August 11, 1999

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

SUBJECT: POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS RE: ADMINISTRATIVE CONTROL CHANGES (TSCR 211) (TAC NOS. MA4680 AND MA4681)

Dear Mr. Sellman:

The Commission has issued the enclosed Amendment No. 190 to Facility Operating License No. DPR-24 and Amendment No. 195 to Facility Operating License No. DPR-27 for the Point Beach Nuclear Plant, Units 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated January 29, 1999, as supplemented by additional information in your letters dated June 9 and July 15, 1999.

These amendments revise Sections 15.6 and 15.7 of the Point Beach Nuclear Plant (PBNP), Units 1 and 2, TSs. The changes are considered administrative in nature and reflect personnel title changes, an increase in minimum operating crew shift staffing, relocation of the Manager's Supervisory Staff composition and functional requirements to owner-controlled documents, and revisions to the procedure review and approval process.

A copy of our related Safety Evaluation is also enclosed. The notice of issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

(Original signed by Tae Kim for)
Beth A. Wetzel, Senior Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-266 and 50-301

Enclosures: 1. Amendment No. 190 to DPR-24
2. Amendment No. 195 to DPR-27
3. Safety Evaluation

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

August 11, 1999

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

SUBJECT: POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS RE: ADMINISTRATIVE CONTROL CHANGES (TSCR 211) (TAC NOS. MA4680 AND MA4681)

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These amendments revise Sections 15.6 and 15.7 of the Point Beach Nuclear Plant (PBNP), Units 1 and 2, TSs. The changes are considered administrative in nature and reflect personnel title changes, an increase in minimum operating crew shift staffing, relocation of the Manager's Supervisory Staff composition and functional requirements to owner-controlled documents, and revisions to the procedure review and approval process.

A copy of our related Safety Evaluation is also enclosed. The notice of issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

for Beth A. Wetzel, Senior Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-266 and 50-301

Enclosures:
1. Amendment No. 190 to DPR-24
2. Amendment No. 195 to DPR-27
3. Safety Evaluation

cc w/encls: See next page

DATED: August 11, 1999

AMENDMENT NO.190 TO FACILITY OPERATING LICENSE NO. DPR-24 - POINT BEACH UNIT 1
AMENDMENT NO.195 TO FACILITY OPERATING LICENSE NO. DPR-27 - POINT BEACH UNIT 2

Docket File (50-266, 50-301)
PUBLIC
PD3-1 r/f
C. Thomas/C. Craig
R. Bouling
B. Wetzel (2)
OGC
G. Hill (4)
W. Beckner
T. Quay
D. Trimble
ACRS
R. Lanksbury, RIII
R. Scholl (SE)

Mr. Michael B. Sellman
Wisconsin Electric Power Company

Point Beach Nuclear Plant
Units 1 and 2

cc:

Mr. John H. O'Neill, Jr.
Shaw, Pittman, Potts & Trowbridge
2300 N Street, NW
Washington, DC 20037-1128

Mr. Richard R. Grigg
President and Chief Operating Officer
Wisconsin Electric Power Company
231 West Michigan Street
Milwaukee, Wisconsin 53201

Mr. Mark E. Reddemann
Site Vice President
Point Beach Nuclear Plant
Wisconsin Electric Power Company
6610 Nuclear Road
Two Rivers, Wisconsin 54241

Mr. Ken Duveneck
Town Chairman
Town of Two Creeks
13017 State Highway 42
Mishicot, Wisconsin 54228

Chairman
Public Service Commission
of Wisconsin
P.O. Box 7854
Madison, Wisconsin 53707-7854

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, Illinois 60532-4351

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

Ms. Sarah Jenkins
Electric Division
Public Service Commission of Wisconsin
P.O. Box 7854
Madison, Wisconsin 53707-7854

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. 190
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 January 29, 1999, as supplemented June 9 and July 15, 1999, 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.

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2. Accordingly, Facility Operating License No. DPR-27 is hereby amended to approve the removal of selected requirements from TS Section 15.6, Administrative Controls, and the relocation of other requirements to licensee-controlled documents as described in the licensee's application dated January 29, 1999, as supplemented June 9 and July 15, 1999, and evaluated in the staff's safety evaluation attached to this amendment. This license is also hereby amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B of Facility Operating License No. DPR-27 is hereby amended to read as follows:

   B. Technical Specifications

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

3. This license amendment is effective immediately upon issuance. The Technical Specifications shall be implemented within 90 days from the date of issuance. With respect to changes to the final safety analysis report (FSAR), Wisconsin Electric Power Company shall incorporate the revisions into the next FSAR update in accordance with the schedule in 10 CFR 50.71(e).

