WOLF CREEK
NUCLEAR OPERATING CORPORATION

December 7, 2007

Terry J. Garrett
Vice President, Engineering

ET 07-0059

9/25/07
72FR54469
(2)

Chief, Rulemaking, Directives and Editing Branch
U.S. Nuclear Regulatory Commission
Mail Stop T6-D59
Washington, DC 20555-0001

Reference: 1) Letter ET 06-0038, dated September 27, 2006, from T. J. Garrett, WCNOC, to USNRC

2) NUREG-1437 Supplement 32, Draft Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Regarding Wolf Creek Generating Station, Unit 1

Subject: Docket No. 50-482: Comments on NUREG-1437 Supplement 32, Draft Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Regarding Wolf Creek Generating Station, Unit 1

Gentlemen:

Wolf Creek Nuclear Operating Corporation (WCNOC) has reviewed draft NUREG-1437 Supplement 32 (Reference 2) and has developed comments for NRC consideration. WCNOC's comments are provided in Attachments I and II. Attachment I contains comments regarding water use conflicts and associated environmental impacts and Attachment II contains general comments.

This letter contains no commitments. If you have any questions concerning this matter, please contact me at (620) 364-4084, or Mr. Kevin Moles at (620) 364-4126.

Sincerely,

Terry J. Garrett

E-RIDS=ADM-03
Add = C. Jacobs (CJS)

TJG/rlt

SUNSI Review Complete
Template=ADM-013

Attachments I. WCNOC Comments on Water Use Conflicts and Associated Environmental Impacts

II. General Comments on Draft Supplement 32 to NUREG-1437

cc: E. E. Collins (NRC), w/a
J. N. Donohew (NRC), w/a
V. G. Gaddy (NRC), w/a
T. Tran (NRC), w/a
Senior Resident Inspector (NRC), w/a
Document Control Desk (NRC), w/a

Attachment I

Wolf Creek Nuclear Operating Corporation (WCNOC) Comments on Water Use Conflicts and Associated Environmental Impacts

Wolf Creek Nuclear Operating Corporation Comments on Water Use Conflicts and Associated Environmental Impacts

The NRC has determined that license renewal of Wolf Creek Generating Station (WCGS) could have SMALL to MODERATE impacts due to water use conflicts. Furthermore, if the evaluated water use conflicts occur, then associated impacts due to impingement in the Neosho River, and to the Neosho madtom, a Federally-threatened species, could also be SMALL to MODERATE. WCNOC understands the importance of water use stewardship in the Neosho River and John Redmond Reservoir, and does not contest the conclusion that potential impacts may be SMALL to MODERATE. However, there are some inaccuracies and points that should be corrected or clarified in the Draft Generic Environmental Impact Statement (GEIS) Supplement 32.

Comment 1.

In the Draft GEIS, Supplement 32, Section 4.1.1.1.2 (Instream and Riparian Impacts in the Neosho River), benefits of established Minimum Desirable Streamflows (MDS) legislated under the Kansas Water Appropriation Act are discussed. Normal withdrawals of the natural flows of the Neosho River for WCGS are allowed under two water appropriations from the State of Kansas, both of which require 250 cubic feet per second (cfs) or greater to remain in the river downstream of the Makeup Water Screen House (MUSH), the point of diversion. With such river flows, the MDS which is set at a minimum of 40 cfs downstream at Iola, Kansas will clearly not be impacted. As stated in the GEIS, Supplement 32 (paragraph starting on line 5, page 4-14), it is true that WCNOC can request a variance from the 250 cfs limitation from the Chief Engineer of the Division of Water Resources (DWR), and that the current water appropriations are not subject to the MDS restriction. By granting the variance, the Chief Engineer may permit withdrawal of such flows to the extent it is found to be in the public interest. WCNOC does not expect to request diversion of the Neosho River's natural flows at such times that less than 250 cfs would remain downstream, however, if such a request is made, then WCNOC fully expects the Chief Engineer to consider the public interests at that time before allowing such withdrawals.

Comment 2.

