

August 31, 2006

Mr. William Levis  
Senior Vice President and Chief Nuclear Officer  
PSEG Nuclear, LLC - N09  
P. O. Box 236  
Hancocks Bridge, NJ 08038

RI-2005-A-0075

Subject: NRC Office of Investigations Case 1-2005-022

Dear Mr Levis:

The NRC Region I Field Office, Office of Investigations (OI), initiated an investigation on May 12, 2005, to determine whether Salem Generating Station personnel willfully violated Technical Specifications (TS) TS 3.4.11, Reactor Coolant System, Structural Integrity ASME Code Class 1, 2, and 3 Components, by failing to characterize a flaw associated with the No. 21 reactor coolant pump flow transmitter tubing, or to isolate the tubing in accordance with the TS. This occurred on April 4 - 5, 2005. In response to visual indications of a tubing leak during a containment walkdown, PSEG engineers documented an engineering evaluation that concluded the structural integrity of the tubing was acceptable based on engineering judgement, and therefore, the leak was not isolated and operation continued until the scheduled shutdown for a refueling outage the following day.

The OI investigation confirmed that PSEG was in apparent violation of TS 3.4.11.1 because, although a through-wall leak was confirmed by dye-penetrant testing, the engineering evaluation concluded that there was structural integrity without characterizing the flaw and its failure mechanism, or include a structural analysis. Without this characterization, the structural integrity could not be determined. Therefore, in accordance with the TS, the tubing should have been isolated, but it was not. Nevertheless, OI found, based on the totality of the evidence, that there was insufficient information to conclude that licensee personnel willfully violated the TS or other NRC requirements. OI noted that the individuals used engineering judgement on why they believed and concluded that structural integrity existed with the reactor coolant system and that this effort was genuine.

This issue was originally reported as Unresolved Item 05000311/2005003-03 in NRC Integrated Inspection Report 050002311/2005003. The NRC plans to review the enforcement aspects of this issue in the next integrated inspection report covering the third quarter of 2006.

Please note that final NRC investigation documents, such as the OI report described 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.

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Also, in accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter 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 contact Mr. M. Gray of my staff at 610-337-5209.

Sincerely,

**/RA/**

Brian E. Holian, Director  
Division of Reactor Projects

Enclosure:  
10 CFR 9.23, Request for Records

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