

Mr. Michael B. Sellman
 Senior Vice President and
 Chief Nuclear Officer
 Wisconsin Electric Power Company
 231 West Michigan Street
 Milwaukee, WI 53201

May 15, 2000

SUBJECT: ORDER APPROVING THE TRANSFER OF OPERATING AUTHORITY UNDER FACILITY OPERATING LICENSES FOR POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2, FROM WISCONSIN ELECTRIC POWER COMPANY TO NUCLEAR MANAGEMENT COMPANY, LLC (TAC NOS. MA7331 AND MA7332)

Dear Mr. Sellman:

The staff has completed its review of your application dated November 24, 1999, as supplemented January 31, 2000, requesting approval of the transfer of operating authority under Facility Operating Licenses Nos. DPR-24 and DPR-27, held by Wisconsin Electric Power Company for the Point Beach Nuclear Plant, Units 1 and 2, to Nuclear Management Company, LLC, and approval of conforming amendments, pursuant to 10 CFR 50.80 and 10 CFR 50.90. The enclosed Order approves the proposed transfer, subject to the conditions described therein. The Order also approves conforming license amendments, which will be issued and made effective at the time the transfer is completed. As a result of the transfer of operating authority under the licenses and conforming license amendments, Nuclear Management Company, LLC, will also act as the general licensee for the Independent Spent Fuel Storage Installation at the Point Beach Nuclear Plant pursuant to 10 CFR 72.210.

This Order is being forwarded to the Office of the Federal Register for publication.

Sincerely,

/RA/

Carl F. Lyon, Project Manager, Section 1
 Project Directorate III
 Division of Licensing Project Management
 Office of Nuclear Reactor Regulation

Docket Nos. 50-266, 50-301, 72-005

- Enclosures: 1. Order
 2. Conforming Amendments
 3. Safety Evaluation

cc w/encls: See next page

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

May 15, 2000

Mr. Michael B. Sellman
Senior Vice President and
Chief Nuclear Officer
Wisconsin Electric Power Company
231 West Michigan Street
Milwaukee, WI 53201

SUBJECT: ORDER APPROVING THE TRANSFER OF OPERATING AUTHORITY UNDER FACILITY OPERATING LICENSES FOR POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2, FROM WISCONSIN ELECTRIC POWER COMPANY TO NUCLEAR MANAGEMENT COMPANY, LLC (TAC NOS. MA7331 AND MA7332)

Dear Mr. Sellman:

The staff has completed its review of your application dated November 24, 1999, as supplemented January 31, 2000, requesting approval of the transfer of operating authority under Facility Operating Licenses Nos. DPR-24 and DPR-27, held by Wisconsin Electric Power Company for the Point Beach Nuclear Plant, Units 1 and 2, to Nuclear Management Company, LLC, and approval of conforming amendments, pursuant to 10 CFR 50.80 and 10 CFR 50.90. The enclosed Order approves the proposed transfer, subject to the conditions described therein. The Order also approves conforming license amendments, which will be issued and made effective at the time the transfer is completed. As a result of the transfer of operating authority under the licenses and conforming license amendments, Nuclear Management Company, LLC, will also act as the general licensee for the Independent Spent Fuel Storage Installation at the Point Beach Nuclear Plant pursuant to 10 CFR 72.210.

This Order is being forwarded to the Office of the Federal Register for publication.

Sincerely,

Carl F. Lyon, Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-266, 50-301, 72-005

Enclosures: 1. Order
2. Conforming Amendments
3. Safety Evaluation

cc w/encls: See next page

Point Beach Nuclear Plant, Units 1 and 2

cc:

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November 1999

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	Docket No. 50-266
)	Docket No. 50-301
)	Docket No. 72-005
WISCONSIN ELECTRIC POWER COMPANY)	License No. DPR-24
(Point Beach Nuclear Plant, Units 1 and 2))	License No. DPR-27

ORDER APPROVING TRANSFER OF OPERATING AUTHORITY
AND CONFORMING AMENDMENTS

I.

Wisconsin Electric Power Company (WEPCo or the licensee) is the holder of Facility Operating Licenses Nos. DPR-24 and DPR-27, which authorize operation of the Point Beach Nuclear Plant, Units 1 and 2 (Point Beach or the facility). The facility is located at the licensee's site in the town of Two Creeks, Manitowac County, Wisconsin. The licenses authorize WEPCo to possess, use, and operate Point Beach.

II.

By application dated November 24, 1999, as supplemented January 31, 2000, the Commission was informed that WEPCo entered into operating service agreements with Nuclear Management Company, LLC (NMC). The initial application and the supplement are hereinafter referred to as "the application," unless otherwise indicated. Under the proposed transaction, NMC will be designated as the licensee authorized to use and operate Point Beach in accordance with the terms and conditions of the licenses. The transaction involves no change in plant ownership. The licensee requested approval of the proposed transfer of operating

authority under the Point Beach facility operating licenses to NMC. The application also requested conforming amendments to reflect the transfer. The proposed amendments would add NMC to the licenses and reflect that NMC is exclusively authorized to use and operate Point Beach. As a result of the transfer of licenses with respect to operating authority thereunder and conforming license amendments, NMC will also become and act as the general licensee for the Independent Spent Fuel Storage Installation (ISFSI) at Point Beach pursuant to 10 CFR 72.210.

