



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

July 16, 2008

Mr. William Levis
President and Chief Nuclear Officer
PSEG Nuclear LLC
80 Park Plaza, T4B
Newark, NJ 07102

RI-2007-A-0091

Subject: NRC Office of Investigations Case No. 1-2007-039

Dear Mr. Levis:

The Region I Field Office, NRC Office of Investigations (OI) initiated an investigation (Case No. 1-2007-039) on July 6, 2007, to determine if several individuals at Salem intentionally failed to adhere to a Technical Specification required Foreign Material Exclusion program procedure. Based on the evidence developed during the investigation, OI found insufficient evidence to prove that individuals intentionally violated the FME procedure. However, OI confirmed that a violation of FME procedure requirements occurred.

Specifically, based on testimonial and documentary evidence, OI determined that on June 21, 2007, an individual working in the 15 SW pump bay lost his keys within the FME zone established for the work authorized in that area. Further, OI found that contrary to the FME procedure, all work in the area was not stopped, and a notification was not written to document the lost keys within the FME zone. While some communications with the immediate supervisors associated with the maintenance activities occurred verbally, formal communications with the rest of the Salem organization, including the Operations Department, was not completed. As a result, no formal effort was made to recover the keys. It wasn't until June 22, 2007, the day the NRC notified the Salem Operations Director that a set of keys was lost in the 15 service water bay, that you initiated the required notification and recovered the lost keys prior to restoring the system to service.

Although the NRC found insufficient evidence to prove that individuals intentionally violated the FME procedure, we determined that there was a violation of procedure MA-AA-716-008, "Foreign Material Exclusion." The safety significance of the failure to follow procedure MA-AA-716-008 was evaluated by the NRC and found to be minor. You have entered this minor violation into your Corrective Action Program. Minor violations represent items of low safety significance and are not subject to formal enforcement action or documentation by the NRC. Therefore, this minor violation will not be documented in an inspection report, and no further regulatory action is planned.

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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 2.390 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).

No response to this letter is required. Should you have any questions regarding this letter, please contact Mr. Arthur Burritt of my staff at (610) 337-5069.

Sincerely,

/RA by James W. Clifford Acting for/

David C. Lew, Director
Division of Reactor Projects

Enclosure: As Stated

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).

No response to this letter is required. Should you have any questions regarding this letter, please contact Mr. Arthur Burritt of my staff at (610) 337-5069.

Sincerely,

/RA by James W. Clifford Acting for/

David C. Lew, Director
Division of Reactor Projects

Enclosure: As Stated

Distribution:

- C. Carpenter, OE
- R. Urban, SAC
- ADAMS (Docket No. 50-272 and 50-311)
- D. Screnci, PAO
- Region I Docket Room (w/concurrences)

SUNSI Review Complete: ALB (Branch Chief Initials)

DOCUMENT NAME: G:\ORA\ALLEG\LICENSEE\20070091lic.doc

ML081990150

After declaring this document "An Official Agency Record" it **will** be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	DRP:RPB3	RI:OI	ORA:SAC	DRP:DD	
NAME	A Burritt/	E Wilson/	RUrban/	D Lew/	
DATE	07/15/2008	07/15/2008	07/15/2008	07/15/2008	

OFFICIAL RECORD COPY