



Via electronic mail

November 26, 2018

Kristine L. Svinicki, Chair
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Madam Chair:

Thank you for accepting these comments on behalf of the C-10 Research & Education Foundation (C-10). We have worked under contract with the Commonwealth of Massachusetts since 1995 to operate a real-time airborne radiological monitoring network in the state's communities within Seabrook Station's 10-mile emergency planning zone. We also advocate for upgraded safety and security at Seabrook, and serve as an educational resource for our members and the public, and a partner to local and state governments.

On October 6, 2017, the Atomic Safety and Licensing Board (ASLB) granted standing to C-10ⁱ in the docket regarding NextEra Energy Seabrook, LLC's License Amendment Request 16-03 (LAR), concerning their proposed management of the serious concrete degradation problem, known as alkali-silica reaction (ASR), that affects all major structures at Seabrook Station.

Since that ruling, C-10's board of directors and other volunteers have invested many hundreds of volunteer hours to: research discovery documents in support of our case; seek out and interview prospective expert witnesses; and raise needed funds to pursue this case. We bring this to your attention simply to underscore the serious effort our organization continues to make, in order to give the best possible presentation of our objections to the LAR during the adjudicatory hearing expected to be held in our region next summer.

Through C-10's standing as a *pro se* party to the LAR docket, we learned that issuance of the draft Safety Evaluation for the LARⁱⁱ triggered the hearing on October 31, 2018, bringing NextEra before the Advisory Committee on Reactor Safeguards (ACRS). The committee's purpose was to review the LAR prior to the ACRS issuance of their final Safety Evaluation, a milestone in the process of the ASLB's ruling on NextEra's License Renewal Application (LRA). On behalf of C-10, I traveled to Rockville, Md. to participate in the hearing. C-10's written testimony can be found [here](#).

It became apparent during the course of the hearing that a glaring discrepancy exists between the timeline that leads to a decision on Seabrook's license extension, and the timeline that leads to a decision on the LAR itself—which, because it falls within the parameters of the current operating license, has been consigned to a separate “track.” As shown in figure 1 below,ⁱⁱⁱ the final Safety

Evaluation is scheduled to be issued in December 2018, subsequent to the ACRS committee review in November 2018.

