



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001

January 11, 2019

Administrative Judge
Ronald M. Spritzer, Chair
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Dr. Sekazi Mtingwa
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Nicholas G. Trikouros
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

In the Matter of
NEXTERA ENERGY SEABROOK, LLC
(Seabrook Station, Unit 1)
Docket No. 50-443-LA-2; ASLBP No. 17-953-LA-BD01

Dear Administrative Judges:

The U.S. Nuclear Regulatory Commission staff ("Staff") is filing this notification to inform the Board and all parties that, on January 11, 2019, the Staff provided the Commission with (1) a Notification of Significant Licensing Action ("NSLA") stating that, on or about January 22, 2019, the Staff will issue a final no significant hazards consideration determination and license amendment to NextEra Energy Seabrook, LLC ("NextEra") in response to NextEra's request to revise the Seabrook Station, Unit 1 ("Seabrook") Updated Final Safety Analysis Report to adopt a methodology for the analysis of seismic Category I structures with concrete affected by alkali-silica reaction and (2) a memorandum from Ho Nieh, Director, Office of Nuclear Reactor Regulation, stating that, on or about January 30, 2019, he will issue a renewed facility operating license for Seabrook. The NSLA and the memorandum are enclosed.

Sincerely,

/Signed (electronically) by/
Jeremy Wachutka
Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop O14-A44
Washington, DC 20555
Telephone: (301) 287-9188
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Enclosures: As stated



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 11, 2019

OFFICE OF NUCLEAR REACTOR REGULATION

NOTIFICATION OF SIGNIFICANT LICENSING ACTION

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

SUBJECT: PROPOSED ISSUANCE OF A FINAL NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION AND LICENSE AMENDMENT
REGARDING WHICH A HEARING HAS BEEN REQUESTED (CAC
NO. MF8260; EPID L-2016-LLA-0007)

This is to inform the Commission that a final no significant hazards consideration determination and license amendment will be issued on or about January 22, 2019, to NextEra Energy Seabrook, LLC (NextEra). This action is being taken in response to NextEra's license amendment request dated August 1, 2016 (Agencywide Documents Access and Management System Accession No. ML16216A250), as supplemented by letters dated September 30, 2016; October 3, 2017; October 17, 2017; December 11, 2017; and June 7, 2018 (ML16279A047, ML17277A337, ML17291B136, ML17345A641, and ML18158A540, respectively), and will modify Facility Operating License No. NPF-86 for Seabrook Station, Unit No. 1 (Seabrook). Specifically, the license amendment revises the Updated Final Safety Analysis Report to adopt a methodology for the analysis of seismic Category I structures with concrete affected by alkali-silica reaction.

On April 10, 2017, C-10 Research and Education Foundation, Inc. (C-10) filed a request for a hearing on the Seabrook license amendment request, which included ten contentions (ML17100B013). On October 6, 2017, the Atomic Safety and Licensing Board (Board) concluded that C-10 had standing and admitted five of the contentions, which it then reformulated into a single contention related to the testing done in support of the license amendment request and its applicability to the structures at Seabrook (ML17279A968). On October 31, 2017, NextEra appealed the Board's decision (ML17304B075). On April 12, 2018, the Commission affirmed the Board's decision (ML18102A097). On September 28, 2018, the staff issued its draft safety evaluation (ML18226A205). The Board has issued a schedule for the hearing on the license amendment request (ML18046A985) and, consistent with this schedule, the evidentiary hearing is expected to be held at the earliest in Summer 2019 and will not be completed prior to the issuance of the amendment.

The State of New Hampshire and the Commonwealth of Massachusetts have been notified and had no comments.

CONTACT: Justin C. Poole, NRR/DORL
(301) 415-2048

NOTE: Information to be added after issuance of the amendment.

Date amendment issued: MM/DD/YY

Date received by licensee: MM/DD/YY

Date C-10 was notified: MM/DD/YY

SUBJECT: PROPOSED ISSUANCE OF A FINAL NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION AND LICENSE AMENDMENT REGARDING WHICH A HEARING HAS BEEN REQUESTED (CAC NO. MF8260; EPID L-2016-LLA-0007) DATED JANUARY 11, 2019

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ADAMS Accession No.: ML18353A421

*by e-mail

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|--------|------------------|---------------------|------------------|-----------------------|
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| NAME | JPoole | PTalukdar/LRonewicz | JDanna* | KBrock for CErlanger* |
| DATE | 12/19/2018 | 12/19/2018 | 12/19/2018 | 12/18/2018 |
| OFFICE | OGC - NLO | NRR/D | EDO | |
| NAME | JWachutka* | HNieh | MDoane | |
| DATE | 01/04/2019 | 12/27/2019 | 01/11/2019 | |

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 10, 2019

MEMORANDUM TO: Chairman Svinicki
Commissioner Baran
Commissioner Burns
Commissioner Caputo
Commissioner Wright

FROM: Ho K. Nieh, Director */RA/*
Office of Nuclear Reactor Regulation

SUBJECT: RENEWAL OF FULL-POWER OPERATING LICENSE FOR
SEABROOK STATION, UNIT NO. 1

In the staff requirements memorandum for COMSECY-05-0025, "Renewal of Full-Power Operating License for Arkansas Nuclear One, Unit 2," dated July 25, 2005, the Commission directed the U.S. Nuclear Regulatory Commission (NRC) staff to notify the Commission by memorandum 3 days before the issuance of a renewed license. In accordance with this direction, the staff is informing the Commission that it plans to issue Renewed Facility Operating License No. NPF-86 for Seabrook Station, Unit No. 1 (Seabrook), on or about January 30, 2019.

