

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
WISCONSIN ELECTRIC POWER)	Docket Nos. 50-266
COMPANY)	and 50-301
)	
(Point Beach Nuclear Plant,)	
Units No. 1 and No. 2))	

ORDER CONFIRMING LICENSEE COMMITMENTS
ON EMERGENCY RESPONSE CAPABILITY

I.

Wisconsin Electric Power Company (the licensee) is the holder of Facility Operating License Nos. DPR-24 and DPR-27 which authorize the operation of the Point Beach Nuclear Plant, Units No. 1 and No. 2 (the facilities) at steady-state power levels not in excess of 1518 megawatts thermal. The facilities are pressurized water reactors located at the licensee's site in Manitowoc County, Wisconsin.

II.

Following the accident at Three Mile Island Unit No. 2 (TMI-2) on March 28, 1979, the Nuclear Regulatory Commission (NRC) staff developed a number of proposed requirements to be implemented on operating reactors and on plants under construction. These requirements include Operational Safety, Siting and Design, and Emergency Preparedness and are intended to provide substantial additional protection in the operation of nuclear facilities and significant upgrading of emergency response capability based on the experience from the accident at TMI-2 and the official studies and investigations of the

accident. The requirements are set forth in NUREG-0737, "Clarification of TMI Action Plan Requirements," and in Supplement 1 to NUREG-0737, "Requirements for Emergency Response Capability." Among these requirements are a number of items consisting of emergency response facility operability, emergency procedure implementation, addition of instrumentation, possible control room design modifications, and specific information to be submitted.

On December 17, 1982, a letter (Generic Letter 82-33) was sent to all licensees of operating reactors, applicants for operating licenses, and holders of construction permits enclosing Supplement 1 to NUREG-0737. In this letter operating reactor licensees and holders of construction permits were requested to furnish the following information, pursuant to 10 CFR 50.54(f), no later than April 15, 1983:

- (1) A proposed schedule for completing each of the basic requirements for the items identified in Supplement 1 to NUREG-0737, and
- (2) A description of plans for phased implementation and integration of emergency response activities including training.

III.

The licensee responded to Generic Letter 82-33 by letter dated April 15, 1983. In this submittal, the licensee made commitments to complete the basic requirements. The attached Table summarizing the licensee's schedular commitments or status was developed by the NRC staff from the Generic Letter and the information provided by the licensee. The licensee supplied additional information on the status of the implementation of some related items by letters dated June 16, August 24, September 1, 1983, March 8, March 30 and May 3, 1984.

The licensee's commitments include (1) dates for providing required submittals to the NRC and (2) dates for implementing certain requirements.

The NRC staff reviewed the licensee's April 15, 1983 letter and noted that certain requirements related to the location of the licensee's Emergency Operations Facilities have been brought before the Commission for review. The staff has recommended that the Commission deny the licensee's request for deviation from the location requirements for Emergency Operations Facilities at Point Beach. By memorandum dated July 15, 1983 the Commission indicated that they do not disagree with the staff's recommendation.

The NRC staff finds that the licensee's proposed dates for meeting the requirements of Supplement 1 to NUREG-0737 are reasonable, achievable dates and that the schedule proposed by the licensee will provide timely upgrading of the licensee's emergency response capability.

In view of the foregoing, I have determined that the implementation of the licensee's commitments is required in the interest of the public health and safety and should, therefore, be confirmed by an immediately effective Order.

IV.

Accordingly, pursuant to Sections 103, 161i, 161o and 182 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2 and 50, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY, THAT the licensee shall:

Implement the specific items described in the Attachment to this ORDER in the manner described in the licensee's submittals noted in Section III herein no later than the dates in the Attachment.

Extensions of time for completing these items may be granted by the Director, Division of Licensing, for good cause shown.

V.

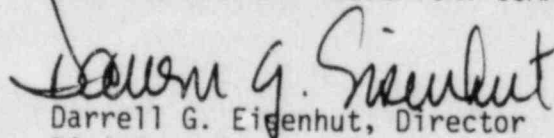
The licensee may request a hearing on this Order within 20 days of the date of publication of this Order in the Federal Register. Any request for a hearing should be addressed to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy should also be sent to the Executive Legal Director at the same address. A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

If a hearing is to be held, the Commission will issue an Order designating the time and place of any such hearing.

