



Wisconsin Electric POWER COMPANY

231 W. MICHIGAN, P.O. BOX 2046, MILWAUKEE, WI 53201

March 24, 1983

Mr. H. R. Denton, Director
Office of Nuclear Reactor Regulation
U. S. NUCLEAR REGULATORY COMMISSION
Washington, D. C. 20555

Attention: Mr. D. G. Eisenhut, Director
Division of Licensing

Gentlemen:

DOCKET NOS. 50-266 AND 50-301
WITHDRAWAL OF HEARING REQUEST REGARDING ENVIRONMENTAL
QUALIFICATION OF SAFETY-RELATED ELECTRICAL EQUIPMENT
POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2

By letter dated August 14, 1981 to Mr. J. E. Silberg, Counsel for Wisconsin Electric Power Company, Mr. Eisenhut stated that Wisconsin Electric would have until 30 days after the Commission completed action on the industry petition to extend the June 30, 1982 deadline for environmental qualification in which to inform the NRC of our intent regarding request for a hearing with respect to the October 24, 1980 NRC Order for Modification of Licenses imposing environmental qualification requirements on Point Beach Nuclear Plant, Units 1 and 2. Commission action on the industry petition was completed on February 22, 1983 when the final rule on environmental qualification (i.e., 10 CFR 50.49) became effective. By our letter of February 21, 1983, we requested an additional 30-day period until March 24, 1983 within which to review the final rule and determine whether we wished to request a hearing. If this additional 30-day extension could not be granted, Wisconsin Electric requested that a hearing be conducted on the issue of whether all safety-related electrical equipment at Point Beach should be environmentally qualified in accordance with the Order as subsequently modified by the rule.

We have now completed our review of the final environmental qualification rule. Based upon our understanding of the rule, we are now prepared to withdraw our hearing request. However, there remain two areas of potential confusion or ambiguity that we wish to

A048

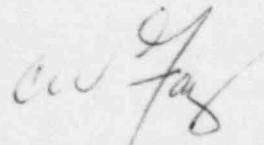
March 24, 1983

identify, although we believe that our understanding of these areas is consistent with what was intended by the Staff. Accordingly, we are by this letter withdrawing our request for hearing on the October 24, 1980 Order based on the following interpretation of the final rule in the areas of question:

1. Qualification criteria. Section 50.49(k) of the final rule states that holders of operating licenses are not required to requalify electric equipment important to safety to the provisions of this rule if such equipment was previously required to be qualified pursuant to either the DOR Guidelines or NUREG-0588. From this section, it is our understanding that equipment qualified pursuant to the DOR Guidelines or NUREG-0588 by the dates and schedules set forth in Section 50.49(g) need not be qualified to the provisions of the final rule.
2. Replacement equipment. Section 50.49(l) of the final rule states that unless there are sound reasons to the contrary replacement equipment must be qualified to the provisions of the rule. However, the statement of consideration regarding the final rule published in the Federal Register (Volume 48, Number 15, Page 2729) dated January 21, 1983 discusses replacement parts. It is our understanding that the appropriate emphasis is to be placed on replacement equipment and not parts.

The withdrawal of our hearing request, as noted above, is predicated on the accuracy of our understandings of the final rule on environmental qualification in the above two areas. Unless we are notified in writing to the contrary by May 6, 1983, we will consider our understanding of the final rule correct and this matter resolved.

Very truly yours,



Vice President-Nuclear Power

C. W. Fay

Copies to NRC Resident Inspector
J. E. Silberg, Esquire