FOR THE NUCLEAR REGULATORY COMMISSION

Claudia M. Craig

Claudia M. Craig, Chief, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of issuance: August 11, 1999

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. 195
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 January 29, 1999, as supplemented June 9 and July 15, 1999, 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, Facility Operating License No. DPR-24 is hereby amended to approve the removal of selected requirements from TS Section 15.6, Administrative Controls, and the relocation of other requirements to licensee-controlled documents as described in the licensee's application dated January 29, 1999, as supplemented June 9 and July 15, 1999, and evaluated in the staff's safety evaluation attached to this amendment. This license is also hereby amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B of Facility Operating License No. DPR-24 is hereby amended to read as follows:

   B. Technical Specifications

   The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 190 , are hereby incorporated in the license. The licensee shall operate the facility in accordance with Technical Specifications.

3. This license amendment is effective immediately upon issuance. The Technical Specifications shall be implemented within 90 days from the date of issuance. With respect to changes to the final safety analysis report (FSAR), Wisconsin Electric Power Company shall incorporate the revisions into the next FSAR update in accordance with the schedule in 10 CFR 50.71(e).

FOR THE NUCLEAR REGULATORY COMMISSION

Claudia M. Craig

Claudia M. Craig, Chief, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of issuance: August 11, 1999

ATTACHMENT TO LICENSE AMENDMENT NO. 190

TO FACILITY OPERATING LICENSE NO. DPR-24

AND LICENSE AMENDMENT NO. 195

TO FACILITY OPERATING LICENSE NO. DPR-27

DOCKET NOS. 50-266 AND 50-301

Revise Appendix A Technical Specifications by removing the pages identified below and inserting the enclosed pages. The revised pages are identified by amendment number and contain marginal lines indicating the area of change.

REMOVE	INSERT
15.6.1/2-1	15.6.1/2-1
15.6.2-2	15.6.2-2
15.6.2-3	15.6.2-3
15.6.2-4	15.6.2-4
15.6.3-2	15.6.3-2
15.6.4/5-1	15.6.5-1
15.6.5-2	-
15.6.5-3	-
15.6.5-3a	-
15.6.6-1	15.6.6-1
15.6.8-1	15.6.8-1
15.6.8-2	15.6.8-2
15.7.8-1	15.7.8-1
15.7.8-7	15.7.8-7

15.6 ADMINISTRATIVE CONTROLS

15.6.1 RESPONSIBILITY

15.6.1.1 The Plant Manager shall be responsible for overall facility operation and shall delegate in writing the succession to this responsibility during absences from the Point Beach Nuclear Plant area of greater than 48 hours and where ready contact by telephone or other means is not assured.

15.6.1.2 The Duty Shift Superintendent (or during his absence from the control room, the Duty Operating Supervisor) shall be responsible for the Control Room Command function.

15.6.2 ORGANIZATION

15.6.2.1 Onsite and offsite organizations shall be established for plant operation and corporate management, respectively.

a. Lines of authority, responsibility, and communication shall be established and defined for the highest management levels through intermediate levels to and including all operating organization positions. These relationships shall be documented and updated, as appropriate, in the form of organization charts, functional descriptions of departmental responsibilities and relationships, and job descriptions for key personnel positions, or in equivalent forms of documentation. These requirements shall be documented in the Point Beach Nuclear Plant Final Safety Analysis Report, or plant procedures.

b. The Plant Manager shall be responsible for overall safe plant operation and shall have control over those onsite activities necessary for safe operation and maintenance of the plant.

15.6.2 ORGANIZATION (Continued)

15.6.2.1 (Continued)

c. The Chief Nuclear Officer shall be an officer of the Company and shall have corporate responsibility for overall plant nuclear safety and shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support to the plant to ensure nuclear safety.

d. The individuals who carry out health physics and quality assurance functions may report to the appropriate onsite manager; however, they shall have sufficient organizational freedom to ensure their independence from operating pressures.

