



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

October 19, 2009

Mr. Larry Meyer  
Site Vice President  
NextEra Point Beach, LLC  
6610 Nuclear Road  
Two Rivers, WI 54241-9516

SUBJECT: POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2 – NONACCEPTANCE WITH THE OPPORTUNITY TO SUPPLEMENT REGARDING ACCEPTANCE REVIEW FOR EXTENDED POWER UPRATE (TAC NOS. ME1044 AND ME1045)

Dear Mr. Meyer:

By letter dated April 7, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML091250564), as supplemented by letter dated September 11, 2009 (ADAMS Accession No. ML092570205), FPL Energy Point Beach, LLC (the licensee), submitted a license amendment request for Point Beach Nuclear Plant, Units 1 and 2. The proposed amendment would increase each unit's licensed core power level from 1540 megawatts thermal (MWt) to 1800 MWt reactor core power, and revise the technical specifications (TS) to support operation at this increased core thermal power level.

In a letter dated August 25, 2009 (ADAMS Accession No. ML092250008), the U.S. Nuclear Regulatory Commission (NRC) staff notified the licensee that the acceptance review for the Extended Power Uprate (EPU) would be contingent on: 1) the EPU submittal contains sufficient information in scope and depth to allow the NRC staff to complete its technical review per Office Instruction LIC-109; and 2) the responses to the outstanding request for additional information questions at the time the letter was issued for the Alternate Source Term (AST) amendment adequately address the NRC staff's concerns with the AST submittal. The purpose of this letter is to provide acceptance review results relating to the first contingency item. The NRC staff is still evaluating the second contingency item.

The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

Consistent with Section 50.90 of Title 10 of the *Code of Federal Regulations* (10 CFR), an amendment to the license (including the technical specifications) must fully describe the changes requested, and following as far as applicable, the form prescribed for original applications. Section 50.34 of 10 CFR addresses the content of technical information required. This section stipulates that the submittal address the design and operating characteristics, unusual or novel design features, and principal safety considerations.

The NRC staff has reviewed your application and concluded that the information delineated in the enclosure to this letter is necessary to enable the NRC staff to make an independent

L. Meyer

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assessment regarding the acceptability of the proposed amendment request in terms of regulatory requirements and the protection of public health and safety and the environment.

In order to make the application complete, the NRC staff requests that the licensee supplement the application to address the information requested in the enclosure by October 22, 2009. This will enable the NRC staff to complete its detailed technical review. If the information responsive to the NRC staff's request is not received by the above date, the application will not be accepted for review pursuant to 10 CFR 2.101, and the NRC staff will cease its review activities associated with the application. If the application is subsequently accepted for review, you will be advised of any further information needed to support the NRC staff's detailed technical review by separate correspondence.

The information requested and associated time frame in this letter was discussed with Steve Hale of your staff on October 2, 2009.

If you have any questions, please contact me at (301) 415-2048.

Sincerely,

A handwritten signature in black ink, appearing to read 'JP', with a long horizontal flourish extending to the right.

Justin C. Poole, Project Manager  
Plant Licensing Branch III-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-266 and 50-301

Enclosure:  
As stated

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SUPPLEMENTAL INFORMATION NEEDED

AMENDMENT REQUEST

FPL ENERGY POINT BEACH, LLC

POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2

DOCKET NOS. 50-266 AND 50-301

Question 1 – Balance of Plant Branch

In Section 2.5.1.2 of Attachment 5 to the license amendment request (LAR), the licensee states:

Evaluation of the effects of these plant modifications (e.g., feedwater and condensate pump capacity increases) on internal flooding will be performed as part of the modification process.

We consider this unacceptable because the feedwater and condensate flow increase is an inherent part of the Extended Power Uprate (EPU). If the licensee is unsure of the bounding values for peak flow, the licensee can specify the regulatory process (i.e., Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.59 change evaluation), the methodology for the flooding evaluation that could be used without prior Nuclear Regulatory Commission review and approval pursuant to 10 CFR 50.59, and the associated acceptance criteria. Otherwise, the licensee should provide a complete evaluation for internal flooding.

Question 2 – Mechanical and Civil Engineering Branch

Pipe evaluations for main feedwater, steamlines and auxiliary feedwater piping at EPU conditions need to have been completed (at EPU application submittal) and pipe stress summaries need to be submitted including high-energy line break (HELB) evaluations to support the licensee's statements that there are no changes in the existing HELB evaluations, and that these lines are structurally acceptable for EPU conditions. In addition, detailed descriptions of affected piping and supports are also required to be completed (at EPU application submittal) and affected summaries of results of pipe support evaluations to be available for staff review.

If these items (above) are not available at time of EPU staff review, the staff finds the proposed EPU LAR unacceptable with opportunity to supplement. Confirm that the analyses for all piping systems and supports for the above systems are now complete.

Question 3 – Reactor System Branch

The technical specification (TS) has no loading curves so the staff assumes that the licensee's current analysis is based on fresh fuel assumption (i.e., no burnup credit). Please confirm this assumption with the licensee.

Question 4 – Reactor System Branch

Will EPU operation conform to the integral fuel burnable absorber requirements or use fuel enrichment less than 4.6 w/o per the current TS?

Enclosure

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*/ra/*

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**ADAMS Accession No. ML092800543**

OFFICE	NRR/LPL3-1/PM	NRR/LPL3-1/LA	NRR/EMCB/BC	NRR/SPBP/BC	NRR/SRXB/BC	NRR/LPL3-1/BC
NAME	JPoole	THarris	MKhanna	GCasto	GCranston	RPascarelli
DATE	10/19/09	10/15/09	10/16/09	10/19/09	10/16/09	10/19/09

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