

SAFEGUARDS INFORMATION

October 28, 2004

Ms. Donna Jacobs
Vice President Operations and Plant Manager
Wolf Creek Nuclear Operating Corporation
Wolf Creek Generating Station, Unit 1
P. O. Box 411
Burlington, KS 66839

SUBJECT: WOLF CREEK GENERATING STATION - ADMINISTRATIVE CHANGE TO FACILITY OPERATING LICENSE IN CONJUNCTION WITH THE COMMISSION ORDER EA-03-086 REGARDING REVISED DESIGN BASIS THREAT (DBT) AND REVISIONS TO PHYSICAL SECURITY PLAN, TRAINING AND QUALIFICATIONS PLAN, AND SAFEGUARDS CONTINGENCY PLAN (TAC NO. MC2989)

Dear Ms. Jacobs:

By letter dated April 29, 2004, Wolf Creek Nuclear Operating Corporation submitted a supplemental response in accordance with Order EA-03-086, the Order requiring compliance with the revised design basis threat, dated April 29, 2003, (DBT Order) for the Wolf Creek Generating Station. Section III.A of the Order requires licensees to revise their physical security plan (PSP), training and qualification plan (T&Q Plan), and safeguards contingency plan (SCP) to provide protection against the revised DBT set forth in Attachment 2 to the DBT Order. These revised plans, along with an implementation schedule, were required to be submitted to the Nuclear Regulatory Commission (NRC or the Commission) for review and approval no later than April 29, 2004.

The NRC staff's review of the PSP, SCP, and T&Q Plans submitted in your April 29, 2004, letter, as supplemented on July 8, July 16, July 22, August 13, August 27, September 10 and September 23, 2004, has focused on ensuring the necessary programmatic elements are contained in these plans in order to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety.

<p>NOTICE: Enclosure 2 contains Safeguards Information. Upon separation from Enclosure 2, this letter and Enclosure 1 are DECONTROLLED.</p>
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SAFEGUARDS INFORMATION

The NRC staff has determined that subject to subsequent inspection and evaluation, these plans contain the necessary programmatic elements to provide the required high assurance that the Wolf Creek Generating Station will be protected against the revised DBT. The NRC staff, therefore, approves the PSP, SCP, and T&Q Plan for the Wolf Creek Generating Station. However, ultimately, the effectiveness of these plans will be judged on your ability to meet regulatory requirements through facility implementing procedures and site practices. As such, your facility implementing procedures and practices will continue to be subject to future NRC review and inspection, including NRC-conducted force-on-force exercises.

In addition, based on the NRC staff's review of your application, alternatives to the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) **Part 73** were identified. The NRC staff has approved these alternatives to the requirements of 10 CFR 73.55 as discussed in the associated sections of the PSP and T&Q Plan as listed in the table below. In each case, the NRC staff found that the alternative satisfied the underlying purpose of the associated requirement and met the high assurance objective of 10 CFR 73.55(a). Details of the alternatives and the basis for the NRC staff's approval are provided in the enclosed Safety Evaluation (SE).

Approved Alternatives to NRC Regulations

SE Section	Plan Section	Alternative to 10 CFR	Description
3.6.2	PSP 6.2	73.55(c)(1)	Location of vital equipment
3.6.2	PSP 6.2	73.55(c)(2)	Separation of Protected Area (PA)/Vital Area (VA) barriers
3.6.2	PSP 6.2	73.55(c)(3)	Isolation Zones
3.9.4.3	PSP 9.4.3	73.55(d)(4)	PA vehicle search requirements
3.9.4.4	PSP 9.4.4	73.55(d)(1)	PA personnel search requirements
3.9.5.2	PSP 9.5	73.55(d)(1) 73.55(d)(4)	PA access control requirements
3.10.1	PSP 10.1	73.55(c)(5)	PA illumination requirements
3.13.1	PSP 14.1	73.55(c)(1) 73.55(d)(7)(i)(B)	Temporary reclassification of Vital Areas to PA status (devitalization)
3.14	PSP 15.1	73.55(g)(2)	Testing of access control equipment
4.1	T&Q Plan 2.3.1.6	73.55(b)(4)(i)	Qualification through performance testing in lieu of medical examination for two specific cases identified in the licensee's submittal

Ms. Jacobs

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Finally, consistent with the DBT Order, conforming administrative changes to Facility Operating Licenses (FOLs) are required to ensure implementation of DBT Order requirements. Therefore, an administrative license change to FOL No. NPF-42 is being made to incorporate the reference to the revised PSP, SCP, and T&Q Plan required by the DBT Order. These changes comply with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I.

Please replace the enclosed page to your FOL as indicated in Enclosure 1.

A copy of our SE (designated as Safeguards Information), is provided as Enclosure 2.

Sincerely,

/RA/

John A. Nakoski, Section Chief
Security Plan Review Team
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-482

Enclosures: 1. Administrative Change to FOL No. NPF-42
2. SE Regarding the Security Plans (**Safeguards Information**)

cc w/encl 1 only: See Mailing List 1

cc w/encls 1 and 2: Dave Erbe, Site Security Manager

Ms. Jacobs

-3-

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Sincerely,

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John A. Nakoski, Section Chief
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cc w/encl 1 only: See Mailing List 1

cc w/encls 1 and 2: Dave Erbe, Site Security Manager

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Wolf Creek Generating Station

cc w/o encl.:

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Burlington, KS 66839

WOLF CREEK NUCLEAR OPERATING CORPORATION

DOCKET NO. 50-482

WOLF CREEK GENERATING STATION

ADMINISTRATIVE LICENSE CHANGE TO FACILITY OPERATING LICENSE

License No. NPF-42

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. When the Commission issued EA-03-086, the Order Requiring compliance with revised design basis threat, (DBT Order) on April 29, 2003, the Commission determined that conforming administrative license changes to Facility Operating Licenses (FOLs) were required to ensure implementation of the DBT Order requirements and the FOLs were consistent. Therefore, an administrative license change to FOL No. NPF-42 is being made to incorporate the reference to the revised **PSP, SCP, and T&Q Plans** required by the DBT Order that 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 administrative license change 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 administrative license change 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 administrative license change is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the FOL is changed, as indicated in the attachment.
3. This administrative license change is effective as of its date of issuance and shall be implemented on or before October 29, 2004.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

John A. Nakoski, Section Chief
Security Plan Review Team
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the FOL

Date of Issuance: October 28, 2004

CHANGES TO FACILITY OPERATING LICENSE NO. NPF-42

DOCKET NO. 50-482

Replace the following page of the Facility Operating License NPF-42 with the attached revised page as indicated. The revised page is identified by order number and contains marginal lines indicating the area of change.

Remove Page

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Insert Page

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are hereby granted pursuant to 10 CFR 50.12. With the granting of these exemptions the facility will operate, to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

- E. The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The set of combined plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Wolf Creek Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan," and was submitted on September 23, 2004.
- F. Deleted per Amendment No. 141.
- G. The licensees shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.
- H. This license is effective as of the date of issuance and shall expire at Midnight on March 11, 2025.

FOR THE NUCLEAR REGULATORY COMMISSION

"Original Signed By"

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Attachments/Appendices:

- 1. Attachment 1 - Deleted
- 2. Attachment 2 - Deleted
- 3. Attachment 3 - Deleted
- 4. Appendix A - Technical
Specifications (NUREG-1136)
- 5. Appendix B - Environmental
Protection Plan
- 6. Appendix C - Antitrust Conditions
- 7. Appendix D - Additional Conditions

Date of Issuance: June 4, 1985

Amendment No. 408, 441
Revised by letter dated October 28, 2004