FACILITY STAFF

15.6.2.2 Facility staffing shall be subject to the following requirements:

a. Each on-duty shift shall normally be composed of at least the minimum shift crew composition as follows:**

1. Shift Superintendent (SRO)* - one per shift

2. Shift Technical Advisor - one per shift located on-site on ten minute call to the control room

3. Operating Supervisor (SRO)* - one per shift

4. Operator (RO)* - three per shift for one or two unit operation***
   - two per shift with neither unit in operation***

5. Non-licensed Operator - one per shift for each unit containing fuel and an additional one per shift when either unit is in operation***

15.6 ADMINISTRATIVE CONTROLS (Continued)

15.6.2 ORGANIZATION (Continued)

FACILITY STAFF (Continued)

15.6.2.2 (Continued)

b. When there is fuel in either unit, an SRO* shall be in the control room at all times. In addition to this SRO*, for each unit containing fuel, an RO* or SRO* shall be present at the controls at all times.

c. DELETED

d. An individual qualified in radiation protection procedures shall be on site when fuel is in either reactor.**

e. All core alterations shall be directly supervised by either a licensed Senior Reactor Operator or Senior Reactor Operator Limited to Fuel Handling who has no other concurrent responsibilities during this operation.

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*SRO = NRC Senior Reactor Operator License

RO = NRC Reactor Operator License

**This shift may be less than the minimum requirements for a period of time not to exceed 2 hours in order to accommodate unexpected absence of personnel, provided immediate action is taken to restore the shift makeup to within the minimum requirements.

*** A unit is considered to be operating when it is in a mode other than cold shutdown or refueling shutdown.

15.6.2.3 DELETED

15.6.3.3 In the event the position of Health Physicist is vacated and the proposed replacement does not meet all the qualifications of 15.6.3.2, but is determined to be otherwise well qualified, the concurrence of NRC shall be sought in approving the qualification of that individual.

15.6.3.4 The Shift Technical Advisor shall have a bachelor's degree or equivalent in a scientific or engineering discipline with specific training in plant design and response and analysis of the plant for transients and accidents. The Shift Technical Advisor shall also receive training in plant design and layout including the capabilities of instrumentation and controls in the control room.

15.6.3.5 The Operations Manager shall:

1) Hold a Senior Reactor Operator license at PBNP; or
2) Have held a Senior Reactor Operator license at PBNP or a similar unit; or
3) Have been certified at an appropriate simulator for equivalent senior operator knowledge level.

If the Operations Manager does not hold a Senior Reactor Operator license at PBNP, then an operations middle manager to whom the operating crews report shall hold a Senior Reactor Operator license at PBNP.

15.6.4 TRAINING

15.6.4.1 A retraining and replacement training program for the facility staff shall be maintained under the direction of the Training Manager and shall meet or exceed the requirements and recommendations of Section 5.5 of ANSI N18.1-1971 and 10 CFR Part 55.

15.6.5 REVIEW AND AUDIT

15.6.5.1 Manager's Supervisory Staff - DELETED (Relocated to owner controlled documents)

15.6.6 DELETED

15.6.8 PLANT OPERATING PROCEDURES

15.6.8.1 The plant shall be operated and maintained in accordance with approved procedures. Procedures shall be provided for the following operations where these operations involve nuclear safety of the plant:

1. Normal sequences of startup, operation and shutdown of components, systems and overall plant.
2. Refueling.
3. Specific and foreseen potential malfunctions of systems or components including abnormal reactivity changes.
4. Security Plan implementation.
5. Emergencies which could involve release of radioactivity.
6. Nuclear core testing.
7. Surveillance and testing of safety related equipment.
8. Fire protection implementation.

15.6.8.2 Approval of Procedures.

A. Each procedure, or change thereto, of the categories listed in 15.6.8.1 (except 15.6.8.1.4) and 15.6.11 shall be reviewed by an individual or group other than the individual who prepared the procedure, or change thereto. All procedures of the categories listed in 15.6.8.1 (except 15.6.8.1.4) and 15.6.11, and modifications to the intent thereof, shall be approved by the Plant Manager or a department manager assigned responsibility for those procedures (hereafter referred to as the Approval Authority) prior to implementation. Non-intent changes shall be reviewed and approved in accordance with 15.6.8.2 or 15.6.8.3.

B. Individuals responsible for reviews in accordance with 15.6.8.2 and 15.6.8.3 shall be members of the plant staff previously designated by the Plant Manager and meet or exceed the qualifications of Technical Specification 15.6.3.

C. Each review shall include a determination of whether or not additional, cross-disciplinary review is necessary. If deemed necessary, such review shall be performed by qualified personnel of the appropriate discipline.

D. Each review shall include an assessment for applicability of 10 CFR 50.59 and when necessary appropriate evaluations shall be performed.

15.6.8.3 Changes to Procedures

A. Changes to procedures, of the categories in 15.6.8.2A, that may involve a change to the intent of the original procedures shall be approved in accordance with 15.6.8.2.