By letter dated May 25, 2010, NextEra Energy Seabrook, LLC (NextEra) submitted a license renewal application to renew Facility Operating License No. NPF-86 for Seabrook. The NRC staff reviewed the license renewal application in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," and 10 CFR Part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants." Region I also performed inspections, as described in reports dated May 23, 2011 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML111360432) and August 10, 2018 (ADAMS Accession No. ML18222A292). The staff documented the results of its safety review in "Safety Evaluation Report Related to the License Renewal of Seabrook Station," issued September 28, 2018 (ADAMS Accession No. ML18254A294). The staff documented the results of its environmental review in a final supplemental environmental impact statement (SEIS) published in July 2015, as Supplement 46, "Regarding Seabrook Station, Final Report," to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants" (ADAMS Accession Nos. ML15209A575 and ML15209A870).

CONTACT: William F. Burton, NRR/DMLR
301-415-6332

In accordance with 10 CFR 54.25, "Report of the Advisory Committee on Reactor Safeguards," the Advisory Committee on Reactor Safeguards (ACRS) reviewed the license renewal application for Seabrook. The ACRS completed its review during its 659th meeting, held on December 6-7, 2018, and documented its findings recommending renewal of the Seabrook license in a letter to the Commission dated December 19, 2018 (ADAMS Accession No. ML18353A954).

The staff notes that in 2016, NextEra submitted a license amendment request for Seabrook revising the Updated Final Safety Analysis Report to adopt a methodology for the analysis of seismic Category I structures with concrete affected by alkali-silica reaction (ASR).¹ Four of the Seabrook license renewal aging management programs (i.e., the plant-specific Alkali-Silica Reaction (ASR) Monitoring Program, the plant-specific Building Deformation Monitoring Program, the Structures Monitoring Program, and the ASME Section XI, Subsection IWL aging management program) are based, in whole or in part, on the methodology submitted in the license amendment request. A hearing is pending on the license amendment request, related to the testing done in support of the methodology and its applicability to the structures at Seabrook. The staff has made a final no significant hazards consideration determination and is issuing the license amendment on or about January 18, 2019, during the pendency of the hearing (ADAMS Accession No. ML18353A421).

The contested adjudication associated with the license renewal application ended in 2016.² Pursuant to the staff requirements memorandum for SECY-02-0088, "Turkey Point Nuclear Plant, Units 3 and 4, Renewal of Full-Power Operating Licenses," dated June 5, 2002, that authorizes the Director of the Office of Nuclear Reactor Regulation (NRR) to issue uncontested operating license renewals without prior Commission authorization, the Director of NRR will issue Renewed Facility Operating License No. NPF-86 for Seabrook subsequent to the issuance of the license amendment, on or about January 30, 2019.

Docket No. 50-443

cc: SECY
EDO
OGC
OCA
OPA
CFO
OCAA

¹ The original request, which has since been supplemented, may be found at ADAMS Accession No. ML16216A250.

² See *NextEra Energy Seabrook, LLC* (Seabrook Station, Unit 1), CLI-16-3, 83 NRC 52, 53-54 (2016) (setting out, as part of a decision denying a motion to withdraw the Final SEIS, a brief history of the adjudication). Seabrook was also part of the administrative litigation associated with the Continued Storage Rule. See, e.g., *DTE Electric Co.* (Fermi Nuclear Power Plant, Unit 3), CLI-15-4, 81 NRC 221 (2015) (declining, on multiple dockets including *Seabrook*, to make predictive findings regarding the technical feasibility of spent fuel disposal as part of reactor licensing decisions); *Calvert Cliffs 3 Nuclear Project, LLC, and UniStar Nuclear Operating Services, LLC* (Calvert Cliffs Nuclear Power Plant, Unit 3), CLI-14-8, 80 NRC 71, 74-75 (2014) (lifting the suspension on final licensing decisions (including in the *Seabrook* license renewal matter) in view of the issuance of a revised Continued Storage Rule and associated Generic Environmental Impact Statement; at the same time, the Commission dismissed the continued storage contention pending before the Board in the *Seabrook* matter).

SUBJECT: RENEWAL OF FULL-POWER OPERATING LICENSE FOR SEABROOK STATION, UNIT NO. 1 DATED JANUARY 10, 2019.

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ADAMS Accession No. ML18345A191

***concurrence via e-mail**

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| NAME | WBurton | YEdmonds | CHsu | EOesterle (BRoger for) |
| DATE | 12/18/2018 | 12/16/2018 | 1/2/2019 | 12/28/2018 |
| OFFICE | OGC (NLO)* | D:DMLR | D:NRR | |
| NAME | JWachutka | GWilson (JDonoghue for) | HNieh | |
| DATE | 1/8/2019 | 12/28/2018 | 1/10/2019 | |

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
NEXTERA ENERGY SEABROOK, LLC) Docket No. 50-443-LA-2
)
(Seabrook Station, Unit 1))

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305, I hereby certify that copies of the foregoing notification, dated January 11, 2019, have been filed through the Electronic Information Exchange, the NRC's E-Filing System, in the above-captioned proceeding, this 11th day of January, 2019.

/Signed (electronically) by/
Jeremy Wachutka
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