



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

January 26, 2012

EA-11-063

Mr. Paul Freeman
Site Vice President
NextEra Energy Seabrook, LLC.
c/o Mr. Michael O'Keefe
P.O. Box 300
Seabrook, NH 03874

SUBJECT: NRC INVESTIGATION REPORT NO. 1-2011-026

Dear Mr. Freeman:

This letter refers to the investigation by the U. S. Nuclear Regulatory Commission (NRC) Office of Investigations (OI) conducted at NextEra Energy Seabrook, LLC's (NextEra's) Seabrook Station (Seabrook), that was completed on March 25, 2011. The OI investigation was conducted to determine whether a contractor with Unescorted Access (UA) at Seabrook, deliberately failed to report an arrest until almost two years after it occurred, even though site procedures required that the contractor immediately report the arrest on his first day back at work following the occurrence. NextEra had previously identified this failure and entered it into its Corrective Action Program (CAP), and the NRC became aware of this issue during a review of CAP Condition Reports.

Based on the evidence gathered during the OI investigation, the NRC has concluded that in April 2008, the contractor, who had UA to Seabrook at the time, was arrested while he was offsite and during non-working hours. The contractor admitted to OI that he knew he should have reported the arrest on his first day back to work but that he continued working at Seabrook until May 2008 without informing his supervisor, or any other NextEra official that he had been arrested because he believed the charges against him would be reduced. Subsequently, in February 2011, the contractor again applied for Unescorted Access Authorization (UAA) to Seabrook, and at that time, divulged the arrest on the Access Authorization paperwork. The contractor later admitted his failure to NextEra during the internal NextEra investigation into this matter, and NextEra denied the contractor UAA.

The NRC considered that this case involved an individual who was neither a licensee official nor a supervisor, and that the issue: (1) appeared to be the isolated action of an employee without management involvement and was not caused by a lack of management oversight; (2) resulted from the individual's offsite actions over which NextEra had no control, and involved a deliberate failure by the individual to report those actions; and, (3) was identified by NextEra, and NextEra revoked the individual's site access. Accordingly, based on our review of the specific circumstances regarding this issue, the NRC is not taking any enforcement action against NextEra.

You are not required to respond to this letter. However, should you chose to respond, your response should be sent to the U.S. Nuclear Regulatory Commission, ATTN: Regional Administrator, Region I, 475 Allendale Rd., 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 Resident Inspector at Seabrook. In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room and from the NRC's Agencywide 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. Arthur Burritt at 610-337-5069.

Sincerely,

/RA/

John R. Tappert, Acting Director
Division of Reactor Projects
Region I

Docket No. 50-443
License No. NPF-86

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Sincerely,

/RA/

John R. Tappert, Acting Director
Division of Reactor Projects
Region I

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