



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-4005**

May 8, 2006

Rick A. Muench, President and  
Chief Executive Officer  
Wolf Creek Nuclear Operating Corporation  
P.O. Box 411  
Burlington, KS 66839

**SUBJECT: WOLF CREEK GENERATING STATION - ACKNOWLEDGMENT OF RECEIPT  
OF DENIAL OF NONCITED VIOLATION 2005008-003 IN NRC INSPECTION  
REPORT 05000482/2005008**

Dear Mr. Muench:

Thank you for your letter dated April 14, 2006, in response to our February 1, 2006, letter and integrated inspection report. In your letter you contested one Green noncited violation of License Condition 2.C.(5), "Fire Protection (Section 9.5.1, SER; Section 9.5.1.8, SSER 5)," for failure to ensure that redundant trains of safe shutdown systems in the same fire area were free of fire damage. The NRC inspection report concluded that a Green noncited violation of License Condition 2.C.(5) existed because of the Wolf Creek Generating Station's crediting the use of manual actions to mitigate the effects of fire damage in lieu of providing the physical protection required by 10 CFR Part 50, Appendix R, Section III.G.2. Wolf Creek Nuclear Operating Corporation's position is that the Wolf Creek Generating Station complied with the requirements of its approved fire protection program as defined in License Condition 2.C.(5); therefore, a violation did not occur. You have requested that the NRC reconsider our conclusion and find that a violation of License Condition 2.C.(5) did not occur.

The NRC is reviewing your request and will inform you of the results of our review by separate correspondence.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response (if any) will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Linda Joy Smith, Chief  
Engineering Branch 2  
Division of Reactor Safety

Docket: 50-482  
License: NPF-42

cc:  
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SUNSI Review Completed:  Y  ADAMS: / Yes  No Initials:  LJS   
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