

Distribution for Allegations:

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- Crlenjak - DRS Rep
- Smith (Potential Safeguards/Security/FFD Issue)
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- Bellamy (DLB)
- Henderson (NMSB1)
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OT to open
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Information in this record was deleted
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Act, exemptions TC
FOIA- 2004-091

TC → D/1

~~THIS DOCUMENT IDENTIFIES AN ALLEGER~~
Allegation Receipt Report
Allegation No. RI-2002-A-0113

Date Received: August 23, 2002
Received via: [X] In-person

Employee Receiving Allegation or suspecting wrongdoing (first two initials and last name): J G Schoppa

Source of information (please check one box): [X] licensee employee

Alleger Name: [Redacted]
Home Phone: [Redacted]

Home Address: [Redacted]
City/State/Zip: [Redacted]

Alleger's Employer: PSEG Nuclear

Alleger's Position/Title: [Redacted] Senior Engineer

Facility: Salem/Hope Creek

Docket No. or License No.: 50/272, 50/311, 50/354

Was alleger informed of NRC identity protection policy? Yes No
If H&I was alleged, was alleger informed of DOL rights? Yes No N/A
If a licensee employee or contractor, did they raise the issue to their management and/or ECP? Yes No N/A
Does the alleger object to referral of issues to the licensee? Yes No
Provide alleger's direct response to this question verbatim on the line below:

"I'd prefer waiting until I have a chance to talk to the [Redacted] and ECP before I determine if I would like the NRC to follow-up on site."

Was confidentiality requested? Yes No
Was confidentiality initially granted? Yes No N/A
Individual Granting Confidentiality: N/A

Criteria for determining whether the issue is an allegation:

Is it a declaration, statement, or assertion of impropriety or inadequacy? Yes
Is the impropriety or inadequacy associated with NRC regulated activities? Yes
Is the validity of the issue unknown? Yes

If No to any of the above questions, the issue is not an allegation and should be handled by other appropriate methods (e.g. as a request for information, public responsiveness matter, or an OSHA referral).

Allegation Summary:

- [1] Potential violation of 50.7, Employee Protection, in that the alleger was discriminated against for raising safety concerns through the corrective action process.

Functional Area: [X] Power Reactor

Discipline for each concern: [1] Discrimination

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Detailed Description of Allegation:

The allegor stated that the week of July 1, 2002, [redacted] was informed via email that [redacted] was placed on the Transient Assessment Response Plan (TARP) callout list for D TARP weeks. The allegor reviewed the TARP procedure (SH.OP-AP.7Z-0101), determined that in [redacted] opinion [redacted] was not qualified to be a TARP team member, and informed [redacted] supervisor [redacted] of such. When [redacted] did not receive satisfaction from his supervisor, the allegor took [redacted] concern to the next level of management [redacted]. The allegor outlined for [redacted] the many aspects of the TARP procedure that they were apparently not meeting. According to the allegor [redacted] agreed that they do not follow the guidance as written, requested that the allegor document this issue in their corrective action process, and removed the allegor from the TARP callout list on July 21. The allegor initiated corrective action notification [redacted] 8 on [redacted].

On August 5 [redacted] completed the evaluation of notification [redacted] and determined that all procedure sections were being followed. On August 9, the allegor's supervisor threw the completed evaluation on the allegor's desk and asked the allegor what [redacted] decision was. The allegor stated that [redacted] didn't understand what [redacted] supervisor was referring to and asked [redacted] supervisor for time to review the evaluation. According to the allegor, a low volume verbal confrontation ensued for approximately two minutes. The supervisor suddenly blurted out "that's it, you're out of here" and proceeded to escort the allegor off site. [The allegor stated that [redacted] had later informed [redacted] that [redacted] had overheard their conversation and believed that the supervisor was totally unreasonable.]

Due to [redacted] the allegor was [redacted] the week of August 12. On August 19, the allegor could not access the protected area and discovered that [redacted] had been administratively removed from site (access denied through security). Subsequently on August 19, the allegor met with [redacted] supervisor and [redacted] to discuss the allegor's performance. The allegor stated that [redacted] supervisor told [redacted] that failure to join the TARP team could result in actions up to and including termination. The allegor stated that [redacted] told [redacted] supervisor that [redacted] felt discriminated against for raising the TARP team issue and that [redacted] felt that the experience had a chilling effect on [redacted] but that [redacted] would do whatever they wanted. At this point, the supervisor told [redacted] was suspended but quickly recanted it. The supervisor went on to say "you can come back, you'll be on the D TARP team, but no more railing about safety indicators [the allegor is in charge of [redacted] and WANO input], no slamming management, just smile and be happy." The allegor agreed but was upset by this encounter and definitely felt "chilled." The allegor does not feel comfortable discussing the issue with [redacted] management for fear of losing [redacted] job [a good performer for 12 years according to the allegor].

During the discussion with the resident, the allegor stated that [redacted] planned to discuss the issue with the [redacted] and the ECP. The allegor stated that [redacted] prefer if we (NBC) did not follow up on site until [redacted] gave [redacted] and the ECP a chance to help [redacted] resolve the issue. [redacted] issue is not so much with [redacted] being made to participate as a TARP team member, but how [redacted] was treated for bringing up the procedure compliance issue.

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