety of the public was not affected



**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
SALEM IMPROVEMENT FOCUS**

## **Equipment**

### **1990 Assessment**

- Materiel condition below the industry average
- Reliability of plant systems below acceptable levels
  - Service water piping leaks
  - Repetitive equipment failures
- CM backlog at 1600 work orders (priority A,B,1,2)
- PM/CM ratio of 29.3%
- Total plant leaks 760

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
SALEM IMPROVEMENT FOCUS**

## **Equipment**

### **Progress To Date**

- 300 Million dollars spent to date addressing equipment and materiel condition concerns
- 307 Discrete areas identified for ongoing materiel condition evaluation
  - Rating system established with overall goal of 2.80
  - Present station rating is 2.14 and improving
- CM backlog reduced to approximately 350 (Priority A, B, 1, 2) work orders per unit
- PM/CM ratio increased to 57.1 % as of June 1994
- Total plant leaks reduced to 97 as of May 1994
- Completed Reliability Centered Maintenance review of 34 key systems

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
SALEM IMPROVEMENT FOCUS**

## **Equipment**

### **Tactical Plans**

- Approximately 150 million dollars in projected expenditures to complete presently defined scope of work
- Improvements in Maintenance Program as implementation of NRC Maintenance Rule progresses
  - Prioritization using PSA
  - Improved trending to assess long term corrective action effectiveness
- Continued management emphasis on improving plant material condition and overall equipment reliability

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
SALEM IMPROVEMENT FOCUS**

## **Procedures**

### **1990 Assessment**

- Recognized weakness of implementing procedures
  - Lack of detail
  - Generic procedures not adequate for specific applications
  - Lack of detailed acceptance criteria
    - ▲ Nonexistent criteria
    - ▲ Poorly organized in procedure
  - Procedures not user friendly
- Initiated Procedure Upgrade Project
  - Overall objective to provide improved procedures of consistently high quality in terms of format, content, level of detail, technical accuracy and ease of use

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
SALEM IMPROVEMENT FOCUS**

**Procedures**

**Progress To Date**

- Procedure Upgrade Project completed
  - 3500 Procedures reviewed, developed and upgraded
  - Developed computerized procedure control system
  - PSE&G commitments annotated in procedures
- Reduction in number of procedure related LER's
- Procedures recognized as state of the art

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
SALEM IMPROVEMENT FOCUS**

**Procedures**

**Tactical Plans**

- Ongoing procedure maintenance to assure high quality is maintained
- Continue to emphasize procedural adherence through work standards, training, and supervisory oversight

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
SALEM IMPROVEMENT FOCUS**

**People**

**1990 Assessment**

- Developing a Vision Statement with an emphasis on people
- Initiating cultural changes to focus personnel on
  - Ownership
  - Attention to detail
  - Performance standards



**SALEM 1 GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
SALEM IMPROVEMENT FOCUS**

## **People**

### **Progress To Date**

- While improvements have been noted, personnel performance still does not meet our expectations
- Clearly communicating our performance expectations
  - Salem reorganization/unitization being implemented
  - Many personnel having to re-bid their existing positions
    - ▲ Emphasis on putting best qualified people in all positions
    - ▲ Poor performers identified and appropriate action taken
- Emphasis on compliance with established work standards
  - Increased supervisory oversight in the field

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
SALEM IMPROVEMENT FOCUS**

**People**

**Tactical Plans**

- Complete Reorganization/Unitization
- Personnel Performance Improvement is considered an ongoing process with the following key elements
  - Clear Expectations
  - Regular Reinforcement
  - Accountability
  - Feedback
  - Improved Work Environment
- Fully incorporate work standards into culture

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
COMPREHENSIVE PERFORMANCE ASSESSMENT**

- Multi-disciplinary team review of incidents over last few years
- Comprehensive action plan developed
- Integral part of Nuclear Department Business Plan
- Senior Management monitoring of Action Plan progress
- Multiple performance indicators to continually assess effectiveness

**SALEM GENERATING STATION  
NRC ENFORCEMENT CONFERENCE  
SUMMARY**

April 7, 1994 event was significant

- Unnecessary challenges to plant protection system
- Inappropriate operational decisions
- Inadequate Command and Control complicated event response
- Failure to address hardware problems with MS-10 controls resulted in challenge to RCS Pressure Boundary Integrity
- Crew response and interaction was below expectations
- Extensive corrective actions have been taken to address the root causes

PSE&G acknowledges our need for performance improvement and is focusing on personnel performance improvement.

termination of the employees in question affected NRC's decision to take escalated enforcement action against the licensee or the severity of the enforcement action taken.-I HAVE A SLIGHT PROBLEM MAKING THIS STATEMENT UNLESS SOMEONE CAN CONVINCE ME OTHERWISE, BECAUSE IN THE COVER LETTER FOR THE ENFORCEMENT PACKAGE, WE MENTION THE LONG TERM PROGRAM IMPROVEMENT ACTIONS AS PART OF THE COMPREHENSIVE PERFORMANCE ASSESSMENT TEAM (CPAT) AS BEING A CORRECTIVE ACTION, WHICH WE CRITICIZE. FROM PSE&G'S RESPONSE TO THE ENFORCEMENT ACTION, IT APPEARS THAT THE TERMINATIONS MAY HAVE BEEN PART OF THE CPAT. DOES ANYONE HAVE A DIFFERENT VIEW?]

If you or the nine former employees believe that you have further information regarding these issues or other issues that would fall within NRC's jurisdiction, please feel free to contact Dave Vito, Senior Allegations Coordinator, at 610-337-5222.

Sincerely,

\* In light of the two letters, who should sign it, Chairman Jackson, Tim Martin, Karla D. Smith, or Dave Vito?

Concurrence:

Smith      Vito      Holody      Wiggins      Cooper/Lanning      Kane

Martin      Chairman's Office

Cover letter needs to go to the Honorable Joseph R. Biden, Jr. w/ a copy of this letter.

bcc: Chairman Shirley Jackson  
Taylor  
Milhoan  
Martin  
Kane  
Letts  
Driscoll  
Holody  
Vito

September , 1995

The Honorable Joseph R. Biden, Jr.  
United States Senator  
6209 Federal Building  
844 King Street  
Wilmington, Delaware 19801

Dear Senator Biden:

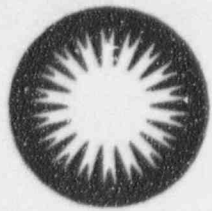
Please find attached a response to both a July 14, 1995 letter from Richard M. Schall, Esq., that you referred to the U.S. Nuclear Regulatory Commission, and a similar August 14, 1995 letter from nine former employees at the Salem Nuclear Generating Station.

If you desire further information, please have a member of your staff contact  
\_\_\_\_\_ at 610-337-\_\_\_\_\_.

Sincerely,

Chairman Shirley Jackson  
or

Thomas T. Martin, Regional  
Administrator



**PSEG**

*Public Service  
Electric and Gas  
Company*

## **NRC ENFORCEMENT CONFERENCE**

**JULY 28, 1994**

***SALEM***

***GENERATING STATION***

