

2000-0185

1



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST

RESPONSE TYPE FINAL PARTIAL

REQUESTER

Paul Gunter

DATE

APR 28 2000

PART I. -- INFORMATION RELEASED

- No additional agency records subject to the request have been located.
- Requested records are available through another public distribution program. See Comments section.
- APPENDICES Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- APPENDICES Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.
- Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, NW, Washington, DC.
- APPENDICES Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

PART I.A -- FEES

- AMOUNT * You will be billed by NRC for the amount listed. None. Minimum fee threshold not met.
- \$ You will receive a refund for the amount listed. Fees waived.

* See comments for details

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- No agency records subject to the request have been located.
- Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed

APPENDIX A
RECORDS BEING RELEASED IN THEIR ENTIRETY

| <u>NO.</u> | <u>DATE</u> | <u>DESCRIPTION/(PAGE COUNT)</u> |
|-------------------|--------------------|---|
| 1. | 12/08/98 | News Release (Fish Unlimited) 2 pages |
| 2. | 12/08/98 | Press Release (SAPL) (2 pages) |
| 3. | 12/11/98 | Newspaper article Portsmouth Herald (1 page) |
| 4. | 12/15/98 | Newspaper article The Hampton Union (1 page) |
| 5. | 02/26/99 | Fax from Seabrook Resident Inspector Office to Diane Screnci (2 pages) |
| 6. | 03/09/99 | Newspaper article Portsmouth Herald (1 page) |
| 7. | 05/24/99 | Ltr from John B. Hart to Scott Sandorf, Seal Entrapment - May 17, 1999 (4 pages) |
| 8. | 05/24/99 | Seabrook This Week (1 page) |
| 9. | 05/11/99 | Seabrook Station News (3 pages) |
| 10. | 03/09/99 | Newspaper article The Exeter Newsletter (1 page) |
| 11. | 08/19/99 | Newspaper article Portsmouth Herald (1 page) |
| 12. | 10/08/99 | Ltr from John B. Hart to Carl DeLoi (3 pages) |
| 13. | 04/13/00 | Journal (1 page) |
| 14. | 08/03/94 | Seabrook Station, Pre-job Briefing, Offshore Intake Structure, Seal Deterrent Project (6 pages) |
| 15. | No date | Summary of Seal Entrapment Status (1 page) |



FISH UNLIMITED, Inc.
P.O. Box 1073
Shaker Island, NY 11965

Phone: (516) 749-3474
Fax: (516) 749-3476

The Leader in Fisheries Conservation
Established in 1989

December 8, 1998

FOR IMMEDIATE RELEASE

54 SEAL DEATHS SINCE 1993 AT SEABROOK NUCLEAR PLANT

Number May Be Much Higher

New York, New York- Fish Unlimited the international fisheries conservation group announced today that as a result of internal documents from the Nuclear Regulatory Commission that they have obtained, they have confirmed that the operation of the Seabrook Nuclear Power Plant in New Hampshire is responsible for the deaths of at least 54 juvenile seals since 1993. The seals are killed by being caught up in the intake systems used to draw water into the reactor to cool it from the Atlantic Ocean. The seals are caught against the intake screens and are either drowned or dismembered.

"This is an outrageous finding", stated Bill Smith, executive director of Fish Unlimited. "The Nuclear Regulatory Commission, National Marine Fisheries Service and other agencies have known about violation of the Marine Mammal Protection Act for some time and have engaged in a cover-up to keep it from becoming public knowledge. While there could have been a fine of up to \$25,000.00 for each seal killed there has been nothing."

The operators of the Seabrook facility have recently applied to National Marine fisheries for a permit to legally kill 34 seals annually. A permit which is being given serious consideration by the Federal agency.

ITEM # 1

QA/1

Fish Unlimited is the group that recently appealed a decision against Northeast Utilities by the Connecticut Department of Environmental Protection for dumping huge amounts of the carcinogenic chemical hydrazine into Long Island Sound.

"It is apparent that we have a huge environmental problem at Seabrook too, and Fish Unlimited will be putting a lot of effort into the investigation of that in the days ahead", Smith continued. "The killing of these innocent seals so that shareholders can profit will come to an end."

For more information contact Fish Unlimited's main office at 516-749-3474.

The Seacoast Anti-Pollution League

Founded 1969

SAPL

**127 HIGH STREET / P.O. BOX 1136
PORTSMOUTH, NH 03802
603-431-5089**

Press Release

December 8, 1998

Contact: Steve Haberman

New York group takes stand against Seabrook Station seal kill

PORTSMOUTH - Fish Unlimited Inc., a New York-based international fisheries conservation group, has joined the Seacoast Anti-Pollution League's efforts to halt the killing of seals in the cooling tunnels of the Seabrook Station nuclear power plant.

Bill Smith, Fish Unlimited's executive director, said his organization chose to become involved in this issue after a review of U.S. Nuclear Regulatory Commission records revealed that Seabrook Station has been responsible for the deaths of at least 54 juvenile seals since 1993. The seals were killed after being caught up in the nuclear plant's intake systems used to draw water from the Atlantic Ocean to cool the reactor.

"This is an outrageous finding," Smith said. "The Nuclear Regulatory Commission, National Marine Fisheries Service and other agencies have known about violations of the Marine Mammal Protection Act for some time and have engaged in a cover-up to keep it from becoming public knowledge. While there could have been a fine of up to \$25,000 for each seal killed, there was nothing."

