

July 15, 2010

NRC 2010-0114 10 CFR 50.90

U.S. Nuclear Regulatory Commission ATTN: Document Control Desk Washington, DC 20555

Point Beach Nuclear Plant, Units 1 and 2 Dockets 50-266 and 50-301 Renewed License Nos. DPR-24 and DPR-27

<u>License Amendment Request 261</u>
<u>Extended Power Uprate</u>
Transmittal of Attachments 3 and 4 to NRC 2010-0039

References: (1)

- (1) FPL Energy Point Beach, LLC letter to NRC, dated April 7, 2009, License Amendment Request 261, Extended Power Uprate (ML091250564)
- (2) NextEra Energy Point Beach, LLC letter to NRC, dated May 13, 2010, License Amendment Request 261, Extended Power Uprate, Response to Request for Additional Information (ML101340103)
- (3) NRC letter to NextEra Energy Point Beach, LLC, dated April 9, 2010, Point Beach Nuclear Plant, Units 1 and 2 Request for Additional Information from Environmental Branch RE: Extended Power Uprate (TAC Nos. ME1044 and ME1045) (ML100820217)

NextEra Energy Point Beach, LLC (NextEra) submitted License Amendment Request (LAR) 261 (Reference 1) to the NRC pursuant to 10 CFR 50.90. The proposed license amendment would increase each unit's licensed thermal power level from 1540 megawatts thermal (MWt) to 1800 MWt, and revise the Technical Specifications to support operation at the increased thermal power level.

Via Reference (2), NextEra responded to a request for additional information (Reference 3) from the NRC. Attachment 3 and 4 were inadvertently omitted from the electronic response. Enclosure 1 transmits these attachments as a supplement to ML101340103 to enable further review of LAR 261.

This letter contains no new Regulatory Commitments and no revisions to existing Regulatory Commitments.

The information contained in this letter does not alter the no significant hazards consideration contained in Reference (1) and continues to satisfy the criteria of 10 CFR 51.22 for categorical exclusion from the requirements of an environmental assessment.

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In accordance with 10 CFR 50.91, a copy of this letter is being provided to the designated Wisconsin Official.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 15, 2010.

Very truly yours,

NextEra Energy Point Beach, LLC

Larry Meyer

Site Vice President

Enclosure

cc: Administrator, Region III, USNRC

Project Manager, Point Beach Nuclear Plant, USNRC Resident Inspector, Point Beach Nuclear Plant, USNRC

PSCW

NEXTERA ENERGY POINT BEACH, LLC POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2

LICENSE AMENDMENT REQUEST 261
EXTENDED POWER UPRATE
TRANSMITTAL OF ATTACHMENTS 3 AND 4 TO NRC 2010-0039

ATTACHMENT 3

NEXTERA ENERGY POINT BEACH, LLC POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2

LICENSE AMENDMENT REQUEST 261 EXTENDED POWER UPRATE RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

NEXTERA REQUEST FOR A COASTAL ZONE CONSISTENCY REVIEW



January 27, 2010

NPL 2010-0026 15 CFR 930

Ms. Kathleen Angel
Federal Consistency Coordinator
Wisconsin Coastal Management Program
Wisconsin Department of Administration
Division of Intergovernmental Relations
101 East Wilson Street - Ninth Floor
Madison, WI 53708

NextEra Energy Point Beach, LLC Point Beach Nuclear Plant Units 1 and 2

<u>Extended Power Uprate Projects</u>
Wisconsin Coastal Management Program Consistency

The purpose of this letter is to initiate the process to obtain a determination, pursuant to 15 CFR 930.51(e), from the U.S. Nuclear Regulatory Commission (NRC), in consultation with the Wisconsin Department of Administration (WDOA), that the proposed Extended Power Uprate (EPU) projects to be implemented at Point Beach Nuclear Plant (PBNP) Units 1 and 2 by NextEra Energy Point Beach, LLC (NextEra), do not involve substantially different coastal effects from those activities previously reviewed by the State of Wisconsin.

