



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 4, 1994

Mr. William P. Sellers, Esq.
Senior Legal Advisor
for Regulatory Enforcement
General Litigation and
Legal Advice Section
Criminal Division
U.S. Department of Justice
Suite 200 West, 1001 G Street, N.W.
Washington, D.C. 20001

Dear Mr. Sellers:

Enclosed is an NRC Office of Investigations (OI) Report (Case No. 1-93-021R) concerning the harassment and intimidation of a Senior Staff Engineer, Onsite Safety Review Group (SRG), Salem Generating Station (SGS), Public Service Electric and Gas Company (PSE&G), and a Safety Review Engineer, SRG, SGS, by SGS management. PSE&G is a licensee of the NRC and operates the two units at SGS in Hancocks Bridge, New Jersey.

The OI investigation substantiated that the Senior Staff Engineer and the Safety Review Engineer were harassed and intimidated by the SGS Operations Manager and the SGS General Manager, on December 3, 1992, when the engineers attempted to process a safety issue involving the containment fan coil units (CFCUs) via station procedures. During the following weeks, the SGS Operations Manager and the SGS General Manager attempted to have the engineers removed from any direct or indirect involvement with the site.

In addition, the OI investigation disclosed that the Senior Staff Engineer was also harassed and intimidated by the General Manager, Quality Assurance/Nuclear Safety Review, who attempted to reprimand the engineer for the handling of the original safety issue, while the issue of the engineer's site access was still unresolved. An internal licensee investigation resulted in disciplinary actions against the responsible officials, none of whom are currently in the above referenced positions.

The actions of the SGS Operations Manager; the SGS General Manager; and the General Manager of Quality Assurance/Nuclear Safety Review constitute potential deliberate violations of 10 CFR 50.5(a)(1) (Deliberate misconduct) and 10 CFR 50.7(a) (Employee protection). Section 50.5(a)(1) is issued under Sections 161(b) and (i); and 50.7(a) is issued under Section 161(i), of the Atomic Energy Act (AEA) of 1954, as amended (42 U.S.C. 2201). Section 223(a) of the AEA (42 U.S.C. 2273) makes a deliberate violation of a regulation which is issued under Section 161(b), (i), or (o) of the AEA a criminal act.

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Mr. William P. Sellers

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Our report is being forwarded to you for whatever action you deem appropriate. If you have any questions regarding this matter, please free to contact Investigator Kristin Monroe or Barry R. Letts, Director, OI Field Office, Region I, at (610) 337-5305.

Sincerely,

JS

James A. Fitzgerald, Acting Director
Office of Investigations

Enclosure:
Report w/exhibits

bcc w/o encl:
The Chairman
Commissioner Rogers
Commissioner de Planque
H. Thompson, Jr., DECS
L. Chandler, OGC
J. Lieberman, OE
W. Russell, NRR
T. Martin, RA:RI
B. Letts, OI:RI