



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

August 4, 2011

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

SUBJECT: POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2 - ISSUANCE OF
AMENDMENTS RE: DIESEL FUEL OIL STORAGE REQUIREMENTS
(TAC NOS. ME3282 AND ME3283)

Dear Mr. Meyer:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment Nos. 244 and 248 to Renewed Facility Operating License Nos. DPR-24 and DPR-27, for the Point Beach Nuclear Plant, Units 1 and 2, respectively. The amendments consists of changes to the Technical Specifications (TSs) in response to your application dated January 27, 2010, as supplemented by letters dated August 30, 2010, and May 3, 2011.

The amendments revise Technical Specification 3.8.3, "Diesel Fuel Oil and Starting Air," to specify an increased minimum diesel fuel oil storage volume and associated surveillance requirement for the Emergency Diesel Generators.

A copy of our related safety evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry A. Beltz".

Terry A. Beltz, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-266 and 50-301

Enclosures:

1. Amendment No. 244 to DPR-24
2. Amendment No. 248 to DPR-27
3. Safety Evaluation

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

NEXTERA ENERGY POINT BEACH, LLC

DOCKET NO. 50-266

POINT BEACH NUCLEAR PLANT, UNIT 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 244
License No. DPR-24

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by NextEra Energy Point Beach, LLC (the licensee), dated January 27, 2010, as supplemented by letters dated August 30, 2010, and May 3, 2011, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

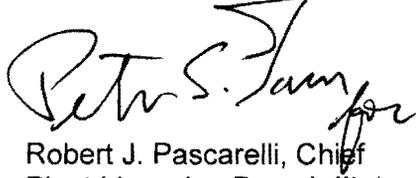
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 4.B of Renewed Facility Operating License No. DPR-24 is hereby amended to read as follows

B. Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 244, are hereby incorporated in the renewed operating license. NextEra Energy Point Beach shall operate the facility in accordance with Technical Specifications.

3. This license amendment is effective as of the date of issuance and shall be implemented within 60 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert J. Pascarelli, Chief
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications
and Renewed Facility Operating License

Date of issuance: August 4, 2011



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

NEXTERA ENERGY POINT BEACH, LLC

DOCKET NO. 50-301

POINT BEACH NUCLEAR PLANT, UNIT 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 248
License No. DPR-27

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by NextEra Energy Point Beach, LLC (the licensee), dated January 27, 2010, as supplemented by letters dated August 30, 2010, and May 3, 2011, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

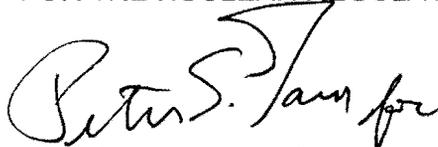
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 4.B of Renewed Facility Operating License No. DPR-27 is hereby amended to read as follows:

B. Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 248, are hereby incorporated in the renewed operating license. NextEra Energy Point Beach shall operate the facility in accordance with Technical Specifications.

3. This license amendment is effective as of the date of issuance and shall be implemented within 60 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert J. Pascarelli, Chief
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications
and Facility Operating License

Date of issuance: August 4, 2011

ATTACHMENT TO LICENSE AMENDMENT NO. 244
TO RENEWED FACILITY OPERATING LICENSE NO. DPR-24
AND LICENSE AMENDMENT NO. 248
TO RENEWED FACILITY OPERATING LICENSE NO. DPR-27
DOCKET NOS. 50-266 AND 50-301

Replace the following pages of the Renewed Facility Operating Licenses with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

<u>REMOVE</u>	<u>INSERT</u>
3	3

Replace the following pages of Appendix A, Technical Specifications, with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

