

March 2, 2001

Mr. Otto L. Maynard
President and Chief Executive Officer
Wolf Creek Nuclear Operating Corporation
Post Office Box 411
Burlington, KA 66839

SUBJECT: WOLF CREEK GENERATING STATION - ISSUANCE OF AMENDMENT RE:
CHANGES TO THE BASES CONTROL PROGRAM REQUIREMENTS
(TAC NO. MB0693)

Dear Mr. Maynard:

The Commission has issued the enclosed Amendment No. 138 to Facility Operating License No. NPF-42 for the Wolf Creek Generating Station. The amendment consists of changes to the Technical Specifications (TSs) in response to your application dated December 8, 2000.

The amendment revises TS 5.5.14, "Technical Specifications (TS) Bases Control Program" to reflect the changes made to 10 CFR 50.59 as published in the *Federal Register* on October 4, 1999 (Volume 64, Number 191, "Changes, Tests, and Experiments," pages 53582 through 53617). A conforming change is made to TS 5.5.14 to replace the word "involves" with the word "requires," as it applies to changes to the TS Bases without prior NRC approval.

A copy of the related Safety Evaluation is enclosed. The Notice of Issuance will be included in the Commission's next regular biweekly Federal Register notice.

Sincerely,

/RA/

David H. Jaffe, Senior Project Manager, Section 1
Strategic Teaming and Resource Sharing (STARS)
Project Directorate IV & Decommissioning
Division of Licensing Project Management

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*See Previous Concurrence

Docket No. 50-482

Enclosures: 1. Amendment No. 138 to NPF-42
2. Safety Evaluation

cc w/encls: See next page

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DOCUMENT NAME: G:\PDIV-2\WolfCreek\AMD\MB0693.wpd

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NRR-058



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 2, 2001

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David H. Jaffe, Senior Project Manager, Section 1
Strategic Teaming and Resource Sharing (STARS)
Project Directorate IV & Decommissioning
Division of Licensing Project Management

Docket No. 50-482

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cc w/encls: See next page

Wolf Creek Generating Station

cc:

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

WOLF CREEK NUCLEAR OPERATING CORPORATION

WOLF CREEK GENERATING STATION

DOCKET NO. 50-482

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 138
License No. NPF-42

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Wolf Creek Generating Station (the facility) Facility Operating License No. NPF-42 filed by the Wolf Creek Nuclear Operating Corporation (the Corporation), dated December 8, 2000, 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, as amended, 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 license 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 2.C.(2) of Facility Operating License No. NPF-42 is hereby amended to read as follows:

2. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 138 , and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated in the license. The Corporation shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. The license amendment is effective as of its date of issuance and shall be implemented within 60 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Stephen Dembek, Chief, Section 2
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: March 2, 2001

ATTACHMENT TO LICENSE AMENDMENT NO. 138

FACILITY OPERATING LICENSE NO. NPF-42

DOCKET NO. 50-482

Replace the following page of the Appendix A Technical Specifications with the attached page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change. The corresponding overleaf page is also provided to maintain document completeness.

REMOVE

5.0-22

INSERT

5.0-22

5.5 Programs and Manuals

5.5.12 Explosive Gas and Storage Tank Radioactivity Monitoring Program (continued)

The program shall include:

- a. The limits for concentrations of hydrogen and oxygen in the Waste Gas Holdup System and a surveillance program to ensure the limits are maintained. Such limits shall be appropriate to the system's design criteria (i.e., whether or not the system is designed to withstand a hydrogen explosion);
- b. A surveillance program to ensure that the quantity of radioactivity contained in each gas storage tank is less than the amount that would result in a whole body exposure of ≥ 0.5 rem to any individual in an unrestricted area, in the event of an uncontrolled release of the tanks' contents; and
- c. A surveillance program to ensure that the quantity of radioactivity contained in the following outdoor liquid radwaste tanks that are not surrounded by liners, dikes, or walls, capable of holding the tanks' contents and that do not have tank overflows and surrounding area drains connected to the Liquid Radwaste Treatment System is less than the amount that would result in concentrations less than the limits of 10 CFR 20, Appendix B, Table 2, Column 2, at the nearest potable water supply and the nearest surface water supply in an unrestricted area, in the event of an uncontrolled release of the tanks' contents.
 - a. Reactor Makeup Water Storage Tank
 - b. Refueling Water Storage Tank
 - c. Condensate Storage Tank, and
 - d. Outside Temporary tanks, excluding demineralizer vessels and the liner being used to solidify radioactive waste.