As background, NextEra is implementing projects to increase the electrical power output at PBNP Units 1 and 2. The NRC has primary jurisdiction over NextEra's request. In order to obtain NRC approval, an extensive and detailed License Amendment Request (LAR), including an environmental assessment, was submitted to the NRC on April 7, 2009. A copy of the letter transmitting the LAR to the NRC is enclosed (Enclosure 1), and a copy of the LAR was also provided to the Public Service Commission of Wisconsin.

Implementation of the EPU projects at PBNP Units 1 and 2 will require modifications to plant equipment, but will not include construction of new plant systems or structures. The environmental aspects of PBNP operation (non-radiological) are regulated by the Wisconsin Department of Natural Resources (WDNR). NextEra has been working closely with WDNR regarding environmental matters at PBNP. WDNR regulates thermal discharge issues (§316(a) of the Clean Water Act (CWA)), and entrainment/impingement issues (§316(b) of the CWA) from PBNP. The EPU projects will have no significant environmental impacts, either from a thermal discharge perspective or from an entrainment/impingement perspective. As part of the process to increase the electrical power output, NextEra is required by Wisconsin Pollutant Discharge Elimination System (WPDES) Permit No. WI-0000957-07-1 to notify WDNR of planned changes to the facility. This notice was submitted to WDNR on July 30, 2008 (Enclosure 2).

In addition, on December 30, 2008, NextEra submitted an application to WDNR to renew the WPDES permit for PBNP Units 1 and 2. This application was supplemented on May 8, 2009 (Enclosure 3). NextEra continues to pursue the normal WPDES permit renewal process separate from the EPU projects.

It should also be noted that on December 22, 2005, the NRC renewed the Facility Operating Licenses for PBNP Units 1 and 2, for an additional 20 years. This NRC licensing action included a favorable review of coastal zone consistency for PBNP.

NextEra respectfully submits that the EPU projects are consistent with the Wisconsin Coastal Management Program (WCMP). Specifically, Page 26 of the WCMP states,

"It should be emphasized that the attention of the Program is on proposed new "direct and significant" uses. Existing uses (except where subject to continuing regulation) are not subject to the attention of the Program unless continuing operation poses a threat to the integrity of the coastal environment or to the public health, safety, or general welfare."

Further, in reading the WCMP, Wisconsin does not require a Coastal Zone Certification if there are no significant environmental impacts from the activity in question. NextEra submits that the studies that have been performed and submitted to WDNR, as well as the LAR that was submitted to NRC, clearly demonstrate that the EPU projects do not involve substantially different coastal effects than PBNP's existing operations, which have already been reviewed by the NRC and by the State of Wisconsin.

Based on the foregoing, NextEra submits that either the EPU projects for PBNP are consistent with the WCMP, or, alternatively, that coastal zone consistency certification for the planned electrical power output increases at PBNP Units 1 and 2, is not required. As agreed during a January 26, 2010, discussion with the WDOA, please provide your decision in writing to NextEra and the NRC within 45 days.

If you have guestions or require additional information, please contact Tom Abbatiello at 561-691-7622.

Very truly yours,

NextEra Energy Point Beach, LLC

Larry Mever

Site Vice President

Enclosures (3)

Paul Luebke, Wisconsin Department of Natural Resources cc:

WISCONSIN COASTAL MANAGEMENT PROGRAM POINT BEACH NUCLEAR PLANT UNITS 1 AND 2

LETTER TO NRC DATED APRIL 7, 2009 LICENSE AMENDMENT REQUEST (LAR) 261 EXTENDED POWER UPRATE



Point Beach Nuclear Plant

April 7, 2009

NRC 2009-0030 10 CFR 50.90

U. S. Nuclear Regulatory Commission ATTN: Document Control Desk Washington, DC 20555

Point Beach Nuclear Plant, Units 1 and 2 Dockets 50-266 and 50-301 Renewed License Nos. DPR-24 and DPR-27

<u>License Amendment Request 261</u> Extended Power Uprate

Pursuant to 10 CFR 50.90, FPL Energy Point Beach, LLC (FPL Energy Point Beach) hereby requests an amendment to Renewed Facility Operating Licenses DPR-24 and DPR-27 for Point Beach Nuclear Plant (PBNP) Units 1 and 2, respectively. 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 to support operation at this increased core thermal power level. This is an approximate 17% increase in core thermal power compared to current licensed core thermal power in the facility operating licenses, and therefore, is defined as an Extended Power Uprate (EPU). The increase in core thermal power is planned to be accomplished following the Spring 2010 Unit 1 refueling outage beginning with Cycle 33, and following the Spring 2011 Unit 2 refueling outage beginning with Cycle 32.