<u>REMOVE</u>	<u>INSERT</u>
3.8.3-1	3.8.3-1
3.8.3-2	3.8.3-2

- D. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, NextEra Energy Point Beach to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
 - E. Pursuant to the Act and 10 CFR Parts 30 and 70, NextEra Energy Point Beach to possess such byproduct and special nuclear materials as may be produced by the operation of the facility, but not to separate such materials retained within the fuel cladding.
4. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations: 10 CFR Part 20, Section 30.34 of 10 CFR Part 30, Section 40.41 of 10 CFR Part 40, Sections 50.54 and 50.59 of 10 CFR Part 50, and Section 70.32 of 10 CFR Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:
- A. Maximum Power Levels

NextEra Energy Point Beach is authorized to operate the facility at reactor core power levels not in excess of 1800 megawatts thermal.
 - B. Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 244, are hereby incorporated in the renewed operating license. NextEra Energy Point Beach shall operate the facility in accordance with Technical Specifications.
 - C. Spent Fuel Pool Modification

The licensee is authorized to modify the spent fuel storage pool to increase its storage capacity from 351 to 1502 assemblies as described in licensee's application dated March 21, 1978, as supplemented and amended. In the event that the on-site verification check for poison material in the poison assemblies discloses any missing boron plates, the NRC shall be notified and an on-site test on every poison assembly shall be performed.

- C. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, NextEra Energy Point Beach to receive, possess and use at any time any byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed source for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
 - D. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, NextEra Energy Point Beach to receive, possess and use in amounts as required any byproduct, source of special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
 - E. Pursuant to the Act and 10 CFR Parts 30 and 70, NextEra Energy Point Beach to possess such byproduct and special nuclear materials as may be produced by the operation of the facility, but not to separate such materials retained within the fuel cladding.
4. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations: 10 CFR Part 20, Section 30.34 of 10 CFR Part 30, Section 40.41 of 10 CFR Part 40, Sections 50.54 and 50.59 of 10 CFR Part 50, and Section 70.32 of 10 CFR Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:
- A. Maximum Power Levels

NextEra Energy Point Beach is authorized to operate the facility at reactor core power levels not in excess of 1800 megawatts thermal.
 - B. Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 248, are hereby incorporated in the renewed operating license. NextEra Energy Point Beach shall operate the facility in accordance with Technical Specifications.
 - C. Spent Fuel Pool Modification

The licensee is authorized to modify the spent fuel storage pool to increase its storage capacity from 351 to 1502 assemblies as described in licensee's application dated March 21, 1978, as supplemented and amended. In the event that the on-site verification check for poison material in the poison assemblies discloses any missing boron plates, the NRC shall be notified and an on-site test on every poison assembly shall be performed.

3.8 ELECTRICAL POWER SYSTEMS

3.8.3 Diesel Fuel Oil and Starting Air

LCO 3.8.3 Stored diesel fuel oil shall be within limits and starting air subsystem shall be OPERABLE for each required standby emergency power source.

APPLICABILITY: When associated standby emergency power source is required to be OPERABLE.

ACTIONS

-----NOTE-----
Separate Condition entry is allowed for each standby emergency power source.

CONDITION	REQUIRED ACTION	COMPLETION TIME
A. One or more standby emergency power sources with fuel level < 86.2% and > 71.3% in storage tank.	A.1 Restore fuel oil level to within limits.	48 hours
B. One or more standby emergency power sources with stored fuel oil total particulates not within limit.	B.1 Restore fuel oil total particulates within limit.	7 days
C. One or more standby emergency power sources with new fuel oil properties not within limits.	C.1 Restore stored fuel oil properties to within limits.	30 days

(continued)

ACTIONS (continued)

CONDITION	REQUIRED ACTION	COMPLETION TIME
D. One or more standby emergency power sources with inoperable starting air system(s).	D.1 Declare associated standby emergency power source(s) inoperable.	Immediately
E. Required Action and associated Completion Time not met. <u>OR</u> One or more standby emergency power sources' diesel fuel oil not within limits for reasons other than Condition A, B or C.	E.1 Declare associated standby emergency power source(s) inoperable.	Immediately

