UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

MAR 23 2004

RI-2002-A-0113

Mr. Roy A. Anderson
President and Chief Nuclear Officer
PSEG Nuclear LLC - N09
P. O. Box 236
Hancocks Bridge, NJ 08038

Dear Mr. Anderson:

The Region I Field Office of NRC Office of Investigations (OI) initiated an investigation (OI Case No. 1-2002-0113) on January 9, 2003, to determine whether an individual employed at the Salem/Hope Creek site was discriminated against for having raised concerns through the corrective action program regarding the adequacy of the transient assessment response plan (TARP) procedure (SH.OP-AP.ZZ-0101) and the qualification of individuals assigned to participate on the TARP team. The evidence identified during the OI investigation indicated that site management's actions toward the employee for refusing to accept a position on the TARP team were in response to a matter of work performance, rather than engagement in protected activity. Based on testimonial and documentary evidence brought forward during the OI investigation, the NRC concluded that the employee was not discriminated against for having engaged in protected activities.

Please note that final NRC investigatory documents, such as the OI report discussed above, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information appropriate under the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Requests for Records, a copy of which is enclosed for your information.

Also, in accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if any, will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html (the Public Electronic Reading Room).

Should you have any questions regarding this letter, please feel free to contact Mr. Glenn Meyer of my staff at (610) 337-5211.

Sincerely,

A. Randolph Blough, Director
Division of Reactor Projects

Enclosure:
10 CFR 9.23, Requests for Records

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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