B. Temporary changes to procedures, of the categories listed in 15.6.8.2A, which do not change the intent of the approved procedure, may be made provided such changes are approved by two members of the plant staff, at least one of whom holds a Senior Reactor Operator's License.

C. All temporary changes to procedures of the categories listed in 15.6.8.2A shall subsequently be reviewed and approved in accordance with 15.6.8.2 within 2 weeks. Temporary changes only become permanent changes after approval by the Approval Authority.

15.7.8 ADMINISTRATIVE CONTROLS

15.7.8.1 DELETED

15.7.8.2 Audits

A. An audit of the activities encompassed by the Radioactive Effluent and Materials Control and Accountability Program (REMCAP), [the Offsite Dose Calculation Manual (ODCM), the Radiological Effluent Control Program (RECP), the Radiological Environmental Monitoring Program (REMP), and the Process Control Program (PCP)] and its implementing procedures shall be performed utilizing either offsite licensee personnel or a consulting firm.

B. The results of the audit above shall be transmitted to the Chief Nuclear Officer and the Chairman of the Offsite Review Committee.

15.7.8.3 Plant Operating Procedures and Programs

The Radioactive Effluent and Materials Control and Accountability Program (REMCAP) shall be established, implemented, and maintained in accordance with the provisions of Technical Specification 15.6.8. REMCAP shall assure that radioactive effluent and waste material from PBNP complies with applicable Federal, State, and burial ground regulations while keeping all exposures to members of the public as low as reasonably achievable (ALARA). This program shall conform to and implement the requirements of PBNP GDC 70 and of 10 CFR 50.34a and 10 CFR 50.36a for the control of radioactive effluents while maintaining doses from these effluents ALARA, shall implement the requirements of 10 CFR 50.34a and General Design Criterion 60 of Appendix A to 10 CFR 50 to suitably control the release and the processing of waste materials, shall conform to the guidance of Appendix I to 10 CFR 50 and PBNP GDC 17 for the assessment of radioactivity in the environs of PBNP, and shall include remedial actions to be taken whenever the program limits are exceeded. REMCAP shall be implemented and maintained under the procedures and methodologies specified in the four (4) manuals/programs listed below and supported, as required, by other procedures. Effluent and environmental monitoring shall be addressed in the Quality Assurance Program.

3. Revisions shall become effective after the approval of the Plant Manager.

B. Revisions to the EM, ODCM, RECM and REMCAP

1. Revisions to the EM, ODCM, RECM and REMCAP shall be documented and reviews performed of the revision shall be retained as required in 15.7.8.6. The documentation shall contain:

   a. Sufficient information to support the change together with the appropriate analyses or evaluations justifying the revision, and

   b. A determination that the change will maintain the levels of radioactive effluent control required pursuant to 10 CFR 20.1302, 10 CFR 50.36a, Appendix I to 10 CFR 50, and 40 CFR 190.

2. Shall become effective after the approval of the Plant Manager.

3. Shall be submitted to the Commission in the form of a complete, legible copy of the entire manual either as part of, or concurrent with, the Annual Monitoring Report for the period of the report in which the revision was made. Each change shall be identified by markings in the margin of the affected pages, clearly indicating the area of the page that was changed. Each copy shall indicate the date (e.g., month/year) the revision was implemented.

4. In addition to items 1-3 above, all changes regarding explosive gas must be made via the 50.59 process.

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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 190

TO FACILITY OPERATING LICENSE NO. DPR-24

AND AMENDMENT NO. 195 TO FACILITY OPERATING LICENSE NO. DPR-27

WISCONSIN ELECTRIC POWER COMPANY

POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2

DOCKET NOS. 50-266 AND 50-301

1.0 INTRODUCTION

By letter dated January 29, 1999, as supplemented with additional information in letters dated June 9 and July 15, 1999, the Wisconsin Electric Power Company (the licensee) requested amendments to the Technical Specifications (TSs) appended to Facility Operating License No. DPR-24 for Point Beach Nuclear Plant (PBNP), Unit 1, and Facility Operating License No. DPR-27 for Point Beach Nuclear Plant, Unit 2. The proposed amendments would revise Sections 15.6 and 15.7 of the Point Beach Nuclear Plant, Unit 1 and 2 TSs. The changes consist of the following: changes in title from the Manager - Point Beach Nuclear Plant to the Plant Manager; changes in title from Duty Technical Advisor to the Shift Technical Advisor; increases in minimum operating crew shift staffing; deletion of the Duty and Call Superintendent function; relocation of the Manager's Supervisory Staff (MSS) composition and functional requirements to owner-controlled documents; and revisions to the procedure review and approval process.