This planned license amendment request was the topic of public meetings between the NRC staff and FPL Energy Point Beach on September 8, 2008 (ML086280110) and January 22, 2009 (ML090410636).

This amendment request fulfills the information requirements of RS-001, Review Standard for Extended Power Uprates, Revision 0, dated December 2003, insofar as the guidance and/or criteria of RS-001 applies to the design bases of PBNP. In addition, technical information beyond the specific guidance of RS-001 is provided in the attached EPU Licensing Report.

FPL Energy Point Beach has developed this license amendment request consistent with the format and content contained in the R. E. Ginna Nuclear Power Plant license amendment request for an extended power uprate (ML051950123). R. E. Ginna is a two-loop Westinghouse PWR similar in design to the Point Beach Nuclear Plant units. The Ginna 17% extended power uprate was approved and implemented in 2006.

Plant modifications required by the power uprate are being implemented over time. Modifications that do not require prior NRC approval and do not prevent safe operation at the current licensed power level, have already been made or will be made in accordance with 10 CFR 50.59 while the plant is on line, or no later than the planned refueling outage in the Spring 2010 for Unit 1 and Spring 2011 for Unit 2. The remaining power uprate-related modifications are dependent upon the Commission's approval of the enclosed license amendment request. These modifications are planned to be made during the Spring 2010 refueling outage for Unit 1 and the Spring 2011 refueling outage for Unit 2. A list of planned plant major modifications associated with EPU is provided in the Licensing Report, Attachment 5, Section 1.0, Introduction.

Two additional license amendment requests are required in support of this EPU submittal. These requests are as following:

- PBNP LAR 241 Alternative Source Term, dated December 8, 2008 (ML083450683).
- PBNP LAR 258 Incorporate Best Estimate Large Break Loss of Coolant Accident (LOCA) Analyses Using ASTRUM, dated November 25, 2008 (ML083330160).

These license amendment requests were individually submitted. The approval of the EPU submittal is contingent upon the approval of these additional submittals.

Approval of this LAR will satisfy an FPL Energy Point Beach Regulatory Commitment to provide revised setpoints for the reactor protection system (RPS) instrumentation and the engineered safety feature actuation system (ESFAS) instrumentation Allowable Values in Technical Specification Tables 3.3.1-1 and 3.3.2-1, respectively. In October of 2005, it was identified that certain Technical Specification (TS) allowable values for these instruments were less restrictive than the corresponding calculated values. The Regulatory Commitment to submit a license amendment request to revise these setpoints was docketed via letter dated November 16, 2006 (ML063250487) from the Nuclear Management Company, LLC, former license holder for PBNP Units 1 and 2, to the Commission. The Regulatory Commitment was subsequently revised via letter dated August 8, 2007 (ML072210998) to defer submittal of the request until completion of the site's calculation review and reconstitution project. That project is now complete. This license amendment request fulfills the Regulatory Commitment made with respect to the RPS/ESFAS setpoint changes.

In addition, this license amendment request fully implements Technical Specification Task Force Traveler (TSTF)-491, Revision 2, "Removal of the Main Steam and Main

Feedwater Valve Isolation Time from Technical Specifications." This Consolidated Line Item Improvement Process (CLIIP) had been submitted to the Commission via License Amendment Request 255 dated June 29, 2007 (ML071800512). At that time, the CLIIP only had direct applicability for PBNP for the main steam isolation valves (MSIVs), so partial adoption of the CLIIP was requested. (TAC Nos. MD6079 and MD6080 were assigned to this application.) The Commission approved the proposed changes via letter and accompanying safety evaluation dated November 16, 2007 (ML0742410104). The letter issued Amendments 230 and 235 for Units 1 and 2, respectively. Since the proposed EPU installs main feedwater isolation valves, FPL Energy Point Beach now requests full adoption of TSTF-491, Revision 2 with respect to the proposed Technical Specification changes for these new valves.

