

EXHIBIT 3

Information in this record was deleted

In accordance with the Freedom of Information Act, exemptions b7C & b7D - Attorney-Client

FOIA- 2004-0191

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2003-0105

g:\alleg\panel\20020113arb6.wpd ALLEGATION REVIEW BOARD DISPOSITION RECORD

Allegation No.: RI-2002-A-0113
Site/Facility: Salem & Hope Creek
ARB Date: 9/22/03

Branch Chief (AOC): Meyer
Acknowledged: Yes
Confidentiality Granted: No

Issue discussed: The allegor was originally concerned with ability to perform duties in accordance with the Transient Assessment Response Plan (TARP) team formation procedure. When contacted by OI, those not be interviewed and stated that would try to resolve concerns within the PSEG corrective action process. The NRC issued a conditional closeout letter to the allegor stating that the NRC will consider this allegation closed unless contacts us within 30 days of the date of the letter. did contact NRC in a November 20, 2002, letter and stated that wanted the NRC to keep the issue open.

In a telephone call and subsequent letter dated 12/20/02, the allegor wanted the NRC to pursue H&I claim and wanted to address the TARP issue.

DRP reviewed a 2/19/03 OI transcript (previously completed) and the final OI Report (OI Case no.1-2003-010) and did not identify any new technical issues. In their final report, OI did not substantiate that H&I took place.

In a 9/2/03 information package, the allegor indicated that PSEG is showing a continuing pattern of discrimination since he/she is taking medication that precludes him/her from being on the TARP team (Medical Department at PSEG is aware) but yet the individual received an unsatisfactory mid-year performance appraisal on 8/28/03.

Allegor contacted prior to referral to licensee (if applicable)? Yes

ALLEGATION REVIEW BOARD DECISIONS

Attendees: Chair - Blough Branch Chief (AOC) - Meyer SAC - Vito, Harrison
OI Rep. - Wilson RI Counsel - Farrar Others -

DISPOSITION ACTIONS:

- 1) DRP completed review of the 9/3/03 information package and did not identify any new technical issues.

Responsible Person: Barber ECD: 09/22/03
Closure Documentation: Completed: 09/11/03

- 2) OI to review the 9/3/03 information package to determine if the unsatisfactory mid-year performance appraisal related to his/her engagement in protected activities.

Responsible Person: OI ECD:
Closure Documentation: Completed:

SAFETY SIGNIFICANCE ASSESSMENT: Potential H&I. The risk significance of this concern appears low since the allegor's concern involves ability to function as an effective member of a TARP team and is currently not assigned to a TARP team.

PRIORITY OF OI INVESTIGATION: Normal

Allegor initially declined to have the NRC pursue discrimination issue. Thus, the original OI Case (1-2002-033) was closed since the allegor did not want to be interviewed and agreed no immediate safety issues existed when was contacted by OI. In 12/20 letter, no new technical information was provided to warrant raising OI's priority on this case. Later, he/she requested that OI pursue H&I. In their final report, OI did not substantiate that H&I took place. Regional Counsel made

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