The operators of Seabrook Station recently applied to the National Marine Fisheries Service for an exemption to the Marine Mammal Protection Act. That exemption would allow the nuclear power plant to continue to kill up to 34 seals a year for at least the next five years. Indications are that the NMFS is giving serious consideration to approving the request.

Fish Unlimited is currently involved in appealing a settlement between Seabrook's primary owner, Northeast Utilities of Connecticut and that state's Department of Environmental Protection over the dumping of the carcinogenic chemical, hydrazine, into the Long Island Sound. Smith said the settlement lets NU off the hook too easily after over five years of the utility violating its EPA discharge permit.

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ITEM # 2

12/08/1998 15:13

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SAPL

PAGE 02

"It is apparent that we have a huge environmental problem at Seabrook, too, and Fish Unlimited will be putting a lot of effort into the investigation of that in the days ahead," Smith said. "The killing of these innocent seals so that shareholders can profit will come to an end."

SAPL Field Director Steve Haberman, welcomed the support of Smith's group in the fight to end the needless killing of seals in Seabrook Station's cooling tunnels.

"SAPL formally opposed the granting of an exemption for Seabrook in a letter to the National Marine Fisheries Service earlier this year," Haberman said. "Despite our opposition, NMFS appears to be moving forward in granting Seabrook Station's exemption request. Perhaps, now that other environmental groups are becoming involved in the issue, federal authorities will take another look at their position on this matter."

Regulators deny cover-up in seal deaths

Environmentalists blame nuclear plant's water tunnel

By Sean Murphy
Staff Writer

SEABROOK — An environmental group based in New York City is blasting Seabrook Station and federal regulators for the deaths and alleged cover-up of several dozen harbor seals during the past five years.

A release from Fish Unlimited accused the station of indirectly killing as many as "54 juvenile seals since 1993." The seals drown after entering the end of the station's seawater-intake tunnel, which brings seawater from the ocean to cool turbine steam.

In the release, Fish Unlimited Director Bill Smith called the number of deaths "outrageous" and accused federal agencies of intentionally turning the other cheek.

"The Nuclear Regulatory Commission, National Marine Fisheries Service and other agencies have known about violation of the Marine Mammal Protection Act for some time and have engaged in a cover-up to keep it from becoming public knowledge," Smith said.

NRC Spokesman Neil Sheehan flatly denied the accusations and said at least two years of records of seal deaths related to the station are on the commission's Web site.

"I can assure you it is not a cover-up," Sheehan said.

Sheehan said the commission did not notice a decline in the seal populations in the area.

"The seal population has grown in that part of the country," he said.

The Seacoast Anti-Pollution League, while falling short of di-

rectly accusing the NRC and NMFS of a cover-up, issued a release saying it was happy to have the support of Fish Unlimited. PL noted that the station's owners have asked for an exemption to the Marine Mammal Protection Act, which would allow the station to kill as many as 34 seals per year. SAPL Field Director Steve Haberman said the league gladly accepted Fish Unlimited's assistance in fighting the request, which the league fears the NMFS will grant. "Perhaps, now that other envir-

onmental groups are becoming involved in the issue, federal authorities will take another look at their position on this matter," Haberman said.

Station Spokesman David Barr confirmed that many seals and seal remains have been found at the station's end of the tunnels.

As to the allegations of a cover-up, Barr said he spoke with Smith before Fish Unlimited's release and provided all the information Smith requested.

According to Barr, the tunnels

begin underwater about a mile offshore. The ends of the tunnels, each about 40 feet across, are capped with a mushroom-curved meshed top. Currently, water flows into the intake tunnel at approximately 1-2 mph. The only reason seals end up inside them, Barr said, is that they swim into them, become disoriented and eventually drown.

Covering the ends with a mesh fine enough to keep the seals out would cause seaweed to clog the tunnels, Barr said. The only other option he is aware of, he said, would involve a sonic deterrent. The device would emit signals to drive away the seals.

ITEM # 3 A/B

Seals merit protection

The recent revelation of seal slaughter associated with Seabrook Station isn't likely to make any new friends for the local nuclear power plant. But we would be wise to remember where the fault — if there is any — actually lies.

According to local and federal environmentalists, it appears about four dozen or more harbor seals have been killed after being drawn into Seabrook Station's intake water tunnel over the past half-decade. That's about 10 seals a year in a relatively small harbor, so the concern of the Seacoast Anti-Pollution League and Fish Unlimited Inc. is warranted, to say the least.

But we're not prepared to hang the carnage on the door of Seabrook Station. Those seals were killed as a by-product of a normal business practice. It's unfortunate, yes ... even chilling. But it's a fact that is at least as old as the Industrial Revolution itself: Some species are going to be relocated, even killed, in the name of progress. Is it right? That answer largely depends on your view of human beings' place in the scheme of things.

Some aspects of this story are more clear, though. For one, Seabrook Station has been above board in its handling of the matter, revealing that they have recovered the remains of at least a baker's dozen seals this year alone. At the same time, however, the station has apparently sought an exemption to existing federal law, which could lead to the deaths of three times as many seals as are currently killed by "progress."