SURVEILLANCE REQUIREMENTS

SURVEILLANCE	FREQUENCY
SR 3.8.3.1 Verify each fuel oil storage tank contains $\geq 86.2\%$ of fuel.	31 days
SR 3.8.3.2 Verify fuel oil properties of new and stored fuel oil are tested in accordance with, and maintained within the limits of, the Diesel Fuel Oil Testing Program.	In accordance with the Diesel Fuel Oil Testing Program
SR 3.8.3.3 Verify each standby emergency power source air start bottle bank pressure is ≥ 165 psig.	31 days

(continued)



UNITED STATES
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WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 244 TO
RENEWED FACILITY OPERATING LICENSE NO. DPR-24
AND AMENDMENT NO. 248 TO
RENEWED FACILITY OPERATING LICENSE NO. DPR-27
NEXTERA ENERGY POINT BEACH, LLC
POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2
DOCKET NOS. 50-266 AND 50-301

1.0 INTRODUCTION

By application to the U.S. Nuclear Regulatory Commission (NRC, the Commission) dated January 27, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML100280230), as supplemented by letters dated August 30, 2010 (ADAMS Accession No. ML102430116) and May 3, 2011 (ADAMS Accession No. ML111240285), NextEra Energy Point Beach, LLC (the licensee) requested an amendment to the Renewed Facility Operating License and Technical Specifications (TSs) for the Point Beach Nuclear Plant (PBNP), Units 1 and 2. The proposed license amendment request would revise TS 3.8.3, "Diesel Fuel Oil and Starting Air," by specifying increased minimum diesel fuel oil storage volume requirement for the Emergency Diesel Generators (EDGs).

The supplemental letter dated August 30, 2010, provided additional clarifying information that was within the scope of the original application and did not change the initial proposed no significant hazards consideration determination. The supplemental letter dated May 3, 2011, revised the proposed minimum diesel fuel oil storage volume requirements for two EDGs to start upon demand, draw fuel from a common tank, load to their respective loading limits, and continue to operate for a minimum of six days. The revision further increased the minimum diesel fuel oil storage volume requirement.

The information provided in the supplements did not expand the scope of the application as originally noticed and did not change the NRC staff's original proposed No Significant Hazards Consideration Determination as published in the *Federal Register* on November 30, 2010 (75 FR 74096).

2.0 REGULATORY EVALUATION

The following NRC requirements and guidance documents described below are applicable to the NRC staff's review of the proposed PBNP license amendment request:

The PBNP Final Safety Analysis Report (FSAR), Section 1.3, states that the plant was designed, constructed, and is being operated to comply with the intent of the Atomic Energy Commission (AEC) General Design Criteria (GDC) for Nuclear Power Plant Construction Permits, as proposed on July 10, 1967 and revised per the Atomic Industrial Forum (AIF) recommended changes. The PBNP GDCs documented in the FSAR are similar in content to the AIF version of the proposed 1967 GDCs.

PBNP GDC 4, "Sharing of Systems," states, in part that "reactor facilities may share systems or components if it can be shown that such sharing will not result in undue risk to the health and safety of the public."

PBNP GDC 19, "Protection Systems Reliability," states, in part, that "protection systems shall be designed for high functional reliability and inservice testability necessary to avoid undue risk to the health and safety on the public."

PBNP GDC 39, "Emergency Power," states, in part, that "an emergency power source shall be provided and designed with adequate independency, redundancy, capacity, and testability to permit the functioning of the engineered safety features and protection systems required to avoid undue risk to the health and safety of the public. This power source shall provide this capacity assuming a failure of a single active component."

Paragraph 50.36(c)(2)(ii) of Title 10 of the *Code of Federal Regulations* (10 CFR), "Technical specifications," requires that "[a] technical specification limiting condition for operation [LCO] of a nuclear reactor must be established for each item meeting one or more of the [criteria set forth in 10 CFR 50.36(c)(2)(ii)(A)-(D)]."

