

August 19, 2010

Mr. Paul Freeman
Site Vice President
NextEra Energy Seabrook, LLC
P.O. Box 300
Seabrook, NH 03874

SUBJECT: REQUEST FOR EXEMPTION FROM 10 CFR 72.212(b)(7) FOR DRY FUEL STORAGE AT THE SEABROOK STATION – ACCEPTED FOR REVIEW

Dear Mr. Freeman:

By letter dated July 19, 2010, you submitted a request for exemption from 10 CFR 72.212(b)(7) for dry fuel storage at the Seabrook Station. 10 CFR 72.212(b)(7) requires a general licensee (under 10 CFR Part 72, Subpart K) to comply with the terms and conditions of the approved Certificate of Compliance (CoC) for the dry cask storage system used at the site. The NUHOMS® HD-32PTH dry cask storage system (CoC 72-1030, Amendment 0) is currently in use at the Seabrook Station.

Specifically, you are requesting exemption from the requirement to conduct a daily visual inspection of the horizontal storage module (HSM) air vents to ensure they are not blocked, as required by Technical Specification (TS) 5.2.5 of CoC 72-1030, Amendment 0. Instead, you wish to use the alternate method in the proposed Amendment 1 to CoC 72-1030, TS 5.2.5, which would allow for use of a daily temperature measurement program to monitor thermal performance of the HSM. U.S. Nuclear Regulatory Commission (NRC) staff completed its technical review of the proposed Amendment 1 to CoC 72-1030 in October 2009. However, an issue regarding TS language (not related to TS 5.2.5) has delayed the rulemaking, and thus, Amendment 1 to CoC 72-1030 has yet to be approved.

NRC staff performed an acceptance review of your request to determine if it contains sufficient information to allow the staff to complete the detailed review. This letter acknowledges acceptance of your request. The request appears to contain the information needed for our review. We have established a schedule for the review. The schedule allows for staff to issue a Request for Additional Information (RAI) in early September 2010 and the exemption by November 1, 2010, based on the applicant responding to RAIs in late September 2010. If no RAI is needed, and based on the staff's evaluation, the exemption may be issued at approximately that time. In general, no additional changes to the request should be submitted except for changes resulting from your response to an RAI.

If you have any questions regarding this matter, please contact me at 301-492-3571 or Jennifer Davis at 301-492-3371.

Sincerely,

/RA/

Kristina L. Banovac, Project Manager
Licensing Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket Nos.: 50-443, 72-63
TAC No.: L24460

cc: Distribution via Listserv
D.Shaw, Transnuclear, Inc.
E.Redmond, NEI

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