

g:\alleg\panel\20020034arb.wpd ALLEGATION REVIEW BOARD DISPOSITION RECORD

Allegation No.: RI-2002-A-0034
Site/Facility: Salem
ARB Date: 3/06/2002

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

Issue discussed: Alleger stated that he received a significant uptake of radioactive material in 1983 that he believes caused his thyroid cancer. He has requested his bioassay/internal exposure data from the licensee from that period, but has not yet been provided this information. Also, he believes there may have been an effort to cover-up his exposure.

Alleger contacted prior to referral to licensee (if applicable)? Yes - No problem with referring his concerns - He has already been in contact with PSEG on this issue.

ALLEGATION REVIEW BOARD DECISIONS

Attendees: Chair - Crlenjak Branch Chief(AOC) - Meyer SAC - Vito
OI Rep. - Monroe RI Counsel - Fewell Others - Barkley, Smith, Nick

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 - DRP to provide response to Concern 1. Indicate that the alleger will be asked for more information regarding the alleged coverup.

Responsible Person: SAC/Barkley ECD: 3/20/2002
Closure Documentation: _____ Completed: _____

- 2) Call alleger to determine whether he has since received his bioassay records from PSEG. Also, ask him for additional information regarding the coverup of this matter that he is alleging. If his bioassay records are provided by 3/25/2002 and he provides no supporting information regarding an alleged coverup, close out this allegation.

Responsible Person: Barkley ECD: 4/04/2002
Closure Documentation: _____ Completed: _____

- 3) If alleger does not receive his bioassay records by 3/25/2002, request in writing that PSEG provide those records to the individual and/or the NRC. DRS to review the exposure records when received. Also, if additional, supporting information is provided by the alleger, repanel this allegation to determine an appropriate course of action.

Responsible Person: Barkley Referral & Repanel (if necessary)
Nimitz (Review Bioassay Record) ECD: 6/01/2002
Closure Documentation: _____ Completed: _____

SAFETY SIGNIFICANCE ASSESSMENT: The risk significance of this allegation is very low as the event in question in 1983 was reviewed by the NRC and no personnel overexposures occurred at that time (allow several significant individual exposures occurred), and the issue involves licensee operational/radcon performance 19 years ago.

F-52

PRIORITY OF OI INVESTIGATION: N/A

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):

N/A

The case should be given a medium or low priority due to the termination of the individual's employment, his negative test results, his position (a first-level supervisor) and the absence of any issues with his work performance.

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? 10 CFR Part 26, 10 CFR 50.5 ____
When did the potential violation occur? February 2002

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: _____

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