



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 53 TO FACILITY OPERATING LICENSE NO. NPF-42

WOLF CREEK NUCLEAR OPERATING CORPORATION

WOLF CREEK GENERATING STATION

DOCKET NO. 50-482

1.0 INTRODUCTION

The Wolf Creek Generating Station is jointly owned by Kansas Gas and Electric Company (47 percent), Kansas City Power and Light Company (47 percent) and Kansas Electric Power Cooperative, Inc. (6 percent). The Wolf Creek Nuclear Operating Corporation (WCNOC) is authorized to act as agent for the owners and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

By letter dated March 28, 1991, Hunton & Williams, the legal counsel for Kansas Gas and Electric Company (KG&E), submitted a request to transfer, pursuant to 10 CFR 50.80, the KG&E possession only interest in the operating license to a successor company resulting from the merger of KG&E with a subsidiary of Kansas Power and Light Company (KPL). The successor company would also be named Kansas Gas and Electric Company, but would be a wholly-owned subsidiary of KPL.

A subsequent letter from Hunton & Williams dated April 23, 1991, requested an amendment to Facility Operating License NPF-42 to reflect the merger of KG&E and a subsidiary of KPL. The amendment would add a footnote to the license that acknowledges the transfer of KG&E's possession only interest in the operating license to the successor company resulting from the merger of KG&E with a subsidiary of KPL. The transfer will occur upon the merger of KG&E with and into that subsidiary of KPL which is presently in existence and named KCA Corporation. It will be renamed Kansas Gas and Electric Company immediately upon the consummation of the merger.

2.0 EVALUATION

The proposed license amendment would add a footnote to paragraph 2.A of the operating license to reflect the merger of KG&E and a subsidiary of KPL. The amendment does not involve a request for any change to the design or operation of the facility, nor to the existing Technical Specifications. Following the merger, WCNOC, the present holder of the license to operate Wolf Creek, will

maintain the exclusive responsibility and control over the physical construction, operation and maintenance of the facility in accordance with Amendment 4 to NPF-42. The requested license transfer and associated license amendment will introduce no change in the numbers, qualifications, or organizational affiliation of personnel who operate Wolf Creek. There are thus no changes proposed to the design or operation of the facility or the qualifications of the personnel or organization licensed to operate it.

The proposed merger affects only the KG&E 47 percent interest in the facility's ownership. Following the merger with a subsidiary of KPL, the successor company to KG&E, which will also be named Kansas Gas and Electric Company, remains an electric utility and it may therefore be assumed that reasonable costs associated with the partial ownership of the Wolf Creek Generating Station will be recovered by the rates established by the various regulatory agencies. In addition, the combined companies of KG&E and KPL have recognized that obligations such as providing a share of the funds for decommissioning of the facility must be satisfied by the successor company to the present KG&E.

The staff has reviewed the proposed transfer of the KG&E possession only license to the successor company resulting from the merger with a subsidiary of KPL and has concluded that the proposed change in ownership is not a significant change in regard to anti-trust considerations from the antitrust evaluations which were performed for the initial licensing of the facility. The staff published in the Federal Register on May 13, 1991 (56 FR 22026) a Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing for Transfer of Ownership Interest and Opportunity for Public Comment on Antitrust Issues. No comments or requests for hearing were received. In addition, following the staff's evaluation, a Notice of No Significant Antitrust Changes and Time for Filing Requests for Reevaluation was published in the Federal Register on October 24, 1991 (56 FR 55145). No comments or requests for reevaluation were received.

3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Kansas State official was notified of the proposed issuance of the amendment. The State official had no comments.

4.0 ENVIRONMENTAL CONSIDERATION

Pursuant to 10 CFR 51.21, 51.32 and 51.35, an environmental assessment and finding of no significant impact was published in the Federal Register on October 18, 1991 (56 FR 52302). Accordingly, based upon the environmental assessment, the Commission has determined that issuance of this amendment will not have a significant effect on the quality of the human environment.

5.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

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