



Public Service Electric and Gas Company P.O. Box 236 Hancocks Bridge, New Jersey 08038-0236

**Nuclear Business Unit**

**JUN 29 2000**

LRN-00-0250

United States Nuclear Regulatory Commission  
Document Control Desk  
Washington, DC 20555

Gentlemen:

RESPONSE TO A NOTICE OF VIOLATION  
NRC OI INVESTIGATION 1-96-031  
FACILITY OPERATING LICENSE DPR-70, DPR-75, and NPF-57  
SALEM NUCLEAR GENERATING STATION UNITS 1 AND 2  
HOPE CREEK GENERATING STATION UNIT 1  
DOCKET NOS. 50-272, 50-311, and 50-354

Pursuant to the provisions of 10CFR2.201, this letter submits the response of Public Service Electric and Gas Company (PSE&G) to the Notice of Violation described in a letter from the NRC dated May 30, 2000. PSE&G accepts the violation. The response is included as an attachment to this letter.

Should you have questions or comments on this transmittal, do not hesitate to contact us.

Sincerely,

A handwritten signature in dark ink, appearing to read "David F. Garchow", is written over a faint, larger version of the same signature.

David F. Garchow  
Vice President – Technical Support

Attachment

IE01

The power is in your hands.

Document Control Desk  
LRN-00-0250

2

C: Mr. H. Miller, Administrator - Region I  
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## ATTACHMENT

REPLY TO A NOTICE OF VIOLATION  
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### REPLY TO THE NOTICE OF VIOLATIONS

#### 1. Description of the Notice of Violation

"10CFR50.7 prohibits discrimination by a Commission licensee or contractor against an employee for engaging in certain protected activities. Discrimination includes discharge or other actions relating to the compensation, terms conditions, and privileges of employment. The activities which are protected included, but are not limited to, reporting of safety concerns by an employee to his employer or to the NRC.

Contrary to the above, on August 18, 1996, Wackenhut Corporation, a security force contractor for PSE&G (the licensee) discriminated against its employee, a security officer, for engaging in protected activities. Specifically, the security officer was suspended without pay for raising nuclear security concerns related to crawl testing of a crane grate."

#### 2. Response to the Notice of Violation

PSE&G accepts this violation.

##### i. Description of the Event

A contract security officer was placed on administrative leave without pay and suspended for three days in August 1996 after she expressed concern to Wackenhut personnel regarding a supervisor's failure to perform a crane gate crawl test in June 1996.

##### ii. Reason for the Violation

Evidence developed by the Office of Investigation indicate that management officials who made the decision to suspend the contract security officer were aware that she raised concerns about the crawl test incident, and made the

decision to suspend her, at least in part, based upon her having engaged in this protected activity.

iii. Corrective Steps That Have Been Taken and Results Achieved

Both contract and utility security management have been replaced since the time of this event.

PSE&G recognizes that a vigilant watch must be maintained to ensure that employees feel comfortable in raising nuclear safety issues. Since the time of this incident, PSE&G has continually reinforced to the importance of being open to employees that are raising safety issues to management. Assistance is available to help supervisors resolve these types of issues. Communication sessions were conducted in small group sessions. During these meetings the appropriate handling of safety issues raised by employees was discussed and PSE&G's zero tolerance policy on harassment and intimidation was reinforced.

Communications to supervisors were conducted to reinforce employees' right and duty to raise nuclear safety issues. Tools have been provided to supervisors to assist them in early recognition of potential situations that could lead to a prohibited action under 10CFR50.7.

PSE&G established an Employee Concerns Program (ECP) approximately five years ago. This program provides a confidential alternative path for individuals raising nuclear safety and quality concerns. The ECP augments existing programs and reinforces the fact that the first line supervisor is the primary path for an individual to raise a concern. Whenever that primary path has been ineffective in addressing a concern, or the employee is not comfortable in raising a concern to supervision, the ECP is available.

Shortly after this event was discovered, Employee Concerns Program staff members met with the contract security officers and supervisors to discuss the Employees Concern Program, the Corrective Action Program, and the use of these programs.

The Employee Concern Program staff is available to management and supervision to provide intervention assistance upon request.

Training was provided to managers and supervisors on how to deal with performance issues concerning personnel engaged in protected activities. In addition, the Employee Concerns staff is available for consultation.

iv. Corrective Steps That Will be Taken to Avoid Further Violations

No further actions are required; the corrective steps that have been taken are sufficient.

v. Date When Full Compliance Will Be Achieved

Compliance for the originating event was achieved when the zone was satisfactorily crawl tested on June 5, 1996. The corrective steps described above enhance our ability to comply with 10CFR50.7.