

June 3, 2003

Mr. Alfred J. Cayia
Site Vice President
Point Beach Nuclear Plant
Nuclear Management Company, LLC
6610 Nuclear Road
Two Rivers, WI 54241-9516

SUBJECT: POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2 - ISSUANCE OF
AMENDMENTS RE: TECHNICAL SPECIFICATION 3.1.8, "PHYSICS TESTS
EXCEPTIONS - MODE 2" (TAC NOS. MB5357 AND MB5358)

Dear Mr. Cayia:

The Commission has issued the enclosed Amendment No. 208 to Facility Operating License No. DPR-24 and Amendment No. 213 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 June 11, 2002.

These amendments revise TS 3.1.8, "Physics Tests Exceptions - Mode 2," to correct an error in the numbering of a function. Specifically, the reference in Limiting Condition for Operation 3.1.8 to Function 17.d has been changed to Function 17.e.

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,

/RA/

Deirdre W. Spaulding, 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. 208 to DPR-24
2. Amendment No. 213 to DPR-27
3. Safety Evaluation

cc w/encls: See next page

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DISTRIBUTION

PUBLIC	OGC	EMarinos
PDIII-1 Reading	ACRS	BMarcus
LRaghavan	WBeckner	
DSpaulding	GHill(4)	
RBouling	AVegel, RGN-III	

ADAMS Accession No. ML031270621

*Provide SE input by Memo

OFFICE	PDIII-1/PM	PDIII-1/LA	EEIB/SC*	OGC	PDIII-1/SC
NAME	DSpaulding	RBouling	EMarinos	RHoefling	JStang for LRaghavan
DATE	05/15/03	05/14/03	12/03/02	05/23/03	06/02/03

OFFICIAL RECORD COPY

Point Beach Nuclear Plant, Units 1 and 2

cc:

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March 2003

NUCLEAR MANAGEMENT COMPANY, LLC

DOCKET NO. 50-266

POINT BEACH NUCLEAR PLANT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 208
License No. DPR-24

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Nuclear Management Company, LLC (the licensee), dated June 11, 2002, 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, the license is 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. 208, are hereby incorporated in the license. The licensee shall operate the facility in accordance with Technical Specifications.

3. This license amendment is effective as of the date of issuance and shall be implemented within 45 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA by John Stang for/

L. Raghavan, 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: June 3, 2003

NUCLEAR MANAGEMENT COMPANY, LLC

DOCKET NO. 50-301

POINT BEACH NUCLEAR PLANT, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 213
License No. DPR-27

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Nuclear Management Company, LLC (the licensee), dated June 11, 2002, 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, the license is 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. 213, are hereby incorporated in the license. The licensee shall operate the facility in accordance with Technical Specifications.

3. This license amendment is effective as of the date of issuance and shall be implemented within 45 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA by John Stang for/

L. Raghavan, 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: June 3, 2003

ATTACHMENT TO LICENSE AMENDMENT NO. 208

TO FACILITY OPERATING LICENSE NO. DPR-24

AND LICENSE AMENDMENT NO. 213

TO FACILITY OPERATING LICENSE NO. DPR-27

DOCKET NOS. 50-266 AND 50-301

Replace the following pages of the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

REMOVE

3.1.8-1
B 3.1.8-5

INSERT

3.1.8-1
B 3.1.8-5

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 208 TO FACILITY OPERATING LICENSE NO. DPR-24
AND AMENDMENT NO. 213 TO FACILITY OPERATING LICENSE NO. DPR-27
NUCLEAR MANAGEMENT COMPANY, LLC
POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2
DOCKET NOS. 50-266 AND 50-301

1.0 INTRODUCTION

By application dated June 11, 2002, the Nuclear Management Company, LLC (the licensee) requested a change to the Technical Specifications (TSs) for the Point Beach Nuclear Plant, Units 1 and 2 (PBNP). The amendments would revise TS 3.1.8, "Physics Tests Exceptions - Mode 2," to correct an error in the numbering of a function. Specifically, the reference in Limiting Condition for Operation (LCO) 3.1.8 to Function 17.d would be changed to Function 17.e. The existing error inappropriately makes the TS more restrictive than intended. Reactor physics tests are performed to measure the fundamental nuclear characteristics of the reactor core and related instrumentation. LCO 3.1.8 permits relaxations of existing LCOs to allow certain physics tests to be performed in Mode 2 (Startup, \leq 5-percent rated thermal power).