And while environmentalists may be correct in their assessment of the plight of local seals, we think Fish Unlimited's accusation of a cover-up by the Nuclear Regulatory Commission sounds a little, er ... fishy. The NRC may disagree with environmentalists' view of the situation, but to accuse them of a cover-up seems a bit dramatic.

On the other hand, some criticism in this area is merited. Though the NRC claims to have the seal deaths data on its Web site, a quick search by us did not reveal the material. That's not to say it doesn't exist, but it's not exactly easy to find.

—JFJS

ITEM # 4

A/4

SUMMARY ON DEAD SEALS



12/11/98

2/26/99 FOUND DEAD SEAL

SEABROOK RESIDENT INSPECTOR OFFICE

SEABROOK FAX NO.: 603-474-9018

OFFICE NO.: 603-474-3580/3589

TO: DIANE SCRENCI

FROM: // Ray Lorson, Senior Resident Inspector

M Javier Brand, Resident Inspector

// Sue Nelson, Resident Office Secretary

DATE SENT: 12/11/98 TIME: 11:00

NUMBER OF PAGES INCLUDING THIS FORM: 3

ITEM # 5 A/S

December 11, 1998

To: Javier Brand (NRC Resident Inspector)
From: John Hart (Environmental Compliance Manager)

Attached is a summary as we discussed today. Please contact me at x7752 if you have any questions.

ANTI NUCLEAR GROUP
USE ENVIRONMENTAL ISSUES THAT
FISH UNLIMITED
THIS OUTFIT IS SUING THE STATE OF CONNECTICUT
BECAUSE THEY DO NOT
AGREE WITH STATES DECISION.

cc: Mike Ossing
Jeff Sobotka

Seabrook fisherman nets fossil

By Sean Murphy
Staff Writer

Tooth of a woolly mammoth discovered in the Atlantic

SEABROOK — Mike Pike said he never really had the overwhelming awe that many children often have at the sight of massive dinosaur skeletons.

But the 39-year-old scallop and seafood fisherman from Seabrook found out just how fascinating old bones can be when he scooped up something a little different than his usual catch last month. He had found a massive tooth, bigger than a man's fist, that came from the mouth of a mastodon that wandered the Earth at least 10,000 years ago.

"I knew it was something old," he said as he hefted the tooth and chunk of skull it is attached to.

Pike said he remembered a fellow fisherman who had made a si-

llilar find in recent memory, and through a family friend, he got William Clyde, a paleontologist at the University of New Hampshire, to look at the fossil.

According to Pike, Clyde identified it as the tooth of a mastodon, more commonly known as the woolly mammoth — a creature resembling a large, furry elephant with massive tusks.

Pike said he has learned a lot about the extinct species since the discovery. The animals wandered along the prehistoric landscape, often searching for leaves, grasses and other plant life to eat, much in the way that a cow wanders through a meadow today.

He had found a massive tooth, bigger than a man's fist, that came from the mouth of a mastodon that wandered the Earth at least 10,000 years ago.

Pike's discovery two miles off the coast of Salisbury, Mass., is not so unusual because 10,000 years ago, during the last ice age, the surging sea was dry land, and it's not inconceivable that more than one mammoth died there.

Pike said experts have estimated

this particular tooth as being from 10,000 to 13,000 years old. He said he has been told it is in amazing condition, considering.

"I was quite shocked at it, really," he said.

Another expert at Harvard University told him to keep the tooth in glue for a week to seal it, then keep it under a glass cover and avoid touching it. Anything rubbing against the tooth could damage it.

Pike said it's a little overwhelming for him to be fielding telephone calls asking for interviews from virtually every TV station and news organization in the area. Pike joked that he's going to pay even more attention to what his nets bring up from now on, but doubted he would find any more teeth or bones.

"If I do, I ain't gonna tell nobody," he quipped.

ITEM #

File

6



**North
Atlantic**

North Atlantic Energy Service Corporation
P.O. Box 300
Seabrook, NE 03874
(603) 474-0600

The Northeast Utilities System

May 24, 1999

LIC-99213

AR # 99008099

Mr. Scott Sandorf
National Marine Fisheries Service
Northeast Region
One Blackburn Drive
Gloucester, MA 02173

Seabrook Station
Seal Entrapment—May 17, 1999

North Atlantic Energy Service Corporation (North Atlantic) hereby reports the entrapment of a seal at Seabrook Station. The seal was observed in Seabrook Station's Service Water Pump House forebay on May 17 and recovered the same day. North Atlantic notified the National Marine Fisheries Service of this entrapment by telephone¹. The seal will be provided to the New England Aquarium where a necropsy will be performed.

This report is made in response to the National Marine Fisheries Service letter dated January 5, 1995², recommending that North Atlantic report seal entrapment incidents. The attached seal entrapment incident report is enclosed as requested.

North Atlantic submitted an application for a Small Take Exemption Permit on June 13, 1997³ for the incidental taking of seals pursuant to Section 101(a)(5)(A) of the Marine Mammal Protection Act and in accordance with 50 CFR 216.104.

- 1 Notification of Seal Entrapment, Telephone Notification by R. Sher (North Atlantic) to S. Sandorf (NMFS) on May 17, 1999.
- 2 National Marine Fisheries Service letter dated January 5, 1995, Mr. Chris Mantzaris (NMFS) to R. Jeb DeLoach (North Atlantic).
- 3 North Atlantic Letter, LIC-97102, "Small Take Exemption Permit," from T. Feigenbaum (North Atlantic) to R. Schmitten (NMFS).

