



December 30, 2016  
Docket No. 50-443  
SBK-L-16210

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

Seabrook Station  
Response to an Apparent Violation in NRC Investigation No. 1-2015-029; EA-16-170

References:

1. Seabrook Station, NRC Investigation Report 1-2015-029 (ML16334A416)
2. Teleconference between Fred Bower and Kenneth Browne, December 9, 2016

The enclosure to this letter provides the NextEra Energy Seabrook, LLC (NextEra) response to the subject apparent violation of Nuclear Regulatory Commission (NRC) regulations. This enclosure documents the comprehensive actions taken by NextEra to understand and correct the condition documented in the referenced letter.

If there are any questions regarding this letter, please contact Mr. Kenneth Browne, Licensing Manager, at (603) 773-7932.

Sincerely,

A handwritten signature in black ink, appearing to read "CD", with a long horizontal flourish extending to the right.

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Christopher Domingos  
Plant General Manager  
NextEra Energy Seabrook, LLC

Enclosure

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

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NextEra Energy Seabrook, LLC

P.O. Box 300, Lafayette Road, Seabrook, NH 03874

**Enclosure to SBK-L-16210**

Response to an Apparent Violation in NRC Investigation No. 1-2015-029; EA-16-170

The NRC Letter to NextEra Energy Seabrook, LLC (NextEra) dated December 1, 2016, identified an apparent violation of NRC requirements at Seabrook Station. NextEra understands the violation and provides the following response pursuant to 10 CFR 2.201.

### **Apparent Violation**

10 CFR 73.55(k)(2) requires licensees to ensure that all firearms, ammunition, and equipment necessary to implement the site security plans and protective strategy are in sufficient supply, are in working condition, and are readily available for use.

Contrary to the above, from August 14, 2015 – August 22, 2015, NextEra Energy Seabrook, LLC did not ensure that all firearms necessary to implement the site security plans and protective strategy were in working condition. Specifically, foreign material had been introduced into the barrel of a rifle staged at a security post that was established to implement the site protective strategy. Because of the foreign material, the rifle could not have been ensured to fire properly.

### **NextEra Response**

NextEra understands and accepts the Apparent Violation. Our investigation concluded that this licensee-identified violation was an isolated act that had no apparent management involvement and upon discovery, prompt corrective actions were taken as described on page 2 of this submittal.

### **Reason for the Apparent Violation**

A formal root cause evaluation was performed under CR 2172145 to determine causal factors associated with the event. The root cause evaluation team conducted document reviews, interviews and physical inspections to identify and assess all organizational and/or programmatic barriers associated with this event. The following barriers were evaluated:

- Behavioral:
  - New hire screening
  - Access Authorization screening/ rescreening
  - Performance Evaluation/Supervisory Oversight
  - Behavior Observation
  - Training
  - Conduct of Security processes/procedures
  - Medical evaluation records
  - Organizational culture
- Physical:
  - Post turnover processes/procedures
  - Firearms inspection and maintenance processes/procedures
  - Post/patrol processes/procedures
  - Previous corrective actions/Operating experience

### **Direct Cause:**

An intentional act of deliberate misconduct by an individual in the Security organization.

Root Cause:

The Security firearm field inspection process does not sufficiently validate the working condition of the firearm.

**Corrective Steps That Have Been Taken and the Results Achieved:**

**Immediate actions taken include:**

- Notification was made by NextEra to the NRC Operations Center upon recognition of the event. Event Notification Number 51337.
- NextEra immediately increased observation by Security force members for potential indications of unauthorized activity (these actions were terminated after notification from the NRC Office of Investigation that the individual was identified).
- NextEra commenced unannounced supervisory inspections of posts and tour/patrol conduct (these actions were suspended after notification from the NRC Office of Investigation that the individual was identified).
- NextEra immediately initiated an extent-of-condition inspection of potentially affected Security contingency equipment (e.g., ammunition satchels, doors, CPs, CDE floor, alarm stations, bullet resistant enclosures) to inspect for signs of mischief or unauthorized activity (these actions were suspended after notification from the NRC Office of Investigation that the individual was identified).
- NextEra immediately commenced firearm bore inspections using a sounding rod to verify weapons readiness (these actions were suspended after notification from the Office of Investigation that the individual was identified).
- NextEra contracted and completed a defensive strategy review by a recognized external expert utilizing table top reviews which concluded the loss of this weapon would not impact the ability to stop a designed basis threat.
- NextEra Corporate Security completed an independent investigation and concluded no badged personnel at the site were aware of the event or failed to notify management of the event.
- The NextEra Seabrook Security Manager engaged full site support to ensure timely completion of the investigation could be accomplished by the NRC Office of Investigation Team that responded locally to the site.
- An extent of condition review of the Corrective Action Program was conducted to determine if there were other condition reports for damaged Security equipment. No issues were identified.

Since the discovery of the foreign material on August 22, 2015 there have been no other instances of tampering or deliberate misconduct by a contract Security officer.

**Corrective Steps That Will Be Taken:**

**Corrective Action to Preclude Repetition:**

- Implement a firearm field inspection process that sufficiently validates the working condition of firearms once per shift. Due Date: 3/31/2017

**Interim Corrective Action:**

- As a bridging strategy until CAPR implementation, perform the following activities at least once per shift.
  - Unannounced supervisory inspections of posts and tour/patrol conduct.
  - Follow-up inspection of Security equipment (Ammo satchels, doors, CPs, CDE floor, alarm stations, BREs) looking for signs of mischief or unauthorized activity.
  - Bore inspections using a sounding rod.

**Other Corrective Actions:**

- Develop a case study to be presented at initial Security officer training and on an annual basis to existing Security personnel. Case study should discuss this event and the consequences that resulted. Additionally, supervisory BOP standards and requirements should be reviewed in relation to how the FFD program aims to detect aberrant behavior in support of preventing station events. Consideration should be made to include other significant industry events. Due Date: 3/31/2017
- Deliver case study developed above to currently assigned Security officers during the 2<sup>nd</sup> trimester 2017 training cycle. Include as annual review in any trimester beginning in 2018. Due 8/31/2017
- Assign case study developed above as initial training requirement for all new hire Security personnel. Due 4/30/2017
- Provide a refresher/reinforcement briefing (or similar) related to standards associated with supervisor BOP requirements and indications of behavior which may warrant follow-up. Due 4/30/2017
- Develop and deliver a case study for station review to focus on consequences of deliberate misconduct. Due 5/31/2017

**Date When Full Compliance Will Be Achieved:**

NextEra Energy Seabrook, LLC is in full compliance. There have been no other instances of a firearm not being in working order.