According to the application for approval filed by WEPCo, NMC would become the licensee authorized to use and operate Point Beach following approval of the proposed license transfers. NMC will assume exclusive responsibility for the operation and maintenance of Point Beach. Ownership of Point Beach will not be affected by the proposed transfer of operating authority. WEPCo will retain its current ownership interest. NMC will not own any portion of Point Beach. Likewise, WEPCo's entitlement to capacity and energy from Point Beach will not be affected by the transfer of operating authority. No physical changes to the Point Beach facility were proposed in the application.

Approval of the transfer of operating authority under the facility operating licenses and conforming license amendments was requested by WEPCo pursuant to 10 CFR 50.80 and 50.90. Notice of the application for approval and an opportunity for a hearing was published in the *Federal Register* on February 4, 2000 (65 FR 5705). No hearing requests or written comments were received.

Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. Upon review of the information in the application by WEPCo, and other information before the Commission, and relying upon the representations and agreements contained in the application, the NRC staff has determined that NMC is qualified to hold the

operating authority under the licenses, and that the transfer of the operating authority under the licenses to NMC is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission, subject to the conditions set forth below. The NRC staff has further found that the application for the proposed license amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter 1; the facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission; there is reasonable assurance that the activities authorized by the proposed license amendments can be conducted without endangering the health and safety of the public and that such activities will be conducted in compliance with the Commission's regulations; the issuance of the proposed license amendments will not be inimical to the common defense and security or the health and safety of the public; and the issuance of the proposed amendments will be in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied. The foregoing findings are supported by a safety evaluation dated May 15, 2000

III.

Accordingly, pursuant to Sections 161b, 161i, and 184 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. §§ 2201(b), 2201(i), and 2234, and 10 CFR 50.80, IT IS HEREBY ORDERED that the transfer of operating authority under the licenses, as described herein, to NMC is approved, subject to the following conditions:

- (1) After receipt of all required regulatory approvals of the transfer of operating authority to NMC, WEPCo and NMC shall inform the Director of the Office of Nuclear Reactor Regulation in writing of such receipt within 5 business days, and of the date of the closing of the transfer no later than 7 business days prior to the date of closing. If the transfer is not completed by April 1, 2001, this Order shall

become null and void, provided, however, upon written application and for good cause shown, such date may in writing be extended.

- (2) NMC shall, prior to completion of the transfer of operating authority for Point Beach, provide the Director of the Office of Nuclear Reactor Regulation satisfactory documentary evidence that NMC has obtained the appropriate amount of insurance required of licensees under 10 CFR Part 140 of the Commission's regulations.

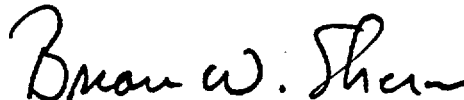
IT IS FURTHER ORDERED that, consistent with 10 CFR 2.1315(b), license amendments that make changes, as indicated in Enclosure 2 to the cover letter forwarding this Order, to conform the licenses to reflect the subject transfer of operating authority is approved. The amendments shall be issued and made effective at the time the proposed transfer is completed.

This Order is effective upon issuance.

For further details with respect to this action, see the initial application dated November 24, 1999, and supplement dated January 31, 2000, and the safety evaluation dated May 15, 2000, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 15th day of May 2000.

FOR THE NUCLEAR REGULATORY COMMISSION



Brian W. Sheron, Acting Director
Office of Nuclear Reactor Regulation



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

WISCONSIN ELECTRIC POWER COMPANY

DOCKET NO. 50-266

POINT BEACH NUCLEAR PLANT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No.
License No. DPR-24

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Wisconsin Electric Power Company (the licensee) dated November 24, 1999, as supplemented January 31, 2000, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended as indicated in the attachment to this license amendment.
3. This license amendment is effective as of the date of issuance and shall be implemented within 45 days.

FOR THE NUCLEAR REGULATORY COMMISSION

Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

Attachment: Changes to the License

Date of issuance:



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

WISCONSIN ELECTRIC POWER COMPANY

DOCKET NO. 50-301

POINT BEACH NUCLEAR PLANT, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No.
License No. DPR-27

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Wisconsin Electric Power Company (the licensee) dated November 24, 1999, as supplemented January 31, 2000, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended as indicated in the attachment to this license amendment.
3. This license amendment is effective as of its date of issuance and shall be implemented within 45 days.

FOR THE NUCLEAR REGULATORY COMMISSION

Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

Attachment: Changes to the License

Date of issuance:

ATTACHMENT TO LICENSE AMENDMENT NO. _____

TO FACILITY OPERATING LICENSE NO. DPR-24

AND LICENSE AMENDMENT NO. _____

TO FACILITY OPERATING LICENSE NO. DPR-27

DOCKET NOS. 50-266 AND 50-301

Replace the following pages of License No. DPR-24 with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

<u>REMOVE</u>	<u>INSERT</u>
1	1
1a	-
2	2
3	3
4	4
4a	-
5	5

Replace the following page of License No. DPR-24 Appendix C Additional Conditions with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

<u>REMOVE</u>	<u>INSERT</u>
C-1	C-1

Replace the following pages of License No. DPR-27 with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

<u>REMOVE</u>	<u>INSERT</u>
1	1
1a	-
2	2
3	3
3a	-
4	4
5	5

Replace the following page of License No. DPR-27 Appendix C Additional Conditions with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

REMOVE

INSERT

C-1

C-1

Replace the following page of the Appendix A Technical Specifications with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

REMOVE

INSERT

Title page

Title page

Replace the following page of the Appendix B Technical Specifications with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

REMOVE

INSERT

Title page

Title page



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

WISCONSIN ELECTRIC POWER COMPANY

NUCLEAR MANAGEMENT COMPANY, LLC

DOCKET NO. 50-266

FACILITY OPERATING LICENSE

License No. DPR-24
Amendment No.

