



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, IL 60532-4352

September 1, 2009

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

**SUBJECT: MID-CYCLE PERFORMANCE REVIEW AND INSPECTION PLAN –
POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2**

Dear Mr. Meyer:

On August 20, 2009, the NRC staff completed its performance review of Point Beach Nuclear Plant, Units 1 and 2. Our technical staff reviewed performance indicators (PIs) for the most recent quarter and inspection results for the period from July 1, 2008, through June 30, 2009. The purpose of this letter is to inform you of our assessment of your safety performance during this period and our plans for future inspections at your facility.

This performance review and enclosed inspection plan do not include security information. A separate letter designated and marked as "Official Use Only–Security Related Information" will include the Security Cornerstone review and resultant inspection plan.

Plant performance for the most recent quarter at Point Beach Nuclear Plant, Units 1 and 2, was within the Licensee Response column of the NRC's Action Matrix, based on all inspection findings being classified as having very low safety significance (Green) and all PIs indicating performance at a level requiring no additional NRC oversight (Green). Therefore, we plan to conduct reactor oversight process (ROP) baseline inspections at your facility. As you have submitted a license amendment for an extended power uprate for both units in 2009, we will also begin conducting inspections in accordance with Inspection Procedure 71004, "Power Uprate," based on the portions of the amendment accepted by the NRC.

In our Annual Assessment letter, dated March 4, 2009, (ADAMS Accession Number ML090630351), we advised you of the continuation of a substantive cross-cutting issue in the area of human performance involving a cross-cutting theme in the aspect of inadequate procedures (H.2(c)). We indicated this would remain open until we gained confidence in the performance of your corrective action program to evaluate and correct problems. This mid-cycle assessment of cross-cutting issues included a review of inspection results over the 12 month period of July 1, 2008, through June 30, 2009. Performance over the last two quarters of the assessment period resulted in one additional finding with a cross-cutting theme related to inadequate procedures. Further, the number of findings during the assessment period with an associated cross-cutting aspect of inadequate procedures showed an improving trend, decreasing from seven to four findings. In this current assessment, the number of issues with the same cross-cutting aspect still meets the criterion for continuing this theme; however,

we do not have a concern with your scope of efforts or progress in addressing this theme and, therefore, this substantive cross-cutting issue is closed.

We based this conclusion partly on a focused assessment of your corrective actions involving this cross-cutting aspect that we conducted during the biennial Problem Identification and Resolution (PI&R) Inspection performed in March 2009. This inspection concluded the evaluation methods to determine the root and contributing causes were acceptable and subsequent corrective actions were clearly described and entered into the corrective action program. Overall, it appeared that the corrective actions appropriately addressed the aspects of the root cause and would prevent recurrence (ML091280093).

You discussed the results of your actions taken to address this cross-cutting theme in a public meeting on April 29, 2009. Your presentation included the actions taken and the resulting improvement in this area and concluded this improved performance would be sustained (ML091200704). In addition, you provided an update of these actions in a public meeting on July 29, 2009 (ML092110784).

Additionally, in our Annual Assessment letter, dated March 4, 2009, we advised you of a substantive cross-cutting issue in the area of PI&R involving a cross-cutting theme in the aspect of appropriate and timely corrective actions (P.1(d)). The mid-cycle assessment of the cross-cutting issue included a review of inspection results over the 12 month period of July 1, 2008, through June 30, 2009. In this current assessment, we did not identify the continuation of this theme. The issue has been satisfactorily resolved as evidenced by only one finding with this cross-cutting aspect identified in this assessment period and by the results from your corrective actions presented in the public meetings on April 29 and July 29, 2009. This is also supported by our focused assessment of your corrective actions involving this cross-cutting aspect in the biennial PI&R Inspection performed in March 2009.

