



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

Region III
2443 Warrenville Road, Suite 210
Lisle IL 60532-4352

January 2, 2013

EA-12-220

Mr. Larry Meyer
Site Vice President
NextEra Energy Point Beach, LLC
6610 Nuclear Road
Two Rivers, WI 54241

SUBJECT: FINAL SIGNIFICANCE DETERMINATION OF A WHITE FINDING WITH ASSESSMENT FOLLOWUP AND NOTICE OF VIOLATION; NRC INSPECTION REPORT NO. 05000266/2012010; POINT BEACH NUCLEAR PLANT, UNIT 1

Dear Mr. Meyer:

This letter provides you the final significance determination of the preliminary White finding discussed in our previous communication dated December 4, 2012, which included U.S. Nuclear Regulatory Commission (NRC) Inspection Report No. 05000266/2012009. The finding involved the failure to have work instructions and procedures appropriate to the circumstances to ensure that, following the final alignment of the turbine to the Unit 1 turbine-driven auxiliary feedwater pump during a refueling outage in November 2011, no additional work was performed on the turbine that would affect the overall final alignment. This ultimately resulted in failure of the turbine-to-pump coupling.

In a telephone conversation with Mr. Michael Kunowski of NRC, Region III, on December 11, 2012, Mr. Mike Millen, Point Beach Site Licensing Manager, indicated that NextEra Energy Point Beach, LLC did not contest the characterization of the risk significance of this finding and that you declined your opportunity to discuss this issue in a Regulatory Conference or to provide any additional information concerning the validity of the finding or the significance determination in a written response. NextEra Energy Point Beach, LLC followed this verbal notification with a letter dated December 12, 2012.

Therefore, after considering the information developed during the inspection, the NRC has concluded that the Unit 1 finding is appropriately characterized as White, a finding of low to moderate risk significance.

According to NRC Inspection Manual Chapter 0609, Attachment 2, "Process for Appealing NRC Characterization of Inspection Findings (SDP Appeal Process)," appeal rights only apply to those licensees that have either attended a Regulatory Conference or have submitted a written response to the preliminary determination letter which submits additional information not previously considered by the NRC staff. In its December 12, 2012, letter, NextEra Energy Point Beach, LLC noted that it concurred with the finding and did not request a Regulatory Conference or provide a written response containing additional information concerning the validity of the finding or the significance determination. By this statement, NextEra Energy Point Beach, LLC gave up its right to appeal the finding.

The NRC has also determined that the failure of NextEra Energy Point Beach, LLC to have work instructions and procedures appropriate to the circumstances to ensure proper alignment of the turbine-driven auxiliary feedwater pump is a violation of 10 CFR Part 50, Appendix B, Criterion V, "Instructions, Procedures, and Drawings," as cited in the attached Notice of Violation (Notice). The circumstances surrounding the violation were described in detail in NRC Inspection Report No. 05000266/2012009. In accordance with the NRC Enforcement Policy, the Notice is considered escalated enforcement action because it is associated with a White finding.

The NRC has concluded that information regarding the reasons for the violation, the corrective actions taken and planned to be taken to correct the violation, and the date when full compliance was achieved, is already adequately addressed on the docket in NRC Inspection Report No. 05000266/2012009. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

As a result of our review of Point Beach's performance, including this White finding, we have assessed the plant to remain in the Regulatory Response column of the NRC's Action Matrix. Therefore, we plan to conduct a supplemental inspection using Inspection Procedure 95001, "Inspection for One or Two White Inputs in a Strategic Performance Area," when your staff has notified us of your readiness for this inspection. This inspection procedure is conducted to provide assurance that the root cause and contributing causes of risk significant performance issues are understood, the extent of condition and the extent of cause are identified, and the corrective actions are sufficient to prevent recurrence.

