

MAY 25 1972

Docket No. 50-301

Wisconsin Electric Power Company  
Wisconsin Michigan Power Company  
ATTN: Mr. John G. Quale  
President  
231 West Michigan Street  
Milwaukee, Wisconsin 53201

Gentlemen:

Pursuant to an Order of the Atomic Safety and Licensing Appeal Board, the Atomic Energy Commission has issued Amendment No. 1 to Facility Operating License No. DPR-27 (copy enclosed) to Wisconsin Electric Power Company and Wisconsin Michigan Power Company. The Amendment permits operation of the Point Beach Nuclear Plant Unit No. 2 at power levels not to exceed 15 megawatts thermal (approximately 1% of the rated power level of the facility). The reactor is designed for operation at approximately 1518 megawatts thermal, but in accordance with the provisions of Amendment No. 1 to Facility Operating License No. DPR-27 and Technical Specifications appended thereto, Wisconsin Electric Power Company and Wisconsin Michigan Power Company are authorized to operate the facility at 15 megawatts thermal. A copy of a related notice which has been forwarded to the Office of the Federal Register for filing and publication is enclosed for your information.

A copy of the Memorandum and Order of the Atomic Safety and Licensing Appeal Board is also enclosed.

Sincerely,

Original signed by R. C. DeYoung

R. C. DeYoung, Assistant Director  
for Pressurized Water Reactors  
Directorate of Licensing

Enclosures:

1. Amendment No. 1 to Facility Operating License DPR-27
2. Federal Register Notice
3. Memorandum and Order

|           |                        |                      |                               |                  |  |           |
|-----------|------------------------|----------------------|-------------------------------|------------------|--|-----------|
| OFFICE ▶  | L:AD/PWRs<br><i>mb</i> | L:PWR-2<br><i>mm</i> | L:AD/PWRs<br><i>RCDeYoung</i> | OGC<br><i>mm</i> |  |           |
| SURNAME ▶ | NBrown:bn              | KKniel/McCoy         | RCDeYoung                     | MKarman          |  | <i>LB</i> |
| DATE ▶    | 5/25/72                | 5/25/72              | 5/25/72                       | 5/ /72           |  |           |

MAY 25 1972

cc: John K. Babbitt, Vice President  
& General Manager  
Wisconsin Michigan Power Company  
807 South Oneida Street  
Appleton, Wisconsin 54911

Robert H. Gorske, General Counsel  
Wisconsin Electric Power Company &  
Wisconsin Michigan Power Company  
231 West Michigan Street  
Milwaukee, Wisconsin 53201

Distribution w/encls:

AEC PDR w/T.S.

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R. C. DeYoung, w/T.S.

D. J. Skovholt w/T.S.

P. Collins w/T.S.

OGC w/T.S.

Compliance w/T.S. (2)

N. Dube w/T.S. (w/3 encls)

bcc: H. J. McAluff, ORO w/T.S.

R. Leith, OC

E. E. Harll, GMR/H

E. B. Tremmel, IP

J. A. Harris, PI

J. R. Buchanan, ORNL w/T.S.

T. W. Laughlin, DTIE w/T.S.

A. A. Wells, ASLB w/T.S.

S. Robinson, SECY w/T. S.

J. Saltzman, SLR

D. Nussbaumer, DML

Docket file w/T.S. ←

L Reading

PWR-2 Reading

N. Brown (2)

H. Denton

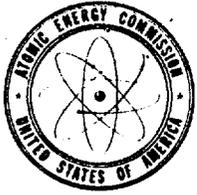
C. Hebron, DML

PWR Branch Chiefs

R. Tedesco

M. Jinks (w/4 encls)

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
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UNITED STATES  
ATOMIC ENERGY COMMISSION

WASHINGTON, D.C. 20545

WISCONSIN ELECTRIC POWER COMPANY

WISCONSIN MICHIGAN POWER COMPANY

DOCKET NO. 50-301

License No. DPR-27  
Amendment No. 1

The Atomic Energy Commission (the 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. The applicants are technically and 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 applicants 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 amendment will not be inimical to the common defense and security or to the health and safety of the public; and is pursuant to a Memorandum and Order of the Atomic Safety and Licensing Appeal Board dated May 25, 1972, authorizing issuance of an amendment to Facility Operating License No. DPR-27, authorizing operation of the Point Beach Nuclear Plant Unit No. 2 at power levels not to exceed 15 megawatts thermal (approximately 1% of the rated power level of the facility) in accordance with Section 50.57(c) and Appendix D, Section D.2, of 10 CFR Part 50.

