March 11, 1991

Docket No. 50-482

Mr. Bart D. Withers
President and Chief Executive Officer
Wolf Creek Nuclear Operating Corporation
Post Office Box 411
Burlington, Kansas 66839

Dear Mr. Withers:

SUBJECT: WOLF CREEK GENERATING STATION - INCREASED SURVEILLANCE TEST INTERVALS AND ALLOWED OUTAGE TIMES FOR REACTOR TRIP SYSTEM AND ENGINEERED SAFETY FEATURES ACTUATION SYSTEM INSTRUMENTATION

The Commission has forwarded the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing" to the Office of the Federal Register for publication.

This notice relates to your March 1, 1991, application (ET 91-0047), as supplemented on March 8, 1991 (ET 91-0053), to increase the surveillance test intervals and allowed outage times for the analog channels of the Engineered Safety Features Actuation System (ESFAS).

Sincerely,

Original Signed By

Douglas V. Pickett, Project Manager
Project Directorate IV-2
Division of Reactor Projects - III/IV/V
Office of Nuclear Reactor Regulation

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UNITED STATES NUCLEAR REGULATORY COMMISSION

WOLF CREEK NUCLEAR OPERATING CORPORATION

DOCKET NO. 50-482

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-42 issued to Wolf Creek Nuclear Operating Corporation (the licensee), for operation of the Wolf Creek Generating Station located in Coffey County, Kansas.

The amendment would revise the Technical Specifications and associated bases to increase the surveillance test intervals and allowed outage times for the analog channels of the Engineered Safety Features Actuation System (ESFAS). Spurious spiking has been experienced on one of three channels of containment pressure that provide input to ESFAS for actuation of Safety Injection (SI) and Steam Line Isolation (SLI). While performing the monthly Analog Channel Operational Tests (ACOTs) these containment pressure channels are individually placed in "test" mode, generating a trip input to the ESFAS logic. The receipt of a spike during testing of another containment pressure channel would complete the two-of-three ESFAS logic and result in a full SI and SLI actuation and a reactor trip.

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When the licensee identified spurious spiking of the containment pressure channel, immediate troubleshooting and repair efforts were initiated. Initial efforts included the installation of instrumentation to monitor the channel followed by the replacement of the component's power supply. However, the spiking continued and on January 23, 1991, the licensee requested, and was subsequently granted, a temporary waiver of compliance to remove the spiking channel from service while performing the monthly ACOTs on the remaining channels. The licensee then determined that the next repair effort required the replacement of a custom built circuit card for the pressure transmitter. Due to the necessary lead time in obtaining such a card, on February 22, 1991, the licensee requested, and was again granted, the same temporary waiver of compliance for conducting the monthly ACOTs. By changing the test frequency from monthly to quarterly, and revising the action statements to provide additional flexibility, the technical specification changes in this proposed amendment are intended to preclude the need for additional requests for temporary waivers of compliance relative to this issue. Considering that the next scheduled ACOT does not allow sufficient time for normal staff review, the staff is issuing this notice under exigent circumstances.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards considerations. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the

probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The licensee provided an analysis that addressed the above three standards in the amendment application. The staff has reviewed the licensee's analysis as follows:

1. The proposed amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated. The determination that the results of the proposed changes are acceptable was established in the NRC Safety Evaluation Report (SER) and Supplemental SER (SSER) prepared for WCAP-10271, Supplement 2 and WCAP-10271, Supplement 2, Revision 1 (issued by letters dated February 22, 1989 and April 30, 1990). Implementation of the proposed changes is expected to result in an acceptable increase in total ESFAS unavailability. This increase, which is primarily due to less frequent surveillance, results in a small increase (less than 6 percent) in core damage frequency (CDF) and public health risk. The values determined by the Westinghouse Owners Group (WOG) and presented in the above WCAP for the increase in CDF were verified by Brookhaven National Laboratory as part of an audit and sensitivity analyses for the NRC staff. Based on the small value of the increase compared to the range of uncertainty in the CDF, the increase was considered to be acceptable. Applicability of these conclusions to WCGS has been verified through a plant-specific review.