The June 9 and July 15, 1999, letters provided additional clarifying information within the scope of the original *Federal Register* notice (64 *FR* 9202) and did not affect the staff's initial proposed no significant hazards consideration determination.

2.0 BACKGROUND

Section 182 of the Atomic Energy Act (the "Act") requires applicants for nuclear power plant operating licenses to state TSs to be included as part of the license. The Commission's regulatory requirements related to the content of TSs are set forth in Title 10, *Code of Federal Regulations* (CFR), Section 50.36. That regulation requires that the TSs include items in five specific categories, including (1) safety limits, limiting safety system settings and limiting control settings; (2) limiting conditions for operation (LCOs); (3) surveillance requirements (SRs); (4) design features; and (5) administrative controls. However, the regulation does not specify the particular requirements to be included in a plant's TSs.

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The Commission amended 10 CFR 50.36 (60 FR 36593, July 19, 1995), and codified four criteria to be used in determining whether a particular matter is required to be included in an LCO, as follows: (1) Installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary; (2) a process variable, design feature, or operating restriction that is an initial condition of a design-basis accident or transient analysis that either assumes the failure of or presents a challenge to the integrity of a fission product barrier; (3) a structure, system, or component that is part of the primary success path and which functions or actuates to mitigate a design-basis accident or transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier; or (4) a structure, system, or component which operating experience or probabilistic risk assessment has shown to be significant to public health and safety. LCOs and related requirements that fall within or satisfy any of the criteria in the regulation must be retained in the TSs, while those requirements that do not fall within or satisfy these criteria may be relocated to licensee-controlled documents. While the criteria specifically apply to LCOs, in adopting the revision to the rule the Commission noted that the staff had used the intent of these criteria to identify the optimum set of administrative controls in the TSs (60 FR 36957).

The regulation at 10 CFR 50.36 states that Administrative Controls "are the provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure safe operation of the facility in a safe manner." The specific content of the administrative controls section of the TSs is, therefore, that information that the Commission deems essential for the safe operation of the facility that is not already adequately covered by other regulations. Accordingly, the staff has determined that requirements that are not specifically required under 10 CFR 50.36(c)(5), and that are not otherwise necessary for operation of the facility in a safe manner, can be removed from administrative controls.

3.0 EVALUATION

3.1 Changes in Title

The licensee proposes to revise TS 15.6.1.1, 15.6.2.1.b, 15.6.8.2.A, 157.8.7.A.3 and 15.7.8.7.B.2 to reflect the change in title from "the Manager - Point Beach Nuclear Plant" to "the Plant Manager."

The above changes are administrative only and do not change the intent of the TSs or the responsibilities of the Manager - Point Beach Nuclear Plant. These changes simply clarify that the Manager - Point Beach Nuclear Plant is the Plant Manager, and are being made to make the PBNP TSs consistent with this title in PBNP's other policies and procedures.

The above changes to the TSs, which revise a title for consistency purposes are administrative and are therefore acceptable.

3.2 Increase in Minimum Operating Crew

The licensee proposes to revise TS 15.6.2.2 to increase the required facility staff. The specific changes being proposed are the following:

- Shift Technical Advisor - This change is discussed in Section 3.3 of this safety evaluation.

- Reactor Operators - This requirement changes from two per shift for one unit operation to three per shift for one or two unit operation. Secondly, an additional requirement is added for two per shift with neither unit in operation.

- Non-licensed Operators - This requirement changes from two per shift for one unit operation and three per shift for two unit operation to one per shift for each unit containing fuel and an additional one per shift when either unit is in operation.

- Additionally, TS 15.6.2.2.b. was changed from "At least one licensed Operator shall be in the control room when fuel is in either reactor" to "When there is fuel in either unit, an SRO shall be in the control room at all times. In addition to this SRO, for each unit containing fuel, an RO or SRO shall be present at the controls at all times."

- TS 15.6.2.2.c. ("At least two licensed Operators shall be present in the control room during reactor start-up, scheduled reactor shutdown and during recovery from reactor trips.") was deleted.

- The definition of a unit being in operation was added. It reads, "A unit is considered to be operating when it is in a mode other than cold shutdown or refueling shutdown."

