

September 29, 2004

Dennis L. Koehl  
Site Vice President  
Point Beach Nuclear Plant  
Nuclear Management Company, LLC  
6590 Nuclear Road  
Two Rivers, WI 54241

SUBJECT: POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2, REQUEST FOR  
ADDITIONAL INFORMATION RE: EXEMPTION TO 10 CFR PART 50,  
APPENDIX R (TAC NOS. MC2267 AND MC2268)

Dear Mr. Koehl:

By letter to the Nuclear Regulatory Commission (NRC), dated March 5, 2004, the licensee submitted a request for permanent exemption from certain requirements of Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Appendix R, "Fire Protection Program for Nuclear Power Facilities Operating Prior to January 1, 1979," in accordance with the provisions of 10 CFR 50.12, "Specific Exemptions," for the Point Beach Nuclear Plant, Units 1 and 2.

The NRC staff is reviewing your request and has determined that the information identified in the enclosure to this letter is needed to complete its evaluation. The enclosed request was discussed with Mr. Jim Connolly during a conference call on August 23, 2004. Your response to this request for additional information is requested within 30 days from the date of this letter.

If you have any questions, please contact me at (301)415-4018 or email [hkc@nrc.gov](mailto:hkc@nrc.gov).

Sincerely,

/RA/

Harold Chernoff, Project Manager, Section 1  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-266 and 50-301

Enclosure: Request for Additional Information

cc w/encl: See next page

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OFFICIAL RECORD COPY

Point Beach Nuclear Plant, Units 1 and 2

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Two Rivers, WI 54241

July 2004

REQUEST FOR ADDITIONAL INFORMATION  
RELATED TO NUCLEAR MANAGEMENT COMPANY, LLC  
POINT BEACH UNITS 1 AND 2  
DOCKET NOS. 50-266 AND 50-301

By letter dated March 5, 2004 (ML040760070), Nuclear Management Company, LLC, the licensee for Point Beach Units 1 and 2, submitted a request to the NRC for a permanent exemption from certain requirements of 10 CFR Part 50, Appendix R. The Nuclear Regulatory Commission (NRC) staff is reviewing the March 5, 2004, letter.

In order for the staff to complete its review, responses to the following questions are requested.

1. Explain in detail how the proposed exemption fulfills the special circumstances criteria given in 10 CFR 50.12(a)(2)(ii).<sup>a</sup>

The licensee states that the proposed exemption is consistent with the intent of the regulation (applicable portions of Section 50, Appendix R) and therefore, literal compliance is not needed to fulfill the regulation's underlying purpose. This statement needs further detailed justification. This justification should describe how the proposed 'staged' equipment meets the underlying purpose of the regulations. Justification should also address characteristics of 'installed' equipment (equipment that allows literal compliance) that the proposed 'staged' equipment does not possess and why these characteristics are not essential to achieve the regulation's underlying purpose.

2. Provide justification of a specific, detailed nature that the special circumstance criteria of 10 CFR 50.12(a)(2)(iii) are met.<sup>a</sup>

The licensee describes a few alternative systems that provide literal compliance with Appendix R, Section III.G.1.a of 10 CFR Part 50 and concludes that these alternatives either would present a considerable burden without significant improvement of safety, or are impractical, less safe, or costly. However, the justification provided is of a general nature. Specific, detailed bases for these conclusions are needed to evaluate the impracticality of the described alternatives. For the assessed alternatives, the licensee states some of the factors that contribute to the alternatives' impracticality. Discussion of these factors needs to address whether or not these factors can be mitigated so that the mitigative measures and the alternative, together, are practical and not excessive in cost. The bases for why this mitigation can or cannot be achieved also should be

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<sup>a</sup> 10 CFR 50.12 (a)(2) states that special circumstances are present whenever any one of the six conditions listed in the paragraph is met. However, the applicability of all the conditions used by the licensee to demonstrate the presence of special circumstances at its facility must be properly justified.

explained. Additionally, while some alternatives may result in higher risk and/or costs, why the new risk and/or costs are unacceptable or excessive should be explained.

3. Please provide a graphical layout of the plant locations in question, including the charging pump room(s), the primary air compressor location(s), the backup N2 bottle manifolds, the dedicated air compressor, and the routes over which the electrical lines and pneumatic hoses would be laid out.
4. Where are the fire locations that would create the loss of primary air supply? How are they separated from the N2 bottled gas? How are they separated from the dedicated air compressor, electrical line, and hose storage locations?
5. Discuss the proposed 480V electrical power supplies and the analysis that shows they are not subject to common power supply/enclosure failures with the primary air supply. Is there a fire that can cause the loss of primary air and the loss of the electrical supply to the dedicated air supply?
6. Does repair procedure AOP-10A require entry into any areas where there is or has been fire or smoke? If so, discuss the fire hazards, the protective equipment required for operators, and the fire detection/suppression available in the areas.
7. What are the demonstrated times for performance of AOP-10A? Have the times been demonstrated by all shifts?
8. Are sufficient operators (aside from the fire brigade) available to complete AOP-10A?
9. Describe the preventive maintenance program for the dedicated air compressor, electrical lines, and pneumatic hoses.