If a hearing is held concerning this Order, the issue to be considered at the hearing shall be whether the licensee should comply with the requirements set forth in Section IV of this Order.

This Order is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Darrell G. Eigenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland,
this 2nd day of July, 1984

Attachment:
Licensee's Commitments on
Requirements Specified in
Supplement 1 to NUREG-0737

LICENSEE'S COMMITMENTS ON SUPPLEMENT 1 TO NUREG-0737

TITLE	REQUIREMENT	LICENSEE'S COMPLETION SCHEDULE (OR STATUS)
1. Safety Parameter Display System (SPDS)	1a. Submit a safety analysis and an implementation plan to the NRC.	April 30, 1985
	1b. SPDS fully operational and operators trained.	December 31, 1985
2. Detailed Control Room Design Review (DCRDR)	2a. Submit a program plan to the NRC.	July 31, 1984
	2b. Submit a summary report to the NRC including a proposed schedule for implementation.	October 31, 1985
3. Regulatory Guide 1.97 - Application to Emergency Response Facilities	3a. Submit a report to the NRC describing how the requirements of Supplement 1 to NUREG-0737 have been or will be met.	Complete
	3b. Implement (installation or upgrade) requirements.	December 31, 1985

LICENSEE'S COMMITMENTS ON SUPPLEMENT 1 TO NUREG-0737

TITLE	REQUIREMENT	LICENSEE'S COMPLETION SCHEDULE (OR STATUS)
4. Upgrade Emergency Operating Procedures (EOPs)	4a. Submit a Procedures Generation Package to the NRC.	Complete
	4b. Implement the upgraded EOPs.	January 31, 1985
5. Emergency Response Facilities	5a. Technical Support Center fully functional.	Building complete. Emergency power available December 1984
	5b. Operational Support Center fully functional.	Complete
	5c. Emergency Operations Facility fully functional.	December 1985



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

JUL 03 1984

Docket Nos. 50-266
and 50-301

Mr. C. W. Fay
Vice President - Nuclear Power
Wisconsin Electric Power Company
231 West Michigan Street
Milwaukee, Wisconsin 53201

Dear Mr. Fay:

The Commission has issued the enclosed Order confirming your commitments to implement those post-TMI related items set forth in Supplement 1 to NUREG-0737 "Requirements For Emergency Response Capability" which were transmitted to you by letter dated December 17, 1982 (Generic Letter 82-33). The Order is based upon commitments contained in your letter of April 15, 1983 and additional information contained in your letters of June 16, August 24, September 1, 1983, March 8, March 30 and May 3, 1984.

A copy of this Order is being filed with the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in dark ink, appearing to read "James R. Miller", written over a horizontal line.

James R. Miller, Chief
Operating Reactors Branch #3
Division of Licensing

Enclosure:
Order

cc w/enclosure:
See next page

Wisconsin Electric Power Company

cc:

Mr. Bruce Churchill, Esquire
Shaw, Pittman, Potts and Trowbridge
1800 M Street, N. W.
Washington, D. C. 20036

USNRC Resident Inspectors Office
6612 Nuclear Road
Two Rivers, Wisconsin 54241

Mr. James J. Zach, Manager
Nuclear Operations
Wisconsin Electric Power Company
Point Beach Nuclear Plant
6610 Nuclear Road
Two Rivers, Wisconsin 54241

Mr. Gordon Blaha
Town Chairman
Town of Two Creeks
Route 3
Two Rivers, Wisconsin 54241

Ms. Kathleen M. Falk
General Counsel
Wisconsin's Environmental Decade
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Madison, Wisconsin 53703

U. S. Environmental Protection Agency
Federal Activities Branch
Region V Office
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Chairman
Public Service Commission of Wisconsin
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Madison, Wisconsin 53702

Regional Administrator
Nuclear Regulatory Commission, Region III
Office of Executive Director for Operations
799 Roosevelt Road
Glen Ellyn, Illinois 60137

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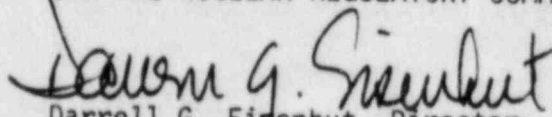
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Division of Licensing
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