

August 2, 2012
EN 12-031

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: NextEra Energy Seabrook, LLC
Seabrook Station Unit 1
Docket No.: 50-443

EA-12-093

Subject: ISSUANCE OF FINAL SIGNIFICANCE DETERMINATION AND NOTICE OF VIOLATION

This is to inform the Commission that a Notice of Violation will be issued on or about August 7, 2012, to NextEra Energy Seabrook, LLC. (NextEra) for a violation associated with a White Significance Determination Process finding identified during an inspection of Seabrook Station, Unit 1. This White finding, an issue of low to moderate safety significance, will require additional U.S. Nuclear Regulatory Commission (NRC) inspections. The finding involves NextEra not identifying an exercise weakness during the post-exercise critique for an April 17, 2012, full participation emergency exercise. The exercise weakness involved errors in developing, documenting, and communicating the protective action recommendation immediately after a General Emergency was declared. As is the nature of training exercises, weaknesses may occur; however, it is required that these weaknesses are identified during the post-exercise critiques and corrected, so that such issues do not potentially impact response during an actual event.

The Notice of Violation is based on the NextEra's failure to meet 10 CFR 50.54(q)(2), which requires that nuclear power reactor licensees follow and maintain the effectiveness of an emergency plan that meets the requirements of Appendix E to 10 CFR Part 50 and the planning standards of 10 CFR 50.47(b). Section IV.F.2.g of Appendix E to 10 CFR Part 50 requires that all exercises, drills, and training that provide performance opportunities to develop, maintain, or demonstrate key skills must provide for formal critiques in order to identify weak or deficient areas that need correction. Any weaknesses or deficiencies that are identified in a critique of exercises, drills, or training must be corrected. 10 CFR 50.47(b)(14) requires that periodic exercises be conducted to evaluate major portions of emergency response capabilities and that deficiencies identified as a result of exercises are corrected.

The NRC issued a preliminary White finding for this issue to NextEra on May 29, 2012. NextEra submitted a written response to provide clarifying information regarding the finding, but did not contest the finding or its significance. After reviewing the information developed during the inspection and the supplemental information provided by the licensee in its response, the staff concluded that the inspection finding is appropriately characterized as White.

It should be noted that NextEra has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Final Significance Determination	August 7, 2012
Telephone Notification of Licensee	August 7, 2012

The State of New Hampshire and Commonwealth of Massachusetts will be notified.

Contacts: Nicole Coleman, OE, (301) 415-1048 Nick Hilton, OE, (301) 415-2741

Distribution: EN-12-031, August 2, 2012

<u>OWFN</u> Chairman Macfarlane Comm. Svinicki Comm. Apostolakis Comm. Magwood Comm. Ostendorff SECY OCA PA IP	<u>OWFN</u> EDO DEDR DEDMRS OE OGC NRR NSIR OI	<u>TWFN</u> OCFO OP CENTER FSME OIG OCIO RES ACRS	<u>EBB</u> NMSS	<u>Regional Offices</u> RI RII RIII RIV <u>MAIL</u> ADAMS OE staff
---	--	--	--------------------	--

Electronic DISTRIBUTION:

R. Zimmerman, OE
N. Hilton, OE
OE r/f
EN binder

X PUBLIC
X NON-SENSITIVE

ADAMS ML12215A158

OFFICE	OE:ES	OE:BC
NAME	N. Coleman	N. Hilton
DATE	8/1/2012	8/2/2012

OFFICIAL RECORD COPY