Paragraph 50.36(c)(3) of 10 CFR, "Technical specifications," requires that TSs include Surveillance Requirements (SRs), which "are requirements relating to test, calibration, or inspection to assure that the necessary quality of systems and components is maintained, that facility operation will be within safety limits, and that the limiting conditions for operation will be met."

Regulatory Guide (RG) 1.137, Revision 1, "Fuel-Oil Systems for Standby Diesel Generators," dated October 1979, endorses American National Standards Institute (ANSI) N195-1976, "Fuel Oil System for Standby Diesel Generators." ANSI N195-1976 states that the onsite fuel oil storage must be sufficient to operate the minimum number of EDGs required following a limiting design-basis accident for seven days. The minimum fuel oil required to be maintained in the storage tanks is based on either a 7-day time dependent load calculation plus 10-percent margin, or a more conservative calculation method which assumes that the EDG operates at continuous rated capacity for seven days.

3.0 TECHNICAL EVALUATION

3.1 Description of PBNP EDG System

The EDGs provide the standby source of emergency power at PBNP. This system is composed of four shared EDGs that are divided into two trains (A and B). Each train supports individual

buses on both units and the EDGs in each train can be cross-connected to provide power to alternate buses.

The fuel oil for the EDGs is maintained in several tanks. Each one of the EDGs has a 550 gallon day tank. Each of the train A EDGs has an additional 550 gallon tank. There are two 35,000 gallons underground fuel oil storage tanks (FOSTs), one for each train. Fuel oil transfer pumps can be used to transfer fuel oil from the underground FOSTs to the day tanks and from one FOST to another.

3.2 Background

On June 30, 2009, the NRC staff completed a component design bases inspection (CDBI) at PBNP in accordance with the NRC's Reactor Oversight Process baseline inspection program. The staff documented a low safety significance finding related to EDG fuel oil storage requirements. The licensee had not considered the most limiting condition of two EDGs starting and operating for 48 hours as described in the FSAR. This finding resulted in a green non-cited violation and the licensee submitted a license amendment request (LAR) to increase the volume of fuel oil stored in the FOSTs to resolve the inspection findings.

3.4 Proposed Changes to TS 3.8.3, "Diesel Fuel Oil and Starting Air"

In its application dated January 27, 2010, the licensee proposed the following changes to TS 3.8.3:

1. Revise Limiting Condition for Operation (LCO) 3.8.3, Condition A, from "One or more standby emergency power sources with < 11,000 gal in storage tank" to:

"Two standby emergency power sources with < 24,000 gal in a common storage tank."

Required Action A.1 would be revised from "Declare associated standby emergency power source(s) inoperable" to:

Required Action A.1 "Declare one of the two associated standby emergency power sources inoperable."

AND

Required Action A.2 "Take actions to prevent the inoperable standby emergency power source from automatically starting and loading."

The Completion Time of "Immediately" would remain the same for Required Action A.1.

A revised Completion Time of "1 Hour" to accomplish Required Action A.2.

2. Add a new Condition B to state:

"One or more standby emergency power source(s) with < 13,000 gal in a common storage tank."

Required Action B.1 would be added to state:

"Declare associated standby emergency power source(s) inoperable."

The Completion Time would be "Immediately."

3. Renumber existing Conditions B through E and Required Actions B.1 through E.1 as C through F and C.1 through F.1, respectively, to accommodate inclusion of new Condition B and Required Action B.1. References to Condition B or C within Condition E would also be revised to reflect this renumbering and will become Conditions C or D, respectively.
4. Revise SR 3.8.3.1 from "Verify each fuel oil storage tank contains > 11,000 gal of fuel" to:

"Verify each fuel oil storage tank contains \geq 24,000 gal of fuel."

The Frequency of 31 days would not change.

In its supplemental letter dated May 3, 2011, the licensee proposed the following changes to TS 3.8.3:

1. Revise LCO 3.8.3, Condition A, from "One or more standby emergency power sources with < 11,000 gal in storage tank" to:

"One or more standby emergency power sources with fuel level < 86.2% and > 71.3% in storage tank."

