

WOLF CREEK

NUCLEAR OPERATING CORPORATION

Otto L. Maynard
Vice President Plant Operations

December 13, 1995

WO 95-0180

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Mail Station P1-137
Washington, D. C. 20555

Subject: Docket No. 50-482: Revision to Technical Specification
Surveillance Requirement 4.1.3.1.3, Rod Drop Testing

Gentlemen:

This letter transmits an application for amendment to Facility Operating License No. NPF-42 for Wolf Creek Generating Station (WCGS). This license amendment request proposes revising Surveillance Requirement 4.1.3.1.3 to delete the requirement for performing the control rod drop surveillance test with T_{avg} greater than or equal to $551^{\circ}F$. This would allow performing this test with T_{avg} below $551^{\circ}F$. This change will also add justification for performing the rod drop test with T_{avg} below $551^{\circ}F$ to Bases Section 3/4.1.3, Movable Control Assemblies.

Attachment I-P provides a Safety Evaluation including a description of the proposed change. This attachment contains confidential commercial information which WCNO and Westinghouse consider to be proprietary information. This information is marked in brackets throughout Attachment I-P. In accordance with the provisions of 10 CFR 2.790, it is respectfully requested that all bracketed information in Attachment I-P be regarded as proprietary information, and that Attachment I-P be withheld from public disclosure. Attached are Affidavits from WCNO and Westinghouse which set forth the basis by which this information should be withheld from public disclosure by the Commission and addressees. A non-proprietary version of the safety evaluation is also provided as Attachment I-NP. Attachment I-NP contains no proprietary information and may be released for public disclosure. Attachment II provides a No Significant Hazards Consideration Determination and Attachment III provides an Environmental Impact Determination. The specific change to the technical specifications proposed by this request is provided in Attachment IV. Attachments II, III and IV contain no proprietary information.

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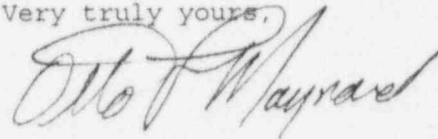
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In accordance with 10 CFR 50.91, a copy of this application, with attachments, is being provided to the designated Kansas State official. This proposed revision to the WCGS Technical Specifications will be fully implemented prior to startup from the eighth refueling outage, following formal Nuclear Regulatory Commission approval.

If you have any questions concerning this matter, please contact me at (316) 364-8831, extension 4450, or Mr. Richard D. Flannigan, at extension 4500.

Very truly yours,



Otto L. Maynard

OLM/jra

Attachments I-P - Safety Evaluation (Proprietary)
 I-NP - Safety Evaluation (Non-Proprietary)
 II - No Significant Hazards Consideration Determination
 III - Environmental Impact Determination
 IV - Proposed Technical Specification Change

cc: G. W. Allen (KDHE), w/a (Non-Proprietary)
L. J. Callan (NRC), w/a
W. D. Johnson (NRC), w/a
J. F. Ringwald (NRC), w/a
J. C. Stone (NRC), w/a

AFFIDAVIT

STATE OF KANSAS)
)
COUNTY OF COFFEY)

Before me, the undersigned authority, personally appeared Otto L. Maynard, who, being by me duly sworn according to law, deposes and says:

- (1) I am Vice President Operations for the Wolf Creek Nuclear Operating Corporation (WCNOC), and I have been specifically delegated the function of reviewing the proprietary information sought to be withheld from the public disclosure in WCNOC's submittal of a safety evaluation to revise Wolf Creek Generating Station (WCGS) Technical Specification Surveillance Requirement 4.1.3.1.3 to allow performing control rod drop time testing at temperatures below 551 degrees Fahrenheit, and am authorized to apply for its withholding on belief of WCNOC.

- (2) I am making this Affidavit in conformance with the provisions of 10 CFR Section 2.790 of the Commission's regulations and in conjunction with WCNOC letter WO 95-0180, for the safety evaluation for revising WCGS Technical Specification Surveillance Requirement 4.1.3.1.3 to allow performing control rod drop time testing at temperatures below 551 degrees Fahrenheit, accompanying this Affidavit.

- (3) I have personal knowledge of the criteria and procedures utilized by WCNOC in designating information as a trade secret, privileged or a confidential commercial.

- (4) Pursuant to the provisions of paragraph (b)(4) of Section 2.790 of the Commission's regulations, the following is furnished for the consideration by the Commission in determining whether this information sought to be withheld from public disclosure, should be withheld.
 - (i) The information sought to be withheld from public disclosure has been held in confidence by WCNOC. The information is of a type customarily held in confidence by other organizations and not customarily disclosed to the public.

Based on a review of 10 CFR 2.790, the information to be held in confidence falls on one more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:

- (a) The information reveals the distinguishing aspects of a process or a method, where prevention of its use by any other company without license from WCNOC constitutes a competitive economic advantage over other companies.

- (b) It consists of supporting data relative to a process or a method, the application of which secures a competitive advantage.
- (c) Its use by another company would reduce its expenditure of resources or improve its competitive position in the design, assurance of quality, or licensing a similar product.

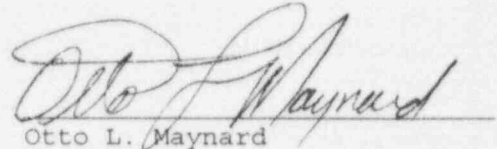
There are sound reasons behind the WCNOG position which include the following:

- (a) It is information which is marketable in many ways.
 - (b) Use by other companies would put WCNOG at a competitive disadvantage by reducing their expenditure of resources at our expense.
 - (c) Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component may be the key to the entire puzzle, thereby depriving WCNOG of a competitive advantage.
- (ii) The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.790, it is to be received in confidence by the Commission.
 - (iii) The information sought to be protected is not available in public sources to the best of our knowledge and belief.
 - (iv) The proprietary information sought to be withheld in this submittal is that which is marked by brackets in the Safety Evaluation attached to the "Revision to Wolf Creek Generating Station Technical Specification Surveillance Requirement 4.1.3.1.3, Rod Drop Testing," WCNOG Letter WO 95-0180, submitted to the Document Control Desk in December, 1995, along with this Affidavit.

The subject information could only be duplicated by competitors if they were to invest time and effort equivalent to that invested by WCNOG, provided they have the requisite talent and experience

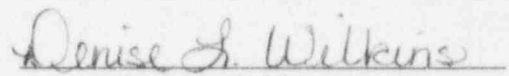
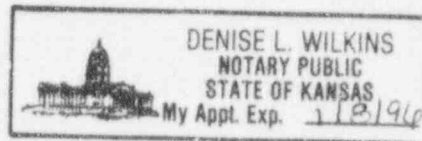
Public disclosure of this information is likely to cause substantial harm to the competitive position of WCNOG because it would simplify design and evaluation tasks without requiring a commensurate investment of time and effort.

(5) The above statements are true and correct to the best of my knowledge, information and belief.



Otto L. Maynard
Vice President
Operations

SUBSCRIBED and sworn to before me this 13 day of December
December, 1995.



Denise L. Wilkins
Notary Public

My Commission Expires 1/8/96