



KANSAS GAS AND ELECTRIC COMPANY

GLENN L. KOESTER
VICE PRESIDENT - NUCLEAR

December 21, 1984

Mr. Harold R. Denton, Director
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

KMLNRC 84-236
Re: Docket No. STN 50-482
Ref: Letter of 12/4/84 from TMNovak, NRC,
to GLKoester, KG&E
Subj: Wolf Creek Draft Operating License

Dear Mr. Denton:

The Reference provided a copy of the Draft Operating License for Wolf Creek Generating Station, Unit No. 1. Comments on the license were requested of KG&E, in writing, by the Reference.

KG&E's comments on the draft license are provided in the Attachment. KG&E requests that the NRC address these comments in writing or in a meeting with KG&E prior to NRC issuance of the License.

Yours very truly,

GLK:bb,w/a
xc:PO'Connor (2), w/a
HBundy,w/a
WGGuldemond,w/a

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Comments on the Draft
Wolf Creek Operating License

<u>Section</u>	<u>Comment</u>
-	The Enclosure to this Attachment provides a listing of typographical errors in the Draft License.
2.C.(3)	The Applicants were unaware that antitrust provisions would be carried over to the Operating License based upon the Wolf Creek Construction Permit Amendment and the way the Operations License was filed. Please provide Appendix C for our review.
2.C.(4)	Wolf Creek SSER #4 contains extensive discussions in Section 3.11 by the NRC on environmental qualification of equipment and should be referenced in the license.
2.C.(4)(a)	<p>The date given in the condition is not necessary. KG&E suggests that the condition could be rewritten as follows:</p> <p>"KG&E shall environmentally qualify all electrical equipment according to the provisions of 10CFR50.49".</p> <p>10CFR50.49 contains provisions which allow the Director of the Office of Nuclear Reactor Regulation to review and determine if a nuclear plant can be safely operated pending completion of equipment qualification. Such reviews could, in exceptional cases, allow qualification completion beyond the proposed date.</p> <p>In principle, however, the proposed license condition represents an attempt to duplicate in part but not in total a Commission regulation. Section 2.C of the draft license already imposes "all rules, regulations, and orders of the Commission..." on the licensees. Thus, the provisions of 10CFR50.49 ought to take precedence over a potentially more limiting provision of the license and Section 2.C(4)(a) should be eliminated from the license.</p>

2.C.5

Acceptable seismic qualification testing has been completed for all required equipment. This is documented in the following letters: SLNRC 84-0101, SLNRC 84-0118, SLNRC 84-0120, SLNRC 84-0123, SLNRC 84-0131 and SLNRC 84-0135. Therefore, this condition should be deleted.

2.C.(6) (a)

At the time the license is issued, the SNUPPS FSAR will be updated with a Revision 17 and the Wolf Creek FSAR Addendum will have a Revision 15. KG&E suggests that the NRC reference the final, pre-license docketed FSAR status.

2.C.(6) (b) & (c)

The proposed license condition would prohibit KG&E from making changes to the fire protection program pursuant to 10CFR50.59. Changes to the facility and to procedures without prior Commission approval are allowed by 10CFR50.59 unless the change involves a change in the technical specifications or "an unreviewed safety question". An unreviewed safety question is defined by 10CFR50.59 as one which (1) increases the probability or the consequences of an accident previously evaluated in the FSAR, (2) creates the possibility of a previously un-evaluated type of accident, or (3) reduces the margin of safety as defined in the basis of a technical specification. The 10CFR50.59 procedure is widely used and understood throughout the nuclear industry and within the NRC.

The proposed license condition establishes a new and different type of test for determining when prior Commission approval is needed, i.e., for those changes that "decrease the level of fire protection in the plant." The NRC's proposed wording does not even limit the scope of this condition to fire protection in safety-related areas of the plant. It is inconsistent to set different standards for fire protection than those established by 10CFR50.59 for other safety-related systems. KG&E can make changes to safety-related systems, for example the RHR system, without prior Commission approval if the tests of 10CFR50.59 are satisfied. Thus, creating another set of standards for fire protection features is not warranted.

10CFR50.54(h) provides that the operating license be "subject toall rules, regulations, and orders of the Commission". The draft license contains the same language in Section 2.C. Thus, the provisions of 10CFR50.59 ought to take precedence over the inconsistent provision of the proposed license.

Where the Commission has thought it important enough, it has specifically written into regulations provisions like the proposed license condition. For example:

1. 10CFR50.54(a)(3)
2. 10CFR 50.54(i-1)
3. 10CFR50.54(p)

In the absence of similar language for the fire protection program, the general standards of 10CFR50.59 must control. Otherwise, the NRC staff would be free to change any NRC regulation simply by putting an inconsistent provision in an operating license.

2.C.(7)

Assuming the technical requirements of Attachment 2 are identical to those given in Attachment 2 to NPP-30, KG&E has no comments. If this is not the case, the NRC must provide a copy of Attachment 2 to NPP-32 for KG&E review and comment.

2.C.(8)

The Wolf Creek SER and Supplements do not have a Section 22.2. This condition should refer to Section 22.0, "TMI-2 Requirements."

2.C.(8)(b)

Delete Wolf Creek SSER #1 from the title as it does not contain a discussion on item II.B.3. SSER #4 contains open items that KG&E assumes will be addressed and closed in SSER #5.

2.C.(9)

The Wolf Creek SER issued in April 1982 only addresses the SNUPPS FSAR through Revision 8 and the Wolf Creek FSAR Addendum through Revision 8. As noted under 2.C.(6)(a), KG&E has made several revisions beyond those addressed. Several of these revisions have altered our Initial Test Program. KG&E assumes that SSER #5 will address and close out the revisions.

2.C.(15)

KG&E's commitments to the Generic Letter are described in KMLNRC 84-023, dated February 29, 1984.

2.E.

The NRC has referenced some inappropriate letters and has not included the latest revisions of the various plans in this Section. The first nine lines of the draft are correct. Replacing the second nine lines with the following will provide the proper status:

"May 8, 1984, Revision 4, transmitted by letter dated August 15, 1984, Revision 5, transmitted by letter dated September 28, 1984, and Revision 6, transmitted by letter dated November 30, 1984; "Safeguards Contingency Plan", Revision 0, transmitted by letter dated February 8, 1980, Revision 1, transmitted by letter dated March 31, 1982, Revision 4, transmitted by letter dated August 22, 1984, and Revision 6, transmitted by letter dated November 30, 1984; and the "Security Training and Qualifications Plan", Revision 0, transmitted by letter dated July 30, 1981, Revision 1, transmitted by letter dated March 31, 1982, and Revision 6, transmitted by letter dated November 30, 1984".

At the suggestion of Region IV personnel, KG&E started revising all three of the plans at the same time. However, with this practice one or two of the plans may not have any pages revised when the other plan(s) is revised. This was the case for the Plan Revisions not submitted.

Wolf Creek Draft Operating License
Typographical Errors

<u>Section</u>	<u>Comment</u>
Footnote	The formal names of KG&E and KCPL are incorrect. The names are properly reflected in Section 1.A.
2.B.(4)	The "of" at the end of the second line should be "or".
2.B.(5)	To be consistent with the format used in other paragraphs, there should be a comma (,) between KG&E and pursuant in the first line.
2.C.(7)	To be consistent with the other heading titles, replace the comma (,) after the number five (5) by the word "and".
2.C.(8) (d)	SSER #3 should be SSER #5.
2.C.(9) (f)	Add "the" between "in" and "test" in the first line.
2.D.	The verb in the first sentence should be "is" not "are".