

January 14, 2014

The Honorable Edward J. Markey  
United States Senate  
Washington, D.C. 20510

Dear Senator Markey:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of December 18, 2013, to Chairman Allison Macfarlane in which you recommended that the NRC make no decision on the June 1, 2010, application made by NextEra Energy Seabrook for a twenty year renewed operating license for the Seabrook plant until the concrete degradation the plant is experiencing is fully tested, understood and remedied by way of an amendment to NextEra's current operating license. More specifically, you asked that the Commission affirm that no decision on the license renewal application for the Seabrook operating license be made until an analysis of tests with respect to the phenomenon of alkali silica reaction (ASR) being performed by the University of Texas is completed and peer review of the results is done. You further requested that NextEra seek and obtain a license amendment that would incorporate measures that would result in the monitoring of the progression of any ASR and predict the remaining service life of the plant before and after any repair.

Due to the fact that the license renewal application for the Seabrook Unit 1 plant is a subject of a current adjudication before an Atomic Safety and Licensing Board, I must advise that under agency regulations, the Commission has an appellate role in proceedings commenced before its Atomic Safety and Licensing Boards. Because of that role, I trust that you will understand that the Commissioners must remain impartial during the pendency of a case, whether it is before a Licensing Board or on appeal to the Commission. However, I am referring your concerns to the attention of the NRC staff.

A copy of your letter and this response, as well as any response of the NRC staff, when issued, will be served on the participants in the *Seabrook* license renewal proceeding.

Sincerely,

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Annette Vietti-Cook  
Secretary of the Commission

Identical letter sent to:

The Honorable Edward J. Markey  
United States Senate  
Washington, D.C. 20510

The Honorable Elizabeth Warren  
United States Senate  
Washington, D.C. 20510

The Honorable John Tierney  
United States House of Representatives  
Washington, D.C. 20515

The Honorable James P. McGovern  
United States House of Representatives  
Washington, D.C. 20515

The Honorable Stephen F. Lynch  
United States House of Representatives  
Washington, D.C. 20515

The Honorable William R. Keating  
United States House of Representatives  
Washington, D.C. 20515

The Honorable Niki Tsongas  
United States House of Representatives  
Washington, D.C. 20515

The Honorable Joseph P. Kennedy III  
United States House of Representatives  
Washington, D.C. 20515