

April 7, 1989

Docket Nos. 50-266
and 50-301

Mr. C. W. Fay, Vice President
Nuclear Power Department
Wisconsin Electric Power Company
231 W. Michigan Street, Room 308
Milwaukee, Wisconsin 53201

Dear Mr. Fay:

DISTRIBUTION:

<u>Docket Files</u>	NRC & Local PDRS
PDIII-3 r/f	JHannon
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ACRS(10)	PDIII-3 Gray Files
EJordan	TMeek(4)
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GPA/PA	ARM/LFMB

SUBJECT: TECHNICAL SPECIFICATION AMENDMENT REQUEST REGARDING INSERVICE TESTING
PROGRAM REQUIREMENTS FOR POINT BEACH NUCLEAR PLANT, UNIT NOS. 1 & 2
(TAC NOS. 62215/62216)

Your application for an amendment to Facility Operating License Nos. DPR-24
and DPR-27 to change the Technical Specifications relating to the inservice
testing program, as outlined in letters dated February 17, 1977 and November 27,
1978, has been denied.

The U. S. Nuclear Regulatory Commission has issued guidance regarding the
inservice testing program for light water reactor operating licenses. This
guidance is found in Generic Letter 89-04, entitled "Guidance on Developing
Acceptable Inservice Testing Programs," and is dated April 3, 1989. As a
result, the Commission will not entertain any proposed change to the Point
Beach technical specifications for the inservice testing program until such
time as the Point Beach inservice testing program is in compliance with the
Generic Letter 89-04. At that time, should you require modifications to the
technical specifications, the Commission will entertain a new application.

A copy of the Notice of Denial of Amendment is enclosed for your information.
The notice has been forwarded to the Office of the Federal Register for publica-
tion.

Sincerely,

/s/

John N. Hannon, Director
Project Directorate III-3
Division of Reactor Projects - III
IV, V, and Special Projects
Office of Nuclear Reactor Regulation

Enclosure
As stated

cc w/enclosure:
See next page

Office: LA/PDIII-3 PE/PDIII-3
Surname: PKreutzer LKokajko/tg
Date: 4/16/89 4/16/89

PM/PDIII-3
WSwenson
4/16/89

PD/PDIII-3
JHannon
4/17/89

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PDR ADOCK 05000266
P PDC

CP-1

Mr. C. W. Fay
Wisconsin Electric Power Company

Point Beach Nuclear Plant
Units 1 and 2

cc:

Mr. Bruce Churchill, Esq.
Shaw, Pittman, Potts and Trowbridge
2300 N Street, N.W.
Washington, DC 20037

Mr. James J. Zach, Manager
Point Beach Nuclear Plant
Wisconsin Electric Power Company
6610 Nuclear Road
Two Rivers, Wisconsin 54241

Town Chairman
Town of Two Creeks
Route 3
Two Rivers, Wisconsin 54241

Chairman
Public Service Commission
of Wisconsin
Hills Farms State Office Building
Madison, Wisconsin 53702

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
Office of Executive Director
for Operations
799 Roosevelt Road
Glen Ellyn, Illinois 60137

Resident Inspector's Office
U.S. Nuclear Regulatory Commission
6612 Nuclear Road
Two Rivers, Wisconsin 54241

UNITED STATES NUCLEAR REGULATORY COMMISSIONWISCONSIN ELECTRIC POWER COMPANYDOCKET NOS. 50-266 AND 50-301NOTICE OF DENIAL OF AMENDMENT TO FACILITY OPERATING LICENSE
AND OPPORTUNITY FOR HEARING

The U. S. Nuclear Regulatory Commission (the Commission) has denied a request by Wisconsin Electric Power Company, (licensee) for an amendment to Facility Operating License Nos. DPR-24 and DPR-27, issued to the licensee for operation of the Point Beach Nuclear Plant, Unit Nos. 1 and 2, located in Manitowoc County, Wisconsin.

The purpose of the licensee's amendment request was to revise the Technical Specifications (TS) to modify the inservice testing program requirements.

The NRC staff has concluded that the licensee's request cannot be granted. The licensee was notified of the Commission's denial of the proposed change by letter dated April 7, 1989. The Commission has issued guidance regarding the inservice testing program for light water reactor operating licenses. This guidance is found in Generic Letter 89-04, entitled "Guidance on Developing Acceptable Inservice Testing Programs," and is dated April 3, 1989. As a result, the Commission will not entertain any proposed change to the Point Beach technical specifications for the inservice testing program until such time as the Point Beach inservice testing program is in compliance with the Generic Letter 89-04. At that time, should the licensee require modifications to the technical specifications, the Commission will entertain a new application.

By May 15, 1989 the licensee may demand a hearing with respect to the denial described above. Any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U. S. Nuclear Regulatory Commission, Washington, D.C., 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C., by the above date.

A copy of any petitions should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Gerald Charnoff, Esq, Shaw, Pittman, Potts and Trowbridge, 2300 N Street, N.W., Washington, D.C. 20037, attorney for the licensee.

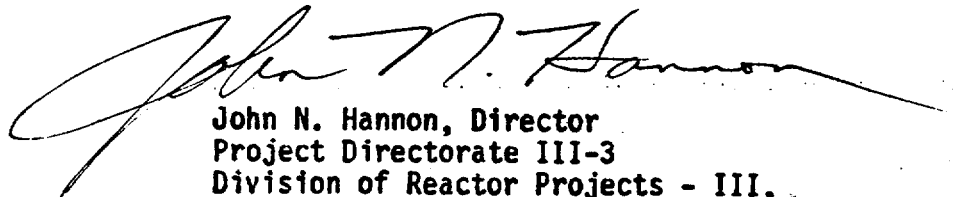
For further details with respect to this action, see (1) the application for amendment dated February 17, 1977 as supplemented November 27, 1978, and (2) the Commission's letter to the licensee dated April 7, 1989.

These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. and at the Joseph P. Mann Library, 1516

Sixteenth Street, Two Rivers, Wisconsin. A copy of Item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C., 20555, Attention: Document Control Desk.

Dated at Rockville, Maryland, this 7th day of April 1989 .

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script, reading "John N. Hannon", written in dark ink.

John N. Hannon, Director
Project Directorate III-3
Division of Reactor Projects - III,
IV, V and Special Projects
Office of Nuclear Reactor Regulation