The Atomic Energy Commission (the Commission) now the Nuclear Regulatory Commission having found that:

- a. The application for facility license filed by Wisconsin Electric Power Company and Wisconsin Michigan Power Company,* dated March 12, 1969, as amended by Supplements Nos. 1 through 10, thereto, dated September 2, 1969, January 19, 1970, February 11, 1970, March 13, 1970, April 2, 1970, April 7, 1970, April 21, 1970, June 5, 1970, June 17, 1970, and July 27, 1970, respectively, complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter 1; and
 - b. Construction of the Point Beach Nuclear Plant Unit No. 1 (the facility) has been substantially completed, in conformity with Provisional Construction Permit No. CPPR-32, as amended, the application as amended, the provisions of the Act, and the rules and regulations of the Commission; and
 - c. The facility will operate in conformity with the application as amended, the provisions of the Act, and the rules and regulations of the Commission; and
 - d. There is reasonable assurance (i) that the activities authorized by the operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the regulations of the Commission set forth in 10 CFR Chapter 1; and
 - e. NMC is technically qualified and Wisconsin Electric Power Company is financially qualified to engage in the activities authorized by this operating license, in accordance with the regulations of the Commission set forth in 10 CFR Chapter 1; and
- * On December 31, 1977, Wisconsin Electric Power Company and Wisconsin Michigan Power Company (formerly the licensees) merged with Wisconsin Electric Power Company surviving the merger. This license, as amended, was amended, as of the effective date of the merger with Wisconsin Electric Power Company remaining as the licensee. Nuclear Management Company, LLC, hereinafter referred to as NMC, succeeds Wisconsin Electric Power Company as operator of the Point Beach Nuclear Plant, Unit 1. Consequently, NMC is authorized to act as agent for Wisconsin Electric Power Company and has exclusive responsibility and control over the physical construction, operation and maintenance of the facility.

1. This amended license applies to the Point Beach Nuclear Plant Unit No. 1, a closed cycle, pressurized, light water moderated and cooled reactor, and associated steam generators and electric generating equipment (the facility). The facility is located on the Point Beach site, in the Town of Two Creeks, Manitowoc County, Wisconsin, and is described in the "Final Safety Analysis Report", as supplemented and amended.

2. Subject to the conditions and requirements incorporated here in the Commission hereby licenses
 - A. Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," Wisconsin Electric Power Company to possess, and NMC to use and operate the facility at the designated location on the Point Beach site in accordance with the procedures and limitations set forth in this license;

 - B. Pursuant to the Act and 10 CFR Part 70, NMC to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts, required for reactor operation, as described in Final Facility Description and Safety Analysis Report, as supplemented and amended as of March 17, 1976;

 - C. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, NMC to receive, possess and use at any time any byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;

 - D. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, NMC to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components;

 - E. Pursuant to the Act and 10 CFR Parts 30 and 70, NMC to possess such byproduct and special nuclear materials as may be produced by the operation of the facility, but not to separate such materials retained within the fuel cladding.

3. This amended license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations: 10 CFR Part 20, Section 30.34 of 10 CFR Part 30, Section 40.41 of 10 CFR part 40, Sections 50.54 and 50.59 of 10 CFR Part 50, and Section 70.32 of 10 CFR Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. Maximum Power Levels

NMC is authorized to operate the facility at reactor core power levels not in excess of 1518.5 megawatts thermal. |

B. Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 195, are hereby incorporated in the license. NMC shall operate the facility in accordance with Technical Specifications. |

C. Report

NMC shall make certain reports in accordance with the requirements of the Technical Specifications. |

D. Records

NMC shall keep facility operating records in accordance with the requirements of the Technical Specifications. |

E. Spent Fuel Pool Modification

The licensee* is authorized to modify the spent fuel storage pool to increase its storage capacity from 351 to 1502 assemblies as described in licensee's application dated March 21, 1978, as supplemented and amended. In the event that the on-site verification check for poison material in the poison assemblies discloses any missing boron plates, the NRC shall be notified and an on-site test on every poison assembly shall be performed. |

F. NMC shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FFR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Point Beach Nuclear Plant Modified Amended Security Plan," with revisions submitted through March 23, 1988; "Point Beach Nuclear Plant Modified Amended Security Force Training and Qualification Plan," with revisions submitted through August 6, 1982; and "Point Beach Nuclear Plant Modified Amended Security Contingency Plan," with revisions submitted through March 6, 1981. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein. |

* Reference to the licensee in License Conditions 3.E, 3.G and 3.J refers to Wisconsin Electric Power Company and is maintained for historical purposes. |

G. Safety Injection Logic

The licensee is authorized to modify the safety injection actuation logic and actuation power supplies and related changes as described in licensee's application for amendment dated April 27, 1979, as supplemented May 7, 1979. In the interim period until the power supply modification has been completed, should any DC powered safety injection actuation channel be in a failed condition for greater than one hour, the unit shall thereafter be shutdown using normal procedures and placed in a block-permissive condition for safety injection actuation.

