



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION IV  
1600 EAST LAMAR BLVD  
ARLINGTON, TEXAS 76011-4511

June 21, 2013

Matthew W. Sunseri, President and  
Chief Executive Officer  
Wolf Creek Nuclear Operating Corporation  
P.O. Box 411  
Burlington, KS 66839

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR WOLF CREEK NUCLEAR  
OPERATING CORPORATION [TAC NO. MF2270, NOED NO. 13-4-002]

Dear Mr. Sunseri:

By letter dated June 19, 2013, (ADAMS Accession No. ML13172A417), Wolf Creek Nuclear Operating Corporation (WCNOC, the licensee), requested that the U.S. Nuclear Regulatory Commission (NRC) exercise discretion to not enforce compliance with the actions required in multiple Wolf Creek Generating Station (WCGS) Technical Specifications (TS) related to declaring the Train A Class 1E electrical equipment air conditioning unit (SGK05A) non-functional. This letter documented information previously discussed with the NRC in a telephone conference on June 17, 2013 at 1:00 p.m (all times discussed in this letter refer to Central Daylight Time). The principal NRC staff members who participated in the telephone conference included Kriss Kennedy, Director, Division of Reactor Projects, Region IV (RIV); Jeff Clark, Deputy Director, Division of Reactor Safety, RIV; John Monninger, Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation (NRR); Neil O'Keefe, Chief, Project Branch B, RIV; Jim Polickoski, Acting Chief, Plant Licensing Branch 4, NRR; Sheldon Stuchell, Notice of Enforcement Discretion (NOED) Program Manager, NRR; Roy Matthew, Acting Chief, Electrical Engineering Branch, NRR; Carl Schulten, Acting Chief, Technical Specification Branch, NRR; Greg Casto, Chief, Balance of Plant Branch, NRR; George Replogle, Senior Reactor Analyst, RIV; Balwant Singal, Project Manager, NRR; Chris Hunt, Acting Resident Inspector, RIV; and Jeff Circle and Fernando Ferrante, Reliability and Risk Analysts, NRR.

On June 17, 2013, at 11:11 a.m., the licensee declared Train A Class 1E electrical equipment air conditioning unit non-functional when it was determined that SGK05A was not capable of performing its specified function important to safety for its full mission time. Oil samples showed aluminum particles indicative of abnormal wear. This was accompanied by elevated running current and vibration levels. Two Train A inverters, the Train A Alternating Current (AC) and Direct Current (DC) distribution systems and the Train A batteries supported by the non-functional Train A Class 1E air conditioning unit were declared inoperable. As a result, the licensee entered the Required Actions of the associated Conditions of TS 3.8.4, "DC Sources – Operating," TS 3.8.7, "Inverters – Operating," and TS 3.8.9, "Distribution Systems – Operating." The Required Actions of the associated Conditions to be entered for TSs 3.8.4 and 3.8.9 permit

a period of time to restore inoperable equipment to operable status before a TS shutdown is required. However, the Required Actions of the associated Conditions for TS 3.8.7 do not specify a condition for two inoperable inverters in one train. In accordance with limiting condition for operation (LCO) 3.0.3, when an LCO is not met and an associated Action is not provided, action is required to be initiated within 1 hour to place the unit, as applicable, in Mode 3 within 7 hours, Mode 4 within 13 hours, and Mode 5 within 37 hours. At 11:11 a.m., a plant shutdown was initiated in accordance with LCO 3.0.3.

During the teleconference, the licensee requested the NRC to exercise enforcement discretion to avoid an unnecessary plant transient and to permit noncompliance with LCO 3.0.3, TS 3.8.4, TS 3.8.7, and TS 3.8.9. The licensee requested 168 hours from the time of entry into LCO 3.0.3 at 11:11 a.m. on June 17, 2013, to restore SGK05A to functional status and complete testing. The incremental conditional core damage probability (ICCDP) and incremental conditional large early release probability (ICLERP) were quantified for the requested additional time for restoring SGK05A without crediting risk reduction for related compensatory actions. The results of the quantification were compared to the guidance thresholds in Inspection Manual Chapter (IMC) 0410, "Notices of Enforcement Discretion," (ADAMS Accession No. ML13071A487).

WCNOC proposed to implement compensatory risk management measures during the proposed period of enforcement discretion that included: provide temporary cooling to spaces normally cooled by SGK05A, with a second temporary unit available as backup in case of failure of the running temporary unit; monitoring room temperatures every 2 hours; and implementing a fire watch to compensate for fire barriers that would be breached by the temporary cooling unit. The licensee also stated that no severe weather was forecast which could challenge offsite power availability during the proposed period of enforcement discretion, and grid conditions were normal.