The licensee stated in its submittal that the proposed change is more conservative than the present TS (i.e., requires more on-duty operating shift personnel) and more clearly relates staffing levels with respect to each unit's status. The proposed change is more conservative and will require more operators on duty in most cases; however, there is at least one case where fewer facility staff are required. Because the licensee has proposed to specify the definition of "unit operation" as "A unit is considered to be operating when it is in a mode other than cold shutdown or refueling outage," it has changed the applicability of portions of TS 15.6.2.2. Previously, TS 15.6.2.2. applied for all modes except with a unit refueled. An example of a condition in which the proposed TS is less restrictive is if both units are in cold shutdown, in addition to the required SROs, two ROs and two NLOs (non-licensed operators) would be required. The old TS 15.6.2.2 would have required three ROs and three NLOs for both units in cold shutdown. However, having both units in cold shutdown is a rare configuration and is most likely to occur following a dual unit trip for which the licensee would, in practice, have more than the minimum TS-required staff on duty.

The proposed definition for "unit operation" is consistent with the table in 10 CFR 50.54, "Minimum Requirements Per Shift for On-Site Staffing of Nuclear Power Units by Operators and Senior Operators Licensed Under 10 CFR Part 55." Footnote 2 to this table reads, "For the purpose of this table, a nuclear power unit is considered to be operating when it is in a mode other than cold shutdown or refueling as defined by the unit's technical specifications."

Although there is at least one case where the proposed TS 15.6.2.2 is less restrictive, the staff finds the changes to TS 15.6.2.2. acceptable. The changes to TS 15.6.2.2. are consistent with NUREG-1431, "Standard Technical Specifications for Westinghouse Pressurized Water

Reactors." The proposed TS 15.6.2.2. also meets the minimum shift staffing requirements set forth in 10 CFR 50.54.

3.3 Changes to Shift Technical Advisor

The licensee proposes to revise TS 15.6.2.2 and 15.6.3.4 to reflect the change in title from "Duty Technical Advisor" to "Shift Technical Advisor."

The change in title from Duty Technical Advisor (DTA) to Shift Technical Advisor (STA) is administrative only and does not change the intent of the TSs or the responsibilities of the DTA. By letter dated October 12, 1998, Wisconsin Electric (WE) submitted a description of the revision of its DTA program to an STA program. The letter detailed the advantages of the STA program versus the DTA program which were highlighted in Information Notice 93-81, "Implementation of Engineering Expertise on Shift." The staff issued a letter on December 22, 1998, acknowledging WE's decision to revise its program and reminding WE of the recommended STA experience guidelines highlighted in INPO 90-003, "Guidelines for the Training and Qualification of Shift Technical Advisors." WE implemented its STA program in January 1999.

The above changes to the TSs, which revise a title for consistency purposes, are administrative and are therefore acceptable.

The deletion of TS 15.6.2.2.a.6 and relocation of the phrase "located onsite on ten minute call to the control room" to TS 15.6.2.2.a.2 is administrative in nature and simply relocates this requirement to one single TS pertaining to the STA function and is therefore acceptable.

3.4 Addition of the Word "report"

The licensee proposes to change TS 15.6.3.5 to add the word "report."

This typographical error had already been corrected by a previously issued amendment (nos. 164 and 168) issued October 12, 1995. No additional change has been made to TS 15.6.3.5.

3.5 Deletion of the Duty and Call Superintendent Function

The licensee proposes to revise TS 15.6.2.3, 15.6.8.3.A and 15.6.8.3.B by deleting the Duty and Call Superintendent Function/Process.

The Duty and Call Superintendent position was established to assist and counsel the Shift Superintendent in case of significant operating events. In the event of a reportable occurrence, the Shift Superintendent communicates with at least one Duty and Call Superintendent before taking other than the immediate on-the-spot action required. One Duty and Call Superintendent is assigned to be "on call" at all times.

WE has determined that the Duty and Call Superintendent program is no longer necessary. Advances in communications technology since the 1970s enable the Shift Superintendent to reach Senior Station Management for assistance and counsel at any time via pager (or direct

phone call to office, home, or cell phone) in the event of a significant operating incident or when reportability questions arise. The Emergency Planning organization (which includes senior management among others) is also available via pager to staff the Technical Support Center and Operations Support Center in the event of a significant operating incident.

Elimination of the Duty and Call Superintendent position also requires modification of the procedure temporary change process. TS 15.6.8.3.A and 15.6.8.3.B require the Duty and Call Superintendent and a cognizant group head to approve temporary changes to procedures. The licensee proposes to modify the TSs to require two members of plant staff, one of whom holds a Senior Reactor Operator License, to approve temporary changes to procedures. The temporary changes to procedures referred to in TS 15.6.8.3 do not change the intent of the approved procedure and are required to be reviewed and approved in accordance with TS 15.6.8.2 within 2 weeks. Temporary changes only become permanent changes after approval by the Approval Authority.

