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Allegation No.: RI-2002-A-0161
Site/Facility: Salem
ARB Date: 01/08/03

Branch Chief (AOC): Meyer
Acknowledged: Anonymous
Confidentiality Granted: N/A

Issue discussed:-- An anonymous alieger indicated that [redacted] accused [redacted] technicians of intentionally performing inadequate regenerations of the condensate polishers to make him "look bad." In a December 10, 2002 meeting, [redacted] allegedly demonstrated "aberrant behavior" in which he verbally abused a [redacted] technician and pulled on the technicians shirt collar during this altercation. The anonymous alieger asserts that [redacted] technicians work in a hostile work environment and are in fear of [redacted] who was physically abusive (allegedly) toward [redacted] in this previous case.

Alieger contacted prior to referral to licensee (if applicable)? N/A

ALLEGATION REVIEW BOARD DECISIONS

Attendees: Chair - Rogge Branch Chief (AOC) - Barber (Act) SAC - Vito
OI Rep. - Monroe, Rzepka RI Counsel - Fewell
Others - Meyer, Caron, Lanning, Frechette

DISPOSITION ACTIONS: (List actions for processing and closure. Note responsible person(s), form of action closure document(s), and estimated completion dates.)

1. If [redacted] demonstrated aberrant behavior, then a "for cause" drug and/or alcohol test should have been considered per the fitness for duty program. Refer this issue to PSEG requesting 30-day review and response period. DRP to provide enclosure for referral letter.

Refer [redacted] department work environment assertion to determine if a hostile environment exists which would result in a chilling effect to other [redacted] for raising safety concerns. DRP to provide words to Enclosure 1 to referral letter.

Responsible Person: Meyer
Closure Documentation: _____

ECD: 1/31/03
Completed: _____

2. Review licensee response

Responsible Person: Meyer/White
Closure Documentation: _____

ECD: 3/14/03
Completed: _____

3. Repanel

Responsible Person: Meyer/White
Closure Documentation: _____

ECD: 3/31/03
Completed: _____

Information in this record was deleted in accordance with the Freedom of Information Act, exemptions 7C
FOIA- 2004-314

ARB MINUTES ARE REVIEWED AND APPROVED AT THE ARB

7L
N-52

SAFETY SIGNIFICANCE ASSESSMENT: The risk significance of the technical issue portrayed in this allegation appears low since operation of the condensate polishers is not a regulated activity.

PRIORITY OF OI INVESTIGATION:

If potential discrimination or wrongdoing and OI is not opening a case, provide rationale here (e.g., no prima facie, lack of specific indication of wrongdoing):

Rationale used to defer OI discrimination case (DOL case in progress):

Certain aspects of the [REDACTED] are addressed by the plant's technical specifications and are regulated activities. Thus, [REDACTED] should feel free to raise safety concerns without fear of reprisal, and a hostile work environment could result in a chilling effect which would be a regulatory concern.

ENFORCEMENT STATUTE OF LIMITATIONS CONSIDERATION (only applies to wrongdoing matters (including discrimination issues) that are under investigation by OI, DOL, or DOJ):

What is the potential violation and regulatory requirement? _____

When did the potential violation occur? _____

(Assign action to determine date, if unknown)

Once date of potential violation is established, SAC will assign AMS action to have another ARB at four (4) years from that date, to discuss enforcement statute of limitations issues.

NOTES: (Include other pertinent comments. Also include considerations related to licensee referral, if appropriate. Identify any potential generic issues)

Distribution: Panel Attendees, Regional Counsel, OI, Responsible Individuals (original to SAC)