2.0 REGULATORY EVALUATION

Per 10 CFR 50.90, a change to the TSs must be filed with the Nuclear Regulatory Commission (NRC) which fully describes the requested change. The change to the TSs was submitted as a license amendment and was reviewed by the NRC staff in accordance with NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants (SRP)," which provides guidance for the review of license amendments.

The license amendment request was made pursuant to 10 CFR 50.90, "Application for amendment of license or construction permit," to correct a typographical error in the PBNP TSs. By PBNP License Amendment Nos. 201 and 206 dated August 8, 2001, the NRC staff approved the conversion of the PBNP custom TSs (CTS) to improved TSs (ITS) based on NUREG-1431, "Standard Technical Specifications [STS], Westinghouse Plants." The ITS were also based on the criteria in the Final Commission Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors, dated July 22, 1993, which was subsequently codified by changes to 10 CFR 50.36, "Technical Specifications." In 10 CFR 50.36, the Commission established its regulatory requirements related to the content of TSs.

3.0 TECHNICAL EVALUATION

The NRC staff has reviewed the licensee's regulatory and technical analyses in support of its proposed license amendment. The detailed evaluation below will support the conclusion 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 amendment will not be inimical to the common defense and security or to the health and safety of the public.

In its June 11, 2002, application, the licensee indicated that during the conversion process from the PBNP CTS to ITS, it was proposed that LCO 3.1.8 specify that the number of required channels for the Reactor Trip System Interlock Power Range Neutron Flux P-10 (hereinafter referred to as P-10 interlock) be reduced to three required channels. At that time, the P-10 interlock was identified as "17.d" as seen in the "FUNCTION" column of Table 3.3.1-1 (hereinafter referred to as Function 17.d in Table 3.3.1). This proposed allowance was consistent with the STS and approved as documented in PBNP License Amendment Nos. 201 and 206 dated August 8, 2001.

The licensee indicated that in its response to a request for additional information (RAI) dated November 17, 2000, a previously deleted function, which was Function "17.b" in Table 3.3.1-1, was reinstated, and Functions "17.b," "17.c," and "17.d," were renumbered as "17.c," "17.d," and "17.e." This renumbering changed the P-10 interlock in Table 3.3.1-1 from Function 17.d to Function 17.e. However, the corresponding reference to the P-10 interlock in LCO 3.1.8 did not get renumbered. Consequently, LCO 3.1.8 incorrectly references Function 17.d (which corresponds to the P-9 interlock) in Table 3.3.1-1, and thus does not correctly reference Function 17.e (which corresponds to the P-10 interlock).

LCO 3.1.8 is only applicable in Mode 2 (Startup, \leq 5-percent rated thermal power). As found in Table 3.3.1-1, Function 17.d requires the P-9 interlock to be operable in Mode 1 (Power Operation, $>$ 5-percent rated thermal power), whereas Function 17.e requires the P-10 interlock to be operable in both Modes 1 and 2. As currently written, LCO 3.1.8 would allow the required number of channels of the P-9 interlock to be reduced to three required channels during the performance of physics tests in Mode 2. This is overly restrictive because the P-9 interlock is not normally required to be operable in Mode 2. The proposed change would allow the required number of channels of the P-10 interlock to be reduced to three required channels during the performance of physics tests in Mode 2. The proposed change would remove the unintended restrictive condition and would bring LCO 3.1.8 into agreement with the STS.

The licensees proposed TS change is consistent with the changes approved in PBNP License Amendment Nos. 201 and 206 for the ITS conversion, and is consistent with the STS. Therefore, the NRC staff finds the proposed change acceptable.

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 a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 or change a surveillance requirement. The staff has determined that the amendments involve no significant increase in the amounts and no significant change in the types of any effluent that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously published a proposed finding that these amendments involve no significant hazards consideration and there has been no public comment on such finding (67 FR 56325). Accordingly, these amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the 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. Marcus

Date: June 3, 2003