



August 31, 2012

Docket No. 50-443

SBK-L-12170

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

Seabrook Station
Reply to a Notice of Violation; EA-2012-093

References:

1. Seabrook Station, Unit No. 1 – NRC Inspection Report 05000443/2012503; Preliminary White Finding, dated May 29, 2012.
2. Final Significance Determination of White Finding with Assessment Follow-up, and Notice of Violation (NRC Inspection Report No. 05000443/2012504, Seabrook Station, Unit No. 1), dated August 7, 2012.

NextEra Energy Seabrook, LLC (NextEra Energy Seabrook), has reviewed the subject Notice of Violation and files the attached Reply to Notice of Violation 2012-093 pursuant to 10 CFR 2.201.

If there are any questions regarding this letter, please contact Mr. Michael D. O'Keefe, Licensing Manager, at (603) 773-7745.

Sincerely,

NextEra Energy Seabrook, LLC

A handwritten signature in black ink, appearing to read "Kevin T. Walsh".

Kevin T. Walsh
Site Vice President

cc: NRC Region I Administrator
NRC Project Manager
NRC Senior Resident Inspector

IED1
NRR

II. Corrective Actions Taken and Results Achieved

1. On August 22, 2012, the Nuclear Division Drill and Exercise procedure was revised to:

- specify the attributes of the controller and player review of proposed drill results, documentation, and specific (DEP) criteria,
- clearly specify the requirements for the critical review of proposed exercise results, and
- include the following topics in the controller pre-drill briefing:
 - Discuss Drill and Exercise Performance (DEP) evaluation methodology.
 - Reinforce the need for a questioning attitude when evaluating drill performance.
 - Discuss the attributes of a successful critique session.
 - Definition of “release in progress.”

III. Corrective Steps That Will be Taken

Additional corrective steps may be implemented based on fourth quarter drill results and root cause review feedback.

IV. Date When Full Compliance Will Be Achieved

Full compliance was achieved on August 22, 2012 with the revisions to the Nuclear Division Drill and Exercise procedure.

Attachment to SBK-L-12170

Statement of Violation:

During an NRC inspection conducted at the NextEra Energy, LLC (NextEra) Seabrook Station (Seabrook) Unit 1 from April 17-19, 2012, and for which an exit meeting was held on April 19, 2012, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Title 10 of the Code of Federal Regulations (CFR), Section 50.54(q)(2) requires that nuclear power reactor licensees shall follow and maintain the effectiveness of an emergency plan that meets the requirements in Appendix E to this part and the planning standards of §50.47(b).

10 CFR 50.47(b)(14) requires, in part, that periodic exercises be conducted to evaluate major portions of emergency response capabilities and that deficiencies identified as a result of exercises are corrected.

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.

Contrary to the above, during the April 19, 2012, critique of the April 17, 2012, Seabrook biennial emergency preparedness exercise, NextEra failed to identify a performance weakness that was in need of correction. Specifically, NextEra did not identify as a weakness that an incorrect initial Protective Action Recommendation (PAR) had been developed and communicated to the state response organizations. The initial PAR was incorrect for the exercise actual condition (i.e., no release in progress).

This violation is associated with a White Finding.

NextEra Energy Seabrook's Reply to the Notice of Violation

I. Reason for Violation

The root cause of this event was determined to be an inadequate exercise critique process. Specifically, Emergency Preparedness Drill and Exercise Manual (EPDE) chapter 6, Post Drill and Exercise Critiques, was inadequate in that it lacked sufficient detail to require a listing of criteria to judge effectiveness. This resulted in an inadequate evaluation and documentation of exercise weaknesses during the exercise and the post exercise critique.