



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415  
April 11, 1995

IA 95-010

Mr. Vincent Polizzi  
HOME ADDRESS DELETED  
UNDER 2.790

SUBJECT: LETTER OF REPRIMAND  
(ENFORCEMENT CONFERENCE (NRC OI INVESTIGATION 1-93-021R))

Dear Mr. Polizzi:

On February 8, 1995, the NRC conducted an enforcement conference with you in the Region I office in King of Prussia, Pennsylvania, to discuss the circumstances associated with your potential harassment and intimidation (H&I) of two Public Service Electric and Gas (PSE&G) Safety-Review Group (SRG) engineers. The conference was based on the finding of an NRC investigation by the Office of Investigations (OI) which concluded that you took action that involved H&I against two SRG engineers who were engaged in protected activities. A copy of the OI synopsis of the investigation was forwarded to you on January 11, 1995.

On December 3, 1992, two SRG engineers attempted to process a safety issue, in accordance with station procedures, by submitting an incident report (IR) to you. The IR questioned whether the safety-related qualification of commercial grade air supply pressure setpoint regulators, which control service water flow to the safety-related containment fan cooling units, were qualified seismically, configured properly, and classified properly as safety-related components. Subsequently, during discussions with the two SRG engineers, you attempted to either convince the SRG engineers that an IR was not warranted, or have them incorporate information into the IR, which you believed existed, to demonstrate that the components were operable. Subsequently, you prepared a memorandum, for the General Manager-Salem Operations' (GM-SO) signature, which was signed by the GM-SO on December 4, 1992, requesting that the two SRG engineers be removed from the site.

At the enforcement conference, you admitted that you harassed and intimidated these two individuals by your actions on December 3, 1992, including the creation of a hostile work environment, and you caused PSE&G to violate 10 CFR 50.7 by your actions in this matter, although you contend that you did not do so deliberately. Notwithstanding, your actions contributed to a chilling effect for the SRG engineers and staff. Previously, in an internal memorandum to the then Chief Nuclear Officer on April 29, 1993, you admitted that your behavior on December 3, 1992 was inappropriate and unprofessional, and effectively created a hostile environment which was rightfully perceived to be a form of intimidation that could jeopardize the independence of the safety review group.

As a senior employee at a nuclear power plant, in particular, as the then Operations Manager, you were placed in a position where your performance was expected to be above reproach. This includes appropriate resolution of all potential safety concerns, as well as professional treatment of all individuals who raise those concerns. Your actions in December 1992, did not adhere to these standards and were particularly significant since you set a poor example not only for those you supervised, but also for individuals of other organizations with whom you interfaced.

Accordingly, I have given serious consideration as to what specific action should be taken against you. I have decided, after consultation with the Director, Office of Enforcement, and the Deputy Executive Director for Nuclear Reactor Regulation, Regional Operations and Research, that this letter of reprimand is sufficient since (1) although you drafted the December 4, 1992 memorandum at the GM-SO's direction to request that the two SRG engineers be removed from any involvement in Salem Station, you subsequently did not send the memorandum after the GM-SO signed it on December 4, 1992, but held the memorandum until the GM-SO returned from vacation, thereby providing him an opportunity to reconsider his decision in this matter; (2) PSE&G took prompt disciplinary action, after its own internal investigation at the time, which included removing you from involvement with the Salem Station, as well as requiring you to develop an improvement plan, and make a presentation on the events to your peers and management; and (3) you appeared candid and remorseful with the NRC during the enforcement conference during which you admitted that you contributed to a violation of 10 CFR 50.7 at the facility. However, any similar conduct on your part in the future could result in significant enforcement action against you.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be placed in the NRC Public Document Room with your address deleted. In addition, a copy of this Letter of Reprimand is also being provided to the President and Chief Executive Officer of PSE&G.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Thomas T. Martin', with a stylized flourish at the end.

Thomas T. Martin  
Regional Administrator

Mr. Vincent Polizzi

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cc:

L. Eliason, President, Nuclear Business Unit

E. Ferland, President and Chief Executive Officer

PUBLIC

Nuclear Safety Information Center (NSIC)

NRC Resident Inspector

State of New Jersey

State of Delaware