The licensee stated that the proposed change did not involve a significant hazard based on the three standards set forth in 10 CFR 50.92(c), and did not involve adverse consequences to the environment such that the proposed change meets the categorical exclusion set forth in 10 CFR 51.22(c)(9). The Wolf Creek Generating Station Plant Safety Review Committee approved the NOED request on June 17, 2013, prior to the verbal request for an NOED. Because the request was a one-time extension of the required completion times for repairs, the licensee stated that a follow-up license amendment request was not required.

The NRC staff review concluded that compliance with the TS for the repair of SGK05A would cause an unnecessary transient without a corresponding benefit in public health and safety. NRC staff risk analysts independently verified that continued operation of the plant during the period of enforcement discretion will not cause risk to exceed the level determined acceptable during normal work controls and, therefore, there is no net increase in radiological risk to the public. The NRC staff concluded that the licensee's verbal NOED request from the June 17, 2013, phone call is consistent with the June 19, 2013, letter.

Based on the NRC staff's evaluation of the licensee's request, the staff determined that granting this NOED is consistent with the NRC's Enforcement Policy and staff guidance and would have no adverse impact on public health and safety to avoid an unnecessary plant transient as per the criteria in IMC 0410, Section 03.03. Therefore, as communicated to your staff at 4:07 p.m. on June 17, 2013, the NRC exercised discretion to not enforce compliance with Technical Specification LCO 3.0.3, TS 3.8.4 Required Actions B.1 and B.2, TS 3.8.7 Required Actions B.1 and B.2, and TS 3.8.9 Required Actions E.1 and E.2, for a total period of 168 hours, to expire at 11:11 a.m. on June 24, 2013.

In addition, as discussed on June 17, 2013, the NRC staff determined that a follow-up Technical Specification amendment is not needed. The staff concluded that an amendment (either a temporary or permanent amendment) is not necessary because this NOED involves a nonrecurring noncompliance and only involves a single request for extending the period of time for LCO 3.0.3 and TSs 3.8.4, 3.8.7 and 3.8.9 in order to restore SGK05A to a functional status.

As stated in the Enforcement Policy, action will be taken, to the extent that violations were involved, for the root cause that led to the noncompliance for which this NOED was necessary.

Sincerely,

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Kriss M. Kennedy, Director  
Division of Reactor Projects

Docket No.: 50-482  
License No.: NPF-42

Electronic Distribution for Wolf Creek Nuclear Operating Corporation

Electronic distribution by RIV:

Regional Administrator (Art.Howell@nrc.gov)  
 Acting Deputy Regional Administrator (Robert.Lewis@nrc.gov)  
 DRP Director (Kriss.Kennedy@nrc.gov)  
 DRS Director (Tom.Blount@nrc.gov)  
 DRS Deputy Director (Jeff.Clark@nrc.gov)  
 Senior Resident Inspector (Charles.Peabody@nrc.gov)  
 Resident Inspector (Chris.Hunt@nrc.gov)  
 Branch Chief, DRP/B (Neil.OKeefe@nrc.gov)  
 Senior Project Engineer, DRP/B (Mike.Bloodgood@nrc.gov)  
 Wolf Creek Administrative Assistant (Carey.Spoon@nrc.gov)  
 Public Affairs Officer (Victor.Dricks@nrc.gov)  
 Public Affairs Officer (Lara.Uselding@nrc.gov)  
 Project Manager (Fred.Lyon@nrc.gov)  
 Branch Chief, DRS/TSB (Ray.Kellar@nrc.gov)  
 RITS Coordinator (Marisa.Herrera@nrc.gov)  
 Regional Counsel (Karla.Fuller@nrc.gov)  
 Congressional Affairs Officer (Jenny.Weil@nrc.gov)  
 OEmail Resource  
 NOED Resource (NOED.Resource@nrc.gov)  
 OE Web Resource (OEWEB.Resource@nrc.gov)  
 OEDO RIV Coordinator (Vivian.Campbell@nrc.gov)  
 NRR DORL Director (Michele.Evans@nrc.gov)  
 Director, Office of Enforcement (Roy.Zimmermon@nrc.gov)  
 NRR/DORL/Plant Licensing Branch IV Chief (Michael.Markley@nrc.gov)  
 NRR/DORL Deputy Director (Louise.Lund@nrc.gov)  
 NRR/DORL Deputy Director (John.Monninger@nrc.gov)

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ADAMS: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		<input checked="" type="checkbox"/> SUNSI Review Complete	Reviewer Initials: NFO
		<input checked="" type="checkbox"/> Publicly Available	<input checked="" type="checkbox"/> Non-Sensitive
		<input type="checkbox"/> Non-publicly Available	<input type="checkbox"/> Sensitive
C:RIV/DRP/B	D:RIV/DRS	D:NRR/DORL	D:RIV/DRP
NO'Keefe	TBlount	MEvans	KKennedy
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