Attachment 1 contains descriptions and technical justifications for the proposed changes to the Facility Operating Licenses, Technical Specifications, and current licensing bases (CLB), and proposed plant modifications. Attachment 1 also contains a No Significant Hazards Consideration. In accordance with 10 CFR 50.91(a)(1), FPL Energy Point Beach has performed a No Significant Hazards Consideration analysis and concludes that the changes proposed by this license amendment request present no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of "no significant hazards consideration" is justified.

Attachment 2 contains the affected Facility Operating Licenses and Technical Specification marked up pages to facilitate identifying the proposed changes.

Attachment 3 identifies the associated changes (marked up pages) to the Technical Specification Bases. These changes are provided for information only. Following approval of the requested Facility Operating Licenses and Technical Specification changes, the Technical Specification Bases will be revised.

Attachment 4 contains a summary of Regulatory Commitments related to this submittal.

Attachment 5 contains the Licensing Report, which contains the technical assessment of the EPU per the guidance of RS-001 including: description, system and component evaluations, design transients, nuclear fuel, accident analyses, and environmental considerations. For plant design features and analyses affected by the EPU, the Licensing Report describes PBNP's CLB, and the methods, margins or operating limits, and results of the evaluations that have been performed to determine the impacts of EPU on the CLB. This Licensing Report demonstrates acceptable facility operation at the increased core thermal power. The Licensing Report is supported by five appendices: Appendix A - Safety Evaluation Report Compliance; Appendix B - Additional Codes and Methodologies; Appendix C - Scope and Associated Technical Review Guidance; Appendix D - Supplemental Environmental Report; and Appendix E - Supplement to LR Section 2.4.1.

Attachment 6 contains the application for withholding the proprietary information contained in the Licensing Report, Attachment 5, from public disclosure. As Attachment 5 contains information proprietary to Westinghouse Electric Company, LLC (Westinghouse), it is supported by an affidavit signed by Westinghouse, the owner of the information. The affidavit sets forth the basis for which the information may be withheld

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from public disclosure by the Commission and addresses with specificity the considerations listed in paragraph (b) (4) of § 2.390 of the Commission's' regulations: Accordingly, it is respectfully requested that the information which is proprietary to Westinghouse be withheld from public disclosure in accordance with 10 CFR 2.390 of the Commission's regulations.

Attachment 7 provides topical report WCAP-14787, Revision 3, Revised Thermal Design Procedure Instrument Uncertainty Methodology for Point Beach Power Uprate, (1775 MWt Core Power with Feedwater Venturis, or 1800 MWt-Core Power with LEFM on Feedwater Header).

Attachment 8 contains the application for withholding the proprietary information contained in WCAP-14787, Attachment 7 from public disclosure. As Attachment 7 contains information proprietary to Westinghouse, it is supported by an affidavit signed by Westinghouse, the owner of the information. The affidavit sets forth the basis for which the information may be withheld from public disclosure by the Commission and addresses with specificity the considerations listed in paragraph (b) (4) of § 2.390 of the Commission's' regulations: Accordingly, it is respectfully requested that the information which is proprietary to Westinghouse be withheld from public disclosure in accordance with 10 CFR 2.390 of the Commission's regulations.

Correspondence with respect to the copyright or proprietary aspects of the items listed above or the supporting Westinghouse affidavits should reference CAW-09-2537 or CAW-09-2530 and should be addressed to J. A. Gresham, Manager, Regulatory Compliance and Plant Licensing, Westinghouse Electric Company LLC, P.O. Box 355, Pittsburgh, Pennsylvania 15230-0355.

