

g:\alleg\panel\20030017arb.wpd ALLEGATION REVIEW BOARD DISPOSITION RECORD

Allegation No.: RI-2003-A-0017  
Site/Facility: Salem  
ARB Date: 2/21/03

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

Issue discussed: The allegor stated that they are being harassed for challenging management (Operations Supervisor) on procedural compliance and safety. They also noted that safety and ALARA policies were not followed during a containment check of Reactor Coolant Pump oil levels on November 4, 2002 in accordance with PSEG standards and management expectations.

On 2/5/03, the allegor provided additional examples (Notification [redacted] for concerns that they expressed previously to the NRC. Notification [redacted] documents a concern that safety and procedural compliance is a secondary concern compared to schedule adherence. PSEG subsequently addressed these concerns in evaluation [redacted]. Notification [redacted] documents an untimely resolution of personal safety and FME concerns related to the 12 Fuel Handling Building Exhaust Fan rotating backwards. The allegor informed his supervisor of this condition and they believe no notification was written. The allegor spoke with the Safety department and Outage Control Center about their concern, and wrote a notification to document their concerns after approximately a week of not being addressed by the licensee. The concern has subsequently been addressed and corrected according to the allegor. (See notification [redacted] for supporting info to allegor's notification).

7c

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

**ALLEGATION REVIEW BOARD DECISIONS**

Attendees: Chair - Rogge Branch Chief (AOC) - Barber (actg) SAC - Vito  
OI Rep. - Teator RI Counsel - Fewell Others - Crlenjak, Smith

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

- 1) Acknowledgment letter

Responsible Person: SAC ECD: 02/28/03  
Closure Documentation: \_\_\_\_\_ Completed: \_\_\_\_\_

- 2) Refer technical issue to PSEG. DRP to provide enclosure for referral letter.

Responsible Person: Meyer/Barber ECD: 03/19/03  
Closure Documentation: \_\_\_\_\_ Completed: \_\_\_\_\_

- 3) Review licensee response.

Responsible Person: Meyer/Barber ECD: 04/30/03  
Closure Documentation: \_\_\_\_\_ Completed: \_\_\_\_\_

- 4) Perform prima facie review to assess whether OI should investigate assertion of H&I. Provide documentation of review to SAC and OI for file. OI will open investigation if Regional Counsel determines that a prima facie case exists. (see Notes section - No p-f)

Responsible Person: Fewell ECD: 03/19/03  
Closure Documentation: \_\_\_\_\_ Completed: 2/21/03

**ARB MINUTES ARE REVIEWED AND APPROVED AT THE ARB**

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

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**SAFETY SIGNIFICANCE ASSESSMENT:**

**PRIORITY OF OI INVESTIGATION:**

The allegor asserts that he is being harassed for challenging management (Operations Supervisor) on procedural compliance and safety.

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):

**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)**

**Regional Counsel determined that prima facie has not been articulated.**

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