ITEM # 7

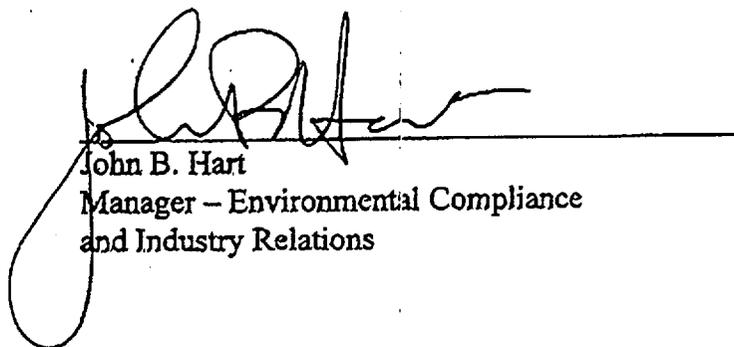
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If you have additional questions, please contact me at (603) 773-7762.

Very truly yours,

NORTH ATLANTIC ENERGY SERVICE CORP.



John B. Hart
Manager – Environmental Compliance
and Industry Relations

cc (with Enclosure)

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Mr. Greg Early
New England Aquarium Resource and
Rehabilitation
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SEABROOK STATION
SEAL ENTRAPMENT INCIDENT REPORT
MAY 17, 1999

Site of Entrapment and Date of Initial Observation (Recovery Date): Service Water System Forebay on May 17, 1999 (May 17, 1999).

Species Identification: Seal appears to be young harbor seal.

Description/Condition of Seal: Intact and heavily decayed.

Reporter: Ron Sher, Senior Scientist

Last Seal Observation: Two young seals were observed on April 7 and 8. An incident report was submitted to the NMFS⁴.

Recent Fish Impingement: About fifteen fish were impinged during the two weeks prior to the seal entrapment. They included eight sculpin, two herring and a winter flounder. Due to its heavy state of decay, it is unlikely that the seal was entrapped during this period.

Cooling Water Intake Temperature at Approximate Time of Entrapment: 45°F

Plant Power Level at Time of Entrapment Discovery: Seabrook Station was operating at about 92 percent power in the process of returning to full power operation following a shutdown for its sixth refueling outage which ended on May 13, 1999.

⁴ North Atlantic letter LIC-99177, dated April 22, 1999, "Seal Entrapments— April 7 and 8, 1999," J. Hart (North Atlantic) to S. Sandorf (NMFS)

Small Take Permit for Seals

"Seabrook Station gets approval to kill seals" said many of the stories in the local press after the National Marine Fisheries Service (NMFS) issued a small take permit this week for the taking of seals incidental to plant operations.

It might sound to some that we were looking for a hunting license. Actually, the permit which becomes effective on July 1 must be renewed each year. It requires that, within six months we find a way of keeping the seals in the ocean and out of our intakes. It also mandates increased reporting and monitoring in the form of daily screenwashes and inspections of the intake transition structure and pumphouse forebay.

According to John Hart, Environmental Compliance Manager, North Atlantic applied for this permit nearly two years ago and was required to do so because seals, like whales and dolphins, are protected by the Marine Mammal Protection Act. Seabrook could have been fined for each seal taken, but because of our cooperation in trying to mitigate and resolve this problem, NMFS exercised its discretion and did not take enforcement action.

Coincidentally, the permit was issued on the same day that we made formal notification to the state and federal environmental agencies that we plan to install barriers on our intakes this summer. The barriers are 3'x7' sections of fence made out of copper-nickel (for its anti-fouling and anti-corrosive properties). Twenty-four sections of this "fence" will be bolted on to each of the three intake structures that rest on the ocean floor a mile offshore in 60 feet of water.

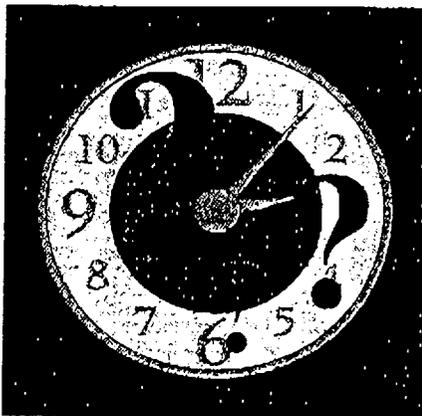
The addition of the barriers will reduce the existing openings on the intake structures from about 14 inches to about 4 inches. Our studies with live seals at the New England Aquarium indicate that this will keep out even the most determined seals.

Installation is scheduled for August so that the barriers will be in place before the peak seal entrapment period begins in the fall.

ERO Off-Hours Augmentation Drill

Unannounced Annual Drill to be Conducted in June

The annual Seabrook Station Emergency Response Organization (ERO) Off-hours and Unannounced Drill will be conducted in June.



The drill will be conducted during the period between 12:01 am, Sunday, June 6th and 11:59pm, Saturday, June 19, 1999. This will require emergency response organization members to report to their assigned facility following notification.

The scope of this drill will include activation of the emergency response facilities. This means that once responders arrive and sign in at their respective facilities, responders will obtain their emergency checklists and perform the steps required for facility activation.