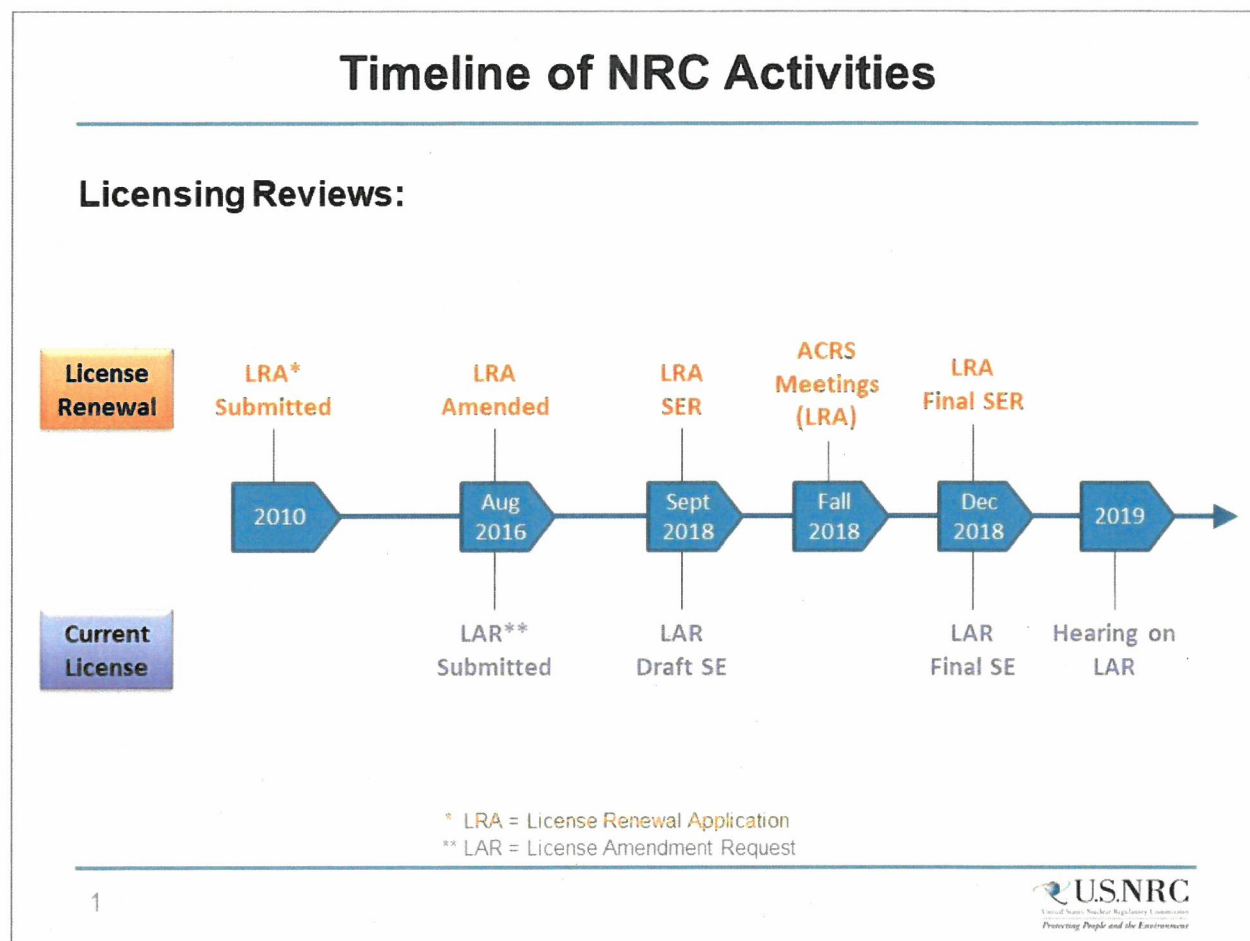


Figure 1: Slide from the ACRS presentation, 10/31/18

Following the “Current License” timeline, it appears that C-10 may not have the opportunity to provide expert testimony to support our opposition to the LAR until early next summer—fully *eight months* after the ACRS hearing, and six months after the Safety Evaluation is finalized.

From C-10’s perspective, this discrepancy is important for a number of reasons. The requested twenty-year license extension for Seabrook depends on the resolution of a methodology for dealing with the ASR problem there—and the proposed resolution offered by NextEra is the LAR—for which C-10 opposes adoption by the ASLB. Therefore, the ACRS is compelled to make a judgment on the efficacy of the LAR without the benefit of the expert testimony provided by C-10, which challenges the technical underpinnings of NextEra’s LAR—based on not having met crucial standards for “representativeness.” Of course, this is made more difficult because the methodology underpinning the LAR is unprecedented, since there are no NRC regulations for how to manage ASR at nuclear plants.

Due to the lack of precedent for the LAR's methodology, it would be not only crucial, but conventional, that prior to adoption by NRC, the LAR be subjected to a truly independent peer review—just as any such methodology would normally be scientifically and skeptically appraised before being implemented in the field. Because this kind of review has been blocked by NextEra's LAR having been granted proprietary status, the only opportunity for an independent peer review has fallen to C-10 to provide.

Unfortunately, we have not been given a place to provide this review until our adjudicatory hearing next year—much too late for our experts to shed any light on the shortcomings of the LAR for the benefit of the ACRS.

C-10 believes that no meaningful judgment on the suitability of Seabrook Station for a license extension can be made until our opposition to the LAR is presented before the ASLB, for the reasons stated:

- The approval of the license extension depends on approval of the License Amendment Request, for dealing with ASR at Seabrook;
- The License Renewal timeline did not allow the ACRS access to C-10's expert testimony before their Final Safety Evaluation is due; and,
- The only opportunity for a truly independent peer review will not be provided until C-10's expert witnesses can give their testimony during the adjudicatory hearing.

Thank you for considering our serious concerns with the License Amendment and License Renewal timelines. C-10 hopes that the NRC Commissioners will ensure the adjudication of our contentions its rightful place in a fair process, on which Seabrook's License Renewal Application must depend.

Sincerely,

Christopher Nord
Chairman, C-10 LAR Task Group
Resident of Newbury, Mass.

