

July 2, 2001

The Honorable Frank A. LoBiondo
United States House of Representatives
Washington, DC 20515-3002

Dear Congressman LoBiondo:

I am responding to your letter dated May 11, 2001, concerning Mr. Norm Cohen of the UNPLUG Salem Campaign. You asked that the U.S. Nuclear Regulatory Commission (NRC) provide assistance in fulfilling certain requests made by Mr. Cohen in his March 21, 2001, letter to the NRC. Specifically, you asked that: the planned summer meeting at Salem be open to the public; officials at the NRC obtain copies of laboratory certificates associated with the steam generators at the Salem Nuclear Generating Station (Salem) from PSEG Nuclear LLC (PSEG), the licensee for Salem; the NRC share our review of the Limitorque motor-operated valve grease effectiveness; and, the whistle blower known to UNPLUG Salem be allowed to testify anonymously before the NRC.

We have been working extensively with Mr. Cohen to address these requests and other concerns. In a letter dated February 23, 2001, we provided a comprehensive response to Mr. Cohen's technical concerns. A copy is enclosed. Mr. Cohen's March 21, 2001, letter provided additional insights into his request for this meeting as originally made in his November 24, 2000, letter to Chairman Meserve. Our understanding of Mr. Cohen's request for a public meeting is that he is seeking detailed information associated with PSEG's examination of the Salem Unit No. 2 steam generators, and he wants to question the licensee directly. However, we are unable to compel the licensee to participate in such a meeting or to provide Mr. Cohen the information he requests. Therefore, in our February 23, 2001, letter to Mr. Cohen, we offered to meet with him publicly to explain the NRC's program for inspecting licensee inservice inspection (ISI) programs for steam generators. Members of the NRC staff called Mr. Cohen on April 30, 2001, to discuss the meeting we had offered in our letter. We clarified that the scope of the planned meeting will be more limited than he wished. However, we assured him that our meeting with him would be open to the public. We responded to Mr. Cohen's March 21, 2001, letter on May 21, 2001. A copy is also enclosed. Our response addressed the purpose of our meeting with the UNPLUG Salem Campaign. We stated that our regulations allow us to evaluate information onsite during our ISI inspections, and that we do not retain the information that we inspect onsite. We further explained that we are not able to obtain copies of the information in the licensee's possession solely for use by members of the public.

In his March 21, 2001, letter Mr. Cohen also asked that we obtain from PSEG copies of laboratory reports and heat treatment certificates associated with Salem's steam generators. Again, we are unable to fulfill this request since we cannot require the licensee to provide this information for members of the public. Although we have access to any and all information that is necessary to conduct our regulatory oversight duties, we do not retain all available information. Therefore, we recommended to Mr. Cohen that he contact the licensee directly to request the detailed steam generator tube inspection data and the laboratory reports and heat treatment certificates.

Mr. Cohen further requested that we share information associated with our review of Limitorque (a supplier of motor-operated valves to the nuclear industry) grease effectiveness concerns, and that the whistleblower known to UNPLUG Salem be allowed to testify

anonymously before the NRC. The concern about Limatorque grease effectiveness was raised to the NRC in early 1997. We reviewed and responded to this concern over 3 years ago. A member of the NRC staff recently spoke with the individual who raised this issue and asked if the individual desired additional feedback from the NRC, beyond the response that was initially provided. Although the individual's assessment of the issue remained the same (i.e., the person was not in full agreement with the licensee's response to this matter), the individual acknowledged that the NRC had performed an effective review of the concern. The individual further stated that they felt the NRC had provided an informed decision based on regulatory requirements. The individual indicated that no additional feedback from the NRC was necessary.

We continue to encourage anyone with information which could result in a safety concern or a matter of regulatory interest to bring these facts to the attention of the NRC. Our allegation process allows individuals to talk to the NRC and, except in special circumstances, remain anonymous. One situation where we cannot ensure anonymity is employee discrimination. In employee discrimination cases, the person's name would be essential to resolving the allegation. However, we strive to thoroughly investigate all matters brought to our attention and to maintain alлегers' anonymity where possible. We have informed the person who had identified concerns with Limatorque grease effectiveness in 1997 that he or she is free to talk to us at any time about his or her concerns.

I trust this letter responds to your request. Please contact me if I can be of further assistance.

Sincerely,

/RA/

William D. Travers
Executive Director
for Operations

Enclosures: As stated

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