



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

November 2, 2017

EA-17-149

Mr. Adam C. Heflin, President,
Chief Executive Officer,
and Chief Nuclear Officer
Wolf Creek Nuclear Operating Corporation
P.O. Box 411
Burlington, KS 66839

SUBJECT: WOLF CREEK GENERATING STATION, NRC REACTIVE INSPECTION
REPORT 05000482/2017407, AND PRELIMINARY GREATER THAN GREEN
FINDING

Dear Mr. Heflin:

On August 17, 2017, the U.S. Nuclear Regulatory Commission (NRC) completed its initial assessment of the circumstances surrounding the security event identified on August 11, 2017, at the Wolf Creek Generating Station. Based on this initial assessment, the NRC sent a physical security inspector to Wolf Creek Generating Station on August 21, 2017. On October 4, 2017, the NRC completed its special inspection and the inspector discussed the results of the inspection with Mr. S. Smith, Plant Manager, and other members of your staff. The results of this inspection are documented in the enclosed inspection report.

The enclosed report documents a finding, with an associated apparent violation, that the NRC has preliminarily determined to have a greater than very low security significance that may require additional inspections, regulatory actions, and oversight. We assessed the significance of each finding using the Baseline Security Significance Determination Process using best available information. The deficiencies were promptly corrected or compensated for, and the plant was in compliance with applicable physical protection and security requirements within the scope of the inspection before the inspectors left the site. We are considering escalated enforcement for the apparent violation in accordance with our Enforcement Policy, which can be found at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. Because we have not made a final determination, no notice of violation is being issued at this time. Please be aware that further NRC review may prompt us to modify the number and characterization of the apparent violations.

We intend to issue our final significance determination and enforcement decision, in writing, within 90 days from the date of this letter. The NRC's significance determination process is designed to encourage an open dialogue between your staff and the NRC; however, neither the

**Enclosure transmitted herewith
contains SUNSI. When separated
from enclosure, this transmittal
document is decontrolled.**

A. Heflin

2

dialogue nor the written information you provide should affect the timeliness of our final determination.

Before we make the final decision, you may choose to communicate your position on the facts and assumptions used to arrive at the finding and assess its significance by either (1) attending and presenting at a regulatory conference or (2) submitting your position in writing. The focus of a regulatory conference is to discuss the significance of the finding. Written responses should reference the inspection report number and enforcement action number associated with this letter in the subject line.

If you request a regulatory conference, it should be held within 40 days of your receipt of this letter. Please provide information you would like us to consider or discuss within 10 days prior to the conference in an effort to make the conference more efficient and effective. If you choose to attend a regulatory conference, it will be closed for public observation since security-related information will be discussed. If you choose not to request a regulatory conference or to submit a written response, you relinquish your right to appeal the final SDP determination, in that by not doing either, you fail to meet the appeal requirements stated in the Prerequisite and Limitations sections of Attachment 2 of NRC Inspection Manual Chapter 0609.

If you decide to submit a written response, it should be sent to the NRC within 40 days of your receipt of this letter. Written responses should be clearly marked as a "Response to an Apparent Violation; EA-17-149" and should include for the apparent violation: (1) the reason for the apparent violation or, if contested, the basis for disputing the apparent violation; (2) the corrective steps that have been taken and the results achieved; (3) the corrective steps that will be taken; and (4) the date when full compliance will be achieved.

Your written response should be sent to the NRC's Document Control Center, Washington, DC 20555-0001, with a copy mailed to Mr. Anton Vegel, Director, Division of Reactor Safety, U.S. Nuclear Regulatory Commission, Region IV, 1600 E. Lamar Blvd., Arlington, TX 76011-4511, within 40 days of the date of this letter. If an adequate response is not received within the time specified or an extension of time has not been granted by the NRC, the NRC will proceed with its enforcement decision or schedule a regulatory conference.

Please contact Mr. Jeremy Groom at 817-200-1527, and in writing, within 10 days from the issue date of this letter to notify the NRC of your intentions. If we have not heard from you within 10 days, we will continue with our significance determination.

One cross-cutting aspect was assigned to the finding in the area of human performance. Specifically, leaders failed to ensure that personnel and procedures were available and adequate to support nuclear safety [H.1].