ⁱ ASLB No. 17-953-02-LA-BD01, 10/06/2017

ⁱⁱ ADAMS Accession No.: ML182226A205, NRC, "Seabrook Station, Unit No. 1—Submission of Alkali-Silica Reaction License Amendment Request Draft Safety Evaluation to Support the Advisory Committee on Reactor Safeguard's Review of Seabrook License Renewal," 9/28/2018

ⁱⁱⁱ USNRC, "Timeline of NRC Activities", 2018

CHAIRMAN Resource

From: Chris Nord <chrisnord7@gmail.com>
Sent: Monday, November 26, 2018 6:26 PM
To: CHAIRMAN Resource
Subject: [External_Sender] Seabrook LRA, LAR skewed timelines
Attachments: Chair Svinicki letter.docx



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Chair

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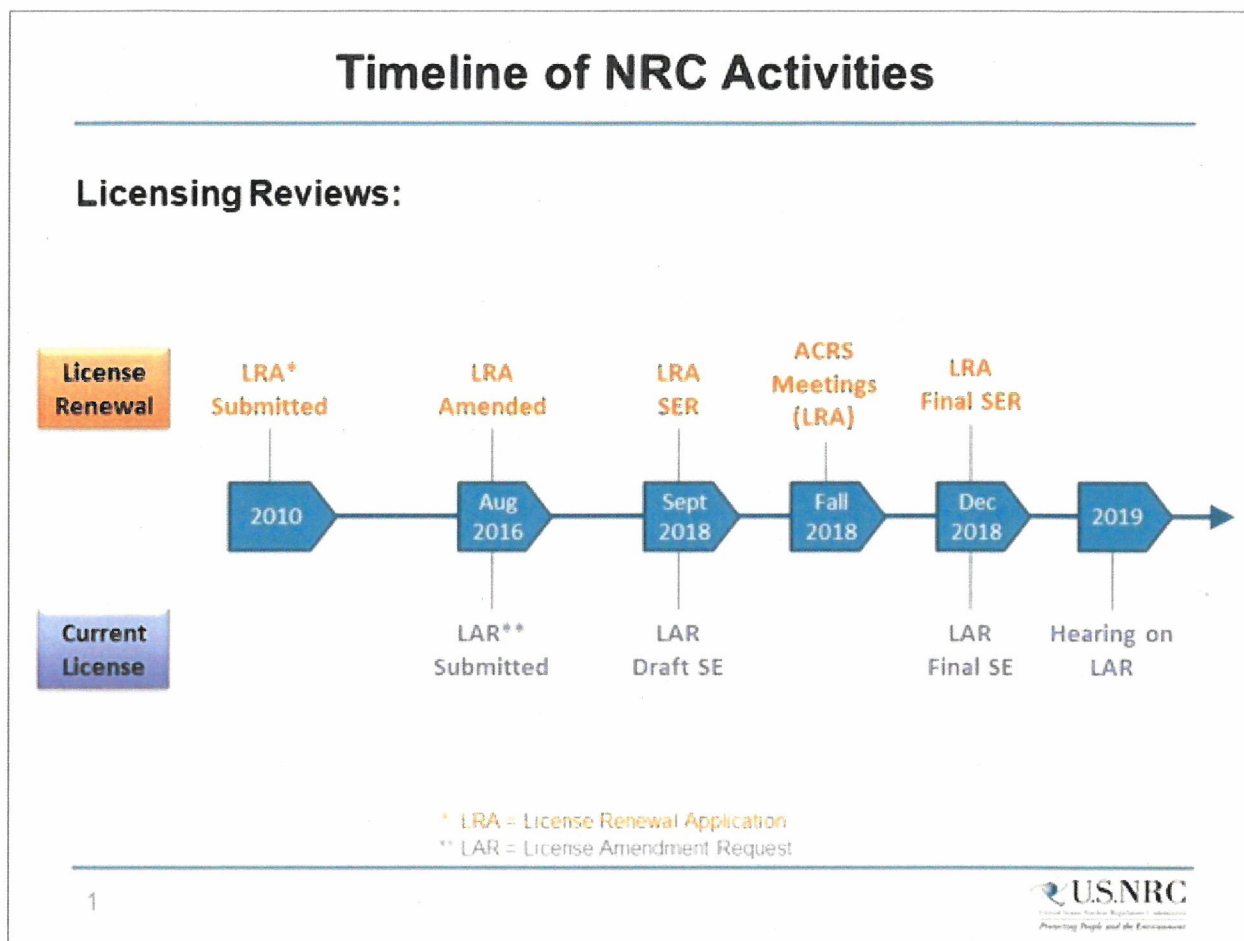


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[iii] USNRC, "Timeline of NRC Activities", 2018