- H. NMC shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report for the facility and as approved in the SER dated August 2, 1979 (and Supplements dated October 21, 1980, January 22, 1981, and July 27, 1988) and the safety evaluation issued January 8, 1997, for Technical Specification Amendment No. 170, subject to the following provision:

NMC may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

I. Secondary Water Chemistry Monitoring Program

NMC shall implement a secondary water chemistry monitoring program to inhibit steam generator tube degradation. This program shall include:

1. Identification of a sampling schedule for the critical parameters and control points for these parameters;
2. Identification of the procedures used to quantify parameters that are critical to control points;
3. Identification of process sampling points
4. Procedure for the recording and management of data;
5. Procedures defining corrective actions for off control point chemistry condition; and
6. A procedure for identifying the authority responsible for the interpretation of the data, and the sequence and timing of administrative events required to initiate corrective action.

- J. The licensee is authorized to repair Unit 1 steam generators by replacement of major components. Repairs shall be conducted in accordance with the licensee's commitments identified in the Commission approved Point Beach Nuclear Plant Unit No. 1 Steam Generator Repair Report dated August 9, 1982 and revised March 1, 1983 and additional commitments identified in the staff's related Safety Evaluation.

K. Additional Conditions

The Additional Conditions contained in Appendix C, as revised through Amendment No. 174, are hereby incorporated into this license. NMC shall operate the facility in accordance with the Additional Conditions.

4. The issuance of this amended license is without prejudice to subsequent licensing action which may be taken by the Commission with regard to the ongoing rulemaking hearing on the Interim Acceptance Criteria for Emergency Core Cooling Systems (Docket No. RM 50-1).
5. This amended license is effective as of the date of issuance, and shall expire at midnight on October 5, 2010.

FOR THE ATOMIC ENERGY COMMISSION

Original Signed By

A. Giambuso, Deputy Director
for Reactor Projects
Directorate of Licensing

Attachments:

1. Appendix A - Technical Specifications
2. Appendix B - Environmental Technical Specifications
3. Appendix C - Additional Conditions

Date of Issuance: October 5, 1970

APPENDIX C
ADDITIONAL CONDITIONS
OPERATING LICENSE DPR-24

Nuclear Management Company, LLC shall comply with the following conditions and the schedules noted below: |

<u>Amendment Number</u>	<u>Additional Conditions</u>	<u>Implementation Date</u>
174	<p>This amendment authorizes changes to Technical Specification requirements for the service water system, component cooling water systems, and control room ventilating system as detailed in an application dated September 30, 1996, as supplemented on November 26 and December 12, 1996, February 13, March 5, April 2, April 16, May 9, June 3, June 13 (two), and June 25, 1997, and evaluated in the staff's safety evaluation attached to this amendment. This amendment is authorized contingent on compliance with commitments provided by the licensee to meet the dose limits associated with Title 10, <i>Code of Federal Regulations</i>, Part 50, Appendix A, General Design Criterion (GDC) 19 by: (1) submitting a license amendment application including supporting analyses and evaluations by February 27, 1998, that contains the proposed methods for compliance with GDC 19 dose limits under accident conditions based on system design and without reliance on the use of potassium iodide and/or supplied air breathing apparatus, and (2) implementing the proposed changes within 2 years of the date that NRC approval for the proposed license amendment is granted.</p>	<p>(1) February 27, 1998</p> <p>(2) Two years from date amendment is approved</p>
174	<p>This amendment is authorized contingent on compliance with commitments provided by the licensee to operate Point Beach Nuclear Plant in accordance with its service water system analyses and approved procedures. Specifically, each unit will utilize only one component cooling water heat exchanger until such time as analyses are completed and the service water system reconfigured as necessary to allow operation of one or both units with two heat exchangers in service. If two component cooling water heat exchangers are required in one or both units for maintaining acceptable component cooling water temperature prior to completion of necessary analyses to allow operation in the required configuration, the service water system will be considered in an unanalyzed condition, declared inoperable, and action taken as specified by TS 15.3.0.B except for short periods of time as necessary to effect procedurally controlled changes in system lineups and unit operating conditions.</p>	Immediately



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

WISCONSIN ELECTRIC POWER COMPANY

NUCLEAR MANAGEMENT COMPANY, LLC

DOCKET NO. 50-301

FACILITY OPERATING LICENSE

License No. DPR-27
Amendment No.

The Atomic Energy Commission (the Commission), now the Nuclear Regulatory Commission, having found that:

- a. Construction of the Point Beach Nuclear Plant Unit No. 2 (the facility) has been substantially completed, in conformity with Provisional Construction Permit No. CPPR-47, the application, as amended, the provisions of the Act, and the rules and regulations of the Commission; and
- b. The facility will operate in conformity with the application as amended, the provisions of the Act, and the rules and regulations of the Commission; and
- c. There is reasonable assurance (i) that the activities authorized by the operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission; and
- d. Nuclear Management Company, LLC is technically qualified and Wisconsin Electric Power Company* is financially qualified to engage in the activities authorized by this operating license in accordance with the rules and regulations of the Commission; and
- e. The Wisconsin Electric Power Company and NMC have satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements" of the Commission's regulations; and
- f. The issuance of this amended license will not be inimical to the common defense and security or to the health and safety of the public.
- g. In accordance with the requirements of Appendix D to 10 CFR Part 50, the operating license should be issued subject to conditions for protection of the environment set forth in the Technical Specifications incorporated herein.