For administrative purposes, this letter is issued as NRC Inspection Report 05000266/2012010. Additionally, apparent violation (AV) 05000266/2012009-01 is now closed, and violation (VIO) 05000266/2012010-01 is opened in its place.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response

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should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. The NRC also includes significant enforcement actions on its Web site at <http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions>.

Sincerely,

/RA by C. Pederson for/

Charles A. Casto
Regional Administrator

Docket No. 50-266
License No. DPR-24

Enclosure:
Notice of Violation

cc: Distribution via ListServ

NOTICE OF VIOLATION

NextEra Energy Point Beach, LLC
Point Beach Nuclear Plant, Unit 1

Docket No. 50-266
License No. DPR-24
EA-12-220

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted from May 22 through October 29, 2012, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Title 10 of the Code of Federal Regulations (10 CFR), Part 50, Appendix B, Criterion V, "Instructions, Procedures, and Drawings," states, in part, that activities affecting quality shall be prescribed by documented instructions, procedures or drawings of a type appropriate to the circumstances.

Work Order 40101094 and routine maintenance procedure RMP 9044-1, "Auxiliary Feedwater Pump Terry Turbine Overhaul," Revision 26, were documented instructions and procedures developed and implemented to perform work on the safety-related turbine for the 1P-29 turbine-driven auxiliary feedwater pump.

Contrary to the above, on November 8, 2011, NextEra Energy Point Beach, LLC failed to ensure that the work performed on the safety-related turbine for the 1P-29 turbine-driven auxiliary feedwater pump via Work Order 40101094 and routine maintenance procedure RMP 9044-1, an activity affecting quality, was prescribed by documented instructions or procedures of a type appropriate to the circumstances. Specifically, Work Order 40101094, Task 7 specified a first time evolution of unbolting the steam exhaust piping to the turbine, aligning the turbine to the pump and then re-bolting the steam piping to the turbine. Performance of this Task was not appropriate to the circumstances in that it did not ensure the final turbine-to-pump alignment was performed after the bolting of the steam exhaust piping to the turbine flange. This led to the failure of the turbine-to-pump coupling on May 21, 2012.

This violation is associated with a White Significance Determination Process finding.

The NRC has concluded that information regarding the reasons for the violation, the corrective actions taken and planned to be taken to correct the violation, and the date when full compliance was achieved, is already adequately addressed on the docket in NRC Inspection Report No. 05000266/2012009. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201, if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation, EA-12-220" and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region III, 2443 Warrenville Road, Suite 210, Lisle, IL 60532, and a copy to the NRC Resident Inspector at the Point Beach Nuclear facility, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you choose to respond, your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS),

Enclosure

accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated this 2nd day of January 2013

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should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. The NRC also includes significant enforcement actions on its Web site at <http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions>.

Sincerely,

/RA by C. Pederson for/

Charles A. Casto
Regional Administrator

Docket No. 50-266
License No. DPR-24

Enclosure:
Notice of Violation

cc: Distribution via ListServ

FILE NAME: G:\ORAI\IICS\ENFORCEMENT\Cases\Enforcement Cases 2012\EA-12-220 Point Beach TDAFW\EA-12-220 Point Beach Final Significance Determination.docx

OFFICE	RIII	RIII	RIII	RIII	D:OE	RIII	RIII
NAME	Lougheed	Kozak	Kunowski	Shear for West	Zimmerman ¹	Orth ²	Pederson for Casto
DATE	12/14/12	12/14/12	12/14/12	12/17/12	12/21/12	01/02/13	01/02/13

OFFICIAL RECORD COPY

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- 1 OE concurrence received via e-mail from C. Lauren on December 21, 2012.
 - 2 Concurrence received via e-mail from S. Orth on January 2, 2013

Letter to Larry Meyer from Charles A. Casto dated January 2, 2013

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ASSESSMENT FOLLOWUP AND NOTICE OF VIOLATION; NRC INSPECTION
REPORT NO. 05000266/2012010; POINT BEACH NUCLEAR PLANT, UNIT 1

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