



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION I
2100 RENAISSANCE BLVD., SUITE 100
KING OF PRUSSIA, PA 19406-2713

July 22, 2015

EA-15-135

Mr. Dean Curtland
Vice President, Seabrook Station
c/o Mr. Michael Ossing
NextEra Energy Seabrook, LLC
626 Lafayette Rd.
Seabrook, NH 03874

SUBJECT: NRC INVESTIGATION REPORT NO. 1-2015-014

Dear Mr. Curtland:

This letter refers to the subject investigation by the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations (OI) conducted at NextEra Energy, LLC's (NextEra's) Seabrook Station (Seabrook). The investigation, which was completed on May 8, 2015, was conducted to determine whether a former electrical maintenance first line supervisor (FLS) deliberately provided incomplete and inaccurate information to NextEra on February 11, 2015. The investigation was initiated after the NRC received notification from NextEra on February 12, 2015, indicating that the FLS had subverted the Seabrook fitness-for-duty (FFD) program. Specifically, on February 11, 2015, the FLS was selected for a random FFD test, and was instructed to report to the FFD sample collection location at a designated time. However, the FLS did not report to the collection location when required. Instead, he left the site and informed his supervisor that he had a family emergency.

After the FLS's supervisor subsequently informed him that if the FLS did not report for the FFD test that day, he would be considered as having refused testing, the FLS returned to the site and submitted to the test approximately six and one half hours after the original designated time. The supervisor also informed the FLS that he had to provide documentation of the family emergency. The following day, the FLS told his supervisor that there had not been a family emergency and that he had actually left the site because he believed he would not pass the FFD test. NextEra terminated the FLS's site access authorization, in accordance with the requirements specified in Title 10 of the Code of Federal Regulations (CFR) Part 26.75(b), which states that any act or attempted act to subvert the FFD testing process, including, but not limited to, refusing to provide a specimen, must result in the immediate unfavorable termination of the individual's authorization and permanent denial of authorization thereafter.

Based on the results of the NRC OI investigation, including the FLS's testimony that he left the site and did not report for the FFD test when required, the NRC determined that the FLS deliberately provided incomplete and inaccurate information to NextEra that was material to the NRC by attempting to subvert Seabrook's FFD process. Specifically, the FLS provided false information to NextEra about why he did not report to the FFD sample collection site at the specified time. This information was material to the NRC because the NRC requires that individuals selected for random testing report to the collection site within the time period specified in the site FFD program policy. Seabrook's FFD program policy requires such individuals to report at the designated time.

The NRC is not taking any enforcement action against NextEra associated with this event. Please note that final NRC investigation documents, such as the OI report described in this letter, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information appropriate under the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, "Requests for Records," a copy of which is enclosed for your information.

You are not required to respond to this letter. However, should you choose to respond, your response should be sent to the U.S. Nuclear Regulatory Commission, ATTN: Regional Administrator, Region I, 2100 Renaissance Boulevard, Suite 100, King of Prussia, PA 19406, and marked "Open by Addressee Only," within 30 days of the date of this letter, with a copy to the NRC Senior Resident Inspector at Seabrook. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response, if you choose to provide one, will be available electronically for public inspection in the NRC Public Document Room and from the NRC's Agency-wide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Should you have any questions regarding this letter, please contact Mr. Glenn Dentel at 610-337-5233.

Sincerely,

/RA/

Ho K. Nieh, Director
Division of Reactor Projects

Enclosure: As stated

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 Ho K. Nieh, Director
 Division of Reactor Projects

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NAME	M McLaughlin/MMM*	N Warnek/ NSW*	A Dimitriadis/ AD*	G Dentel/ GTD*	H Nieh/ HKN*	R Lorson/ RKL*
DATE	6/30/15	7/01/15	7/02/15	7/02/15	7/06/15	7/02/15
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NAME	B Klukan/ BMK*	B Bickett/ BAB*	NLO S Lewman via OE email	G Figueroa via email	D Willis via OE email	H Nieh/
DATE	7/06/15	7/07/15	7/15/15	7/15/15	7/15/15	7/22/15

OFFICIAL RECORD

Letter to Dean Curtland from Ho K. Nieh dated July 22, 2015

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