* On December 31, 1977, Wisconsin Electric Power Company and Wisconsin Michigan Power Company (formerly the licensees) merged with Wisconsin Electric Power Company surviving the merger. This license, as amended, was amended as of the effective date of the merger with Wisconsin Electric Power Company remaining as the licensee. Nuclear Management Company, LLC, hereinafter referred to as NMC, succeeds Wisconsin Electric Power Company as operator of the Point Beach Nuclear Plant, Unit 2. Consequently, NMC is authorized to act as agent for Wisconsin Electric Power Company and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

1. This amended license applies to the Point Beach Nuclear Plant Unit No. 2, a closed cycle, pressurized, light water moderated and cooled reactor, and associated steam generators and electric generating equipment (the facility). The facility is located on the licensee's Point Beach site, in the Town of Two Creeks, Manitowoc County, Wisconsin, and is described in the "Final Safety Analysis Report", as supplemented and amended.

2. Subject to the conditions and requirements incorporated here in the Commission hereby licenses

A. Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities", Wisconsin Electric Power Company to possess, and NMC to use and operate the facility at the designated location on the Point Beach site in accordance with the procedures and limitations set forth in this license;

B. Pursuant to the Act and 10 CFR Part 70, NMC to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in Final Facility Description and Safety Analysis Report, as supplemented and amended as of March 17, 1976;

C. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, NMC to receive, possess and use at any time any byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed source for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;

D. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, NMC to receive, possess and use in amounts as required any byproduct, source of special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components;

E. Pursuant to the Act and 10 CFR Parts 30 and 70, NMC to possess such byproduct and special nuclear materials as may be produced by the operation of the facility, but not to separate such materials retained within the fuel cladding.

3. This amended license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations: 10 CFR Part 20, Section 30.34 of 10 CFR Part 30, Section 40.41 of 10 CFR Part 40, Sections 50.54 and 50.59 of 10 CFR Part 50, and Section 70.32 of 10 CFR Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. Maximum Power Levels

NMC is authorized to operate the facility at reactor core power levels not in excess of 1518.5 megawatts thermal.

B. Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 200, are hereby incorporated in the license. NMC shall operate the facility in accordance with Technical Specifications.

C. Report

NMC shall make certain reports in accordance with the requirements of the Technical Specifications.

D. Records

NMC shall keep facility operating records in accordance with the requirements of the Technical Specifications.

E. Spent Fuel Pool Modification

The licensee* is authorized to modify the spent fuel storage pool to increase its storage capacity from 351 to 1502 assemblies as described in licensee's application dated March 21, 1978, as supplemented and amended. In the event that the on-site verification check for poison material in the poison assemblies discloses any missing boron plates, the NRC shall be notified and an on-site test on every poison assembly shall be performed.

3. F. Physical Protection

NMC shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Point Beach Nuclear Plant Modified Amended Security Plan," with revisions submitted through March 23, 1988; "Point Beach Nuclear Plant Modified Amended Security Force Training and Qualification Plan," with revisions submitted through August 6, 1982; and "Point Beach Nuclear Plant Modified Amended Security Contingency Plan," with revisions submitted through March 6, 1981. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

* Reference to the licensee in License Conditions 3.E and 3.G refers to Wisconsin Electric Power Company and is maintained for historical purposes.

G. Safety Injection Logic

The licensee is authorized to modify the safety injection actuation logic and actuation power supplies and related changes as described in licensee's application for amendment dated April 27, 1979, as supplemented May 7, 1979. In the interim period until the power supply modification has been completed, should any DC powered safety injection actuation channel be in a failed condition for greater than one hour, the unit shall thereafter be shut down using normal procedures and placed in a block-permissive condition for safety injection actuation.

- H. NMC shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report for the facility and as approved in the SER dated August 2, 1979 (and Supplements dated October 21, 1980, January 22, 1981, and July 27, 1988) and the safety evaluation issued January 8, 1997, for Technical Specification Amendment No. 174, subject to the following provision:

NMC may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

I. Secondary Water Chemistry Monitoring Program

NMC shall implement a secondary water chemistry monitoring program to inhibit steam generator tube degradation. This program shall include:

1. Identification of a sampling schedule for the critical parameters and control points for these parameters;
2. Identification of the procedures used to quantify parameters that are critical to control points;
3. Identification of process sampling points
4. Procedure for the recording and management of data;
5. Procedures defining corrective actions for off control point chemistry condition; and
6. A procedure for identifying the authority responsible for the interpretation of the data, and the sequence and timing of administrative events required to initiate corrective action.

J. Additional Conditions

The Additional Conditions contained in Appendix C, as revised through Amendment No. 178, are hereby incorporated into this license. NMC shall operate the facility in accordance with the Additional Conditions.

4. The issuance of this amended license is without prejudice to subsequent licensing action which may be taken by the Commission with regard to the ongoing rulemaking hearing on the Interim Acceptance Criteria for Emergency Core Cooling Systems (Docket No. RM 50-1).
5. This amended license is effective as of the date of issuance, and shall expire at midnight on March 8, 2013.