According to Sue Perkins-Grew, Drill Coordinator, Seabrook has expanded the scope of this drill to more effectively demonstrate our facility activation capability. In previous off-hours and unannounced drills we simply required the responders to sign their name to a roster.

Additional correspondence will be issued to members of the Emergency Response Organization with specific instructions for response.

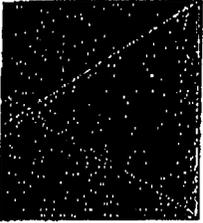
Also, as a reminder, ERO members can verify their position title, team and qualification status on the North Atlantic Homepage (www.naesco.com) on the Internet under "Nuclear Emergency Preparedness Department."

ITEM #

ITEM #

A18

Seabrook Station NEWS



FOR IMMEDIATE RELEASE
May 11, 1999

CONTACT: Alan Griffith 603-773-7719
David Barr 603-773-7197

Seabrook Station installing seal deterrent

Prevents seals from swimming into water tunnels

(Seabrook, New Hampshire) Seabrook Station today announced it is building a deterrent system designed to prevent seals from swimming into the offshore cooling water intake structures at the Seabrook Nuclear Power Plant.

Seabrook Station officials said they are preparing a submittal to U.S. Environmental Protection Agency and the National Marine Fisheries Service that describes the project. Seabrook expects to have the barriers in place this September.

"We reached outside of the company and across the nation for help from experts in marine mammal behavior, ocean engineering, and operations," said Project Manager Peter Stroup. "These experts together with Seabrook Station's environmental, licensing, and engineering staff were brought together for a two-day Seal Deterrent Workshop this past January. Out of that workshop came many different deterrent concepts that were addressed and analyzed," he said.

ITEM # 9

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Workshop participants included Dr. Ken Baldwin, Director Center of Ocean Engineering University of New Hampshire, Kathy Streeter, Curator Marine Animals New England Aquarium, Kevin Hertinson, Biologist Southern California Edison,

- more -

Dr. David St. Aubin, Research and Veterinary Services Mystic Aquarium, Greg Early, Resource and Rehabilitation New England Aquarium, Ned Taft, Vice President Alden Research Labs, and Kathryn Ono, Assistant Professor Dept. of Life Sciences University of New England

The deterrent concept comes from the recommendations of these experts and is the culmination of many months of research and analysis. It's also based on the results of barrier tests conducted with seals at the New England Aquarium in Boston.

The deterrent is designed to withstand the rigors of the Atlantic Ocean, and most importantly, has no impact on the safe and reliable operation of Seabrook Station. It's a series of vertical metal bars narrowly spaced appropriately to prevent seal intrusion. Made up of 72 separate pieces, the barrier will use more than nine tons of bars, which, if laid end to end, would be over a half-mile long. The barrier is designed to withstand the corrosive salt-water environment, discourage seaweed from clogging it during ocean storms, and will not have any additional adverse impacts on other species in the marine environment.

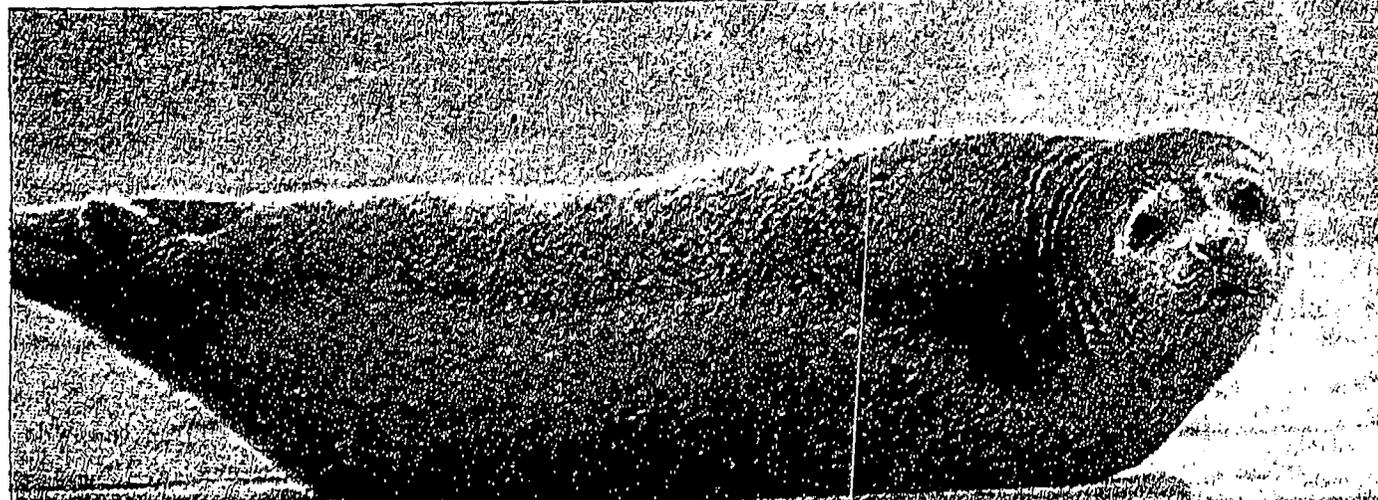
"We hammered out a solution that is right for the environment, right for Seabrook Station, and right for the seal population," said Stroup. "The next steps are to complete the necessary regulatory reviews and get the 72 deterrent fixtures fabricated and installed in 50 feet of water more than three miles out from Seabrook Station."

