



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

June 19, 1992

Docket Nos. 50-266  
and 50-301

Mr. Robert E. Link, Vice President  
Nuclear Power Department  
Wisconsin Electric Power Company  
231 West Michigan Street, Room P379  
Milwaukee, Wisconsin 53201

Dear Mr. Link:

SUBJECT: REQUEST FOR TEMPORARY WAIVER OF COMPLIANCE - TECHNICAL SPECIFICATION  
3.3.2, EMERGENCY POWER SYSTEMS PERIODIC TESTS (TAC NO. M81340)

This acknowledges that on the evening of June 11, 1992, NRC granted a Temporary Waiver of Compliance for Point Beach Nuclear Plant, Unit 1 and Unit 2, Technical Specification 15.4.6, "Emergency Power System Periodic Tests," Subpart 15.6.A.2. At the time the Wisconsin Electric Power Company (WEPCo) requested relief, this subpart required that certain testing be performed to assure that the diesel generator will start and assume required load "... in less than the time periods listed in the FSAR Section 8.2..." The acceptance criteria for the load times in the applicable plant test procedure (ORT-3) were different from the values in the FSAR. On June 11, 1992, it was recognized that the results of the recent diesel generator test did not meet the time periods in the FSAR. This placed both nuclear units in violation of the Technical Specifications.

A verbal request for relief was made on June 11, 1992, and was documented by your letter dated June 12, 1992. The Temporary Waiver of Compliance was granted on June 11, 1992, by me with the concurrence of NRC's Region III office. This waiver allowed the two Point Beach nuclear units to continue to operate, instead of proceeding toward cold shutdown, while corrective action was being taken.

The test procedure includes an upper and a lower limit (or, band) for the loading time for each component while the FSAR included only an upper limit. Furthermore, the bands were centered about the values included as upper limits in the FSAR. This created the possibility for load times to meet the acceptance criteria in the test procedure but fail to meet the literal requirement of the technical specifications. Corrective action consisted of incorporating the values from the test procedure into the FSAR.

Coincidentally, by letter dated August 9, 1991 WEPCo applied for an amendment to Section 15.6.A.2 of the Technical Specifications. The amendment would change the wording to require that the testing be performed to assure that the diesel generator will start and assume required load "... in accordance with the timing sequence listed in the FSAR Section 8.2..." This amendment was proposed in anticipation that the minimum loading time would be added to the

9206260358 920619  
PDR ADOCK 05000266  
F PDR

CP  
JFol  
1/0  
NRC FILE CENTER COPY

Mr. Robert E. Link

- 2 -

June 19, 1992

FSAR for each component. This revised wording makes clearer the utilization of the time bands which you did put into the FSAR on June 12, 1992.

The license amendment was dated June 10, 1992 but had not been forwarded to you at the time of your request for relief. However, issuance of the amendment did not obviate the need for relief. The need for relief ended on June 12, 1992, upon amending the FSAR to incorporate the higher upper limits in the time bands, replacing the maximum load times previously in the FSAR.

In reviewing the amendment application, the staff concurred that the use of the time intervals rather than maximum loading times for each component provides better control to reduce the chance of overloading a diesel generator. The NRC staff did not review the specific loading scheme for the Point Beach emergency busses but noted that the load sequencing times would stay within the limits established in the FSAR. In your request for relief you reiterated that the maximum start times including tolerances, will remain within the times assumed in the FSAR safety analyses.

WEPCo can revise the FSAR at any time in accordance with the procedures set forth in 10 CFR 50.59. Plant operating procedures including test procedures such as ORT-3 can also be revised without prior NRC approval. It appears that such changes are being made by adhering to the 50.59 procedures. Our review of the relief request did not include a detailed review of the changes made to the FSAR. Please note however that changes made under 10 CFR 50.59 are subject to inspection.

Sincerely,

Original signed by:

John A. Zwolinski, Assistant Director  
for Region III Reactors  
Division of Reactor Projects III/IV/V  
Office of Nuclear Reactor Regulation

cc: See next page

DISTRIBUTION:

Docket File	NRC & Local PDRs	PDIII-3 r/f
TMurley, 12G18	FMiraglia, 12G18	JPartlow, 12G18
BBoger	JZwolinski	JHannon
PKreutzer	BSamworth	OGC, 15B18
DHagan, MNBB3206	GHill (8), P1-37	WJones, MNBB7103
CGrimes, 11E22	ACRS (10), P315	OPA, 2G5
OC/LFMB, MNBB4503	PDIII-3 p/f	JLieberman, 7H5
ELeeds	EGreenman, RIII	

OFC	PDIII-3/LA	PDIII-3/PM	PDIII-3/D	AD3/DRPM	
NAME	PKreutzer	BSamworth/	JHannon	JZwolinski	
DATE	6/18/92	6/18/92	6/19/92	6/19/92	

Mr. Robert E. Link  
Wisconsin Electric Power Company

Point Beach Nuclear Plant  
Unit Nos. 1 and 2

cc:

Ernest L. Blake, Jr.  
Shaw, Pittman, Potts & Trowbridge  
2300 N Street, N.W.  
Washington, DC 20037

Mr. Gregory J. Maxfield, 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