



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

A-5

March 19, 1980

301 - P

MEMORANDUM FOR: Harold R. Denton, Director  
Office of Nuclear Reactor Regulation

FROM: James P. Murray  
Office of Executive Legal Director

SUBJECT: REQUEST UNDER 2.206 - POINT BEACH, UNIT 2

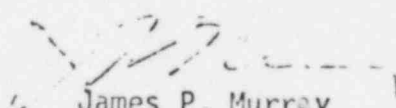
By telegram dated March 13, 1980, Kathleen Falk, on behalf of Wisconsin's Environmental Decade, Inc. requested that the Commission issue an order to show cause and an order enjoining the return to service of Point Beach, Unit 2. The bases of the request are (1) statements made in filings previously filed on the steam generator tube degradation problem at Point Beach, Unit 1, and (2) the tube rupture at Unit 2 on February 28, 1980, and the result of the subsequent eddy current testing.

The Commission referred the request to the Staff for treatment as a 2.206 petition. Marian Moe, from the Office of the General Counsel, informed this office by telephone on March 18, 1980, that Chairman Ahearne wanted a response to the petition within 45 days. If a response is not possible within that time period, the Chairman should be notified.

This office will work with your staff to develop a prompt and appropriate response to the petition under 10 CFR 2.206. Enclosed for your use are drafts of:

1. a letter of acknowledgment to Ms. Falk (with a copy to Wisconsin Electric Power Company)
2. a notice of receipt of request for publication in the Federal Register.

If these drafts are not changed they need not be returned to this office for concurrence. However, please provide us with a copy of the outgoing letter and notice and refer all other correspondence related to the matter to this office for concurrence.

  
James P. Murray  
Director and Chief Counsel  
Rulemaking and Enforcement Division

Enclosures: As Stated  
Petition

CONTACT: Karen Cyr  
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bcc: C Trammell

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

WISCONSIN ELECTRIC POWER COMPANY  
(Point Beach Nuclear Power  
Plant, Unit 2)

Docket No. 50-301

REQUEST FOR ACTION UNDER 10 CFR 2.206

Notice is hereby given that by petition dated March 13, 1980, ~~the~~ Wisconsin's Environmental Decade, Inc. requested that an order to show cause and an order enjoining operation of Point Beach Nuclear ~~Power~~ Plant, Unit 2 be issued to Wisconsin Electric Power Company because of steam generator tube degradation. This petition is being treated as a request for action under 10 CFR 2.206 of the Commission's regulations, and accordingly, action will be taken on the petition within a reasonable time.

Copies of the petition are available for inspection in the Commission's Public Document Room at 1717 H Street, N. W., Washington, D. C. and in the local public document room at University of Wisconsin <sup>Stevens Point</sup> Library, Stevens Point, Wisconsin 54481.

FOR THE NUCLEAR REGULATORY COMMISSION

\_\_\_\_\_  
Harold R. Denton, Director  
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland  
this \_\_\_ day of March, 1980.

D R A F T

Docket No. 50-301

Kathleen M. Falk, Esq.  
Wisconsin's Environmental Decade, Inc.  
114 East Mifflin Street  
Madison, Wisconsin 53703

Dear Ms. Falk:

This letter is sent to acknowledge receipt of your petition on behalf of Wisconsin's Environmental Decade, Inc. requesting that the Nuclear Regulatory Commission issue an order to show cause and an order enjoining the licensee from returning Unit 2 to operation due to steam generator tube degradation. Your petition has been referred to the Director of Nuclear Reactor Regulation because the subject matter of the petition is within the jurisdiction of this office.

Your petition is being treated under 10 CFR 2.206 of the Commission's regulations, and accordingly, appropriate action will be taken on your petition within 45 days. I enclose for your information a copy of the notice that is being filed for publication with the Office of the Federal Register.

Sincerely,

Harold R. Denton, Director  
Office of Nuclear Reactor Regulation

Enclosure:

~~As Stated Above~~  
Federal Register Notice

cc: (as appropriate)

Wisconsin Electric Power Company