

December 24, 2003

EA-03-181

Mr. Alfred J. Cayia  
Site-Vice President  
Point Beach Nuclear Plant  
Nuclear Management Company, LLC  
6610 Nuclear Road  
Two Rivers, WI 54241-9516

SUBJECT: PREDECISIONAL ENFORCEMENT CONFERENCE  
POINT BEACH NUCLEAR PLANT

Dear Mr. Cayia:

This letter confirms the discussion between me and Mr. Jim Connolly of the Nuclear Management Company to have a predecisional enforcement conference at 1:00 p.m. (CST) on Tuesday, January 13, 2004, at the NRC Region III Office, Suite 255, 801 Warrenville Road, Lisle, Illinois.

As stated in our letter to you dated December 2, 2003, the purpose of the conference is to discuss the apparent violation concerning the Emergency Action Level (EAL) scheme used at Point Beach. During a recently completed inspection at Point Beach, we identified that changes were made by Point Beach to the EAL scheme that reduced the effectiveness of the Emergency Plan without requesting and receiving prior NRC approval. Specific information about this apparent violation of 10 CFR 50.54(q) and 50.47(b)(4) was discussed with you and members of your staff during an onsite meeting on August 27, 2003, and during a telephone conference on December 1, 2003, and is discussed in the December 2<sup>nd</sup> letter. The letter is accessible (Accession No. ML033371234) from the NRC website at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

The conference is open to the public and there will be an opportunity for the public to speak with NRC representatives before the meeting is adjourned. The conference will be available for viewing via video conference at the NRC Headquarters, Room O-5B6, White Flint North, 11555 Rockville Pike, Rockville, Maryland. The contact person in Headquarters is Deirdre Spaulding, (301) 415-2928, e-mail address: DWS@nrc.gov

The decision to hold a predecisional enforcement conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. This conference is being held to obtain information to assist the NRC in making an enforcement decision. This may include information to determine whether a violation occurred, information to determine the significance of a violation, information related to the identification of a violation, and information related to any corrective actions taken or planned. The conference will provide an opportunity for you to provide your perspective on this matter and any other information that you believe the NRC should take into consideration in making an enforcement decision.

A. Cayia

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If you have any questions regarding this meeting, please contact me at (630) 829-9620.

Sincerely,

**/RA by Patrick L. Loudon Acting for/**

Anton Vogel, Chief  
Branch 7  
Division of Reactor Projects

Docket Nos. 50-266; 50-301  
License Nos. DPR-24; DPR-27

See Attached Distribution

**\*See Previous Concurrences**

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John Paul Cowan, Chief Nuclear Officer  
Licensing Manager  
D. Weaver, Nuclear Asset Manager  
Plant Manager  
Regulatory Affairs Manager  
Training Manager  
Jonathan Rogoff, Esquire General Counsel  
D. Cooper, Senior Vice-President  
J. O'Neill, Jr., Shaw, Pittman,  
Potts & Trowbridge  
K. Duveneck, Town Chairman  
Town of Two Creeks  
D. Graham, Director  
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A. Bie, Chairperson, Wisconsin  
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Emergency Management  
G. Novickis, Chairman, Kewaunee  
County Board  
The Honorable Darin A. Jeanquart  
G. Buckley, Two Rivers City Manager  
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Emergency Management  
C. Meyer, President, Village of Mishicot  
K. Duveneck, Two Creeks Town Chairman  
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