If you disagree with this cross-cutting aspect assignment, you should provide a response within 30 days of the date of this inspection report, with the basis of your disagreement, to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001; with copies to the Regional Administrator, Region IV; and the NRC Resident Inspector at the Wolf Creek Generating Station.

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390, of the NRC's "Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC's Public Document Room and in the NRC's Agencywide Documents

A. Heflin

3

Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

However, the enclosed report contains Security-Related Information, in accordance with 10 CFR 2.390(d)(1) and its disclosure to unauthorized individuals could present a security vulnerability. Therefore, the material in the enclosure will not be made available for public inspection in the NRC Public Document Room or in ADAMS. If you choose to provide a response that contains Security-Related Information, please mark your entire response “Security-Related Information–Withhold from Public Disclosure Under 10 CFR 2.390” in accordance with 10 CFR 2.390(d)(1) and follow the instructions for withholding in 10 CFR 2.390(b)(1). The NRC is waiving the affidavit requirements for your response in accordance with 10 CFR 2.390(b)(1)(ii).

Sincerely,

/RA/

Anton Vogel, Director
Division of Reactor Safety

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

Nonpublic Enclosure:
Inspection Report 05000482/2017407
w/Attachments:
1. Supplemental Information
2. Special Inspection Charter

cc w/enclosure:
Mr. Mike Skiles
Security Manager
Wolf Creek Nuclear Operating Corporation
P.O. Box 411
Burlington, KS 66839

cc w/o enclosure: Electronic Distribution

~~OFFICIAL USE ONLY – SECURITY-RELATED INFORMATION~~

A Heflin

4

WOLF CREEK GENERATING STATION, NRC REACTIVE INSPECTION
REPORT 05000482/2017407, AND PRELIMINARY GREATER THAN GREEN FINDING -
November 2, 2017

DISTRIBUTION w/o enclosure:

EWharton, NSIR	DFurst, OE	SGalemore, DRP
NSimonian, NSIR	LCasey, NRR	RidsOcaMailCenter Resource
CJohnson, NSIR	JPeralta, OE	RidsOgcMailCenter Resource
DGarner, NSIR	FPeduzzi, OE	RidsEdoMailCenter Resource
RMcKinley, RI DRS	JClark, DRS	EDO_Managers
BDesai, RII DRS	JGroom, DRS	RidsOigMailCenter Resource
SOrth, RIII DRS	NTaylor, DRP	RidsOiMailCenter Resource
KKennedy, ORA	DProulx, DRP	RidsRgn1MailCenter Resource
SMorris, ORA	JMelfi, DRP	RidsRgn2MailCenter Resource
TPruett DRP	ABoland, OE	RidsRgn3MailCenter Resource
RLantz, DRP	DDodson, DRP	RidsOcfoMailCenter Resource
AVegel, DRS	FThomas, DRP	ACES

DISTRIBUTION w/o enclosure:

VDricks, ORA	Project Manager/
THipschman, DRS	MHerrera, FRMB
BMaier, ORA	EUribe, DRS
JWeil, RIV/CAO	AMoreno RIV/CAO
JBowen, RIV/OEDO	GWalker, OI
RidsOeMailCenter Resource	

DOCUMENT NAME: R:_REACTORS\WC\2017\Word Docs\CHLTR_EA-17-149 Wolf Creek Contraband LTR.docx

ADAMS ACCESSION NUMBER: ML17306A548

Entire Report: ADAMS: Non-Publicly Available Non-Sensitive Keyword:
 SUNSI Review By: ADM Yes No Publicly Available Sensitive MD 3.4 A.3

ADAMS ACCESSION NUMBER: ML17306A559

Cover Letter Only: ADAMS: Non-Publicly Available Non-Sensitive Keyword:
 SUNSI Review By: ADM Yes No Publicly Available Sensitive NRC-002

OFFICE	PSI:PSB1	PSI:PSB1	C:PSB1	C:PBB	TL:ACES	D:DRS
NAME	AMeyen	CJewett	JGroom	NTaylor	MVasquez	AVegel
SIGNATURE	/RA/	/RA/	/RA/	DP for	JK for	/RA/
DATE	10/23/17	10/5/17	10/23/17	10/26/17	11/01/17	11/2/17

OFFICIAL RECORD COPY