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DOCKETS 50-266 AND 50-301
1995 EMERGENCY PREPAREDNESS EXERCISE FOR POINT BEACH
POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2

10 CFR 50 Appendix E, section IV.F.2.b requires that "Each licensee at each site shall annually exercise the onsite emergency plan." In accordance with 10 CFR 50.12.a, Wisconsin Electric hereby requests a one time exemption from the Appendix E requirement to exercise the onsite emergency plan for 1995. The exercise for which this exemption is being requested is scheduled for December 13, 1995.

We believe that special circumstances exist which support this one-time exemption. These circumstances include our continued excellent performance in the area of Emergency Preparedness, the activities associated with our Emergency Plan exercise planned for August 1996, and the activities associated with our Independent Spent Fuel Storage Installation (ISFSI). The exercise scheduled for December 13, 1995 is a utility only exercise and we anticipate NRC observation solely from the onsite NRC resident inspector staff. Local and state government agencies are participating in the October 11, 1995, Emergency Plan exercise with the Kewaunee Nuclear Power Plant, and thus have not planned to, and are not required to, participate in our Point Beach exercise.

One important consideration with this request is our performance in the area of Emergency Preparedness (EP). Since 1991 we have had SALP ratings of "1" in the Emergency Preparedness area, and more recently in the Plant Support area. Additionally, since 1991, we have not received a single NRC cited violation in the EP area. Finally, the NRC routine inspections of our EP program and of our exercise, have shown sustained excellent performance. We have demonstrated our ability to respond to simulated events in past drills and exercises, most recently during our Emergency Preparedness Drill on August 29, 1995. Our Senior Resident Inspector, Mr. Tim Kobetz, observed portions of that drill.

Although this was a drill and not an exercise and did provide opportunities for non-players to coach, the coaching was minimal. We pre-staged Emergency Operations Facility (EOF) and Joint Public Information Center (JPIC) personnel to allow more time for corporate responders to participate, but all other

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facilities were activated on a real time basis. Our Emergency Preparedness Coordinator participated in the drill, acting as a facilitator in the Simulator Control Room and the Technical Support Center. This helped to reduce some of the normal coaching in these facilities and more realistically demonstrated the expected response during a real event.

The drill involved major elements of the emergency plan. All Emergency Response Facilities, with the exception of our Milwaukee Communications Center (MCC), were activated for the drill. The MCC is typically activated to respond as a media outlet prior to the Joint Public Information Center being activated. However, due to storms which caused power outages for almost 10 percent of our customer base, most of the personnel who typically staff the MCC were responding to these real activities.

The scenario developed for the drill was unique in part, but did utilize portions of the 1994 Exercise scenario to achieve a comparison of the response by the Emergency Response Organization (ERO). The scenario was unique and challenging in that we integrated Security events into the drill for the first time in our history. The controller organization evaluated the performance of the participants during the drill and during the in-facility critiques. Drill strengths and areas for improvement were identified for each of the Emergency Response Facilities and were shared with the participants during a consolidated critique on September 1, 1995. Corrective actions were identified and the emergency preparedness staff will implement those actions to improve the Emergency Preparedness program.

State and Local agencies participated from a communications standpoint to provide plant personnel with questions and live responses using normal communications links. This worked particularly well with the State of Wisconsin since three functional areas were staffed and good dialogue between the plant and the functional areas transpired.

A report of the drill was developed and made available to the plant and corporate personnel on September 12, 1995, and will be available for review by the NRC during a future inspection. Thus, we have concluded that an exemption from conducting an exercise for 1995 will not affect the ability of the Point Beach Emergency Response Organization to protect the health and safety of the public or plant personnel.

Other special circumstances warrant this exemption request. The State of Wisconsin recently asked us to conduct an Ingestion Pathway Exercise in August 1996 rather than our currently scheduled Ingestion Pathway Exercise in 1998. While we have agreed to support their needs, this type of exercise requires substantially more resources, planning and coordination than a typical exercise. As a result, our resources will be challenged beginning in January 1996 with preparations for this exercise.