Attachments 5 and 7 contain proprietary information. A non-proprietary license amendment request will be submitted that replaces Attachment 5 Licensing Report with a non-proprietary Licensing Report, and replaces Attachment 7, WCAP-14787 with WCAP-14788, the non-proprietary version of WCAP-14787.

In accordance with 10 CFR 50.91, a copy of this application is being provided to the designated Wisconsin official.

FPL Energy Point Beach has evaluated the proposed amendment and has determined that it does not involve a significant hazards consideration pursuant to 10 CFR 50.92. The PBNP Plant Operations Review Committee has reviewed the proposed license amendment request.

Approval of this application is requested by April 7, 2010, to allow implementation of the extended power uprate during the Spring 2010 Unit 1 refueling outage and the Spring 2011 Unit 2 refueling outage.

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Should you have questions regarding the information in this submittal, please contact Mr. Steve Hale, Point Beach Extended Power Uprate Licensing Manager, at 561-904-3205.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 7, 2009

Very truly yours,

FPL Energy Point Beach, LLC

Larry Meyer

Site Vice President

Attachments (8)

cc:

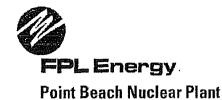
Administrator, Region III, USNRC

Project Manager, Point Beach Nuclear Plant, USNRC Resident Inspector, Point Beach Nuclear Plant, USNRC

PSCW

WISCONSIN COASTAL MANAGEMENT PROGRAM POINT BEACH NUCLEAR PLANT UNITS 1 AND 2

LETTER TO WDNR DATED JULY 30, 2008 NOTICE OF PLANNED CHANGES



July 30, 2008

PB-EPU-08-0481 Wis, Stats 283,31

Mr. Paul Luebke Wisconsin Department of Natural Resources 101 South Webster Street Madison, WI 53707

FPL Energy Point Beach, LLC Point Beach Nuclear Plant, Units 1 and 2 WPDES Permit No. WI-0000957-07-1

Notice of Planned Changes

As required via Point Beach Nuclear Plant (PBNP) WPDES Permit No. WI-0000957-07-1, FPL Energy Point Beach, LLC is reporting a "planned change" at the Point Beach Nuclear Plant. Under the Standard Requirements of that permit, Section 5.2.6, the permittee is required to report to the Department any facility expansion, production increase, or process modifications.

PBNP will be requesting approval from the Nuclear Regulatory Commission (NRC) to increase the licensed rated thermal power for each PBNP unit. This core power increase corresponds to an estimated 94 MWe (megawatt electrical) increase from 547 to 641 MWe (gross generation) for each PBNP unit (approximately 188 MWe increase total for the site).

The increase in electrical output will be accomplished by upgrading or replacing several major power production components including steam generator steam separators, high pressure steam turbines, main electrical generators, main step-up transformers, feedwater heaters, and main feedwater and condensate pumps. A power uprate of this magnitude involving major plant equipment upgrades is typically referred to by the NRC as an extended power uprate (EPU). It is anticipated that the initial submittal to the NRC will be filed in the fourth quarter 2008 with implementation tentatively scheduled for Spring 2010 on PBNP Unit 1 and Spring 2011 on PBNP Unit 2. An incremental temperature increase of up to 4°F is estimated for Outfalls 001 and 002 (Units 1 and 2 Condenser Cooling Water to Lake Michigan). The flow rate and other characteristics from Outfalls 001 and 002 are not expected to change. In addition, there will be no appreciable increase in use of process water in the uprated units so no modifications or expansions of the process water treatment equipment is expected.

Wisconsin Department of Natural Resources Page 2

Should you have and questions, please contact Mr. Ron Hix at 561/371-4910.

