



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

Et 7c

FEB 14 2003

RI-2002-A-0113



Subject: Concerns Your Raised to the NRC Regarding Salem and Hope Creek

Dear



This letter is in regard to two letters from you dated November 20, 2002, and December 20, 2002, in response to prior correspondence provided to you by the NRC regarding a concern you initially raised to the NRC on August 23, 2002. Specifically, you had asserted that you were being discriminated against for raising a concern about compliance with procedure SH.OP-AP-ZZ-0101, "Post-Transient Response Requirements," which you referred to as the Transient Assessment Response Plan (TARP) Team procedure. The intent of this letter is to first inform you about our actions with regard to your discrimination concern and secondly, to ask you for additional information with regard to the TARP procedure matter.

Regarding your discrimination concern, we have reviewed the additional information you provided and determined that an investigation will be initiated by the Region I Field Office of the NRC Office of Investigation (OI) to determine if discrimination occurred in this instance. When we have completed our investigation of this issue, we will notify you of our findings, actions and final resolution.

With respect to your concern about the adequacy of the TARP procedure, in our previous letters to you dated September 11, 2002, and November 6, 2002, we informed you that would like to understand whether you still had any technical concerns with regard to the TARP procedure. While you indicated, in the information you initially provided, that your concern had been placed in the corrective action process, and had been evaluated by the Engineering Programs Manager, you did not indicate whether you felt that your concern had been satisfactorily resolved. In your subsequent correspondence to the NRC, while you indicated that you were not pleased with the response provided by PSEG with regard to the issue (which effectively disagreed with your assertions), and that an independent QA review that you requested was not performed, you did not specify how PSEG's response was flawed, or what procedural non-compliance issues remained unresolved.

PSEG's response to the corrective action process item indicated that alignment with emergency preparedness teams does exist, that the TARP process does accommodate EP classification reviews, and that there is not a specific requirement that TARP team members also be members of the emergency response organization. These conclusions do not appear to be contrary to any specific NRC requirements. If you have any remaining concerns about the

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TARP procedure that you do not believe have been resolved by the corrective action process, please provide those concerns to me by contacting me at the toll free number noted on the cover letter, or by providing comments in writing to:

David Vito
P. O Box 80377
Valley Forge, PA 19484.

If you provide us with no additional information within 30 days of the date you receive this letter, we intend to take no further action on this matter. If you choose to provide additional information after that time, we will evaluate whatever information you provide to determine if additional NRC action is appropriate.

If I can be of further assistance at this time, please call me via the NRC Safety Hotline at 1-800-695-7403.

Sincerely,



David J. Vito
Senior Allegation Coordinator