FOR THE ATOMIC ENERGY COMMISSION

Original Signed By

A. Giambusso, Deputy Director
for Reactor Projects
Directorate of Licensing

Attachments:

1. Appendix A - Technical Specifications
2. Appendix B - Environmental Technical Specifications
3. Appendix C - Additional Conditions

Date of Issuance: March 8, 1973

APPENDIX C
ADDITIONAL CONDITIONS
OPERATING LICENSE NO. DPR-27

Nuclear Management Company, LLC shall comply with the following conditions and the schedules noted below:

<u>Amendment Number</u>	<u>Additional Conditions</u>	<u>Implementation Date</u>
178	<p>This amendment authorizes changes to Technical Specification requirements for the service water system, component cooling water systems, and control room ventilating system as detailed in an application dated September 30, 1996, as supplemented on November 26 and December 12, 1996, February 13, March 5, April 2, April 16, May 9, June 3, June 13 (two), and June 25, 1997, and evaluated in the staff's safety evaluation attached to this amendment. This amendment is authorized contingent on compliance with commitments provided by the licensee to meet the dose limits associated with Title 10, <i>Code of Federal Regulations</i>, Part 50, Appendix A, General Design Criterion (GDC) 19 by: (1) submitting a license amendment application including supporting analyses and evaluations by February 27, 1998, that contains the proposed methods for compliance with GDC 19 dose limits under accident conditions based on system design and without reliance on the use of potassium iodide and/or supplied air breathing apparatus, and (2) implementing the proposed changes within 2 years of the date that NRC approval for the proposed license amendment is granted.</p>	<p>(1) February 27, 1998 (2) Two years from date amendment is approved</p>
178	<p>This amendment is authorized contingent on compliance with commitments provided by the licensee to operate Point Beach Nuclear Plant in accordance with its service water system analyses and approved procedures. Specifically, each unit will utilize only one component cooling water heat exchanger until such time as analyses are completed and the service water system reconfigured as necessary to allow operation of one or both units with two heat exchangers in service. If two component cooling water heat exchangers are required in one or both units for maintaining acceptable component cooling water temperature prior to completion of necessary analyses to allow operation in the required configuration, the service water system will be considered in an unanalyzed condition, declared inoperable, and action taken as specified by TS 15.3.0.B except for short periods of time as necessary to effect procedurally controlled changes in system lineups and unit operating conditions.</p>	<p>Immediately</p>

APPENDIX A
TO
FACILITY OPERATING LICENSE DPR-24
AND
FACILITY OPERATING LICENSE DPR-27
FOR POINT BEACH NUCLEAR PLANT UNIT NOS. 1 AND 2
WISCONSIN ELECTRIC POWER COMPANY
WISCONSIN MICHIGAN POWER COMPANY
NUCLEAR MANAGEMENT COMPANY
DOCKET NOS. 50-266 AND 50-301

Unit 1 – Amendment No.
Unit 2 – Amendment No.

APPENDIX B
TO
FACILITY OPERATING LICENSE DPR-24
AND
FACILITY OPERATING LICENSE DPR-27
FOR POINT BEACH NUCLEAR PLANT UNIT NOS. 1 AND 2
WISCONSIN ELECTRIC POWER COMPANY
WISCONSIN MICHIGAN POWER COMPANY
NUCLEAR MANAGEMENT COMPANY
DOCKET NOS. 50-266 AND 50-301

Unit 1 – Amendment No.
Unit 2 – Amendment No.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

TRANSFER OF OPERATING AUTHORITY

FROM WISCONSIN ELECTRIC POWER COMPANY

TO NUCLEAR MANAGEMENT COMPANY, LLC

POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2

DOCKET NOS. 50-266 AND 50-301

1.0 INTRODUCTION

By application dated November 24, 1999, as supplemented January 31, 2000, Wisconsin Electric Power Company (WEPCo or the licensee), current owner and licensed operator of Point Beach Nuclear Plant, Units 1 and 2 (Point Beach), and the Point Beach Independent Spent Fuel Storage Installation (Point Beach ISFSI), acting for itself and for Nuclear Management Company, LLC (NMC), requested NRC consent to the transfer of operating authority under Operating Licenses Nos. DPR-24 and DPR-27 for Point Beach, Units 1 and 2, from WEPCo to NMC. NMC is also to become the general licensee for the Point Beach ISFSI pursuant to 10 CFR 72.210. The initial application and supplement are hereinafter referred to as "the application," unless otherwise indicated.

Ownership of the Point Beach facilities will not be affected by the proposed transfer of operating authority to NMC. WEPCo will retain its current ownership interest. NMC will not own any portion of Point Beach. Also WEPCo's entitlement to capacity and energy from Point Beach will not be affected by the transfer of operating authority.

NMC has been established as a Wisconsin limited liability corporation owned equally by Alliant Energy Nuclear, LLC, NSP Nuclear Corporation, WEC Nuclear Corporation, and WPS Nuclear Corporation. Alliant Energy Nuclear, LLC is a wholly owned subsidiary of Alliant Energy Corporation, the parent holding company of IES Utilities Inc. NSP Nuclear Corporation is a wholly owned subsidiary of Northern States Power Company, owner and operator of the Prairie Island and Monticello Nuclear Plants. WEC Nuclear Corporation is a wholly owned subsidiary of Wisconsin Energy Corporation, the parent holding company of WEPCo, which owns and operates Point Beach. WPS Nuclear Corporation is a wholly owned subsidiary of WPS Resources, Inc., the parent holding company of Wisconsin Public Service Corporation, majority owner and operator of Kewaunee Nuclear Plant. NMC's corporate purpose, according to the application, is to provide services in connection with the operation and eventual decommissioning of licensed nuclear facilities on behalf of and for the benefit of the owner utilities.

Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. Such action is contingent upon the Commission's determination that the transferee is qualified to hold the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders of the Commission.

