

# Morgan Lewis

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December 5, 2019

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Docket No.: 50-443-LA-2, NextEra Energy Seabrook, LLC (Seabrook Station Unit 1)

Re: Mineralogical Data

Dear Ms. Curran:

On November 25, 2019, the Atomic Safety and Licensing Board ("Board") issued an Order directing NextEra Energy Seabrook, LLC ("NextEra") to submit to C-10 Research and Education Foundation ("C-10") all documents not previously produced that contain "data regarding the tested mineralogical components of aggregate in Seabrook concrete."<sup>1</sup> Pursuant to that Order, NextEra hereby submits the attached document, titled "Santa Ana Aggregates."<sup>2</sup>

Please note that the "Santa Ana Aggregates" document does not explicitly contain any data regarding the tested mineralogical components of aggregate in Seabrook concrete. Rather, it includes an examination of aggregate samples from a New Mexico quarry (which was not used in Seabrook's concrete), along with a comparison of that aggregate to Seabrook's aggregate. Nevertheless, NextEra is producing that document in an abundance of caution because the Board's Order cites a discussion during the evidentiary hearing in which Mr. Sherman referred to a petrography report that had not been submitted as an exhibit.<sup>3</sup> Mr. Sherman was referring to the

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<sup>1</sup> ASLB Order (Granting C-10's Motion to Compel Mineralogical Data and Request to Submit Supplemental Written Testimony concerning the data; Denying C-10's Motion to Submit Additional Exhibits) at 17 (Nov. 25, 2019).

<sup>2</sup> SGH Project No. 120766, Examination of Aggregate Samples from New Mexico by the University of Texas, in Support of the On-Going Evaluation [of] the Impact of ASR, Seabrook Nuclear (Sept. 17, 2012) (FP100750, Rev. 1, "Santa Ana Aggregates").

<sup>3</sup> Order at 11 (citing Tr. at 1076-77, 1079-80).

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"Santa Ana Aggregates" document. This document was discussed in MPR-4262<sup>4</sup> (including the document's title and date, and a summary of conclusions),<sup>5</sup> which was disclosed and produced to C-10 in early 2018.<sup>6</sup>

The basis for the comparison of the "Santa Ana Aggregates" to Seabrook's aggregate is provided in four reference documents listed therein. As explained in NextEra's Answer to C-10's original motion on this topic, all of those documents also were disclosed and produced to C-10 in early 2018.<sup>7</sup>

NextEra has previously disclosed and produced dozens of other documents with information related to aggregate petrography and mineralogy. After a thorough supplemental review of documents and consultations with NextEra personnel and consultants, we are aware of no other documents responsive to the Board's Order that have not previously been disclosed and produced to C-10.

Sincerely,

*Executed in accord with 10 C.F.R. § 2.304(d)*

Paul M. Bessette

Attachment:  
Santa Ana Aggregates

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<sup>4</sup> See Tr. at 1079 (Mr. Simons noting the document was listed as a reference in MPR-4262 "Shear and Reinforcement Anchorage Testing of Concrete Affected by Alkali-Silica Reaction," Vol. I, Rev. 1 (July 2016) & Vol. II, Rev. 0 (Jan. 2016) (FP100994) (NER022-R)).

<sup>5</sup> MPR-4262 at 4-11 (providing a summary), 10-1 (providing document title and date).

<sup>6</sup> Letter from P. Bessette to N. Hildt-Treat, "Initial Disclosures Pursuant to 10 C.F.R. § 2.336; NextEra Energy Seabrook, LLC (Seabrook Station Unit 1), Docket No. 50-443-LA-2," Encl. 3 at 8 (item no. 170) (Jan. 4, 2018); Letter from P. Bessette to N. Hildt-Treat, "NextEra Energy Seabrook, LLC (Seabrook Station Unit 1), Docket No. 50-443-LA-2" (Mar. 20, 2018).

<sup>7</sup> NextEra's Answer Opposing C-10's Motions to Compel Production of Mineralogical Data and to Submit Additional Post-Hearing Testimony at 3-4 (Oct. 9, 2019).

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD**

In the Matter of:

NEXTERA ENERGY SEABROOK, LLC

(Seabrook Station Unit 1)

Docket No. 50-443-LA-2

December 5, 2019

**CERTIFICATE OF SERVICE**

Pursuant to 10 C.F.R. § 2.305, I certify that, on this date, the foregoing letter from Paul M. Bessette to Diane Curran and its attachment were served upon the Electronic Information Exchange (the NRC's E-Filing System) in the above-captioned proceeding.

*Signed (electronically) by Ryan K. Lighty*

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