The provisions of SR 3.0.2 and SR 3.0.3 are applicable to the Explosive Gas and Storage Tank Radioactivity Monitoring Program surveillance frequencies.

5.5.13 Diesel Fuel Oil Testing Program

A diesel fuel oil testing program to implement required testing of both new fuel oil and stored fuel oil shall be established. The program shall include sampling and testing requirements, and acceptance criteria, all in accordance with applicable ASTM Standards. The purpose of the program is to establish the following:

(continued)

5.5 Programs and Manuals

5.5.13 Diesel Fuel Oil Testing Program (continued)

- a. Acceptability of new fuel oil for use prior to addition to storage tanks by determining that the fuel oil has:
 - 1. an API gravity or an absolute specific gravity within limits,
 - 2. a flash point and kinematic viscosity within limits for ASTM 2D fuel oil, and
 - 3. water and sediment content within the limits for ASTM 2D fuel oil;
- b. Other properties for ASTM 2D fuel oil are analyzed within 31 days following sampling and addition to storage tanks; and
- c. Total particulate concentration of the fuel oil is ≤ 10 mg/l when tested every 31 days in accordance with ASTM D-2276, Method A.

The provisions of SR 3.0.2 and SR 3.0.3 are applicable to the Diesel Fuel Oil Testing Program test frequencies.

5.5.14 Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

- a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.
- b. Licensees may make changes to Bases without prior NRC approval provided the changes do not require either of the following:
 - 1. a change in the TS incorporated in the license; or
 - 2. a change to the USAR or Bases that requires NRC approval pursuant to 10 CFR 50.59.
- c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the USAR.

(continued)



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 138 TO FACILITY OPERATING LICENSE NO. NPF-42

WOLF CREEK NUCLEAR OPERATING CORPORATION

WOLF CREEK GENERATING STATION

DOCKET NO. 50-482

1.0 INTRODUCTION

By application dated December 8, 2000, Wolf Creek Nuclear Operating Corporation (or the licensee) requested changes to the Technical Specifications (TSs) (Appendix A to Facility Operating License NPF-42) for the Wolf Creek Generating Station. The proposed changes revise TS 5.5.14, "Technical Specifications (TS) Bases Control Program" to incorporate the changes made to 10 CFR 50.59 as published in the *Federal Register* on October 4, 1999 (Volume 64, Number 191, "Changes, Tests, and Experiments," pages 53582 through 53617.) In addition, an editorial change is made to TS 5.5.14 to replace the word "involve" with the word "require" as it applies to changes made to the TS Bases without prior NRC approval.

2.0 BACKGROUND

The requirements of 10 CFR 50.59 establish the conditions under which licensees may make changes to the facility or procedures and conduct test or experiments without prior NRC approval.

In 1999, the NRC revised its regulations (*Federal Register* - Volume 64, Number 191, dated October 4, 1999) controlling changes, tests, and experiments performed by nuclear plant licensees. The rule changes clarified the specific types of changes, tests, and experiments conducted at a licensed facility that require evaluation, and revised the criteria that licensees must use to determine when NRC approval is needed before such changes, tests, and experiments can be implemented. The final rule also added definitions for terms that have been subject to differing interpretations, and reorganized the rule language for clarity. Under the revised 10 CFR 50.59, proposed changes, tests, and experiments that satisfy the definitions and one or more of the criteria in the rule must be reviewed and approved by the NRC before implementation.

The TS Bases Control Program allows licensees to make changes to the Bases in accordance with TS 5.5.14 without prior NRC approval, provided the change does not "involve" a change to the Updated Final Safety Analysis Report or Bases involving an "unreviewed safety question" as defined in 10 CFR 50.59. With the revisions to 10 CFR 50.59, the definition of "unreviewed safety question" was eliminated. Therefore, the TS should be revised to be consistent with the revision to 10 CFR 50.59. A conforming change would be made to TS 5.5.14 to replace the word "involve," as used above, with the word "require."

3.0 EVALUATION

The proposed changes to TS 5.5.14 are required to reflect the revisions to 10 CFR 50.59, in that the definition of "unreviewed safety question" was eliminated. The revised TS 5.5.14, however, retains the requirement for prior NRC approval of changes to the TS Bases in such cases as are specified in the revised 10 CFR 50.59. The proposed change to TS 5.5.14 to replace the word "involve," as used above does not affect the requirements of the subject TS. The TS should, therefore, be revised to be consistent with the revision to 10 CFR 50.59 and the proposed editorial change described herein.

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The amendment relate to changes in recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendment meets 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 be prepared in connection with the issuance of the amendment.

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 amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: D. H. Jaffe

Date: March 2, 2001