



September 12, 2013

NRC 2013-0087
Order No. EA-12-049

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

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

NextEra Energy Point Beach, LLC's Request for Schedule Relaxation from NRC Order EA-12-049, "Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events"

- References:
- (1) NRC Order Number EA-12-049, "Issuance of Order to Modify Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events," dated March 12, 2012 (ML12056A045)
 - (2) NextEra Energy Point Beach, LLC's letter to USNRC, "Overall Integrated Plan in Response to March 12, 2012 Commission Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events (Order Number EA-12-049)," dated February 22, 2013 (ML13053A401)

This letter transmits a request for relaxation of the schedule requirements contained in Nuclear Regulatory Commission ("NRC" or "Commission") Order EA-12-049. On March 12, 2012, the NRC issued an Order (Reference 1) to NextEra Energy Point Beach, LLC. Reference 1 was immediately effective and directs NextEra Energy Point Beach, LLC to develop, implement, and maintain guidance and strategies to maintain or restore core cooling, containment, and spent fuel pool cooling capabilities in the event of a beyond-design-basis external event.

Section IV of NRC Order EA-12-049 (Reference 1) states that licensees proposing to deviate from requirements contained in NRC Order EA-12-049 may request that the Director, Office of Nuclear Reactor Regulation, relax those requirements.

In accordance with Section IV of NRC Order EA-12-049, NextEra Energy Point Beach, LLC is requesting that the Director, Office of Nuclear Reactor Regulation, relax the requirement for completion of full implementation for Point Beach Nuclear Plant Unit 1 as prescribed in Section IV.A.2 of NRC Order EA-12-049 as described in the attachment to this letter.

NextEra Energy Point Beach, LLC considers that, upon approval by the NRC, the alternative full implementation dates regarding NRC Order EA-12-049 proposed in the attachment will

constitute a condition of the NRC Order EA-12-049 for Point Beach Nuclear Plant, Units 1 and 2. Therefore, there are no new regulatory commitments contained in this letter.

If you have any questions regarding this report, please contact Mr. Michael Millen, Licensing Manager, at (920) 755-7845.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on September 12, 2013.

Very truly yours,

NextEra Energy Point Beach, LLC

A handwritten signature in black ink, appearing to read 'Larry Meyer', is written over a large, faint, light-colored watermark or signature that spans across the page.

Larry Meyer
Site Vice President

Attachment:

cc: Director, Office of Nuclear Reactor Regulation
Administrator, Region III, USNRC
Resident Inspector, Point Beach Nuclear Plant, USNRC
Project Manager, Point Beach Nuclear Plant, USNRC

ATTACHMENT

REQUEST FOR SCHEDULE RELAXATION OF NRC ORDER EA-12-049 REQUIREMENT IV.A.2 FOR POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2

Relaxation Request:

Pursuant to the procedure specified in Section IV of Nuclear Regulatory Commission (NRC) Order EA-12-049, "Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events" (Reference 1), Point Beach Nuclear Plant, Units 1 and 2, hereby submits a request for schedule relaxation from the Order requirements for completion of full implementation no later than two (2) refueling cycles after submittal of the overall integrated plan, as required in Condition C.1.a of the Order, or December 31, 2016, whichever occurs first.

Order Requirement from Which Relaxation is Requested:

NRC Order EA-12-049, Section IV.A.2 requires completion of full implementation of the Order requirements no later than two (2) refueling cycles after submittal of the overall integrated plan, as required by Condition C.1.a or December 31, 2016, whichever comes first. In accordance with the requirements of the Order, NextEra Energy Point Beach, LLC submitted the Point Beach Nuclear Plant, Units 1 and 2, Mitigation Strategies Overall Integrated Plan (Reference 2) on February 22, 2013. The Point Beach Nuclear Plant, Units 1 and 2, Mitigation Strategies Overall Integrated Plan milestone schedule identified the completion dates for full implementation of NRC Order EA-12-049 as October 2014 for Unit 1, and October 2015 for Unit 2, in order to satisfy the requirements of NRC Order EA-12-049.