Removal of the requirement to perform the RTS analog channel operational test (ACOT) on a staggered basis will have a negligible impact on the RTS unavailability. Staggered testing was initially imposed to address the concerns of common cause failures. Wolf Creek Nuclear Operating Corporation's implementation of a program to evaluate failures for common cause, process parameter signals diversity, and normal operational test spacing yield most of the benefits of staggered testing.

Allowable out-of-service time and surveillance test interval extensions for the ACOT of the refueling water storage tank (RWST) Level Low-Low Coincident with Safety Injection (for Automatic Switchover from the RWST to Containment Sump), Functional Unit 7.b, were not included in the generic analysis presented in WCAP-10271, Supplement 2 and Supplement 2, Revision 1. However, a separate qualitative evaluation performed for this item showed the associated unavailability and risk to be equivalent to, or less than, that of other functional units included in the WCAP evaluation.

2. The proposed amendment would not create the possibility of a new or different kind of accident from any previously analyzed. The proposed changes do not involve hardware changes and do not result in a change in the manner in which the Reactor Trip System (RTS) or the Engineered Safety Features Actuation System (ESFAS) provide plant protection. No change is being made which alters the functioning of the RTS or ESFAS. Rather the likelihood or probability of the RTS or ESFAS functioning properly is affected as described above. Therefore the proposed changes do not create the possibility of a new or different kind of accident.

3. The proposed amendment would not involve a significant reduction in a margin of safety. The proposed changes do not alter the manner in which safety limits, limiting safety system settings, or limiting conditions for operation are determined. The impact of reduced testing, other than as addressed above, is to allow a longer time interval over which instrument uncertainties (e.g., drift) may act. The review of existing monthly calibration/setpoint drift data for ESFAS instrumentation addresses this concern. Implementation of the proposed changes is expected to result in an overall improvement in safety, as follows:

a. Reduced testing will result in fewer inadvertent reactor trips, less frequent actuation of ESFAS components, and less frequent distraction of operations personnel.

b. Improvements in the effectiveness of the operating staff in monitoring and controlling plant operation will be realized. This is due to less frequent distraction of the operators and shift supervisor to attend to instrumentation testing.

c. Longer repair times associated with increased AOTs will lead to higher quality repairs and improved reliability.

Therefore, based on the above considerations, the Commission proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 15 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Regulatory Publications Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room P-223, Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland, from 7:30 a.m. to 4:15 p.m. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By April 12, 1991, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555 and at the local public document rooms located at Emporia State University, William Allen White Library, 1200 Commercial Street, Emporia, Kansas 66801, and Washburn University School of Law Library, Topeka, Kansas 66621. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR §2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene, which must include a list of the contentions that are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts

or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If the amendment is issued before the expiration of 30 days, the Commission will make a final determination on the issue of no significant hazards considerations. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves a no significant hazards consideration, the Commission may issue the amendment and make it effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of the amendment.

Normally, the Commission will not issue the amendment until the expiration of the 15-day notice period. However, should circumstances change during the notice period, such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission

may issue the license amendment before the expiration of the 15-day notice period, provided that its final determination is that the amendment involves no significant hazards considerations. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the FEDERAL REGISTER a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C., by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1 (800) 325-6000 (in Missouri 1 (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to George F. Dick: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this FEDERAL REGISTER notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Jay Silberg, Esq., Shaw, Pittman, Potts and Trowbridge, 2300 N Street, N.W., Washington, D.C. 20037, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated March 1, 1991, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555, and at the Local Public Document Rooms, Emporia State University, William Allen White Library, 1200 Commercial Street, Emporia, Kansas 66801, and Washburn University School of Law Library, Topeka, Kansas 66621.

Dated at Rockville, Maryland, this 11th day of March 1991.

FOR THE NUCLEAR REGULATORY COMMISSION

George F. Dick, Jr., Acting Director
Project Directorate IV-2
Division of Reactor Projects - III/IV/V
Office of Nuclear Reactor Regulation