2. Revise LCO 3.8.3, Required Action A.1, from "Declare associated standby emergency power source(s) inoperable" to:

"Restore fuel oil level to within limits."

3. Revise LCO 3.8.3, Completion Time for Action A.1, from "Immediately" to:

"48 hours."

4. Revise LCO 3.8.3, Condition E, from "Required Action and associated Completion Time of Condition B or C not met OR One or more standby emergency power source(s) diesel fuel oil not within limits for reasons other than Condition B or C" to:

"Required Action and associated Completion Time not met."

OR

One or more standby emergency power sources' diesel fuel oil not within limits for reasons other than Condition A, B or C."

5. Revise SR 3.8.3.1, from "Verify each fuel oil storage tank contains > 11,000 gal of fuel" to:

"Verify each fuel oil storage tank contains \geq 86.2% of fuel."

The existing frequency of 31 days would not change.

3.4 Evaluation of the Proposed Changes

In its LAR application dated January 27, 2010, the licensee stated that the diesel fuel oil volumes have been re-calculated for two EDGs starting, drawing fuel from a common FOST, and continuing to operate for 48 hours at the most conservative analyzed loading. The proposed volume of 24,000 gallons of diesel fuel oil included allowances for instrument uncertainties.

The PBNP's present configuration consists of two safety-related underground FOSTs for four EDGs, two EDGs designated as Train A, and two EDGs designated as Train B. Each of these tanks supplies one train of EDGs and each tank has a maximum capacity of seven days of fuel for a single EDG (35,000 gallons each). The plant also has non-safety related storage tanks that can supplement onsite storage capacity. The current PBNP TSs requires a minimum volume of 11,000 gallons in each of the two safety-related tanks. The present PBNP FSAR states that "Sufficient fuel is normally maintained between the two tanks to allow one diesel to operate continuously at the required load for 7 days."

The NRC staff identified inconsistencies between the licensee's requested 48-hour diesel fuel oil storage volume requirement and a 7-day diesel fuel oil storage volume requirement mentioned in several PBNP design basis documents and RG 1.137. Based on this, the NRC staff submitted a request for additional information (RAI) to verify the licensing basis for onsite fuel oil storage volume requirements. In its August 30, 2010, response, the licensee provided an explanation for the current TS basis for the fuel oil storage requirements.

The licensee stated that the use of the term "normally" used in the FSAR is consistent with the PBNP licensing basis. At maximum nominal capacity, each of the safety-related tanks has the ability to supply a single EDG at full-rated load for seven days. Operational demands of periodic testing preclude maintaining the tanks continuously at their "maximum capacity." The licensee contended that the FSAR description of the tank capacity was not intended to imply a design or licensing basis requirement to ensure nuclear safety. The licensee also stated that the FSAR description of the two safety-related tanks capacity (each capable of supplying seven days of fuel for a single EDG) in the Point Beach Diesel Project Design Submittal dated May 24, 1994, and the licensee's letter dated March 3, 2010, was not intended to be a new or additional TS requirement.

The NRC staff reviewed the present PBNP TS and FSAR and previous correspondence between the licensee and NRC staff. On July 15, 1970, the AEC provided the licensee a provisional operating license for PBNP Units 1 and 2. Section 3.8.2 of the AEC safety evaluation contained the basis for the AEC's acceptance of the licensee's onsite emergency power system design. The AEC safety evaluation stated "Onsite fuel storage capacity is sufficient for a minimum of seven days" operation of the required safety feature loads which is acceptable."

Based on its review, the NRC staff concludes that it was the AEC's intent that seven days of continuous EDG operation without fuel replenishment was a specified safety function for the PBNP EDGs; however, the AEC did not issue TSs that reflected this. Furthermore, subsequent license amendments associated with on-site fuel oil storage requirements did not change PBNP TS requirements.

