

EXHIBIT 4

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in accordance with the Freedom of Information
Act, exemptions b1
FOIA- 2004-091

B/L

December 20, 2002

Dear David Vito,

I am concerned that PSEG Nuclear has created a hostile work environment in which nuclear safety issues cannot be properly resolved. I believe PSEG Nuclear:

- Has a lack of sensitivity to nuclear safety
- Is not maintaining a safety conscious work environment
- Has created a hostile work environment for rising safety concerns
- Does not adhere to procedures that are important to safety

The NRC expects licensees to establish and maintain a "safety-conscious work environment" that encourages employees to raise safety concerns to management, free of any fear of reprisal for doing so. This environment is critical to a licensee's ability to safely carry out its responsibilities. The NRC believes that all workers should feel free to raise concerns to their employers so that they can be dealt with quickly. Workers who raise safety concerns serve a vital role in the protection of public health and safety. Retaliation against those who do so is unlawful and will not be tolerated by the NRC.

Contrary to this expectation, I believe, PSEG Nuclear has engaged in acts of intimidation and retaliation, against myself, for bringing safety concerns to their attention. My concern is documented in PSEG Nuclear's Corrective Action Program in Notification [REDACTED]; TARP Procedure non-compliance, dated [REDACTED].

Specific examples of intimidation and retaliation include being relieved of duty (suspension of employment) and removed from plant access from [REDACTED] through 8/19/2002, and threats of a poor performance appraisal and termination of employment on 8/19/2002.

These actions have created a chilling effect on me and will prevent me from raising safety concerns. Actions taken against me, I believe, represent harassment and intimidation related to protected activities.

I believe that PSEG Nuclear took these actions because of:

- Management's lack of sensitivity to nuclear safety
- Excessive focus on short-term production goals


My safety concerns have been processed through the Corrective Action Program and the PSEG Nuclear Employee Concerns Program. PSEG has concluded that their actions were based on performance issues on my part and my safety concerns are not valid. An independent QA review for Transient Analysis Response Procedure (TARP) compliance, I requested, was denied.

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I feel PSEG Nuclear cannot resolve safety concerns on its own volition, but needs NRC enforcement action to do so. Please contact me and let me know if the NRC is interesting in resolving these concerns.

Reference:

1. NRC letter RI-2002-A-0113
2. PSEG Notifications  *nc*
3. SOER 02-04 -Reactor Pressure Vessel Head Degradation at Davis-Besse Nuclear Power Station

Yours truly,


Home Address:


nc