The seal population has increased significantly over the past six years creating an environmental issue that was not anticipated when the plant was designed. Seals were first observed in 1993 at Seabrook Station coinciding with what environmental

experts say has been an increase in the local seal population.

"Seals are by nature extremely curious, but we are confident these barriers will effectively deter seals from swimming into the tunnels," said Stroup.

- end -



SEAL APPEAL

Staff photo/Emily Reilly

"Sam" the seal strikes an endearing pose during a recent stop on the dock at the PEA Boathouse at Swasey Parkway in Exeter.

Onlookers enthralled by uncommon sightings of 'Sam'

By Lara Bricker
Staff Writer

Shielding the strong winds with his puffy powder blue parka, Wendell Clare was one of the spectators watching a seal stretching out on the Phillips Exeter Academy boat dock Thursday afternoon.

"He was out on the ice floe this afternoon," Clare said. "He kept sliding off and

he'd scramble back up. He appears to be trying to rest now."
Jeff Geary, head of the PEA boathouse, said he had heard about the seal but had not seen him until he hopped onto the dock. "It's good luck to have a seal on your dock," Geary said.
Clare said the seal's name is Sam. But just what was a seal doing this far inland?
Well, according to Richard Schanda, an expert on the outdoors, it is not unheard of for a seal to be as far inland as Exeter. The

same seal was in Newmarket earlier in the week where he was frolicking on the ice flows, Schanda said.
"That's quite a swim, but it's nothing for a seal, they swim pretty fast," Schanda said. "But it is unusual for them to be up that far. There must be a lot of fish in the river."
The seal, which was most likely a harbor seal, dines on the small smelt which abound in the Exeter River, said Schanda.

See SEAL, Page 8

► Fans say 'Sam' has seal appetite # 10

SEAL
From Page One

who believes the seal was probably a female born last year. Younger seals have been known to travel long distances to feed, according to the Seal Conservation Society.

To swim to Exeter, the seal is believed to have headed down the Squamscott River from Great Bay. The Squamscott River becomes the Exeter River by the string bridge in Exeter.

be around the area until about June because of the "river herring" which are just coming into season.
The marine mammal could probably swim back to Great Bay in about a half an hour, Schanda said.
According to the Seal Conservation Society, the seal in Exeter was a Western Atlantic harbor seal, which is found from the eastern Canadian Arctic and Greenland down to New England. Individual seals have been reported to have traveled as far

south as Georgia.
The American and Canadian population of the Western Atlantic harbor seal is thought to be between 60,000 to 70,000. Male harbor seals have a lifespan of 20 to 25 years while females can live up to 35 years.
For now, though, catching a glimpse of the seal in Exeter will continue to be an afternoon pastime for residents.
"He must have liked that spot," said Michele Sheldon, who came down Thursday to watch the seal. "He'll be back."

Alto

Portsmouth Herald (N.H.), Thursday, August 19, 1999

A4

Seabrook Station deserves credit for saving seals

The Seabrook Station nuclear power plant is doing a good deed, an action that is certain to save the lives of many innocent seals.

The massive plant has several cooling-water intake pipes that extend about a mile out into the ocean. And during the last six years, more than 60 seals have reportedly died after swimming into the pipes.

The power plant was taken to task — in this paper and elsewhere — for the needless deaths of the aquatic creatures, and now a solution is being put into place. An expensive, 9-ton solution.

Last week, crews that included divers began fitting the huge openings on the

intake pipes with gated panels specially designed to keep the seals out while withstanding the rigors of the Atlantic Ocean.

Seabrook Station — which is preparing a report on the project for the Environmental Protection Agency and the National Fisheries Services — was under heavy pressure to come up with a plan to protect the seals.

Plant officials say they "reached outside the company and across the nation for help from experts in marine mammal behavior, ocean engineering and operations."

Now Seabrook Station deserves credit for doing the right thing.

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ITEM # 11

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**North
Atlantic**

North Atlantic Energy Service Corporation
P.O. Box 300
Seabrook, NH 03874
(603) 474-9521

The Northeast Utilities System

October 8, 1999

NPDES Permit No. NH0020338

NYE-99024

Mr. Carl DeLoi
New Hampshire State Program Unit
U. S. Environmental Protection Agency
John F. Kennedy Building
Boston, MA 02203

Ms. Patricia A. Kurkul
Regional Director
National Marine Fisheries Service
One Blackburn Drive
Gloucester, MA 01930-2298

**Seabrook Station
Seal Deterrent Barrier Installation Videotape**

Enclosed please find a copy of the Seabrook Station videotape entitled, "Completion of the Seal Barrier Installation." The videotape documents the process of selecting, designing and installing the Seal Deterrent Barrier to preclude the entrapment of seals in Seabrook Station's offshore Cooling Water System intake structures.

The videotape provided to the addressees includes new media coverage of the barrier installation (Channel 4 and 9). The videotape provided to the distribution list does not include news media coverage.

If you have additional questions, please contact me at (603) 773-7762.

Very truly yours,

NORTH ATLANTIC ENERGY SERVICE CORP.