After further discussions with the NRC staff related to current industry standards, the licensee agreed to enhance the proposed changes to TS 3.8.3. In its letter dated May 3, 2011, the licensee proposed to change the SRs to keep each FOST at least 86.2 percent (32,100 usable gallons) full of fuel. At this level, one FOST can provide enough fuel for an EDG to operate for six days at rated load. The licensee indicated that the effects of vortexing, unusable volume, instrument inaccuracies and measurement uncertainties associated with establishing tank levels have been conservatively added to the parameters provided to operators. Therefore, between the two FOSTs, there will be enough fuel to supply two EDGs for six days of operation.

RG 1.137 specifies a minimum 7-day supply of fuel oil for each EDG system to meet the engineered safety feature load requirements following a loss of offsite power and a design basis accident. The 7-day supply is considered adequate for replenishing fuel oil, as the mission time of an EDG may be much longer. The NRC staff finds that the licensee's proposed change to the SR requiring a minimum volume for six days of EDG operation to be acceptable. The NRC staff bases this conclusion on the licensee's operational practice to maintain an onsite storage of fuel oil to support seven days of operation; the availability of fuel from other non-credited tanks at PBNP; and the licensee's capability to have the tanks replenished in a reasonable amount of time due to the close proximity of the fuel oil supplier from the site. The NRC staff concludes that the proposed change to SR 3.8.3.1, for each safety-related FOST to have a minimum volume for six days of continuous operation of one EDG, to be acceptable.

The licensee proposed to change the volumetric measurement of fuel oil from gallons to a percentage of FOST volume. The NRC staff finds this to be acceptable on the basis that the design calculations reflect adequate fuel oil for *six days* (emphasis added), and includes the effects of vortexing, unusable volume, instrument inaccuracies and measurement uncertainties.

To maintain operational flexibility, the license submitted a change to LCO 3.8.3 Condition A. In the event that either FOST drops below the 86.2 percent mark, but is still higher than the 71.3 percent mark, the licensee proposes a required action to restore the fuel oil level to within limits. At the lower tank level, there still remains a 5-day supply for one EDG plus available fuel oil from other non-credited tanks at PBNP. The completion time is 48 hours, which is sufficient time to have the tanks filled by the fuel oil supplier. Based on its review, the NRC staff

concludes that the TS Required Action of restoring fuel oil level to within limits with a Completion Time of 48 hours is reasonable because the 71.3 percent FOST level corresponds to at least a 5-day (emphasis added) supply of fuel coupled with onsite storage of fuel in non-safety-related tanks provides adequate time for replenishment of fuel oil from offsite sources.

The licensee also proposed a change to LCO 3.8.3 Condition E, to incorporate the change to the Required Action and new Completion Time of Condition A. The change requires the licensee to declare the EDG inoperable once the 48 hours Completion Time has expired, should the fuel oil level not be restored to within limits. Based on this information, the NRC staff concludes that the change to LCO 3.8.3, Condition E, is acceptable as it is consistent with the changes to Condition A.

The NRC staff requested the licensee provide details on procedures used to verify the flow paths from each tank dedicated to the corresponding EDG for demonstration of storage capacity. In its RAI response, the licensee stated that a checklist is used to establish and verify the flow paths from the storage tanks to the EDGs. In this checklist, all the components in the path are included with location and operating position. Furthermore, the licensee stated that monthly TS SRs are performed after completion of the checklist. An Operating Instruction is used by the licensee to transfer fuel oil between tanks, and which is also used to test the system on a 2-year frequency. Based on this information, the NRC staff concludes that there are adequate procedures in place to verify PBNP's flow paths from each storage tank to the corresponding EDG and between the storage tanks.