Paragraphs 1.-8. of Facility Operating License No. DPR-27 issued to Wisconsin Electric Power Company and Wisconsin Michigan Power Company (the applicants) for fuel loading and subcritical testing of the Point Beach Nuclear Plant Unit No. 2, on November 16, 1971, are hereby amended in their entirety to read as follows:

1. This license applies to the Point Beach Nuclear Plant Unit No. 2 facility, 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 applicants' 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 (Amendments Nos. 1 through 12).
2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses the applicants:
  - A. Pursuant to Section 104b of the Atomic Energy Act of 1954, as amended (the Act), and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility as a utilization facility at the designated location on the Point Beach Nuclear Plant Unit No. 2 site; and
  - B. Pursuant to the Act and 10 CFR Part 70, "Special Nuclear Material," to receive, possess, and use at any one time up to 1600 kilograms of U-235 contained in reactor fuel assemblies, 40 milligrams of U-235 contained in fission detectors, and 16 grams of encapsulated plutonium contained in two Pu-Be-Neutron primary source assemblies, all in connection with operation of the facility.
  - C. Pursuant to the Act and 10 CFR Part 30, "Rules of General Applicability to Licensing of Byproduct Material," to receive, possess, and use in connection with operation of the facility 6 sealed sources of Neptunium 237 in dosimeter blocks not to exceed 12.5 microcuries each; and
3. This licensee 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 Level

The applicants are authorized to operate the facility at steady state power levels not in excess of 15 megawatts thermal (approximately 1% of the rated power level of the facility).

B. Technical Specifications

The Technical Specifications contained in Appendix A attached hereto are hereby incorporated in this license. The applicants shall operate the facility at steady state power levels not in excess of 15 megawatts thermal (approximately 1% of the rated power level of the facility) in accordance with the Technical Specifications, and may make changes therein only when authorized by the Commission in accordance with the provisions of Section 50.59 of 10 CFR Part 50.

C. Reports

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

4. This license is issued without prejudice to subsequent licensing action which may be taken by the Commission with regard to the environmental aspects of the facility. Issuance of this license shall not preclude subsequent adoption of alternatives in facility design or operations of the type that could result from the environmental review called for by 10 CFR Part 50, Appendix D.
5. There shall be no chlorine injection into the condenser circulating water system during the conduct of activities authorized by this license.
6. Pursuant to the Atomic Safety and Licensing Appeal Board's Memorandum and Order, dated May 25, 1972, authorizing this action, the issuance of this license is without prejudice to subsequent licensing action which may be taken by the Commission with regard to the ongoing rule making hearing on the interim acceptance criteria for emergency core cooling system (Docket No. RM 50-1) and the environmental aspects of this facility.

7. Pursuant to the Atomic Safety and Licensing Board's Memorandum and Order, dated May 17, 1972, this license is effective as of the date of issuance, and shall expire at midnight, May 25, 1973, unless superseded by a subsequent licensing action.

FOR THE ATOMIC ENERGY COMMISSION

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

Enclosure:  
Appendix A - Technical Specifications

Date of Issuance: ~~MAY~~ 25 1972

UNITED STATES ATOMIC ENERGY COMMISSION

DOCKET NO. 50-301

WISCONSIN ELECTRIC POWER COMPANY

WISCONSIN MICHIGAN POWER COMPANY

NOTICE OF ISSUANCE OF AMENDMENT NO. 1 TO FACILITY OPERATING LICENSE

Notice is hereby given that the Atomic Energy Commission (the Commission) has issued Amendment No. 1 to Facility Operating License No. DPR-27 to Wisconsin Electric Power Company and Wisconsin Michigan Power Company (the applicants) which authorizes the applicants to operate the Point Beach Nuclear Plant Unit No. 2 (facility), a pressurized water nuclear reactor, at power levels not to exceed 15 megawatts thermal (approximately 1% of the rated power level of 1518 megawatts thermal). The facility is located in the Town of Two Creeks, Manitowoc County, Wisconsin. The facility is designed for operation at approximately 1518 megawatts thermal, but in accordance with the provisions of Amendment No. 1 to Facility Operating License No. DPR-27 and Technical Specifications appended thereto, the applicants are authorized to operate the facility at power levels not to exceed 15 megawatts thermal (approximately 1% of the rated power level of the facility).

