

# FINAL QA REVIEW

of Allegation File RIII-2007-A-0097 (PSI) by Paul Pelke  
January 9, 2008

## 1.0 RECEIVING ALLEGATIONS

- ✓ 1.1 Allegations received were forwarded to EICS within 5 days. **(Received by EICS)**
- ✓ 1.2 The Allegation Report was complete and clearly explained the allegation and the circumstances surrounding it.
- ✓ 1.3 Name, address and telephone number were obtained from the CI during the initial contact and was provided to EICS with the allegation.
- N/A 1.4 If the allegation was received electronically, was the identification of the individual confirmed via telephone or by a followup e-mail containing the standard response paragraph, or the allegation treated anonymously?

## 2.0 ALLEGATION REVIEW BOARD

- ✓ 2.1 Allegations were reviewed by an ARB within 30 days after the allegation was received in Region III.
- ✓ 2.2 The ARB consisted of the responsible Division Director (Chairman), the SAC, OI and the Regional Counsel for matters of suspected wrongdoing. If Regional Counsel was not present for wrongdoing case, he was briefed and concurred with the decision.
- ✓ 2.3 ARB minutes were complete and clearly captured required actions and assessments.
- ✓ 2.4 Actions assigned at the ARB were completed in a timely manner. **(After the ARB, DNMS determined that PSI is a Region I licensee, so the allegation was referred to Region I)**
- N/A 2.5 The basis for referral to the licensee, if one or more of the referral criteria were not met.
- ✓ 2.6 Safety significance of the issue was discussed? Allegations of significance safety significance were discussed at an ARB in a time commensurate with their significance.
- N/A 2.7 For discrimination concerns, information to establish a prima facia case was discussed.
- N/A 2.8 The regulatory basis for issues referred to OI was clear.
- N/A 2.9 The priority of OI investigation, and the basis for the priority, was discussed.
- N/A 2.10 re-ARB of the transcripts following the staff reviews if new issues, change in priority, or closure recommended?
- N/A 2.11 Deferral discussed for cases pending before the DOL with an open OI investigation, with the basis for the decision regarding whether to defer clearly documented? The decision to defer a case was reviewed after each DOL decision.
- N/A 2.12 An ARB was held after 6 months and every 4 months thereafter except for cases involving only issues being investigated by OI or DOL. (Cases with OI or DOL were reviewed through an OI brief, enforcement brief, or check of the DOL status).

## 3.0 ACKNOWLEDGING ALLEGATIONS

- N/A 3.1 Letters issued within 30 days.
- N/A 3.2 Clearly and appropriately document concerns identified by ARB.

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- N/A 3.3 Advised of DOL rights.
- N/A 3.4 Advised of Identity Protection Policy.
- N/A 3.5 The CI was informed if concerns were or will be referred to the licensee

## 4.0 INSPECTIONS

- N/A 4.1 Inspections are performed consistent with ARB recommendations and commensurate with safety significance, and thoroughly addressed the concern.
- N/A 4.2 Inspection documentation reflects area inspected without fingerprinting the CI.
- N/A 4.3 Inspection documentation is included in the case file.

## 5.0 ALLEGATION RESOLUTION DOCUMENTATION

- N/A 5.1 Allegation was resolved in a timely manner, given the circumstances of the issue(s).
- N/A 5.2 Closure documentation to the CI clearly and accurately documents each concern, what was done, and whether substantiated, & free of errors. The specific examples provided by the CI are addressed in the closure of the concern.
- N/A 5.3 Non-allegations are clearly explained as to why we are not following-up.
- N/A 5.4 If a violation, NCV or an IFI is identified, the disposition of the violation is provided.

## 6.0 PERIODIC STATUS/MANAGEMENT REVIEWS

- N/A 6.1 Status letters were issued in writing every 6 months for cases open greater than 180 days.
- N/A 6.2 Status letters indicate what continues under review.
- N/A 6.3 Status letters are clear, concise, and free of errors.
- N/A 6.4 CI is informed of deferral of issues to the DOL.

## 7.0 LICENSEE REFERRALS

- N/A 7.1 Referral criteria are met.
- N/A 7.2 Referral letters provide sufficient information for the licensee to resolve the issue.
- N/A 7.3 Licensee evaluations are independent and thorough.
- N/A 7.4 Referral letter does not compromise CI's identity, requests an evaluation, and response. If referral compromises identity, the CI first agreed to the identity release.

## 8.0 STATE REFERRALS

- N/A 8.1 The CI was informed of the NRC's intent to refer and had no objection.
- N/A 8.2 Allegations made against an Agreement State Official were forwarded to the Director, Office of State Programs, for disposition.
- N/A 8.3 If the CI agreed to be identified to the State, the allegation case file was closed after appropriate referral to the State and the CI informed of the Referral and POC.
- N/A 8.4 For those cases where the CI does not want to be identified, the case was held open until the State provided an adequate response and that response was provided to the CI
- N/A 8.5 Referral information does not fingerprint the CI or provide extraneous information.
- N/A 8.6 Referral letter provide sufficient information for review of the issue(s).

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N/A 8.7 If CI objected to referral to the State, the referral was made, but a request not to send the issue to the licensee was made.

N/A 8.8 Issues within the jurisdiction of an Agreement State and another government agency were referred to the Agreement State and the other government agency.

## 9.0 OTHER GOVERNMENT AGENCIES

N/A 9.1 FEMA issues were referred to NRR.

N/A 9.2 OSHA allegations were handled in accordance with Manual Chapter 1007. The ARB considered referring occupational health and safety issues to the licensee.

N/A 9.3 A POC for the referral agency was provided to the CI.

N/A 9.4 The CI's name was not released without the CI's permission.

✓ 9.5 If an issue was referred to another NRC office, the office was contacted before the referral was made?

## 10.0 DISCRIMINATION COMPLAINTS

N/A 10.1 Discrimination complaints being reviewed by the DOL and OI remain open upon completion of the OI investigation pending the results of the DOL evaluation.

N/A 10.2 For cases deferred to the DOL, the CI was informed of the deferral and the AAA approved of the deferral?

N/A 10.3 For cases in which a DOL complaint was filed, DOL was contacted before the case was closed to ensure no appeals were outstanding.

N/A 10.4 NRC considered taking enforcement action based on an ALJ determination of discrimination.

N/A 10.5 DOL DD, ALJ and ARB decisions are included in the allegation file as appropriate.

N/A 10.6 OI synopsis are transmitted to DOL participants as appropriate.

## 11.0 AMS/ALLEGATION FILE

✓ 11.1 All documentation from the CI which identifies the CI is stamped "THIS DOCUMENT IDENTIFIES AN ALLEGER."

✓ 11.2 AMS is accurate and correctly indicates concerns, follow-up and disposition.

✓ 11.3 AMS contains no names and minimizes fingerprinting information.

N/A 11.4 For discrimination complaints, OI provided transcripts of interview with the CI to EICS for review and coordination with the technical staff.

N/A 11.5 OI Reports, Three-week memos, and staff evaluations are included in the file as applicable.

N/A 11.6 OI synopsis provided to the CI and the licensee, as appropriate (if the licensee was unaware of the investigation or enforcement is proposed against an individual and not the licensee, then providing the synopsis may not be appropriate. OE should be contacted if enforcement was taken only against an individual before the synopsis is released).