The deletion of the Duty and Call Superintendent function is consistent with NUREG 1431, "Standard Technical Specifications for Westinghouse Pressurized Water Reactors" (STS) in that no such position is required by STS. Additionally, the need for the Duty and Call Superintendent function at PNPB appears to be outdated due to advances in communications technology. Further, the existing TS requirements relating to the Duty and Call Superintendent function are not required to be in the TSs under 10 CFR 50.36 or Section 182a of the Atomic Energy Act. Therefore, the above changes deleting the Duty and Call Superintendent function from the TSs are acceptable to the staff.

3.6 Relocation of the Manager's Supervisory Staff (MSS) Requirements

The licensee proposes to delete TS 15.6.5.1.1 through 15.6.5.1.9, which pertain to MSS requirements, and relocate these requirements to owner-controlled documents. In its letter dated June 9, 1999, the licensee clarified exactly where the composition and functional requirements of the MSS, currently described in the TSs, will be relocated.

WE proposes to relocate TS Section 15.6.5.1 (MSS function) to Section 1.4, "Quality Assurance Program," of the PBNP Final Safety Analysis Report (FSAR). This section of the FSAR describes the PBNP Quality Assurance Program in detail. Changes to this section of the FSAR are controlled in accordance with the requirements of 10 CFR 50.54(a) per the requirements of PBNP Nuclear Procedure (NP) 11.1.3, "QA Program Revisions." NP 11.1.3 mirrors the requirements of 10 CFR 50.54 in that it requires a Quality Assurance Program change that results in a reduction in commitment to be approved by the NRC prior to implementation.

Relocating the MSS function out of the TSs and into FSAR Section 1.4 is consistent with the guidance contained in NRC Administrative Letter (AL) 95-06, "Relocation of Technical Specification Administrative Controls Related to Quality Assurance," dated December 12, 1995. AL 95-06 states that TS requirements related to review and audit requirements may be relocated to the quality assurance plan. The quality assurance program is a logical candidate for such relocations due to the controls imposed by such regulations as Appendix B to 10 CFR Part 50, the existence of U.S. Nuclear Regulatory Commission-approved quality assurance

plans and commitments to industry quality assurance standards, and the established quality assurance program change control process in 10 CFR 50.54(a).

The licensee stated in its letter dated June 9, 1999, that upon approval of TSCR 211, PBNP commits to revise FSAR Section 1.4 to incorporate the MSS functional requirements currently included in TS 15.6.5.1. The revised FSAR would then be transmitted to the NRC via the normal FSAR update process in accordance with 10 CFR 50.71(e). However, since the licensee does not plan to relocate the current wording in the TS verbatim to the FSAR, the staff requested that the licensee submit the wording that will appear in the FSAR for staff's review. In a letter dated July 15, 1999, the licensee submitted supplement 2 to TSCR 211. Attachment 1 to this letter contained the text that will be inserted into Section 1.4 of the PBNP FSAR upon approval of the amendment. Minor administrative variations, including renumbering, to the TS 15.6.5.1 text were made so that the text relocated to the FSAR was complete and accurate. TS 15.6.5.1.8.i (new FSAR Section 1.4.19.8.i) was changed from 'investigate, review, and report on all reportable events' to 'review all reportable events.' This change was made to more clearly state that the intent of this requirement was for the MSS to review the investigation reports on all reportable events. The proposed wording for FSAR Section 1.4 is consistent with the current requirements contained in TS 15.6.5.1.

The above relocation of PBNP TS 15.6.5.1 to FSAR Section 1.4 is acceptable to the staff in that it is consistent with the guidance contained in AL 95-06 and will be controlled by the requirements of 10 CFR 50.54(a).

3.7 Deletion of TS Section 15.6.6

The licensee proposes to delete TS Section 15.6.6 which contains the requirements for Reportable Events. The licensee states that the requirements of TS 15.6.6.A are already required by 10 CFR 50.73; therefore stating it in TSs is redundant. The MSS review requirements of TS 15.6.6.B will be relocated to owner-controlled documents, as described in Section 3.6 of this SE. The TS 15.6.6.B requirement for the onsite safety review committee to review Reportable Events is already included under TS 15.6.5.2.7.g and is therefore redundant.

The deletion of TS Section 15.6.6 is consistent with NUREG 1431, in that Section 5.6 of the STS,"Reporting Requirements," does not contain the requirements for the handling of Reportable Events. This Reportable Event action is not required to be in the TSs under 10 CFR 50.36 or Section 182a of the Atomic Energy Act and are governed by other regulations such as 10 CFR 50.73. Accordingly, the staff has concluded that these requirements may be deleted from the TSs.