The January 31, 2000, supplemental submittal disclosed the change of address of the NMC principal place of business from Milwaukee, Wisconsin, to Hudson, Wisconsin, and identified that Mr. W. Harvey replaced Mr. E. Davis as a member of the Board of Directors. Mr. Harvey is currently Executive Vice President of Alliant Energy Corporation and is a citizen of the United States. The supplemental information did not expand the scope of the application as originally noticed in the *Federal Register*.

2.0 TECHNICAL QUALIFICATIONS

2.1 Basis and Guidance for the Evaluation

The staff used the following regulations and guidance to complete its evaluation: (1) 10 CFR 50.40(b), "Common Standards"; (2) 10 CFR 50.80, "Transfer of licenses"; (3) the Standard Review Plan (SRP) NUREG-0800, Chapter 13, "Conduct of Operations," Section 13.1.1, "Management and Technical Organization," and Section 13.1.2-13.1.3, "Operating Organization"; and (4) ANSI N18.1-1971, "Selection and Training of Nuclear Power Plant Personnel," as endorsed by Regulatory Guide 1.8, Revision 2, April 1987, "Qualification and Training of Personnel for Nuclear Power Plants."

2.2 Purpose of the Evaluation

The purpose of this evaluation is to ensure that the proposed corporate management will be involved with, informed of, and dedicated to the safe operation of Point Beach and the Point Beach ISFSI, and that sufficient, qualified technical resources will be provided to support safe plant and facility operation and maintenance. In addition, changes to Point Beach's operating organization or personnel qualifications that may occur as a result of the license transfers are also evaluated.

2.3 Evaluation: Management and Technical Support Organization

In its November 24, 1999, application (page 6/13), the licensee stated that,

The technical qualifications of NMC to carry out its responsibilities under the operating license for Point Beach, as amended, will be equivalent to or exceed the present technical qualifications of WEPCo. NMC will have a corporate headquarters staffed with executives, principal officers and centralized support staff...

The licensee further indicated in its November 24, 1999, application (page 7/13) that "NMC's senior management will be devoted to the business of nuclear plant operation. Such a single-purpose management will be able to focus on overall excellence in nuclear power operations."

Based on the foregoing information, the applicant is proposing an organization responsible for managing and providing technical support to Point Beach and the Point Beach ISFSI that will meet or exceed the current qualifications of the WEPCo management and technical support organization, regarding which the staff is aware of no deficiencies. Accordingly, the staff concludes that the proposed NMC organization for managing and its means of providing technical support for the continued operation of Point Beach and the Point Beach ISFSI under both normal and off-normal conditions after the transfer of operating authority are satisfactory.

2.4 Evaluation: Operating Organization

As described below, current WEPCo operating personnel will, for the most part, become NMC operating personnel. Thus, the staff's review of the proposed operating organization is focused here on evaluating proposed changes to the existing operating organization as a result of the transfer. The initial operating organization was determined to be acceptable by the initial licensing review. Subsequent safety-related changes to the operating organization were required to be evaluated with an appropriate methodology. The staff is aware of no deficiencies with the existing operating organization.

In its November 24, 1999, application, the licensee stated (on page 2/13) that:

Concurrent with the transfer of operating authority to NMC, it is expected that substantially all WEPCo operating personnel who are dedicated to Point Beach will be transferred to NMC, as NMC employees or as utility employees under the supervision of the NMC. Therefore, the technical qualifications of the proposed NMC organization will be substantially equivalent to those of the existing organization, and personnel qualification requirements defined in the Point Beach Technical Specifications will continue to be met.

The licensee further described the operating organization (on page 6/13) by stating: "Concurrent with transfer of operational authority, the Point Beach on-site organization will transfer substantially intact to NMC."

The licensee also states in Attachment 6 (of the November 24, 1999, application), "Nuclear Power Plant Operating Services Agreement," (page 9) that "On the Effective Date, Contracting Owner shall transfer substantially intact to NMC, and subject to Section 3.7 [labor clause], NMC shall accept the Contracting Owner's on-site organization, including Contracting Owner's employees and contractors (to the extent allowed under the applicable agreements), responsible for licensed activities at the Plant."

Based on the foregoing, the applicant is proposing plant and facility operating organizations and personnel with qualifications that will meet current Point Beach and the Point Beach ISFSI Technical Specification requirements.

Since substantially all of the operating organizations and personnel now responsible for the operation and maintenance of Point Beach and the Point Beach ISFSI will be transferred to NMC, the staff concludes that NMC's onsite organizations that will operate and maintain Point Beach and the Point Beach ISFSI will be acceptable.

2.5 Conclusions Regarding Technical Qualifications

The application adequately addresses the relevant requirements of 10 CFR 50.40(b) and 10 CFR 50.80. The applicant has described NMC's corporate level management and technical support organization and the onsite operating organizations to be responsible for the operation and maintenance of the Point Beach and the Point Beach ISFSI after the transfer of operating authority. The staff concludes that NMC will have an acceptable corporate organization, onsite organization, and adequate resources to provide technical support for the safe operation of Point Beach and the Point Beach ISFSI under both normal and off-normal conditions after the transfer of operating authority from WEPCo to NMC.

