

# **WOLF CREEK**

NUCLEAR OPERATING CORPORATION

Richard A. Muench  
President and Chief Executive Officer

August 8, 2005

WM 05-0037

Document Control Desk  
ATTN: Director,  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Secretary  
Office of the Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
ATTN: Rulemaking and Adjudications Staff  
Washington, DC 20555

Reference: Letter dated July 19, 2005 from J. E. Dyer, USNRC, to R. A. Muench, WCNO, (EA-05-007)

Subject: Docket: 50-482: Wolf Creek Nuclear Operating Corporation's (WCNO's) Twenty-Day Response to NRC Issuance of Order For Additional Security Measure on Transportation of Radioactive Materials Quantities of Concern (EA-05-007)

Gentlemen:

Pursuant to 10 CFR 2.202, Wolf Creek Nuclear Operating Corporation (WCNO) files this answer to the referenced Order regarding Additional Security Measures (ASMs) for Radioactive Material Quantities of Concern (RAMQC). WCNO consents to the Order. At the present time, WCNO has no plans to ship radioactive materials in the quantities of concern described in the Order. In accordance with Section III.A of the Order, when a need arises to ship radioactive materials in quantities of concern, WCNO will complete implementation of the ASMs before such shipment. In the meantime, WCNO will reference this Order and incorporate the table of isotopes/limits in our shipment procedures to ensure the issue is considered before any future shipment.

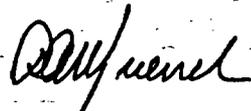
Attachment II to this letter provides the twenty-day response required by the Order. Attachment III provides a list of commitments contained in this response.

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If you have any questions concerning this matter, please contact me at (620) 364-4000, or Mr. Kevin Moles at (620) 364-4126.

Very truly yours,



Richard A. Muench

RAM/rlg

Attachment I : Oath  
Attachment II : Twenty-day Response to Order EA-05-007  
Attachment III: List of Commitments

cc: J. N. Donohew (NRC), w/a's  
W. B. Jones (NRC), w/a's  
B. S. Mallett (NRC), w/a's  
Senior Resident Inspector (NRC), w/a's  
Assistant General Counsel for Materials Litigation and Enforcement  
Office of Enforcement

STATE OF KANSAS )  
                          ) SS  
COUNTY OF COFFEY )

Richard A. Muench, of lawful age, being first duly sworn upon oath says that he is President and Chief Executive Officer of Wolf Creek Nuclear Operating Corporation; that he has read the foregoing document and knows the contents thereof; that he has executed the same for and on behalf of said Corporation with full power and authority to do so; and that the facts therein stated are true and correct to the best of his knowledge, information and belief.

By *Richard A. Muench*  
Richard A. Muench  
President and  
Chief Executive Officer

SUBSCRIBED and sworn to before me this 8<sup>th</sup> day of Aug., 2005.

*Cindy Novinger*  
Notary Public



Expiration Date 7/8/06

**20-Day Response to NRC Order Dated July 19, 2005**

The NRC order of July 19, 2005 includes the following reporting requirements:

III.

- B. 1. All Licensees shall, within **twenty (20) days** of the date of this Order, notify the Commission (1) if they are unable to comply with any of the requirements described in Attachment 2, (2) if compliance with any of the requirements is unnecessary in their specific circumstances, or (3) if implementation of any of the requirements would cause the Licensee to be in violation of the provisions of any Commission regulation or the facility license. The notification shall also provide justification for seeking relief from or variation of any specific requirement.
  - 2. Any Licensee that considers that implementation of any of the requirements described in Attachment 2 to this Order would adversely impact safe transport of radioactive material quantities of concern must notify the Commission, within **twenty (20) days** of the date of this Order, of the adverse safety impact, the basis for its determination that the requirement has an adverse safety impact, and either a proposal for achieving the same objectives specified in the Attachment B requirement in question, or a schedule for modifying the facility to address the adverse safety condition. If neither approach is appropriate, the Licensee must supplement its response to Condition B.1 of this Order to identify the condition as a requirement with which it cannot comply, with attendant justifications as required in Condition B.1.
- C. All Licensees shall report to the Commission when they have achieved full compliance with the requirements described in Attachment B.

**Wolf Creek Nuclear Operating Corporation's (WCNOC's) Response:**

- B. 1. WCNOC will, to the extent permitted under existing Federal and state statutes and laws, and when shipping radioactive material quantities of concern (RAMQC), implement the additional security measures described in attachment B of the NRC order dated July 19, 2005. WCNOC will implement these measures prior to any shipment of RAMQC. If any shipments are planned prior to full implementation WCNOC will notify the NRC 90 days prior to this shipment.
- 2. Implementation of the requirements described in Attachment B to the Order would not adversely impact safe transport of radioactive material quantities of concern.
- C. If WCNOC should ship radioactive material quantities of concern, it will be reported to the Commission when full compliance with the requirements in Attachment B to the Order has been achieved.

**LIST OF COMMITMENTS**

The following table identifies those actions committed to by WCNOC in this document. Any other statements in this submittal are provided for information purposes and are not considered to be commitments. Please direct questions regarding these commitments to Mr. Kevin Moles at (620) 364-4126.

| <b>COMMITMENT</b>  | <b>Due Date/Event</b>   |
|--|---|
| WCNOC will reference this Order and incorporate the table of isotopes/limits in our shipment procedures to ensure the issue is considered before any future shipment   | Prior to shipping RAMQC   |
| WCNOC will, to the extent permitted under existing Federal and state statutes and laws, and when shipping radioactive material quantities of concern (RAMQC), implement the additional security measures described in attachment B of the NRC order dated July 19, 2005. | When shipping RAMQC   |
| WCNOC will implement these measures prior to any shipment of radioactive material quantities of concern. If any shipments are planned prior to full implementation WCNOC will notify the NRC 90 days prior to this shipment.   | If shipping prior to notification that full implementation has been achieved. |
| If WCNOC should ship radioactive material quantities of concern, it will be reported to the Commission when full compliance with the requirements in Attachment B to the Order has been achieved.  | Prior to shipment of RAMQC  |