Justification for Relaxation Request:

NRC Order EA-12-049 requires the development, implementation, and maintenance of guidance and strategies to maintain or restore core cooling, containment, and spent fuel pool cooling capabilities in the event of a beyond-design-basis external event. Per Order EA-12-049, Point Beach Nuclear Plant Unit 1 first refueling outage started March 18, 2013. Point Beach Nuclear Plant Unit 1 second refueling outage and full completion date is October 2014, which effectively reduces implementation to 18 months. As described in the Overall Integrated Plan for Point Beach Nuclear Plant, Units 1 and 2 (Reference 2), some of these mitigation strategies are complex and require an outage on both Units to implement because of the Point Beach Nuclear Plant two unit design and common structures, systems, and components (SSCs), e.g., auxiliary feedwater unit cross connections. Modifications are being designed at risk based on mitigation strategies prior to receipt of a safety evaluation report (SER).

NRC issuance of an SER has been delayed due to complexities in generic strategies and limited Licensee and NRC resources to perform design and analysis activities, conduct reviews, and address requests for additional information. Implications of failure of Westinghouse SHIELD passive thermal shutdown seal (SDS) for reactor coolant pumps are being assessed. Resolution of issues may require additional analytical work and/or changes in mitigation strategies that change implementation plans. Mitigation strategy programmatic controls, procedures and training will need to reflect that the final mitigating strategy functional requirements for Point Beach Nuclear Plant Unit 1, Point Beach Nuclear Plant Unit 2, and

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common SSCs. Due to the integrated nature of the Point Beach Nuclear Plant mitigation strategies, partial functional scope compliance is not feasible.

Thus, it is not reasonable to achieve full implementation of the mitigation strategies for Point Beach Nuclear Plant Unit 1 in accordance with NRC Order EA-12-049, by the Order requirement date of no later than two (2) refueling cycles after submittal of the overall integrated plan, as required by Condition C.1.a or December 31, 2016, whichever comes first, since NRC issuance of an SER is essential to the full implementation of mitigation strategies required by NRC Order EA-12-049, as described above.

Accordingly, NextEra Energy Point Beach, LLC requests that the NRC Order EA-12-049, Section IV.A.2, full implementation requirement dates for Point Beach Nuclear Plant, Units 1 and 2, be relaxed to the following milestones:

Point Beach Nuclear Plant Unit 1 – May 2016
Point Beach Nuclear Plant Unit 2 – October 2015

The schedule relaxation for Point Beach Nuclear Plant Unit 1 reduces risk to safety through the reduction in modification rework. Full implementation for Point Beach Nuclear Plant Unit 1 in May 2016 aligns with other NextEra Energy plants to permit resolution of generic issues while work continues on Point Beach Nuclear Plant low risk mitigation strategies and associated modifications, e.g., electrical and mechanical connections for portable equipment and hardened storage for portable equipment. The schedule relaxation for Point Beach Nuclear Plant Unit 1 results in extending the Point Beach Nuclear Plant site implementation seven months from October 2015 to May 2016, which continues to meet the December 31, 2016 backstop date of NRC Order EA-12-049.

Conclusion:

As described above, compliance with NRC Order EA-12-049 schedule requirement for full completion of implementation of mitigation strategies would result in hardship or unusual difficulty without a compensating increase in the level of safety. Therefore, in accordance with the provisions of Section IV of the Order, we request relaxation of the requirement described in Section IV.A.2

References:

1. NRC Order Number EA-12-049, "Issuance of Order to Modify Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events," dated March 12, 2012
2. NextEra Energy Point Beach, LLC's letter to USNRC, "Overall Integrated Plan in Response to March 12, 2012 Commission Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events (Order Number EA-12-049)," dated February 22, 2013