

Date Received: September 3-4, 2003
Received via: [X] Telephone [X] Facsimile [X] E-Mail
Employee Receiving Allegation: Johnson/Vito

Allegation No. RI-2003-A-0110

Source of information: [X] former contractor

Alleger Name: Dr. Kymn Harvin, Ph.D
Call Phone: [REDACTED]
E-Mail Address: [REDACTED]

Home Address: [REDACTED]
City/State/Zip: [REDACTED]

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[Individual is currently in South Carolina at Oconee until 9/5/03 when she will move back to her home address in NJ on 9/12/03.]

Alleger's Employer: PSEG (private contractor)
Facility: Salem/Hope Creek

Alleger's Title: Manager, Culture Transformation
Docket Nos. 50-272, 311, 354

Was alleger informed of NRC identity protection policy?
If H&I was alleged, was alleger informed of DOL rights?

Yes
Yes (Filing a Civil Suit - has attorney - not interested in filing w/DOL)

If a licensee employee or contractor, did they raise the issue to their management?

Yes

Does the alleger object to referral of issues to the licensee?

No

Provide alleger's direct response to this question verbatim on the line below:

No objection to NRC requesting a written response from PSEG on this matter as part of the review. (from 9/4/03 telecon w/SAC)

Was confidentiality requested?

No

Was confidentiality initially granted?

No

Criteria for determining whether the issue is an allegation:

Is it a declaration, statement, or assertion of impropriety or inadequacy?
Is the impropriety or inadequacy associated with NRC regulated activities?
Is the validity of the issue unknown?

Yes
Yes
Yes

Allegation Summary:

- Alleger indicated that there are significant problems with the Safety Conscious Work Environment (SCWE) at Salem/Hope Creek. Alleger's position (Manager, Culture Transformation) has afforded her access to high level management at PSEG (up to and including the Chairman of the Board). Alleger indicated that the focus of these higher level managers has been production over safety, and that her efforts to raise work environment concerns to them have not been received positively (see specific information in Detailed Description of Allegation below).
- Discrimination - alleger's employment was terminated after raising concerns about the work environment for raising safety issues at Artificial Island to the [REDACTED] and subsequently to the [REDACTED]. A subsequent ECP investigation was conducted, which concluded that the alleger was not discriminated against, but rather that the alleger's position was eliminated. Alleger was employed as contractor for five years.

3. [REDACTED]

Functional Area: [X] Power Reactor

Discipline for each concern: [1] Other: SCWE [2] Discrimination [3] Wrongdoing

EXHIBIT 2

Detailed Description of Allegation:

Safety Conscious Work Environment Issue:

Examples provided:

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Information in this record was deleted in accordance with the Freedom of Information Act, exemptions 7C
FOIA-2005-00194

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a. 9/02 - Salem equipment operators raised concerns to alleger about an [REDACTED]

[REDACTED] to keep the plant operating vs. shutting down the plant. Alleger indicated that the concerns of the NEOs were dismissed by PSEG management

- b. Alleger indicated that high levels of management consistently pressure licensed operators to make non-conservative decisions. Example: alleger indicated that a member of Hope Creek Operations management [REDACTED] directed an operator [REDACTED] not to commence shutting down the plant in accordance with an LCO shutdown action statement. The operator did not commence shutdown of the plant until another SRO (would not provide name over the phone) came into the control room and instructed the operator to adhere to the conditions of his license and commence shutdown of the plant and not to be pressured to take the wrong actions. 7C
- c. Alleger indicated that discussions with several high level managers during the week of 3/17/03 indicated that there was considerable pressure from upper level management to return Hope Creek to service following its forced outage. Indicated that this production vs. safety pressure was coming from the highest levels of management. Alleger indicated that she informed the [REDACTED] about these comments during her 3/20/03 discussion with him (see below), and he dismissed them. 7C
- d. The alleger indicated that at her last meeting (March 20, 2003) with the [REDACTED] right before his retirement, she had informed him that high levels of management were telling her that "we are dangerous." [REDACTED] is reported to have stated "we have operators that don't know shit from shinola, and they want to hide behind the safety banner because they don't know what they were doing." 7C
- e. During a 3/20/03 discussion with the [REDACTED] alleger was informed that PSEG management;
- lacks "defense-in-depth" thinking,
 - decision making and reaction to human performance events are not based on safety;
 - we are one step away from the NRC "taking the keys away;" and
 - was not surprised at the reactions of [REDACTED] (see above)

[NOTE: during telephone conversation with SAC on 9/4/03, alleger indicated that she had taped a number of the conversations she had with managers in late March 2003. Alleger indicated that her former attorney had informed her that "one-way" taping of conversations was permitted in New Jersey.]

Other comments:

- safety concerns are given lip-service
- high level managers have informed the alleger that "we focus on appeasing employees vs. resolving their concerns."
- managers are pressured to defend their safety choices

Alleger indicated that she would equate the SCWE at PSEG to that of Millstone (formerly) and Davis-Besse. She indicated that the situation at PSEG is just as bad.

Potential H&I

Alleger was called to a meeting with the [REDACTED] on 2/28/03, purportedly to discuss "her bor.us." However, after discussing her work environment concerns with the [REDACTED] he informed her that her employment was to be terminated. Alleger indicated that she was initially told that she could stay on board until 4/16/03, but later learned that the [REDACTED] had directed that her departure be "accelerated" and she left the site on 3/28/03. Additional details of alleger's employment termination are provided in the documentation attached to the Allegation Receipt Report. ACL
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Regarding the licensee/ECP assertion that the alleger's position was eliminated and that she was not discriminated against, the alleger indicated that people were brought in to perform the function she was performing immediately after her departure.