

November 27, 2002

Mr. Norm Cohen, Coordinator
The UNPLUG Salem Campaign
Coalition for Peace and Justice
321 Barr Avenue
Linwood, NJ 08221

Dear Mr. Cohen:

Your petition dated October 8, 2002, addressed to Chairman Meserve has been referred to the Office of Nuclear Reactor Regulation pursuant to Title 10 of the *Code of Federal Regulations*, Section 2.206 (10 CFR 2.206). You requested that the U.S. Nuclear Regulatory Commission (NRC) require PSEG Nuclear LLC (PSEG), the licensee for the Salem Nuclear Generating Station (Salem), to replace the Salem, Unit No. 2 steam generators now, and not wait until the planned replacement date of 2006. If the NRC denied this request, you stated that you would consider agreeing to PSEG replacing the steam generators during the Salem, Unit No. 2 refueling outage in 2004 if the NRC "can guarantee, in writing, that the steam generator tubes in Unit 2 will not rupture between now and 2004." In addition, you requested that the NRC require PSEG to use Alloy 690 tubing in the replacement steam generators, and questioned the NRC staff's progress on completing tasks associated with the Steam Generator Action Plan (SGAP). As the basis for your requests, you stated that:

NRC inaction led to the accidents at Indian Point (steam tube rupture) and Davis Besse (almost a [loss of coolant accident] LOCA). NRC allowed both nuclear plants to operate too long in an unsafe condition. We are concerned that allowing PSEG to put profits before safety by waiting until 2006 to replace Unit 2's steam generator is an unnecessary safety risk, especially coupled with the risk of a multiple steam tube rupture which NRC's own ACRS [Advisory Committee on Reactor Safeguards] committee agrees is possible.

On October 29, 2002, our petition review board (PRB) met with you via a telephone conference call to discuss your petition. The results of that discussion have been considered in the PRB's determination of whether or not the petition meets the criteria for consideration under 10 CFR 2.206.

During the PRB meeting, you provided additional basis for your request. Specifically, you referred to a former PSEG employee who once worked at Salem. This is the same individual who you have mentioned on several occasions as an expert on water chemistry and steam generators, and was at one time involved in discussions about Alloy-600 at Salem. You further recommended that the NRC contact the former PSEG employee since you believe this person has additional information to support your request, and thus may wish to participate in your petition. The NRC staff recently communicated with this individual to discuss your petition in order to determine whether or not he/she had any new information to share concerning Salem's steam generators. Based on this conversation, however, the NRC staff understands that the former PSEG employee has declined to participate in your petition.

Therefore, the PRB has concluded that your submittal does not meet the criteria for consideration under 10 CFR 2.206 because you have not provided sufficient information to support the actions you requested. Section 2.206 of 10 CFR states that petitioners must provide "facts that constitute the basis for the request." Additionally, Management Directive 8.11, "Review Process for 10 CFR 2.206 Petitions," requires that supporting facts be credible and sufficient to warrant further inquiry.

Finally, you concluded the PRB conference call by commenting that you were unsure about the final disposition of the public meeting on steam generators that was held at your request last year. Although I believe the NRC previously sent you a copy, I am enclosing a copy of the summary associated with the August 16, 2001, meeting. The meeting summary addresses, in detail, many of the issues you have raised concerning Salem, including the NRC staff's position on the use of Alloy 600 tubing in steam generators and information on the SGAP. The meeting summary (ADAMS Accession No. ML012760177) is also available for inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and from the ADAMS Public Library component on the NRC Web site, <http://www.nrc.gov/reading-rm.html> (the Public Electronic Reading Room).

Please feel free to contact Mr. Robert Fretz at 301-415-1324 (rxl@nrc.gov) to discuss any questions related to this petition.

Sincerely,

/RA by SRichards for/

John A. Zwolinski, Director
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-311

Enclosure: As stated

cc: See next page

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John A. Zwolinski, Director
Division of Licensing Project Management
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