

March 11, 1996

Mr. Neil S. Carns  
President and Chief Executive Officer  
Wolf Creek Nuclear Operating Corporation  
Post Office Box 411  
Burlington, Kansas 66839

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

Dear Mr. Carns:

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing." This notice relates to your application for amendment dated March 8, 1996, to allow operation of the Wolf Creek Generating Station with decreased indicated reactor coolant system flow.

Sincerely,

Original Signed By

James C. Stone, Senior Project Manager  
Project Directorate IV-2  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation

Docket No. 50-482

Enclosure: Notice

cc w/encl: See next page

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Mr. Neil S. Carns

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March 11, 1996

cc w/encl:

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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, PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A 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 Nuclear Generating Station located in Coffey County, Kansas.

The proposed amendment would revise Technical Specification Figure 2.1-1, "Reactor Core Safety Limit - Four Loops in Operation," Table 2.2-1, "Reactor Trip System Instrumentation Setpoints," and Table 3.2-1, "DNB Parameters," to allow operation of the Wolf Creek Nuclear Generating Station (WCGS) with decreased indicated reactor coolant system (RCS) flow.

The requested change is required to allow WCGS to operate at full rated power following restart after the eighth refueling outage should the indicated flow be below the current minimum measured flow.

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.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request involves no significant hazards consideration. 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. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The probability of occurrence and the consequences of an event evaluated previously in the Updated Safety Analysis Report (USAR) are not increased due to the proposed technical specification changes. The technical specification changes being requested are to reflect revised core design parameters affected by the Cycle 9 core reload geometry, and instrumentation setpoint changes needed to ensure accurate measurement of reactor thermal power in order to allow the unit to operate at rated thermal power during Cycle 9. Each USAR Chapter 15 event was evaluated to determine the impact of the reduction in thermal design flow. The events in which the margin to the acceptance criteria was decreased were reanalyzed to support the 3.5% flow reduction. Generally, the RCS heat-up events fall into this category as the reduction in RCS flow results in decreased heat removal capacity. Evaluations of these events were performed using bounding core state parameters based on the previous Safety Analysis submitted in support of the WCGS Power Rerate Program, approved in WCGS Technical Specification Amendment 69. Results of the analyses and evaluations performed for the reduction in thermal design flow for Cycle 9 indicate that all acceptance criteria for USAR Chapter 15 events continue to be met.

2. The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The requested changes do not create the possibility of a new or different kind of event or malfunction from any previously

evaluated. The proposed changes do not change the method and manner of plant operation, nor is any new equipment being installed. Neither the proposed reduction in thermal design flow nor the increase in the Low Pressurizer Pressure Trip setpoint will create the possibility of an event of a different type than previously evaluated in the USAR.

The proposed Technical Specification changes are bounded by the current conditions with respect to system dynamic loading, environmental equipment qualification, and rejection of heat to the Ultimate Heat Sink. These analyses are bounded by the current analyses due to the conclusion that the mass and energy releases will not be impacted by the proposed change. This conclusion is also based on the fact that the current operating conditions bound the proposed operating conditions with respect to the secondary system operating parameters.

3. The proposed change does not involve a significant reduction in a margin of safety.

In general, the Low Pressurizer Pressure Trip setpoint is chosen at a conservatively low value (1885 psig) for the safety analyses. The safety margin (to prevent DNB) is provided by setting the Technical Specification limit for the Low Pressurizer Pressure Trip setpoint at its current value of 1915 psig. Increasing this reactor trip setpoint 25 psi (from 1915 psig to 1940 psig) would result in a net benefit to all analyses which assume its use, as well as of setting a potential reduction in the margin of safety for this parameter, caused by the reduction in TDF. Therefore, the current Safety Analysis Limit of 1885 psig will continue to be used in the WCGS event analyses.

The proposed changes do not change the plant configuration in a way that introduces a new potential hazard to the plant and do not involve a significant reduction in the margin of safety. The analyses and evaluations discussed in the safety evaluation demonstrate that all applicable design criteria continue to be met for the changes. Therefore, it is concluded that the margin of safety, as described in the bases to any technical specification, is not reduced.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff 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.

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 consideration. 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.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By April 12, 1996 , 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 request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition 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, NW., Washington, DC, and at the local public document room located at the Emporia State University, William Allen White Library, 1200 Commercial Street, Emporia, Kansas 66801 and the 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) of 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 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 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 which 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 the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. 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 no significant hazards consideration, the Commission may issue the amendment and make it immediately 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 any amendment.

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, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above

date. Where petitions are filed during the last 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) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to William D. Bateman, Director, Project Directorate IV-2: 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, DC 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 8, 1996, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document rooms, located at the Emporia State University, William Allen White Library, 1200 Commercial Street,

Emporia, Kansas 66801 and the Washburn University School of Law Library,  
Topeka, Kansas 66621.

Dated at Rockville, Maryland, this 11th day of March 1996.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script that reads "James C. Stone".

James C. Stone, Senior Project Manager  
Project Directorate IV-2  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation