

June 8, 2006

Mr. Dennis L. Koehl
Site Vice President
Point Beach Nuclear Plant
Nuclear Management Company, LLC
6610 Nuclear Road
Two Rivers, WI 54241-9516

SUBJECT: POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2 - ISSUANCE OF
AMENDMENTS RE: INSERVICE TESTING PROGRAM (TAC NOS. MC8929
AND MC8930)

Dear Mr. Koehl:

The Commission has issued the enclosed Amendment No. 222 to Renewed Facility Operating License No. DPR-24 and Amendment No. 228 to Renewed Facility Operating License No. DPR-27 for the Point Beach Nuclear Plant, Units 1 and 2, respectively. The amendments consist of changes to the technical specifications (TSs) in response to your application dated November 12, 2004, as supplemented by letters dated January 30 and March 6, 2006.

Your November 12, 2004, letter proposed amendments that would revise TS 5.5.7, "Inservice Testing Program," and TS 5.5.8, "Steam Generator Tube Surveillance Program," to update references to the American Society of Mechanical Engineers Code and certain periodicities for inservice testing activities consistent with the requirements of Title 10 of the *Code of Federal Regulations*, Section 50.55a. However, by letter dated January 30, 2006, you withdrew the proposed revision to TS 5.5.8.

A copy of our related safety evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

/RA/

Carl F. Lyon, Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-266 and 50-301

Enclosures:

1. Amendment No. 222 to DPR-24
2. Amendment No. 228 to DPR-27
3. Safety Evaluation

cc w/encls: See next page

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NUCLEAR MANAGEMENT COMPANY, LLC

DOCKET NO. 50-266

POINT BEACH NUCLEAR PLANT, UNIT 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 222
License No. DPR-24

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Nuclear Management Company, LLC (the licensee), dated November 12, 2004, as supplemented by letters dated January 30 and March 6, 2006, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 4.B of Renewed Facility Operating License No. DPR-24 is hereby amended to read as follows:

B. Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 222, are hereby incorporated in the renewed operating license. NMC shall operate the facility in accordance with Technical Specifications.

3. This license amendment is effective as of the date of issuance and shall be implemented within 45 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

L. Raghavan, Chief
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of issuance: June 8, 2006

NUCLEAR MANAGEMENT COMPANY, LLC

DOCKET NO. 50-301

POINT BEACH NUCLEAR PLANT, UNIT 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 228
License No. DPR-27

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Nuclear Management Company, LLC (the licensee), dated November 12, 2004, as supplemented by letters dated January 30 and March 6, 2006, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 4.B of Renewed Facility Operating License No. DPR-24 is hereby amended to read as follows:

B. Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 228, are hereby incorporated in the renewed operating license. NMC shall operate the facility in accordance with Technical Specifications.

3. This license amendment is effective as of the date of issuance and shall be implemented within 45 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

L. Raghavan, Chief
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of issuance: June 8, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 222
TO RENEWED FACILITY OPERATING LICENSE NO. DPR-24
AND LICENSE AMENDMENT NO. 228
TO RENEWED FACILITY OPERATING LICENSE NO. DPR-27
DOCKET NOS. 50-266 AND 50-301

Replace the following pages of the Facility Operating License and Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

REMOVE

Unit 1 license page 3

Unit 2 license page 3

5.5-6

INSERT

Unit 1 license page 3

Unit 2 license page 3

5.5-6

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 222 TO RENEWED FACILITY
OPERATING LICENSE NO. DPR-24
AND AMENDMENT NO. 228 TO RENEWED FACILITY
OPERATING LICENSE NO. DPR-27
NUCLEAR MANAGEMENT COMPANY, LLC
POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2
DOCKET NOS. 50-266 AND 50-301

1.0 INTRODUCTION

By letter to the U.S. Nuclear Regulatory Commission (NRC, the Commission) dated November 12, 2004, as supplemented by letters dated January 30 and March 6, 2006, the Nuclear Management Company, LLC (the licensee), requested changes to the technical specifications (TSs) for the Point Beach Nuclear Plant, Units 1 and 2 (Point Beach).

The proposed changes would revise the Point Beach TS to incorporate administrative changes to TS 5.5.7, "Inservice Testing Program" and TS 5.5.8, "Steam Generator (SG) Tube Surveillance Program" in order to update references to the American Society of Mechanical Engineers (ASME) Code. The licensee's supplement dated January 30, 2006, withdrew the proposed revision to TS 5.5.8. The January 30 and March 6, 2006, supplements contained clarifying information which did not change the staff's initial proposed finding of no significant hazards consideration, which was published in the *Federal Register* on January 17, 2006 (71 FR 2592).

Specifically, the licensee proposes to (1) revise TS 5.5.7.a and TS 5.5.7.c to refer to the ASME code for *Operation and Maintenance of Nuclear Power Plants* (OM Code) instead of Section XI of the ASME *Boiler and Pressure Vessel Code*, (2) redefine the terms used in TS 5.5.7.a for periodicities to conform to the OM Code and NUREG-1482, Revision 1, "Guidelines for Inservice Testing at Nuclear Power Plants," and (3) revise TS 5.5.7.b to read:

The provisions of SR 3.0.2 are applicable to the above required Frequencies and other normal and accelerated Frequencies, that do not exceed two years, specified in the Inservice Testing Program for performing inservice testing activities;

instead of:

The provisions of SR 3.0.2 are applicable to the above required Frequencies for performing inservice testing activities;

2.0 REGULATORY EVALUATION

Section 182a of the Atomic Energy Act (the Act) requires applicants for nuclear power plant operating licenses to include technical TSs as part of the license. These TSs are derived from the plant safety analyses.

The NRC staff reviewed the proposed changes for compliance with Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.36, "Technical Specifications," and consistency with the precedent as established in NUREG-1431, "Standard Technical Specifications [STS], Westinghouse Plants." In general, licensees cannot justify TS changes solely on the basis of adopting the model standard technical specification. To ensure this, the NRC staff makes a determination that the proposed changes maintain adequate safety. Changes that result in relaxation (less restrictive condition) of current TS requirements require detailed justification.

In general, there are two classes of changes to TSs: (1) changes needed to reflect revisions to the design basis (TSs are derived from the plant safety analyses, which are part of the design basis), and (2) voluntary changes to take advantage of industry and NRC evolutions in policy and guidance affecting the required content and preferred format of TSs over time. The proposed amendments are administrative changes that reflect evolutions in policy and guidance.

Licensees may revise the TSs to adopt improved STS format and content provided that plant-specific review supports a finding of continued adequate safety because: (1) the change is editorial, administrative or provides clarification (i.e., no requirements are materially altered), (2) the change is more restrictive than the licensee's current requirement, or (3) the change is less restrictive than the licensee's current requirement, but nonetheless still affords adequate assurance of safety when judged against current regulatory standards. The detailed application of this general framework, and additional specialized guidance, are discussed in Section 3.0 in the context of specific proposed changes.

3.0 TECHNICAL EVALUATION

The licensee proposes to make changes to the TSs that are editorial or administrative in nature or provide clarification. The NRC staff reviewed the proposed changes to determine that they did not alter the TS requirements.

The licensee proposed TS changes that are consistent with Technical Specification Task Force (TSTF)-479, Rev. 0, "Changes to Reflect Revision of 10 CFR 50.55a." TSTF-479 revised the STS by adopting ASME Code and certain associated periodicities for inservice testing activities consistent with the requirements of 10 CFR 50.55a, "Codes and standards." TSTF-479 clarified the description of the test intervals in STS 5.5.8 for valves with intervals of 2 years or less to include intervals derived from risk-informed evaluations. STS 5.5.8 corresponds to Point Beach TS 5.5.7. Since the clarification to STS 5.5.8 did not affect the maximum 2 year valve test interval in STS 5.5.8, TSTF-479 does not alter the STS requirements. TSTF-479 also updates

references to the ASME code from Section XI of the ASME *Boiler and Pressure Vessel Code* to the ASME OM Code, consistent with the requirements of 10 CFR 50.55a. The licensee's revision adopts TSTF-479 changes into TS 5.5.7 with additional wording confirming that the valve test interval extension in the inservice inspection program applies only to valves with test intervals of 2 years or less.

The NRC staff concludes that the licensee's proposed changes are acceptable since they are administrative, do not alter the Point Beach TS requirements, and conform to the requirements of 10 CFR 50.55a.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Wisconsin State official was notified of the proposed issuance of the amendments. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

These amendments change an administrative requirement. Accordingly, these amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need to be prepared in connection with the issuance of these amendments.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: P. Hearn

Date: June 8, 2006

Point Beach Nuclear Plant, Units 1 and 2

cc:

Jonathan Rogoff, Esquire
Vice President, Counsel & Secretary
Nuclear Management Company, LLC
700 First Street
Hudson, WI 54016

Mr. F. D. Kuester
President & Chief Executive Officer
WE Generation
231 West Michigan Street
Milwaukee, WI 53201

Regulatory Affairs Manager
Point Beach Nuclear Plant
Nuclear Management Company, LLC
6610 Nuclear Road
Two Rivers, WI 54241

Mr. Ken Duveneck
Town Chairman
Town of Two Creeks
13017 State Highway 42
Mishicot, WI 54228

Chairman
Public Service Commission
of Wisconsin
P.O. Box 7854
Madison, WI 53707-7854

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
Suite 210
2443 Warrenville Road
Lisle, IL 60532-4351

Resident Inspector's Office
U.S. Nuclear Regulatory Commission
6612 Nuclear Road
Two Rivers, WI 54241

Mr. Jeffery Kitsebel
Electric Division
Public Service Commission of Wisconsin
P.O. Box 7854
Madison, WI 53707-7854

Nuclear Asset Manager
Wisconsin Electric Power Company
231 West Michigan Street
Milwaukee, WI 53201

Michael B. Sellman
President and Chief Executive Officer
Nuclear Management Company, LLC
700 First Street
Hudson, WI 54016

Douglas E. Cooper
Senior Vice President - Group Operations
Palisades Nuclear Plant
Nuclear Management Company, LLC
27780 Blue Star Memorial Highway
Covert, MI 49043

Site Director of Operations
Nuclear Management Company, LLC
6610 Nuclear Road
Two Rivers, WI 54241