Finally, we are experiencing unique circumstances regarding the storage of spent fuel. Wisconsin Electric is nearing completion of our preparations for an ISFSI at Point Beach Nuclear Plant (PBNP). Until recently, we had hoped to load our first dry storage container prior to mid-September. However, due to various reasons, we are now planning to load the first container after the

Unit 2 Refueling outage scheduled for October 7 through November 8, 1995. Following the Fall 1995 Unit 2 outage, we will no longer have the capacity to conduct a full-core offload. This is a condition which should be minimized and thus have determined it to be prudent to load a dry storage container soon after the Unit 2 outage. The planning, preparation and testing associated with Dry Storage, prevents us from loading a container prior to early December. The loading process is expected to begin during the week of December 11 and continue into the following week (8-10 day process).

Because this evolution will be the first of its kind at Point Beach, we anticipate participation by observers from outside our organization in addition to the individual groups directly involved in the ISFSI project. Once the loading process starts, avoidable delays must be minimized. An emergency plan exercise during this time would impact several groups from our Emergency Response Organization and their ability to perform oversight functions of the ISFSI process as well as preparations for the EP exercise. The process, however, would not preclude their response if an actual emergency would occur. This, coupled with the Christmas Holiday season, makes moving the exercise later than December 13 very difficult.

We understand that the NRC is planning to amend 10 CFR 50 Appendix E to allow licensees to exercise the emergency plan biennially rather than annually as is now required. This proposed rule was published in the Federal Register on April 14, 1995. Exercising the Point Beach Emergency Plan in August 1996 is consistent with the proposed rule.

In summary, we have several options. First, we could conduct the EP exercise as scheduled, while loading our first dry storage container. As noted above, we believe that would not be prudent. Secondly, we could defer loading a dry storage container until after the EP exercise or move the EP exercise earlier. However, that would challenge our resources because of the extensive planning and preparations required for both. Also, further delaying spent fuel dry storage is not prudent. Thirdly, we could defer the exercise until January or February. That would separate our EP exercise and dry storage activities, however, it would challenge our EP resources because of our agreement to support the State of Wisconsin with their Ingestion Pathway Exercise requirements.

We believe that approval of a one time exemption from the 10 CFR 50 Appendix E requirement to exercise the PBNP emergency plan in 1995 is justified and prudent for the following reasons.

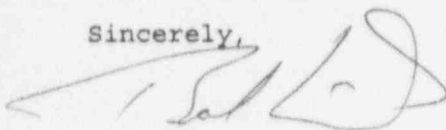
1. We have had continuing excellent performance in our Emergency Preparedness program over the past several years. We believe that our ability to protect the health and safety of the public and plant personnel will be maintained regardless of whether we demonstrate that ability in an exercise.
2. We conducted a unique, challenging EP drill on August 29, 1995 with only minor improvement items.

3. The scheduled December 13, 1995, exercise is a utility only exercise with no planned participation by local or state agencies and no planned evaluation by NRC RIII Inspectors.
4. We will be conducting an Ingestion Pathway Exercise with local and state agencies in August 1996. We will also be conducting an EP drill around June 1996 as a training evolution and rehearsal for the exercise. The planning for these evolutions must start in January 1996.
5. We have strong reasons for loading our first spent fuel dry storage container in early December 1995. Since this will be our first container, we need to minimize any other significant evolutions, such as the EP exercise, which are scheduled to occur during the same time period.
6. Eliminating the 1995 exercise and exercising the Point Beach Emergency Plan in August 1996 is consistent with the NRC proposed rule for biennial exercises published in the Federal Register on April 14, 1995.

Until we are notified of the disposition of our request, we will continue our preparations for the December 13 exercise. If the exemption is granted we will conduct additional training sessions, including tabletop drills, to ensure that the Emergency Response Organization maintains their required qualifications. We would appreciate a response to this request by November 17, 1995 to ensure proper resource allocation for all competing activities.

If you should have any questions or require additional information, please contact Mr. Richard Chojnacki, our Emergency Preparedness Coordinator, at (414) 755-6491.

Sincerely,



Bob Link
Vice President
Nuclear Power

smb

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