

November 30, 1988

Docket Nos. 50-266  
and 50-301

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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:

SUBJECT: POINT BEACH NUCLEAR PLANT, UNITS NO. 1 AND NO. 2 - CORE POWER  
PEAKING FACTOR CONSIDERATION NOTICE (TAC Nos. 69349 and 69350)

Enclosed is a "Notice of Consideration of Issuance of Amendment to Facility  
Operating License and Opportunity for Hearing" concerning your application for  
amendment dated August 26, 1988 and supplemented by letter dated October 28,  
1988. This Notice was forwarded to the Office of the Federal Register for  
publication.

Sincerely,

/s/

Warren H. Swenson, Project Manager  
Project Directorate III-3  
Division of Reactor Projects - III,  
IV, V and Special Projects

Enclosure:  
As stated

cc: See next page

Office: LA/PDIII-3  
Surname: PKreutzer  
Date: 11/30/88

9/28/88  
PM/PDIII-3  
WSwenson/mr  
11/30/88

for EVW  
PD/PDIII-3  
JHannon  
11/30/88

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PDR ADOCK 05000246  
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CP  
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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 REGULATOR COMMISSION  
WISCONSIN ELECTRIC POWER COMPANY  
POINT BEACH NUCLEAR PLANT, UNITS NOS. 1 AND 2  
DOCKET NOS. 50-266 AND 50-301  
NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO  
FACILITY OPERATING LICENSE AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission is considering issuance of an amendment to Facility Operating License Nos. DPR-24 and DPR-27, issued to the Wisconsin Electric Power Company (the licensee), for operation of the Point Beach Nuclear Plant, Unit Nos. 1 and 2, located at the licensee's site in Manitowoc County, Wisconsin.

The proposed amendment would revise the provisions in the Point Beach Nuclear Plant, Unit Nos. 1 and 2, Technical Specifications (TS's) relating to the design and operation of the Point Beach fuel cycle with upgraded core features and at higher core power peaking factors ( $F_Q$  and  $F_H$ ) than are currently permitted by the plant TS.

Specifically, the proposed amendment would incorporate higher core power peaking factors. The higher peaking factors will allow the use of a low-low leakage loading pattern (L4P) fuel management strategy, which will result in decreased neutron fluence to the reactor vessel. This fluence reduction will help address reactor vessel irradiation damage issues such as pressurized thermal shock, low upper shelf material toughness and pressure-temperature restrictions on heatup and cooldown. The higher core power peaking factors

will allow additional fluence reduction measures, such as the use of peripheral power suppression assemblies, to be pursued.

In addition to the increase in core power peaking factors, the proposed changes and reanalysis supporting them would permit the use of an upgraded fuel product features package. The upgraded fuel product features include: removable top nozzles, integral fuel burnable absorbers, axial blankets, extended burnup geometry, and inclusion of a debris filter bottom nozzle. Finally, the reanalysis for this proposed amendment supports the removal of the fuel assembly thimble plugging devices and the elimination of the third line segment of the  $K(z)$  curve.

Prior to issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By January 05, 1989 the licensees may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for hearing and a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition, and the

Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR §2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 2120 L Street, N.W., Washington, D.C., by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner or representative for the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-800-325-6000 (in Missouri 1-800-342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to John N. Hannon: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this FEDERAL REGISTER notice. A copy of the petition should also be sent to the Office of General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Gerald Charnoff, Esq., Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037 attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained

absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board, that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

If a request for hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated August 26, 1988 as supplemented October 28, 1988, which is available for public inspection at the Commission's Public Document Room, 2120 L Street, N.W., Washington, D.C. 20555, and at the Joseph P. Mann Library, 1516 Sixteenth Street, Two Rivers, Wisconsin.

Dated at Rockville, Maryland, this 30th day of November -1988.

FOR THE NUCLEAR REGULATORY COMMISSION

*Thomas V. Wambach*

Thomas V. Wambach, Acting Director  
Project Directorate III-3  
Division of Reactor Projects - III,  
IV, V and Special Projects  
Office of Nuclear Reactor Regulation