In accordance with the January 2007 Confirmatory Order (ML063630336), you conducted an independent safety culture survey in 2008 and provided a summary of the results to us in December 2008 (ML083660387). As your independent safety culture survey results documented only nominal improvements from your previous independent safety culture survey, we requested that prior to the end of the second quarter of 2009 you conduct an independent assessment of the corrective actions taken in response to your culture surveys. You presented the results of the independent assessment in the public meeting on July 29, 2009, and concluded that the 2008 completed corrective actions and planned corrective actions are more effective than the 2004 and 2006 corrective actions and provide reasonable assurance that the progress can be sustained. As presented at the meeting, your conclusion seemed appropriate. To complete our review of the January 2007 Confirmatory Order, we will conduct Inspection Procedure 92702, "Follow-Up on Traditional Enforcement Actions Including Violations, and Alternative Dispute Resolution Confirmatory Orders," in the third quarter of 2009.

The enclosed inspection plan details the inspections, including baseline and other infrequently conducted inspections, less those related to security, scheduled through December 31, 2010. The inspection plan is provided to allow for the resolution of any scheduling conflicts and personnel availability issues well in advance of inspector arrival onsite. Routine resident inspections are not listed due to their ongoing and continuous nature. The inspections in the

L. Meyer

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last 9 months of the inspection plan are tentative and may be revised at the End-of-Cycle review.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If circumstances arise which cause us to change this inspection plan, we will contact you to discuss the change as soon as possible. Please contact Michael Kunowski at (630) 829-9618 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

/RA/

K. Steven West, Director
Division of Reactor Projects

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

Enclosure: Point Beach Inspection/Activity Plan

DISTRIBUTION:
See next page

Letter to L. Meyer from K. West dated September 1, 2009

SUBJECT: MID-CYCLE PERFORMANCE REVIEW AND INSPECTION PLAN –
POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2

cc w/encl: M. Nazar, Senior Vice-President and Chief Nuclear Officer
A. Khanpour, Vice-President, Engineering Support
Licensing Manager, Point Beach Nuclear Plant
M. Cornell, Director, Licensing and Performance Improvement
M. Ross, Vice President and Associate General Counsel
A. Fernandez, Senior Attorney
J. Bjorseth, Plant Manager
R. Anderson, Vice-President, Nuclear Plant Support
R. Kundalkar, Vice-President, Fleet Organizational Support
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Chairperson, Public Service Commission of Wisconsin
J. Kitsembel, Electric Division, Public Service Commission of Wisconsin
P. Schmidt, State Liaison Officer
Chairman, Manitowoc County Board
County Executive, Manitowoc
Director, Manitowoc County Emergency
Management Agency
Chairman, Kewaunee County Board
Mayor of Kewaunee
City Manager, Two Rivers
Director, Kewaunee County Emergency
Management Agency
President, Village of Mishicot
Chairman, Village of Two Creeks
G. Mortensen, INPO

L. Meyer

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DATE	08/31/09	08/29/09		

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Letter to L. Meyer from K. West dated September 1, 2009

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POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2

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Susan Bagley

RidsNrrDorlLpl3-1

RidsNrrPMPointBeach

RidsNrrDirslpob Resource

Cynthia Pederson

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Jared Heck

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DRPIII

DRSIII

Patricia Buckley

Tammy Tomczak

[ROPreports Resource](#)