The Draft GEIS, Supplement 32, states in the paragraph starting on line 14, page 4-14, that resources that could be affected by the purchase of water from the conservation pool are the same as those that could be affected by the WCGS appropriations from the natural flows of the Neosho River. WCNOC disagrees with this statement because the referenced conservation pool water is stored water contracted for industrial use between the owners of WCGS and the State of Kansas. Since this water is stored in the John Redmond Reservoir, it is not considered natural flows of the Neosho River during low flow conditions.

Comment 3.

The Draft GEIS, Supplement 32, states in the paragraph starting on line 32, page 4-14, that the 70 cfs withdrawal rate exceeds the 41 cfs estimate established by NRC as the volume of withdrawal that could cause reduced flows within the river. WCNOC recommends that this statement be clarified. The referenced 41 cfs was a volume representing a portion of the conservation pool of John Redmond Reservoir that the State of Kansas determined could be contracted for beneficial use. It was derived from the estimated yield of the pool after 50 years of sedimentation, and during a 1 in 50 year drought. The 70 cfs refers to a pump diversion rate,

and not a total volume. The water purchase contract allows a total water allotment of 9,672 million gallons per year (41 cfs). When accessing the stored contract water, only as much can be pumped to Coffey County Lake as can be obtained through a valved bypass pipe installed in the John Redmond Dam for such purposes. Natural flows of the Neosho River are passed through the John Redmond Dam spillway, and this includes MDS. Based on actual flows measured through the bypass pipe, and pump capacities, the makeup flow is effectively limited to 70 cfs, which is one pump's capacity. Contrary to initial design expectations, the bypass pipe does not provide sufficient flow to operate two pumps rated at 120 cfs combined. The water purchase contract allows a maximum pump rate of 120 cfs, with a quarterly running average not to exceed 41 cfs. Once the total allotment is pumped, makeup activities would be discontinued. Since the cited 70 cfs is based on rate, and not volume, and it is bound by the total allotment, including the quarterly running average, such withdrawal will not increase impacts over those previously evaluated. The same total volume would be removed from the conservation pool.

Comment 4.

The Draft GEIS, Supplement 32, states in the paragraph starting on line 39, page 4-14, that a comparison of water withdrawal dates with Neosho River streamflows indicates that withdrawals have occurred in the past on days when the Neosho River flow rate was below the 40 cfs MDS. WCNOC assumes that the Neosho River flow rate reviewed was downstream at Iola, where the MDS applies. With this being the case, it is true that withdrawals have occurred when MDS were not being achieved, however, the withdrawal was from the stored contract water, and not taken from the natural flows of the Neosho River intended to maintain MDS.

Comment 5.

The Draft GEIS, Supplement 32, states in the paragraph starting on line 32, page 4-35, that during times of water use conflicts when the MUSH is withdrawing water from the Neosho River, and water levels are low, impingement impacts to fish populations may increase. Supporting this statement was that reduced volume and habitat in the river would cause fish densities to be higher, cause fish to seek new habitat and refuges, and reduced flow would make their upstream migration to the MUSH area easier. Together these changes could increase impingement impact.

WCNOC questions this assessment due to existing structures and habitats in the MUSH vicinity; primarily influences of the Burlington City dam approximately two miles downstream. This structure impounds river water nearly to the MUSH, and creates lentic habitats likely to be kept full due to efforts to maintain MDS. In addition, the dam makes upstream migration unlikely during low flow conditions. Consequently, similar habitats and physical restrictions to upstream fish migration during low flow conditions should not increase fish concentrations or decrease fish habitat in the vicinity of the MUSH, thus increased impingement should not occur.

Comment 6.

A Biological Assessment was provided in Appendix E to the Draft GEIS, Supplement 32 (Docket Number 50-482) and addresses potential effects on endangered or threatened species. In this assessment, potential effects to the Neosho madtom were reviewed and assessed. It was concluded that when water use conflicts exist during low-flow or drought condition in the Neosho River, continued operation of WCGS may adversely affect the Neosho madtom. WCNOC contends when considering the comments and clarifications presented above, that the potential for adverse effects on the Neosho madtom due to WCGS would be less likely.

