

# WOLF CREEK

NUCLEAR OPERATING CORPORATION

Terry J. Garrett  
Vice President Engineering

January 12, 2010  
ET 10-0002

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555

- Reference:
- 1) Letter ET 09-0028, dated October 27, 2009, from T. J. Garrett, WCNO, to USNRC
  - 2) Letter ET 09-0029, dated October 27, 2009, from T. J. Garrett, WCNO, to USNRC
  - 3) Letter ET 09-0033, dated December 15, 2009, from T. J. Garrett, WCNO, to USNRC
  - 4) Letter ET 09-0034, dated December 15, 2009, from T. J. Garrett, WCNO, to USNRC
  - 5) Letter ET 09-0035, dated December 15, 2009, from T. J. Garrett, WCNO, to USNRC

Subject: Docket No. 50-482: Resubmittal of Request for Exemption from Specific 10 CFR Part 73 Requirements (Non-Safeguards Version)

Gentlemen:

References 1 and 2 requested exemption from specific requirements of 10 CFR 73, "Physical Protection of Plants and Materials," for Wolf Creek Generating Station (WCGS) by extending the deadline for the implementation of certain measures required by the rule. Reference 3 withdrew these requests following a conference call with Nuclear Regulatory Commission (NRC) representatives from the Offices of Nuclear Reactor Regulation (NRR), and Nuclear Security and Incident Response (NSIR) on November 10, 2009.

During this call the NRC identified that some of the items requested for exemption were not needed, as they did not represent a change to existing requirements and that additional clarification was needed in order to consider the remaining requests. References 4 and 5 provided the information needed to clarify the requests for exemption from specific 10 CFR Part 73 requirements. Reference 5 provided a redacted version of the attachments from Reference 4 and is free from security related information associated with physical protection of operated facilities, as described in 10 CFR 2.390(d)(1).

In a call with the NRC Project Manager on January 6, 2010, it was requested that WCNOG resubmit the redacted version of Reference 4 with additional information being redacted. This submittal supersedes Reference 5.

This letter contains no commitments. If you have any questions concerning this matter, please contact me at (620) 364-4084, or Mr. Richard D. Flannigan at (620) 364-4117.

Sincerely,



Terry J. Garrett

TJG/rlt

Attachment I – Background (redacted)  
II - Part 73 Exemption Survey (redacted)  
III Environmental Impact of Proposed Action

cc: E. E. Collins (NRC), w/a  
G. B. Miller (NRC), w/a  
B. K. Singal (NRC), w/a  
B. Westreich (NRC), w/a  
Senior Resident Inspector (NRC), w/a

## Background

The NRC has amended its security regulations and added new security requirements pertaining to nuclear power reactors. These amendments include a complete revision of 10 CFR 73.55. The final rulemaking was made effective on May 26, 2009. The new security requirements associated with these amendments have necessitated configuration changes to Wolf Creek Generating Station (WCGS).

Pursuant to the Final Rule, the new security requirements must be implemented by March 31, 2010. Wolf Creek Nuclear Operating Corporation (WCNOC) has evaluated these requirements and determined that some of the new requirements will require additional time beyond the March 31, 2010, date to complete. Therefore, WCNOC is requesting exemption from the implementation date requirement of the new rule for the following projects required to implement the new rules. Additional information and details in support of the requested extensions are given in Attachment II.

Project 1 – [ ]

### Regulation

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### Issue

To meet the requirements of this regulation, WCNOC has determined that [

] An extension is requested for completion of this project to December 31, 2010.

Project 2 – [ ]

Regulation

[

]

**Issue**

To meet the requirements of this regulation, WCNOG has determined that a [

] An extension is requested for completion of this project to December 31, 2010.

Part 73 Implementation Survey

Utility/ Site	Need Exemption ? (Yes / No)	Primary Reasons(s) for Exemption	Part 73 Requirement Needing Exemption	Time Needed Beyond March 31, 2010
WCGS	Yes	<p>[ ] Project #1 Details: [ ]</p> <p><b>Schedule Related Activities (completion milestones):</b>                      Commencement of project: 7/03/2009                      Prepare SSD calculations: 8/25/2009                      Conceptual Design: 10/29/2009                      Prepare Specification/Issue PO: 12/30/2009                      Equipment Lead Time (7 months), on site: 8/31/2010                      Change Package Completion: 9/30/2010                      Planning Completion: 9/30/2010                      Equipment Installation Completion: 10/29/2010                      Package closeout and plant acceptance: 12/31/2010  <b>Estimated Completion/Extension Request Date: 12/31/2010</b></p>	[ ]	12/31/2010
		<p><b>Circumstances affecting timely project completion:</b> Affecting the timely completion of this project includes the required preparation of [ ] ahead of conceptual design, 7-month lead time for [ ] equipment, and unfavorable weather months affecting construction. Please note that the abnormally long lead time of seven months has been confirmed with one of WCNO's long standing vendors, [ ], and is due to a high volume of upcoming commitments to other nuclear sites. Use of an alternate vendor would leave the plant with a non-integrated Plant Security Computer System (PCSC) and is not a realistic option for consideration.</p>		

Part 73 Implementation Survey

Utility/ Site	Need Exemption ? (Yes / No)	Primary Reasons(s) for Exemption	Part 73 Requirement Needing Exemption	Time Needed Beyond March 31, 2010
WCGS	Yes	[ <b>Project #2</b> ] <b>Details:</b> This project involves a major modification to the existing [ ]	[ ]	<b>12/31/2010</b>
		<p><b>Schedule Related Activities (completion milestones):</b>                      Commencement of project (est.): 11/01/2009                      Conceptual Design Completion: 1/04/2010                      Prepare Specification/Issue PO: 3/08/2010                      Equipment Lead Time (7 months), on site: 8/31/2010                      Change Package Completion: 9/30/2010                      Planning Completion: 9/30/2010                      Equipment Installation Completion: 10/29/2010                      Package closeout and plant acceptance: 12/31/2010  <b>Estimated Completion/Extension Request Date: 12/31/2010</b></p> <p><b>Circumstances affecting timely project completion:</b> Affecting the timely completion of this installation includes a project starting delay and a high volume of concurrent project activity.</p>		

## Part 73 Implementation Survey

### Environmental Impact of Proposed Action

The proposed exemption is administrative, schedule change only with no change to the work being performed, and would have no impact on the environment. Allowing these projects to be completed at a date later than March 31, 2010, will not significantly increase the probability or consequences of an accident, change the types or quantities of radiological effluents that may be released offsite, or result in a significant increase in public or occupational radiation exposure since there would be no change to facility operations that would create a new accident or affect a previously analyzed accident or release path.