

INVESTIGATION STATUS RECORD

Facility: SALEM/HOPE CREEK  
Case Number: 1-2002-033  
Docket Number(s): 05000272, 05000311, 05000354

Case Agent: RZEPKA, ROBERT P (RPR2)  
Date Opened: 09/05/2002  
ECD: 12/2002  
Priority: Normal  
Status: Field Work In Progress

Case Type: Reactor Power  
Primary Alleg Source: Allegor  
Allegation Number(s): RI-2002-A-0113

Subject/Allegation: DISCRIMINATION AGAINST A SENIOR ENGINEER FOR RAISING CONCERNS THROUGH THE CORRECTIVE ACTION PROCESS

Monthly Status Report:

09/05/2002: On August 23, 2002, [redacted] a senior engineer at the Salem/Hope Creek facility, advised the NRC that [redacted] had been chilled/discriminated against for raising a concern. Specifically, [redacted] claimed that [redacted] questioned [redacted] supervisor regarding whether [redacted] was qualified to be placed on the Transient Assessment Response Plan (TARP). When [redacted] did not get satisfaction from [redacted] supervisor, [redacted] took [redacted] concern to the next level of management. [redacted] who requested that the allegor document the issue in the corrective action process (CAP), which [redacted] did via CA notification. [redacted] claims that on [redacted] supervisor threw the completed CA evaluation of [redacted] desk and a verbal confrontation ensued, resulting in the supervisor blurting out, "that's it, you're out of here" and proceeding to escort the allegor off site. Upon returning to work after a week, [redacted] could not access the protected area and discovered that [redacted] had been administratively removed from the site by Security (access denied), which has since been rectified.

On September 4, 2002, this concern was reviewed during an Allegation Review Board (ARB), wherein it was determined that [redacted] had articulated a prima facie showing of discrimination that warranted the initiation of a normal priority OI investigation. Due to the allegor's previously expressed interest in trying to work things out with the [redacted] and Employee Concerns Program, it was agreed that OI would interview the allegor to develop any additional relevant information, but not initiate contact with the licensee on this matter until the allegor's interview has been reviewed and considered at another ARB. Potential violations include 10 CFR 50.5 and 50.7. The statute of limitations tolls on, or around August 19, 2007. Status: FWP ECD (90 days): 12/02.

Completion Date: Total Staff Hours: 3.0  
Issue Date: Months Open: 0.0  
DOJ Action(s): DOJ Referral Date:  
OI Violation(s): Harassment and Intimidation - No Result Statute of Limitations Date: 08/19/2007

Information in this record was deleted in accordance with the Freedom of Information Act, exemptions 7C  
FOIA- 2004-0191

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D/B