Attachment II

General Comments on Draft Supplement 32 to NUREG-1437

General Comments on Draft Supplement 32 to NUREG-1437

Number	Page	Line Number(s)	Comment
1	2-12	34	Spent fuel pool is in the Fuel Building, rather than the Reactor Building
2	2-22	30	Coffey County Lake water may be released to Wolf Creek through four mechanisms. These are the service spillway, the auxiliary spillway, the blowdown structure and seepage.
3	2-22	31	To clarify, surface waters above elevation 1088' msl are discharged over the dam spillway. This can also occur by wave action from north winds when lake level is below 1088' msl.
4	2-24	12-14	KDHE has data available for iron, chromium, and copper in the cooling lake during 2006.
5	2-36	6	The 5 wells referenced in the Environmental Education Area were abandoned domestic wells that were plugged. Possibly line 6 is a duplicate of line 12.
6	2-38	2	Change number of samples for C-10 from "5" to "4".
7	2-38	2	Change "No" to "Yes" for Required by ODCM? for locations F-1, G-2 & J-2.
8	2-39	9	Wells were not installed in 2006, nor were they installed for ground water monitoring. WCNOC is monitoring wells that were already in place. Suggest changing sentence to: "In 2006, three wells were monitored on the WCGS site: one well located near the auxiliary building and two dewatering wells located near the Essential Service Water line."
9	2-39	10	Reference to CTR-1, CTR-2 & CTR-3 should be deleted. Neither the KDHE nor WCNOC REMPs use these designators for these locations.
10	2-39	11	"These wells were installed to evaluate the potential for leakage from the buried effluent line." should be removed. (See comment #8)
11	2-39	16,18	The reference cited (Earth Tech 2007c) is not included in the Reference Section 2.3
12	2-44	1-4	Recommend deleting the second sentence, as it seems to repeat information in the first sentence. Also, page 2-22 line 35, page 4-12 line 22 and page E-24 line 10 discuss the distance from Wolf Creek to its confluence with the Neosho River and cite different distances. (Note: NUREG 0878 cites 5.5 miles)

Number	Page	Line Number(s)	Comment
13	2-44	23-24	To clarify, 70 cfs is the rate of one makeup pump, which in practice limits the amount that can be diverted from the bypass pipe to 70 cfs. The bypass is rated for higher flows, with experienced maximums approximately 110 cfs. During makeup pumping, the bypass valve is throttled to match one pump's transfer rate (70 cfs).
14	2-45	14	"The auxiliary (emergency) spillway" should be changed to "The blow down structure"
15	2-45	19-20	See comment for 2-22, line 31.(Comment # 3)
16	2-45	27	To clarify, dam inspection by a professional engineer is required as a result of the implementation of the system, rather than prior to it.
17	2-50	11	Remove "discharge cove". Fish are not always collected at the discharge cove.
18	2-50	27	Remove "discharge cove". Fish are not always collected at the discharge cove.
19	2-62	21	References to differing ages of the Neosho River and Wolf Creek is unclear, as both are of similar age.
20	2-83	34	Change "2,280" to "1,823". The "2,280" was from a sample obtained at the Oily Waste Outfall 002, not from a well.
21	4-13	17	Remove "Neosho Falls" since the water treatment facility at Neosho Falls has closed.
22	4-36	8	To clarify, impingement data for the MUSH were collected over 20 years ago, however, data for the Coffey County Lake has been collected since 2004.
23	4-64	32-35	To clarify, for WCGS to use the appropriations water, 250 cfs must remain in the river, thus a withdrawal rate of 120 cfs would require a minimum river flow of 370 cfs. Consequently, the maximum that can be diverted would be less than one-third of the river flow.
24	4-69	2	"If additional groundwater users install wells in the area in the future, the facility would be required to evaluate the potential for impact and possible inclusion of these wells in the REMP sampling program. Groundwater users are not required to inform WCNOC of any new wells being installed. Therefore recommend delete this statement or clarifyas follows: "If additional wells are installed by WCNOC in the area...."
25	4-77	12	Remove "via a permit system" since a permit system is no longer being used at lake access.
26	4-81	17	"may be approaching the pre-construction estimate of 23,000 pCi/L". The 2005 annual mean for detected tritium in Spillway (SP) surface water was 12,855 pCi/L

Number	Page	Line Number(s)	Comment
			and for 2006 was 11,286 pCi/L. (Reference WCNOC Annual Radiological Environmental Operating Reports). It does not appear that surface water tritium is approaching the 23,000 pCi/L level. Suggest deleting the verbiage in question.