3.8 Revision to the Procedure Review and Approval Process

The licensee proposes to revise the entire specification for procedure review and approval (TS 15.6.8.2) in order to refine the process and more closely align it with current nuclear standards.

Nuclear safety-related procedures are currently divided into two categories - major and minor, each with a different review and approval process. The proposed change to TS 15.6.8.1

combines the two categories into one with the same review and approval process. The licensee states that this change is conservative for the following reasons. Eliminating the requirement to categorize procedures simplifies the process and eliminates the potential for error if the wrong category is chosen. The proposed process is based on the process currently used for major procedures (the more stringent process). The proposed process is consistent with the review and approval requirements specified in ANSI N18.7-1976, "American National Standard Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants," Section 5.2.15.

New and revised major procedures and new minor procedures are currently reviewed by the Manager's Supervisory Staff (MSS) and approved by the Plant Manager. Subsequent revisions to minor procedures are reviewed by a supervisor of the cognizant group and approved by the group head. The proposed changes retain the requirement for independent review and approval and require this review to be performed by an individual or group other than the individual or group who prepared the procedure or procedure change.

This change allows flexibility within the process while at the same time eliminating unnecessary administrative burden from senior managers who are currently assigned as MSS members. The licensee states that this allowed flexibility still provides adequate assurance of procedure quality for three reasons. The first is that individuals authorized to perform this review must be qualified according to TS 15.6.3, "Facility Staff Qualifications." The second is that personnel authorized to perform this review must be previously designated by the Plant Manager. The final reason is that this review will require a determination to be made of whether additional cross-disciplinary review is required, and if required, to be performed.

The Plant Manager currently approves all nuclear safety-related procedures reviewed by MSS, and group heads approve all other nuclear safety-related procedures. The licensee states that this is an administrative burden on the Plant Manager, who may not necessarily be the person most familiar with the procedure. The proposed change allows the Plant Manager or a department manager assigned responsibility for the procedure to approve procedures before issuance.

The licensee also proposed new TS 15.6.8.3.A. This specification clarifies that changes to procedures which change the intent of the original procedure shall be reviewed and approved according to TS 15.6.8.2. This is an editorial change to eliminate confusion between approval of intent and non-intent procedure changes.

The proposed revisions to TS 15.6.8.3.B and C allow temporary changes to procedures provided the intent of the original procedure is not changed and the changes are approved by two members of plant staff, at least one of whom holds a Senior Reactor Operator's License. The proposed revision also requires review and approval according to TS 15.6.8.2 within 2 weeks of implementation. The changes to allow approval by two members of plant staff are being made to allow elimination of the Duty and Call Superintendent position as previously discussed above. The licensee states that changing from a cognizant group head and the Duty and Call Superintendent to two members of the plant staff ensures that personnel most familiar with the current plant conditions and status are approving the changes. The licensee also states that changing the requirements for subsequent review and approval of temporary

changes according to TS 15.6.8.2 within 2 weeks of implementation is also conservative. The current TS requirements allow for relaxations of this 2-week review and approval requirement during refueling outages or if the procedure is classified as a "minor" procedure. The proposed revisions would eliminate these relaxations.

ANSI 18.7-1976, Section 5.2.15, "Review, Approval and Control of Procedures," provides requirements and recommendations for the procedure approval process. WE has committed to ANSI 18.7-1976 in its FSAR for use as a standard for administrative controls at PBNP Units 1 and 2. The Nuclear Regulatory Commission endorsed ANSI 18.7-1976 in Regulatory Guide (RG) 1.33, "Quality Assurance Program Requirements (Operation)." Section 5.2.15 of ANSI 18.7-1976 states in part, "Each procedure shall be reviewed and approved prior to initial use. Rules shall be established which clearly delineate the review of procedures by knowledgeable personnel other than the originator and the approval of procedures and procedure changes by authorized individuals." The licensee's proposed procedure review process is consistent with the requirements stated above.

A typographical error in proposed TS 15.6.8.3C, line 2, has been corrected by changing "by reviewed" to "be reviewed."

The above changes to WE's procedure approval process as described by TS 15.6.8.1 through 3 are acceptable to the staff in that they meet the requirements specified in ANSI N18.7-1976 and endorsed by RG 1.33.

4.0 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.

5.0 ENVIRONMENTAL CONSIDERATION

These amendments change recordkeeping, reporting, and administrative procedures or requirements. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with issuance of these amendments.

6.0 CONCLUSION

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.

Principal Contributor: B. Wetzel

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