John B. Hart
Manager - Environmental Compliance
and Industry Relations

A/12

ITEM # 12 (3)

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| NO. | COM | PAGES | FILE | DURATION | X/R | IDENTIFICATION | DATE | TIME | DIAGNOSTIC |
|-----|-----|-------|------|----------|-----|----------------|--------|-------|---------------|
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| 15 | OK | 002 | 234 | 00:01'12 | RCV | 315 524 6937 | APR-13 | 11:26 | C0542B0377000 |
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| 24 | OK | 002 | 243 | 00:01'12 | RCV | 610 323 6590 | APR-13 | 14:19 | C0542B0A37000 |
| 25 | OK | 004 | 244 | 00:01'03 | RCV | 410 586 2628 | APR-13 | 14:23 | C0542B0377000 |
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| 31 | 495 | 007 | 250 | 00:03'15 | RCV | 603 474 9018 | APR-13 | 15:25 | C0542B0A37000 |
| 32 | OK | 008 | 251 | 00:04'46 | RCV | 603 474 9018 | APR-13 | 15:28 | C0542B0A37000 |

-DRP

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ITEM # 13

8/3/99 B&E
8/4/99 START NO

SEABROOK STATION

PRE-JOB BRIEFING

OFFSHORE INTAKE STRUCTURE

SEAL DETERRENT PROJECT

A/14

ITEM # 14

(6)

Seal Deterrent Project

Pre-Job Briefing

1. Review Contractors Divers Safety Plan.

- a. rescue plan
- b. life- line
- c. Divers qualifications / CPR Qualifications
- d. Stay Times
- e. Back up air supply.
- f. Safety to public
- g. Divers Log Book
- h. Working conditions, weather/ hazards.
- I. Types of communication
- j. Annual Training / Drills

2. Review Contractors Rigging and Handling plan.

- a. Inspection of rigging.
- b. Divers qualifications. to rig.
- c. Transporting heavy loads.
- d. Weights of panels.
- e. Rigging arrangement to panels.

3. Review Contractors FME plan

- a. Tethering tools
- b. Plan to retrieve tools or material

4. Review any environmental impacts

- a. Equipment in good working order with no oil leaks.
- b. Equipment inspection program.

5. Communications

- a. Seabrook Station Control Room shall be notified via telephone, preceding entry and exit that work is commencing or terminating each day.
- b. Seabrook Station Control Room shall be notified of any injury or rescue.
- c. Additional briefs will be required if work is assigned to different individuals.
- d. Daily reports to be provided to NAESCO
- f. A de-brief will be held at the end of project for Work Request Close-out.

6. Open Discussion:

- a. First Time Evolution
- b. What are the critical Phases?
- c. How can mistakes be made?
- d. What Bad things can go wrong?
- e. Entering intake structures is prohibited without an additional briefing.



UNDERWATER CONSTRUCTION CORPORATION

110 PLAINS ROAD, P.O. BOX 888, ESSEX, CT 06428-0888 / TEL: (800) USA-DIVE FAX: (860) 787-0612

SITE SPECIFIC SAFETY PLAN FOR NAESCO SEAL DETERRENT PROJECT

1.0 **PURPOSE**

1.1 This specific safety plan incorporates those aspects of anticipated responses and overall details covering the Seal Barrier Installation. This plan is additional to the general Emergency Action Plan (EAP) for Seabrook Nuclear Plant.

1.2 **Focus**

Several functions will occur during this job that will require attention to specific activities, which are as follows: vessel handling, weather and sea state observations, communication between UCC and Seabrook Station, possible injured diver and rigging.

2.0 **SCOPE**

2.1 **Vessel Handling** - During the operations of Hampton River Mooring loading, departing of port, navigating to the intake location, mooring at the intake and returning to port, the UCC Surveyor Vessel will be piloted by a competent, licensed operator. Transporting from shore to the Hampton River Mooring will be a 16' aluminum boat with a 15 HP outboard.

2.2 **Weather and Sea State** - Perhaps the most critical aspect of the entire job is the possible change in weather/sea state.

Attention each hour during operation of changing conditions in the weather (wind, fog) and sea state (large rollers, etc) by constant monitoring of broadcast stations will occur. Particular attention to those broadcasts along with viewing of televised weather patterns will aid in projecting suitable working conditions for the future day(s).

2.3 **Communication** - Onboard the UCC Surveyor will be two (2) marine radios along with a third hand-held unit. A certain channel will be established so that Seabrook and UCC personnel will be able to talk between themselves. Only one (1) radio will be on at a time, thus, the others act as back-up. Each hard mounted radio has its own antenna. Two (2) cellular phone will be carried on-board. These telephone numbers will be recorded with Seabrook Operational Personnel

1280 SEMINOLE DRIVE
INDIAN HARBOUR BEACH, FL 32937
TEL: (407) 778-9893
FAX: (407) 779-4462

9007 FIRST ST., P.O. BOX 263
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TEL: (800) 422-3835
FAX: (816) 422-2818

5855C DAYTON BLVD.
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SITE SPECIFIC SAFETY PLAN FOR NAESCO SEAL DETERRENT PROJECT

3.0 DIYING INJURIES

- 3.1 All of the diving work at the intakes is anticipated to be no decompression work.
- 3.2 All non-diving injuries are covered by UCC's standard Safe Practices Manual and the EAP for Seabrook Nuclear Plant Book.
- 3.3 Diving injuries that occur due to an embolism, decompression sickness, pneumothorax or any other will be handled in the trained appropriate manner per UCC's Safe Practices Manual, Rev. 1. UCC personnel on-site are trained to recognize and evaluate the necessary procedures to follow in the event of diving injuries. UCC's EAP Seabrook Nuclear Book lists the contact telephone list to expedite any help.

