

February 27, 2009

EA-08-274

Mr. Larry Meyer
Site Vice President
FPL Energy Point Beach, LLC
6610 Nuclear Road
Two Rivers, WI 54241

SUBJECT: RESULTS OF NRC OFFICE OF INVESTIGATIONS (OI) INVESTIGATION;
REPORT NO. 3-2007-027

Dear Mr. Meyer:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI) to determine if employees at the Point Beach Nuclear Plant, Units 1 and 2, when it was operated by the Nuclear Management Company (NMC), willfully failed to use NRC-approved methods for the computation of Pressure and Temperature Limits Report (PTLR) curves and whether employees willfully failed to provide the NRC with required PTLR reports from 2003 until 2007. The investigation was initiated on September 10, 2007.

Based on the evidence developed during the investigation, the NRC did not substantiate that Point Beach Nuclear Plant employees willfully failed to use NRC-approved methods or provide the NRC information associated with PTLR curves. However, a violation of NRC requirements having very low safety significance was identified and is documented in NRC Inspection Report 05000266/2008005 and 05000301/2008005.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response, if you choose to provide one, will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

You should note that final NRC documents, including the final OI report, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information pursuant to the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Request for Records. The instructions for making a request for information under the FOIA are accessible at <http://www.nrc.gov/reading-rm/foia/foia-request.html>.

L. Meyer

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If you have any questions or comments regarding this matter, please contact Michael Kunowski of my staff at telephone number (630) 829-9618.

Sincerely,

/RA/

Cynthia D. Pederson, Director
Division of Reactor Projects

Docket Nos. 50-266; 50-301
License Nos. DPR-24; DPR-27

L. Meyer

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If you have any questions or comments regarding this matter, please contact Michael Kunowski of my staff at telephone number (630) 829-9618.

Sincerely,

/RA/

Cynthia D. Pederson, Director
Division of Reactor Projects

Docket Nos. 50-266; 50-301
License Nos. DPR-24; DPR-27

bcc: AMS File No. RIII-2007-A-0062

FILE NAME: G:\EICS\ENFORCEMENT\Enforcement Cases 2008\EA-08-274, 275 Point Beach\EA-08-274 Point Beach Investigation Closure.doc

Publicly Available ☐ Non-Publicly Available ☐ Sensitive ☒ Non-Sensitive

OFFICE	RIII	RIII	RIII	RIII
NAME	Lougheed	Kunowski	O'Brien	Pederson
DATE	02/26/09	02/26/09	02/27/09	02/27/09