



February 25, 2010

SBK-L-10039  
Docket No. 50-443

U. S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555-0001

**Seabrook Station**

**“Request for Exemption from Specific 10 CFR 73 Requirements”**

In accordance with the provisions of 10 CFR 73.5, NextEra Energy Seabrook, LLC (NextEra) requests the Nuclear Regulatory Commission (NRC) approve an exemption from specific requirements of 10 CFR 73, “Physical Protection of Plants and Materials,” for Seabrook Station. The requested exemption would extend the deadline for implementation of certain new security requirements issued by the NRC in a Final Rule dated March 27, 2009 (74 FR 13926).

Pursuant to the Final Rule, the new security requirements must be implemented by March 31, 2010. NextEra has evaluated these new requirements and determined that most can be implemented by the required date. However, specific parts of the new requirements will require more time to implement because of delays resulting from unforeseen circumstances, such as adverse weather conditions.

Enclosure 1 provides technical information and justifications to support the exemption request. The Enclosure also contains a proposed implementation schedule that establishes the date that NextEra will be in full compliance with the new security requirements. Enclosure 2 provides the Environmental Assessment for the exemption request.

Enclosure 1 contains security-related information associated with the physical protection of Seabrook Station. Accordingly, NextEra requests that the information provided in Enclosure 1 be withheld from public disclosure in accordance with 10 CFR 2.390. Enclosure 3 provides a public version of the technical information and justifications contained in Enclosure 1 with the security-related information removed.

**THE ENCLOSURE TO THIS LETTER CONTAINS SECURITY-RELATED INFORMATION.  
WITHHOLD FROM PUBLIC DISCLOSURE IN ACCORDANCE WITH 10 CFR 2.390**

S001A  
NRC

NextEra requests approval of this exemption request by March 31, 2010 with the exemption effective upon issuance.

This letter makes no new regulatory commitments and does not revise any existing commitments.

NextEra's current security program and the new security requirements that will be implemented by March 31, 2010 provide continued assurance of public safety and common defense and security.

Should you have any questions regarding this letter, please contact Mr. Michael O'Keefe, Licensing Manager, at (603) 773-7745.

Sincerely,

NextEra Energy Seabrook, LLC.



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Paul Freeman  
Site Vice President

Enclosures

1. Supporting Information for Request for Exemption from Specific 10 CFR 73 Requirements (Security-Related Information)
2. Environmental Assessment
3. Supporting Information for Request for Exemption from Specific 10 CFR 73 Requirements (Public Version)

cc: S. J. Collins, NRC Region I Administrator  
D. L. Egan, NRC Project Manager  
W. J. Raymond, NRC Senior Resident Inspector

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Seabrook Station

**“Request for Exemption from Specific 10 CFR 73 Requirements”**

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Dryden, M. S.	e-mail
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Buerger, B.	e-mail
Letter Distribution	e-mail
File 0018	01-48
File 0052	01-48
RMD	02-06

**Enclosure 2**

***Environmental Assessment***

## Environmental Assessment

1. Describe any change to the types, characteristics, or quantities of non-radiological effluents discharged to the environment as a result of the proposed exemption.

### NextEra Response

There are no expected changes in the types, characteristics, or quantities of non-radiological effluents discharged to the environment associated with the proposed exemption. This exemption request is associated with implementation of security changes. The proposed exemption will not result in changes to the design basis requirements for the structures, systems, and components (SSCs) at Seabrook Station that function to limit the release of non-radiological effluents during and following postulated accidents. All the SSCs associated with limiting the release of offsite non-radiological effluents will, therefore, continue to be able to perform their functions, and as a result, there is no significant non-radiological effluent impact. There are no materials or chemicals introduced into the plant that could affect the characteristics or types of non-radiological effluents. In addition, the method of operation of non-radiological waste systems will not be affected by this change.

2. Describe any changes to liquid radioactive effluents discharges as a result of the proposed implementation.

### NextEra Response

There are no expected changes to the liquid radioactive effluents discharged as a result of this proposed exemption. The proposed exemption will not interact to produce any different quantity or type of radioactive material in the reactor coolant system. The proposed exemption will not result in changes to the design basis requirements for the SSCs at Seabrook Station that function to limit the release of liquid radiological effluents during and following postulated accidents. All the SSCs associated with limiting the release of liquid radiological effluents will, therefore, continue to be able to perform their functions, and as a result, there is no significant liquid radiological effluent impact.

