

January 21, 2005

David A. Lochbaum
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Union of Concerned Scientists
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Mr. Lochbaum:

This letter is in response to your letter dated November 29, 2004, in which you expressed concern about the timeliness of NRC investigations of issues at the Salem and Hope Creek nuclear power plants. You also raised questions regarding the work environment at the plants, specifically with respect to Public Service Enterprise Group (PSEG) actions in response to the October 10, 2004, steam pipe failure at Hope Creek.

The NRC has taken issues raised by Dr. Harvin and others at the Hope Creek and Salem plants seriously. As you are aware, this information along with information from NRC inspections led us to undertake a special review of the work environment at the site. The NRC Office of Investigations (OI) has also been performing a detailed investigation into the issues raised by Dr. Harvin. The NRC's timeliness goals for completion of investigations of wrongdoing or harassment and intimidation consider that more complicated cases may take longer to complete. Discrimination cases have traditionally been very complex. We understand that the outcome of these cases is extremely important to all the parties involved. Neither the investigators nor NRC management will sacrifice thoroughness in order only to meet a timeliness goal.

As we discussed at the public meeting on January 12, 2005, a special inspection team thoroughly reviewed the circumstances surrounding the October 10th event. The inspection team concluded that PSEG's review of the event was comprehensive and appropriately considered potential causes and extent of condition for the identified problems. The team also determined that PSEG's proposed corrective actions were appropriate to address the identified problems and specifically confirmed that corrective actions necessary for restart were implemented. The performance issue that led to the event, failure to properly evaluate and take action for the failed moisture separator drain tank level control valve, is still under review by the staff. If we confirm the preliminary determination that the issue is of low to moderate safety significance, we will conduct additional focused inspection of the licensee's actions to address the issue. This inspection would be in addition to the already heightened oversight that we established in response to the work environment issues.

In our letter to you, dated September 1, 2004, we described NRC plans for oversight of the work environment issues at Hope Creek and Salem. As I'm sure you understand, issues in the area of safety culture and work environment are not often resolved quickly, and progress can be difficult to discern, particularly in the initial stages of recovery. I want to assure you that we intend to continue to closely oversee efforts in this area until we determine that substantial, sustainable progress has been made.

David A. Lochbaum

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Thank you for your interest in these matters. Should you have any further questions or concerns related to these issues, please contact Eugene Cobey of my staff at 610-337-5171.

Sincerely,

/RA/

A. Randolph Blough
Director, Division of Reactor Projects
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