3.0 FINANCIAL QUALIFICATIONS ANALYSIS

The application states that the ownership of Point Beach will not change as a result of the proposed transfer of operating authority to NMC. Pursuant to the Operating Services Agreement included as part of the transfer application, WEPCo will retain all financial responsibility for the operation and eventual decommissioning of the Point Beach facilities. The application states that under the Operating Services Agreement, WEPCo will not be liable for costs associated with the operation of other facilities owned by the other utilities contracting with NMC for operating services. WEPCo will remain an "electric utility," as defined in 10 CFR 50.2, engaged in the generation, transmission, and distribution of electric energy for wholesale and retail sale, and subject to State cost of service and Federal rate regulation. The staff has reviewed the Operating Services Agreement and concurs with the licensee's assessment that all costs associated with the operation and decommissioning of the Point Beach facilities will continue to be the responsibility of WEPCo. Thus, NMC need not be reviewed concerning financial qualifications.

4.0 INSURANCE

The provisions of the Price-Anderson Act (Section 170 of the Atomic Energy Act) and the Commission's regulations at 10 CFR Part 140 require that NMC be added to the current WEPCo indemnity agreement. Under these provisions, NMC will also be required to be added as a named insured on the WEPCo applicable nuclear liability insurance policies and participate in the secondary retrospective insurance pool. NMC also will be required to maintain property insurance as specified in 10 CFR 50.54(w), which requirement can be satisfied by being added to the WEPCo property insurance policy. The staff does not have any reason to believe that NMC will be unable to meet the statutory and regulatory insurance requirements applicable to all power reactor licensees.

Consistent with NRC practice, the staff will require NMC to provide satisfactory documentary evidence that NMC has obtained the appropriate amount of insurance required of licensees under 10 CFR Part 140 of the Commission's regulations, prior to the issuance of the amended licenses reflecting NMC as a licensee. Since the issuance of the amended licenses is directly tied to the consummation of the proposed transfers, the order approving the transfers will contain the following condition:

NMC shall, prior to completion of the transfer of operating authority for Point Beach, provide the Director of the Office of Nuclear Reactor Regulation satisfactory documentary evidence that NMC has obtained the appropriate amount of insurance required of licensees under 10 CFR Part 140 of the Commission's regulations.

5.0 ANTITRUST REVIEW

The Atomic Energy Act does not require or authorize antitrust reviews of post-operating license transfer applications. Kansas Gas and Electric Co., et al. (Wolf Creek Generating Station Unit 1), CLI-99-19, 49 NRC 441(1999). Therefore, since the transfer application post-dates the issuance of the Point Beach operating licenses, no antitrust review is required or authorized.

6.0 FOREIGN OWNERSHIP, CONTROL, OR DOMINATION

The application states that NMC is a limited liability company organized and existing under the laws of the State of Wisconsin, with headquarters located in Hudson, Wisconsin. The owners of NMC are all publicly traded U.S. companies whose shares of common stock are widely traded. All of the NMC directors are U.S. citizens. The principal officers of NMC are citizens of the United States, with one exception, a Vice President who is a Canadian citizen.

The application states that NMC is neither owned, controlled, nor dominated by an alien, foreign corporation, or a foreign government. The staff has no reason to believe otherwise.

7.0 CONCLUSIONS REGARDING TRANSFER OF OPERATING AUTHORITY

In view of the foregoing, the staff concludes that NMC is technically qualified to hold the operating authority under the Point Beach operating licenses. There is no indication that the proposed transfer of operating authority under Facility Operating Licenses Nos. DPR-24 and DPR-27 for Point Beach to NMC will adversely affect the financial qualifications of WEPCo, which will remain fully financially responsible for the operation and decommissioning of Point Beach and the Point Beach ISFSI, and there do not appear to be any problematic antitrust, foreign ownership, or insurance considerations related to the Point Beach licenses that would result from the proposed transfer. Thus, the staff concludes that NMC is qualified to hold the operating authority under the licenses as described herein, and the transfer of operating authority is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission.

8.0 CONFORMING AMENDMENTS

A. Introduction

As stated previously, WEPCo requested approval of proposed conforming amendments to Facility Operating Licenses Nos. DPR-24 and DPR-27 for Point Beach. The requested changes replace references in the licenses to WEPCo or its organizations or officials in connection with operation of Point Beach with references to NMC or its organizations or officials to reflect the proposed transfer of operating authority.

The supplemental information received after the initial *Federal Register* notice did not affect the applicability of the Commission's generic no significant hazards consideration determination set forth in 10 CFR 2.1315.

WEPCo also proposed to correct the title pages of Appendices A and B to the licenses to delete "Wisconsin Michigan Power Company." Wisconsin Michigan Power Company merged with WEPCo in 1977, with WEPCo surviving the merger. However, since the proposed corrections do not specifically reflect the transfer of operating authority to NMC, they are not strictly conforming amendments and are not being approved at this time. The staff will consider them at a later time if submitted separate from the pending application.

B. Discussion

The changes to be made to the licenses are indicated in the conforming amendments, as indicated in Enclosure 2 to the cover letter forwarding the staff's order regarding the subject transfer. The specific text of the changes as proposed by the licensee was modified by the staff for clarification and the pages were repaginated. The changes do no more than accurately reflect the approved transfer action. The amendments involve no safety questions and are administrative in nature. Accordingly, the proposed amendments are acceptable.

C. State Consultation

In accordance with the Commission's regulations, the Wisconsin State official was notified of the proposed issuance of the amendments. The State official had no comments.

D. Conclusion With Respect to the Conforming Amendments

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

9.0 ENVIRONMENTAL CONSIDERATION

The subject application is for approval of a transfer of a license issued by the NRC and approval of a conforming amendment. Accordingly, the actions involved meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(21). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with approval of the application.

Principal Contributors: M. Davis
J. Bongarra

Date: May 15, 2000