A notice of proposed issuance of a facility operating license for the facility was issued by the Commission on March 6, 1971 (36 F.R. 4518). The notice provided that within 30 days from the date of publication, any person whose interest might be affected by the issuance of the license could file a petition for leave to intervene in accordance with the requirements

of 10 CFR Part 2, "Rules of Practice." On April 5, 1971, a petition for leave to intervene and request for a hearing was jointly filed by Businessmen for the Public Interest, an Illinois not-for-profit corporation; the Sierra Club, a not-for-profit California corporation; and Protect our Wisconsin Environment Resources, an unincorporated association of residents of Two Creeks, Wisconsin. By Commission Memorandum and Order dated May 6, 1971, the petition for leave to intervene and request for a hearing was granted and a presiding Atomic Safety and Licensing Board was appointed. As of this date the matter of issuance of a full term, full power license is still pending before the Atomic Safety and Licensing Board.

On December 10, 1971, the applicants filed a motion requesting that the Atomic Safety and Licensing Board issue an order authorizing the Director of Regulation of the Commission to issue an amendment to Operating License DPR-27 authorizing operation of Point Beach Nuclear Plant Unit No. 2 at power levels not to exceed 300 MWt (slightly less than 20% of the facility's rated power level of 1518 MWt). Under the Commission's regulations such a license amendment may be issued pending the completion of an ongoing NEPA environmental review of the full term, full power license, upon a showing that such licensing action will not have a significant adverse impact on the quality of the environment or after considering and balancing the factors described in Section D.2 of Appendix D of 10 CFR Part 50 and upon satisfaction of the requirements of 10 CFR Section 50.57 (c). Subsequently, the applicants and the Commission's staff presented information to the Board as to the environmental impact of such limited

operation. On May 17, 1972, the Atomic Safety and Licensing Board issued an order authorizing the Director of Regulation to issue an amendment to Facility Operating License No. DPR-27 authorizing operation at steady state power levels not to exceed 300 megawatts thermal (slightly less than 20% of the rated power level of 1518 MWt). This action was subsequently modified by the Atomic Safety and Licensing Appeal Board which in a Memorandum and Order dated May 25, 1972, only authorized issuance of a license amendment for operation at steady state power levels not to exceed 15 megawatts thermal (approximately 1% of rated power).

The Commission's regulatory staff has inspected the facility and has determined that, for proposed operation at 15 MWt, the facility has been constructed in accordance with the application, as amended, and the provisions of Provisional Construction Permit No. CPPR-47. The applicants have satisfied the requests of 10 CFR Part 140.

The Commission's Director of Regulation has made the findings set forth in the license, and has concluded for the purposes of operation at 15 MWt that the application for construction permit and facility license, as amended, and the Commission's regulations in 10 CFR Chapter 1, and that the issuance of the license will not be inimical to the common defense and security or to the health and safety of the public.

The license amendment is effective as of the date of issuance and shall expire on May 25, 1973, unless extended or superseded by subsequent licensing action.

Copies of (1) the Board's orders of May 17, 1972 and November 11, 1971, respectively, and the Appeal Board's Order of May 25, 1972, (2) Amendment No. 1 to Facility Operating License No. DPR-27, complete with Technical Specifications, (3) Facility Operating License No. DPR-27 complete with Technical Specifications, (4) the Safety Evaluation for the Point Beach Nuclear Plant Unit No. 1 and No. 2, dated July 15, 1970, and Addenda 1, 2, 3, and 4 thereto, dated March 24, 1971; May 1971; May 24, 1971; and November 2, 1971; respectively, (5) the report of the Advisory Committee on Reactor Safeguards on the Point Beach Nuclear Plant Units 1 and 2, dated April 16, 1970, (6) "Discussion and Conclusions by the Division of Reactor Licensing, U. S. Atomic Energy Commission, Pursuant to Appendix D of 10 CFR Part 50, Supporting the Issuance of a License to Wisconsin Electric Power Company and the Wisconsin Michigan Power Company, Authorizing the Loading of Fuel and Subcritical Testing of Point Beach Nuclear Plant Unit No. 2, Docket No. 50-301, dated October 19, 1971," and (7) "Discussion and Conclusions by the Division of Reactor Licensing, U. S. Atomic Energy Commission Pursuant to Appendix D of 10 CFR Part 50 Supporting the Issuance of a License to Wisconsin Electric Power Company and Wisconsin Michigan Power Company Authorizing Limited Operation of the Point Beach Nuclear Plant, Unit 2, at Power Levels 300 MWt or Less, Docket No. 50-301, dated February 4, 1972," are

available for public inspection in the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C. Copies of the license Amendment, complete with Technical Specifications, and items (2), (3), (5), and (6) may be obtained upon request addressed to the Atomic Energy Commission, Washington, D. C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Maryland, this 25 day of May, 1972.

FOR THE ATOMIC ENERGY COMMISSION

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