Very truly yours,

FPL Energy Point Beach, LLC

Larry Meyer Site Vice President

cc: David Gerdman, Wisconsin Department of Natural Resources (NER-Mishicot)

WISCONSIN COASTAL MANAGEMENT PROGRAM POINT BEACH NUCLEAR PLANT UNITS 1 AND 2

LETTER TO WDNR DATED MAY 8, 2009 WPDES PERMIT RENEWAL APPLICATION SUPPLEMENTAL DOCMENTATION



May 8, 2009

NPL 2009-0120 Wis, Stats 283,31

Paul Luebke, P.H.
Wastewater Specialist
Wisconsin Department of Natural Resources
101 South Webster Street - WT/3
Madison, WI 53703

NextEra Energy Point Beach, LLC Point Beach Nuclear Plant, Units 1 and 2 WPDES Permit No. WI-0000957-07-1

WPDES Permit Renewal Application - Supplemental Documentation

References:

- (1) Application for Reissuance of Wisconsin Pollutant Discharge Elimination System (WPDES) Industrial Wastewater Discharge Permit, electronic submittal dated December 19, 2008
- (2) FPL Energy Point Beach, LLC Letter Dated December 28, 2007, Cooling Water Intake Structures 283.31(6) Report
- (3) FPL Energy Point Beach, LLC Letter Dated July 30, 2008, Notice of Planned Changes

On December 19, 2008, NextEra Energy Point Beach, LLC, (formerly FPL Energy Point Beach, LLC) submitted an application to the Wisconsin Department of Natural Resources (WDNR) to renew Point Beach Nuclear Plant (PBNP) Wisconsin Pollutant Discharge Elimination System (WPDES) Permit, WI-0000957-07-1 (Reference 1). The purpose of this letter is to provide supplemental information for the WPDES permit renewal application.

Enclosure 1 contains Amendment to Permit Renewal Application for WPDES Permit No. WI-0000957-07; Supplemental 283.31(6) Report. The enclosure is a revision of the report previously provided via Reference 2, and is submitted in response to concerns expressed by the WDNR during a May 13, 2008, meeting held at the Mishicot Field Office regarding the impingement of alewives by PBNP and the perceived "cost" associated with the impingement. The revised report presents a more detailed estimate and evaluation of wire screens at the PBNP intake, an economic evaluation of impinged alewives using EPA Guidance and a statement regarding the overall impact of the impingement of alewives at PBNP in the overall context of the Lake Michigan ecosystem.

Enclosure 2 contains "Point Beach Nuclear Plant – Evaluation of the Thermal Effects Due to a Planned Extended Power Uprate". This enclosure provides a description of the thermal impacts of the existing once-through cooling water discharge for PBNP and predicts, using modeling, the impact on the discharge temperature and various fish and shellfish populations following the planned extended power uprate (Reference 3).

Wisconsin Department of Natural Resources Page 2

Two copies of Enclosures 1 and 2 along with electronic diskettes are provided.

If you have any questions or need additional information, please contact Mr. Brian Vander Velde at 920/755-6987.

Very truly yours,

NextEra Energy Point Beach, LLC

Larry Meyer

Sité Vice President

Enclosures

cc: David Gerdman, Wisconsin Department of Natural Resources

ATTACHMENT 4

NEXTERA ENERGY POINT BEACH, LLC POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2

LICENSE AMENDMENT REQUEST 261
EXTENDED POWER UPRATE
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

WISCONSIN COASTAL MANAGEMENT PROGRAM WAIVER FROM CONDUCTING A COASTAL ZONE CONSISTENCY REVIEW



JIM DOYLE
GOVERNOR
MICHAEL L. MORGAN
SECRETARY
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101 East Wilson Street, 9th Floor
Post Office Box 8944
Madison, WI 53703-8944
Voice (608) 266-0288
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March 16, 2010

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

RE: Point Beach Nuclear Plant Units 1 and 2: Extended Power Uprate Projects

Dear Mr. Meyer:

Thank you for notifying the Wisconsin Coastal Management Program (WCMP) of the above project. Through its Federal Consistency authority, the WCMP reviews federally-affiliated projects that are likely to have impacts on coastal uses and resources within the coastal zone, defined as the fifteen counties adjacent to Lake Superior, Green Bay and Lake Michigan. The WCMP does not have any comments on the project and will not conduct a federal consistency review. This does not exempt the proposed project from requiring any other necessary state or local permits or authorizations. If you have any questions, please feel free to contact me at (608) 267-7988.

Sincerely,

Kathleen Angel

Program and Planning Analyst

Wisconsin Coastal Management Program