



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555 - 0001

March 4, 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 parties that on March 4, 2019, the Staff provided the Commission with (1) a Notification of Significant Licensing Action (NSLA) stating that on or about March 11, 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 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 K. Nieh, Director, Office of Nuclear Reactor Regulation, stating that on or about March 12, 2019, he will issue a renewed facility operating license for Seabrook. The NSLA and the memorandum are enclosed.

Sincerely,

**/Signed (electronically) by/**  
Anita Ghosh Naber  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
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Enclosures: As stated



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

March 4, 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: UPDATE TO 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 March 11, 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 (ADAMS ) Accession No. ML16216A250), as supplemented by letters dated September 30, 2016; October 3, 2017; October 17, 2017; December 11, 2017; and June 7, 2018 (ADAMS Accession Nos. 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. The U.S. Nuclear Regulatory Commission (NRC) staff had previously notified the Commission of its plan to issue the license amendment prior to the completion of the hearing process (ADAMS Accession No. ML18353A421). Because of significant public and other stakeholder interest in the change to the staff's previously announced schedule, the NRC staff delayed the issuance of the license amendment and held a public meeting near the plant on February 13, 2019 (ADAMS Accession No. ML19046A383). The staff has confirmed that nothing raised at the public meeting would cause it to revisit the no significant hazards consideration determination or safety evaluation for the license amendment. Therefore, the staff plans to proceed with its plan to issue the license amendment. Issuance of this license amendment supports the Seabrook renewed license which is anticipated to be issued on or about March 12, 2019 (ADAMS Accession No. ML19057A383).

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

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 10 contentions (ADAMS Accession No. 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 (ADAMS Accession No. ML17279A968). On October 31, 2017, NextEra appealed the Board's decision (ADAMS Accession No. ML17304B075). On April 12, 2018, the Commission affirmed the Board's decision (ADAMS Accession No. ML18102A097). On September 28, 2018, the staff issued its draft safety evaluation (ADAMS Accession No. ML18226A205). On February 13, 2019, C-10 filed an emergency petition with the Commission requesting that, among other things, it immediately order the suspension of the NRC staff's licensing decisions on the license amendment request and on the separate Seabrook license renewal application (ADAMS Accession No. ML19044A766). On February 25, 2019, the NRC staff filed its answer to the emergency petition, explaining its position that the Commission should not grant C-10's requests to stay the issuance of the amendment or renewed license (ADAMS Accession No. ML19056A588).<sup>1</sup> The Board has issued a schedule for the hearing on the license amendment request (ADAMS Accession No. ML18046A985) and, consistent with this schedule, the evidentiary hearing is expected to be held at the earliest in mid-to-late 2019 and will not be completed prior to the issuance of the amendment.

In accordance with the Commission's regulations, the New Hampshire State and Commonwealth of Massachusetts officials were notified of the proposed issuance of the amendment on December 21, 2018. The State officials had no comments.

**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

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<sup>1</sup> NextEra's answer to the emergency petition is available ADAMS, Accession No. ML19056A586.

SUBJECT: UPDATE TO 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 MARCH 4, 2019

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**ADAMS Accession No.: ML19058A216**

\*via e-mail

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DATE	02/27/2019	02/27/2019	02/27/2019	02/27/2019
OFFICE	OGC – NLO w/comments	NRR/D	EDO	
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DATE	2/28/2019	03/04/2019	03/04/2019	

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

March 4, 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 March 12, 2019. The NRC staff had previously notified the Commission of its plan to issue the renewed license prior to the completion of the hearing process (ML18345A191). Because of significant public and other stakeholder interest in the change to the staff's previously announced schedule, the NRC staff delayed the issuance of the renewed license and held a public meeting near the plant on February 13, 2019 (ML19046A383). The staff has confirmed that nothing raised at the public meeting would cause it to revisit the safety evaluation for the renewed license. Therefore, the staff plans to proceed with its plan to issue the renewed license.

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).

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

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).

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).<sup>1</sup> 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 plans to issue the license amendment on or about March 11, 2019, during the pendency of the hearing (ADAMS Accession No. ML19058A216). On February 13, 2019, C-10 Research and Education Foundation, Inc. (C-10), filed an emergency petition with the Commission requesting that, among other things, it immediately order the suspension of the NRC staff’s licensing decisions on the license amendment request and license renewal application (ML19044A766). On February 25, 2019, the NRC staff filed its answer to the emergency petition, explaining its position that the Commission should not grant C-10’s requests to stay the issuance of the amendment or renewed license (ML19056A588).

The contested adjudication associated with the license renewal application ended in 2016.<sup>2</sup> 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

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

<sup>2</sup> 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).

issue Renewed Facility Operating License No. NPF-86 for Seabrook subsequent to the issuance of the license amendment, on or about March 12, 2019.

Docket No. 50-443

cc: SECY  
EDO  
OGC  
OCA  
OPA  
CFO  
OCAA

SUBJECT: RENEWAL OF FULL-POWER OPERATING LICENSE FOR SEABROOK STATION, UNIT NO. 1 DATED March 4, 2019.

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**ADAMS Accession No.ML19057A383**

**\*concurrence via e-mail**

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NAME	HNieh			
DATE	3/4/2019			

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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

(Seabrook Station, Unit 1)

Docket No. 50-443-LA-2

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305, I hereby certify that copies of the foregoing notification, dated March 4, 2019, have been filed through the Electronic Information Exchange, the NRC's E-Filing System, in the above-captioned proceeding, this 4th day of March 2019.

**/Signed (electronically) by/**

Anita Ghosh Naber  
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Dated at Rockville, Maryland  
this 4th day of March 2019