3.4 Summary of Evaluation

The NRC staff evaluated the licensee's request to revise TS 3.8.3 as it pertains to the EDG FOSTs. Based on the above deterministic evaluation, the NRC staff finds the proposed revision to the PBNP TSs acceptable. The NRC staff's conclusion is based on the following: (1) the increase in required fuel oil inventory supports operation of the EDGs for a longer duration than currently required and does not degrade safety margins; (2) the performance capabilities of each EDG for each unit are not degraded by shared tanks since the licensee verifies the flow paths between the tanks and EDGs; and (3) the four EDGs will remain capable of powering the required loads necessary to achieve safe shutdown.

Based on the above evaluation, the NRC staff finds the proposed changes to the PBNP TSs provide reasonable assurance of the continued availability of the required electrical power to shut down the reactor and to maintain the reactor in a safe condition after an anticipated operational occurrence or a postulated design-basis accident. The NRC staff concludes that the proposed TS changes are in accordance with 10 CFR 50.36, and meet the intent of PBNP GDCs 4, 19, and 39. The NRC staff concludes that the licensee's practice to maintain on-site storage of fuel oil to support 7-day operation of EDGs is consistent with RG 1.137 recommendations for on-site fuel oil storage capacity. The NRC staff concludes that two EDGs starting and drawing fuel oil from a common FOST is in accordance with PBNP GDC 4 requirements, in that systems or components are allowed to be shared if it does not result in undue risk to the health and safety of the public. Therefore, the NRC staff finds the proposed changes to be acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Wisconsin State official was notified of the proposed issuance of the amendments. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes requirements with respect to the use of facility components located within the restricted area as defined in 10 CFR Part 20, and changes a surveillance requirement. The NRC staff has determined that the amendment involves no significant increase in the amounts and no significant change in the types of any effluent that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously published a proposed finding that this amendment involves no significant hazards consideration and there has been no public comment on such finding (November 30, 2010, 75 FR 74096). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Sergiu Basturescu, NRR

Date of issuance: August 4, 2011

August 4, 2011

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

SUBJECT: POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2 - ISSUANCE OF
AMENDMENTS RE: DIESEL FUEL OIL STORAGE REQUIREMENTS
(TAC NOS. ME3282 AND ME3283)

Dear Mr. Meyer:

The Nuclear Regulatory Commission has issued the enclosed Amendment Nos. 244 and 248 to Renewed Facility Operating License Nos. DPR-24 and DPR-27, for the Point Beach Nuclear Plant, Units 1 and 2, respectively. The amendments consists of changes to the Technical Specifications (TSs) in response to your application dated January 27, 2010, as supplemented by letters dated August 30, 2010, and May 3, 2011.

The amendments revise Technical Specification 3.8.3, "Diesel Fuel Oil and Starting Air," to specify an increased minimum diesel fuel oil storage volume and associated surveillance requirement for the Emergency Diesel Generators.

A copy of our related safety evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

/RA/

Terry A. Beltz, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-266 and 50-301

Enclosures:

1. Amendment No. 244 to DPR-24
2. Amendment No. 248 to DPR-27
3. Safety Evaluation

DISTRIBUTION

PUBLIC
LPL3-1 r/f
RidsNrrPMPPointBeach Resource
RidsNrrLABTully Resource
RidsNrrDirsltsb Resource
RidsNrrDorlDpr Resource
RidsNrrDorlLpI3-1Resource

RidsOgcRp Resource
RidsAcrsAcnw_MailCTR Resource
RidsRgn3MailCenter Resource
S. Basturescu, NRR
M. McConnell, NRR
G. Matharu, NRR

Accession Number: **ML110240478**

*Safety evaluation transmitted by memo of 07/20/11

OFFICE	NRR/LPL3-1/PM	NRR/LPL3-1/LA	NRR/EEEB*	NRR/ITSB/BC	OGC	NRR/LPL3-1/BC
NAME	TBeltz	SRohrer for BTully	RMathew*	RElliott	MSpencer	PTam for RPascarelli
DATE	7/22/11	7/25/11	07/20/11	8/2/11	8/3/11	8/4/11

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