Point Beach
Inspection / Activity Plan
09/01/2009 - 12/31/2010

Planned Dates		Inspection Activity	Title	No. of Staff on Site
Start	End			
		BI OL - BIENNIAL REQUAL. PROGRAM INSPECTION		2
08/31/2009	09/04/2009	IP 7111111B	Licensed Operator Requalification Program	
		BI ENG - INSERVICE INSPECTION & TI-172 REVISION 1		2
11/02/2009	11/19/2009	IP 2515/172	Reactor Coolant System Dissimilar Metal Butt Welds	
11/02/2009	11/19/2009	IP 7111108P	Inservice Inspection Activities - PWR	
		BI RP - RADIATION PROTECTION BASELINE INSPECTION		2
10/26/2009	10/30/2009	IP 7112101	Access Control to Radiologically Significant Areas	
10/26/2009	10/30/2009	IP 7112102	ALARA Planning and Controls	
10/26/2009	10/30/2009	IP 71151-PR01	RETS/ODCM Radiological Effluent	
		BI ENG - ENGINEERING MODIFICATIONS / 50.59 INSP.		3
11/30/2009	12/18/2009	IP 7111117T	Evaluations of Changes, Tests, or Experiments and Permanent Plant Modifications	
		BI EP - EP ROUTINE INSPECTION / PI VERIFICATION		1
12/07/2009	12/11/2009	IP 2515/175	Emergency Response Organization, Drill/Exercise Performance Indicator, Program Review	
12/07/2009	12/11/2009	IP 7111402	Alert and Notification System Testing	
12/07/2009	12/11/2009	IP 7111403	Emergency Response Organization Augmentation Testing	
12/07/2009	12/11/2009	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies	
12/07/2009	12/11/2009	IP 71151-EP01	Drill/Exercise Performance	
12/07/2009	12/11/2009	IP 71151-EP02	ERO Drill Participation	
12/07/2009	12/11/2009	IP 71151-EP03	Alert & Notification System	
		BI ENG - ENGINEERING INSERVICE INSPECTION - U1		1
03/01/2010	03/26/2010	IP 2515/172	Reactor Coolant System Dissimilar Metal Butt Welds	
03/01/2010	03/26/2010	IP 7111108P	Inservice Inspection Activities - PWR	
		RENEWAL - LICENSE RENEWAL 71003 PHASE 1 - U1		2
03/01/2010	03/26/2010	IP 71003	Post-Approval Site Inspection for License Renewal	
		BI RP - RADIATION PROTECTION BASELINE INSPECTION		1
03/15/2010	03/19/2010	IP 7112101	Access Control to Radiologically Significant Areas	
03/15/2010	03/19/2010	IP 7112102	ALARA Planning and Controls	
		BI ENG - TRIENNIAL FIRE PROTECTION INSPECTION		3
05/10/2010	05/28/2010	IP 7111105T	Fire Protection [Triennial]	
		BI ENG - TRIENNIAL FIRE INS INFO GATHERING TRIP		3
04/26/2010	04/30/2010	IP 7111105T	Fire Protection [Triennial]	
		BI RP - RADIATION PROTECTION BASELINE INSPECTION		1
07/12/2010	07/16/2010	IP 2515/173	Review of the Implementation of the Industry Ground Water Protection Voluntary Initiative	
07/12/2010	07/16/2010	IP 71151-BI01	Reactor Coolant System Activity	
07/12/2010	07/16/2010	IP 71151-OR01	Occupational Exposure Control Effectiveness	

Point Beach
Inspection / Activity Plan
09/01/2009 - 12/31/2010

Planned Dates		Inspection Activity	Title	No. of Staff on Site
Start	End			
		BI RP - RADIATION PROTECTION BASELINE INSPECTION		1
07/12/2010	07/16/2010	IP 71151-PR01	RETS/ODCM Radiological Effluent	
		RENEWAL - LICENSE RENEWAL 71003 - PHASE 2 - U1		6
08/09/2010	08/27/2010	IP 71003	Post-Approval Site Inspection for License Renewal	
		BI RP - RADIATION PROTECTION BASELINE INSPECTION		1
08/30/2010	09/03/2010	IP 7112203	Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Program	
		BI RP - RADIATION PROTECTION BASELINE INSPECTION		1
09/27/2010	10/01/2010	IP 7112101	Access Control to Radiologically Significant Areas	
09/27/2010	10/01/2010	IP 7112102	ALARA Planning and Controls	
		BI RP - RADIATION PROTECTION BASELINE INSPECTION		1
11/15/2010	11/19/2010	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment	
		BI EP - EP EXERCISE INSPECTION / PI VERIFICATION		3
12/06/2010	12/10/2010	IP 7111401	Exercise Evaluation	
12/06/2010	12/10/2010	IP 71151-EP01	Drill/Exercise Performance	
12/06/2010	12/10/2010	IP 71151-EP02	ERO Drill Participation	
12/06/2010	12/10/2010	IP 71151-EP03	Alert & Notification System	