4.0 RIGGING

Will be covered by separate plan.

1260 SEMINOLE DRIVE
INDIAN HARBOUR BEACH, FL 32937
TEL: (407) 779-8683
FAX: (407) 779-4482

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UNDERWATER CONSTRUCTION CORPORATION

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FME PLAN FOR NAESCO SEAL DETERRENT PROJECT

1.0 PURPOSE

- 1.1 Due to the limited number of materials and that the intake heads will be active, it is imperative to prevent any loss of items and formulate a plan for retrieval of any items.
- 1.2 Bolts, nuts, washers, etc. not anticipated for immediate use will be stored on NAESCO's property, warehouse preferably.

2.0 WORK DESCRIPTION

- 2.1 UCC will transfer bolts, nuts, washers, clamp plates (i.e.: hardware) and racks along with tools at both the Fishers Co-op and the job site offshore.
- 2.2 Attachment of hardware by the diver(s) will involve setting nuts, bolts and plates on existing racks and new racks.

3.0 METHODOLOGY

- 3.1 All tools used by the diver(s) will be tethered off to each individual diver.
- 3.2 All hardware (nuts, bolts, washers and clamp plates) will be secured in closed containers on-board the vessel. A careful transfer to a closed container on deck and later delivered to the diver(s) at work depth will occur. The diver(s) will take and attach only that item(s) necessary per panel. The diver will have a closed carry bag or a lanyard (with hardware inserted thru the weave) tethered to him in order to control any droppage or loss.
- 3.3 **Loss or Droppage**
 - 3.3.1 Any tool or device used by the divers at the intake site will be tethered to the diver.
 - 3.3.2 Accurate location by sight will be made before a method of retrieval is inaugurated.
 - 3.3.2.1 UCC Project Manager will determine and give the "OK" to the diver(s) before retrievals.
 - 3.3.3 Entering intake structures is prohibited without an additional briefing by UCC and NAESCO contacts.

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FAX: (423) 874-0843

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**FME PLAN
FOR
NAESCO SEAL DETERRENT PROJECT**

- 3.3.4 Tools maybe extendable tongs or extendable magnets, for internal retrieval of ferrous or non-ferrous materials or tools.

SUMMARY OF SEAL ENTRAPMENT STATUS

The following are the number of seals that have been entrapped incidental to the operation of Seabrook Station by year:

| | | |
|-----------|---|------------------|
| 1990-1993 | - | 0 |
| 1994 | - | 2 |
| 1995 | - | 6-7 |
| 1996 | - | 12-17 |
| 1997 | - | 9 |
| 1998 | - | 13 (as of 12/11) |
| TOTAL | | 49-55 |

All but 4 of the entrapped seals have been Harbor Seals (the others were 3 Gray and 1 Hooded seal). The entrapments are coincident with the tremendous increase in the seal population in the Gulf of Maine. According to a 1995 stock assessment done for NOAA, the population of harbor seals has been increasing at a rate of 2.7% per year along the Maine coast. From 1990 to 1993 about 500 harbor seals were killed annually due to fishery interactions. The number of seals trapped in the Seabrook Station cooling water system has no impact on the viability of the species. Nonetheless, North Atlantic, the operator of Seabrook Station is working to find a way to prevent the animals from entering the station's intakes without jeopardizing plant safety or reliability. In the meantime, since seals as all other marine mammals, are protected under the Marine Mammal Protection Act, North Atlantic was required to file for a small take exemption permit. Accordingly, a comprehensive application was submitted to the National Marine Fisheries Service in June 1997. In August, 1998, NMFS issued a proposed rule for public comment which would authorize this exemption. Key provisions of the proposed rule:

1. On an interim basis, Seabrook Station would be authorized the taking of seals, incidental to operation, of no greater than 2% of the Potential Biological Removal¹ index per year.
2. Seabrook Station would have to report to NMFS its plan for mitigating the entrapment of seals within 6 months of issuance of the final rule.
3. Seabrook Station would have to implement mitigation measures within 3.5 years of issuance of the final rule.

NMFS has indicated to North Atlantic that the final rule would probably be issued in first quarter 1999.

North Atlantic has developed a conceptual designs for an Acoustic Deterrent System and an intake barrier. The latter was developed with the assistance of the New England Aquarium. Experiments were conducted at the Aquarium to study the behaviour of seals when confronted with different barrier designs. One of the chief problems with the acoustic system is that the aquaculture industry has found that, over time, the animals can adapt to the noise. The chief concern with an intake barrier is the potential for clogging due to marine growth or sudden blanketing with kelp and other debris as a result of storms.

North Atlantic is reviewing the options with respect to effectiveness, plant safety and reliability and commit to mitigation measures as required by NMFS.

¹ The Potential Biological Removal rate is the number of animals that can be removed from the stock by non-natural mortalities without impacting the sustainability of the population. For harbor seals, the PBR in 1995 was 1,729 seals per year.

ITEM # 15

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TOTAL 11 23