3. Describe any changes to gaseous radioactive effluents discharged as a result of the proposed exemption.

### NextEra Response

There are no expected changes to the gaseous radioactive effluents discharged as a result of this proposed exemption. The proposed exemption will not interact to produce any different quantity or type of radioactive material in the reactor coolant system. The proposed exemption will not result in changes to the design basis requirements for the SSCs at Seabrook Station that function to limit the release of gaseous radiological effluents during and following postulated accidents. All the SSCs associated with limiting the release of gaseous radiological effluents will therefore continue to be able to perform their functions, and as a result, there is no significant gaseous radiological effluent impact.

## **Environmental Assessment**

4. Describe any change in the type or quantity of solid radioactive waste generated as a result of the proposed exemption.

### NextEra Response

There are no expected changes in the type or quantity of solid radioactive waste generated as a result of the proposed exemption. The proposed exemption will not result in changes to the design basis requirements for the SSCs at the Seabrook Station that function to limit the release of solid waste during and following postulated accidents. All the SSCs associated with limiting the release of solid radioactive waste will, therefore, continue to be able to perform their function.

Radiation surveys will be performed in accordance with plant radiation protection procedures on excavated dirt that could be contaminated, such as inside the protected area or radiation control areas, that will be disposed of offsite. Any contaminated dirt will be handled in accordance with plant procedures. NextEra has a radiation survey program and procedures to handle any contaminated excavated soil that is inside the protected area or radiation control areas.

5. What is the expected change in occupational dose as a result of the proposed exemption under normal and design basis accident conditions?

### NextEra Response

Under normal power operation, there would be no expected radiological impact on either the workforce or the public. There are no other expected changes in normal occupational operating doses. The proposed exemption would not impact control room dose or occupational dose.

6. What is the expected change in the public dose as a result of the proposed change under normal and Design Basis Accident (DBA) accident conditions?

### NextEra Response

Dose to the public will not be changed by the proposed exemption during normal operations. As discussed in items 2, 3, and 4 above, there is no basis to expect an increased source of liquid, gaseous or solid radiological effluents that could contribute to increased public exposure during normal operations and DBA conditions. The proposed exemption does not impact systems used during normal operation or systems used to detect or mitigate a DBA.

## Environmental Assessment

7. What is the impact to land disturbance for the proposed security changes?

### NextEra Response

The Seabrook Station Environmental Protection Plan (Non-radiological) requires that before engaging in additional construction or operational activities which may significantly affect the environment, NextEra shall prepare and record an environmental evaluation of such activity. Activities are excluded from this requirement if all measurable non-radiological environmental effects are confined to the onsite areas previously disturbed during site preparation and plant construction. The proposed exemption does not involve any digging or soil excavation. Consequently, the proposed security changes have no impact to land disturbance.

**Enclosure 3**

***Supporting Information for Request for Exemption from Specific 10 CFR 73 Requirements  
(Public Version)***

## A. Background

The NRC issued a Final Rule for new security requirements in the Federal Register on March 27, 2009, and these requirements must be implemented by March 31, 2010. NextEra has evaluated these new requirements and determined that most can be implemented by the required date. However, NextEra also determined that implementation of certain requirements will require additional time beyond March 31, 2010.

This exemption request proposes to extend the implementation date as discussed in the subsequent sections to provide additional time to complete modifications *[security-related information removed]*. NextEra proposes to establish full compliance with the new requirements of 10 CFR Part 73 modifications *[security-related information removed]*.

## B. Proposed Exemptions

### Regulation

10CFR73.55 *[security-related information removed]*

Security System Upgrade - *[security-related information removed]*

*[security-related information removed]*

## C. Justification of Need for Exemption

Based on the following factors, the margin that was initially reflected in the schedule for the security system upgrades has been reduced to the point where completion of all required implementation activities by March 31, 2010 is uncertain.

- a) Adverse weather has delayed outdoor implementation activities, resulting in a loss of approximately one day of work per week. *[security-related information removed]*
- b) Installation of the security system upgrades presents numerous unique challenges. These challenges *[security-related information removed]*. Additional time is required to overcome these challenges.
- c) *[Security-related information removed]*

- d) Compensatory or alternate measures may be required if NextEra cannot complete the required modifications by March 31, 2010 and the exemption request is not approved. Such measures would likely require additional security personnel beyond NextEra's current staffing level. Providing additional security officers would be extremely difficult due to the Part 26 work hour limitations and the time required for screening, hiring, and training of new security officers.

#### **D. Proposed Implementation Schedule**

Below is the proposed completion schedule for the security system upgrades for which the exemption is requested.

*[security-related information removed]*

#### **E. Impact on Overall Physical Protection Program and Protective Strategy**

NextEra is in compliance with the security regulations currently in effect. The additional time will not impact the effectiveness of Seabrook Station's overall physical protection program or protective strategy regarding current requirements. **[Security-related information removed]** NextEra's current security program and the new security requirements that will be implemented by March 31, 2010 provide continued assurance of public safety and common defense and security.