

WOLF CREEK

NUCLEAR OPERATING CORPORATION

Bart D. Withers
President and
Chief Executive Officer

October 20, 1988

WM 88-0268

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

Reference: Letter dated August 19, 1988 from P. W. O'Connor, NRC,
to B. D. Withers, WCNOG
Subject: Docket No. 50-482: Emergency Plan Applicability to
the Site Boundary

Gentlemen:

The purpose of this letter is to provide Wolf Creek Nuclear Operating Corporation's (WCNOG) response to Mr. Paul O'Connor's request for changes to the Wolf Creek Radiological Emergency Response Plan (RERP). The reference identified a concern that the current RERP does not provide adequate protection for individuals who intentionally trespass and engage in illegal fishing on the Wolf Creek Cooling Lake.

WCNOG has thoroughly reviewed the RERP, regulatory requirements applicable to the Wolf Creek Generating Station (WCGS) and the degree of trespassing on the Wolf Creek Cooling Lake. It is WCNOG's position that the current RERP provides a high degree of protection to the health and safety of the public and meets all of the regulatory requirements applicable to WCGS. WCNOG has previously addressed this issue in a letter dated May 24, 1988 from Mr. Bart Withers, WCNOG to the Nuclear Regulatory Commission. Excerpts from that letter as well as additional information to support this position are provided below.

Figure 1 identifies the WCGS site boundary. The WCGS site boundary for the most part consists of a 4 or 5 strand wire fence and posted signs indicating private property. Figure 2 identifies the Owner-Controlled Area barriers and the exclusion area. The approved WCGS RERP Section 3.3.1.1 (which follows the guidance of NUREG-0654 Section J.1.D) provides for evacuation, if appropriate, of personnel from the exclusion area based on the Emergency Action Level scheme and potential for further degradation and immediate hazards to personnel. Security personnel are directed to conduct an inspection of the lake and land area within the exclusion area but outside the Protected Area to ensure that all non-essential personnel are evacuated from the exclusion area. There are no public access areas within the site boundary with the exception of the Owner-Controlled Area in which access is monitored and restricted as appropriate by security personnel.

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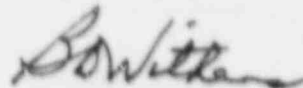
WCNOC believes the number of people engaged in the illegal act of trespassing is very small and, for those rare occasions when people do trespass, the duration is very short. The probability of an event occurring that would require evacuation is extremely low. Therefore, WCNOC believes that the increased benefit from providing protection to those intentionally engaged in illegal trespassing would be extremely small and the cost of providing that increased protection would be high. Therefore changes would not be cost beneficial.

WCNOC believes that emergency planning is extremely important and has put tremendous effort into the development and implementation of the emergency response plan. WCNOC believes that the RERP is in compliance with 10 CFR 50.47(b)(10) and the guidance of NUREG-0654 Section J.1.D. Furthermore, WCNOC believes it is inappropriate to require extra emergency planning measures for trespassers, especially when the increase in overall safety is extremely small and the cost/benefit does not warrant implementation of such measures. WCNOC does intend to take additional actions to assure that the number of trespassers is kept low. In the past, offenders have typically been given a warning. In the future, WCNOC intends to file formal charges of criminal trespassing against anyone caught trespassing. This new policy should provide a stronger deterrent to would-be offenders.

In March 1985, the NRC issued NUREG-0881, Supplement No. 5, "Safety Evaluation Report Related to the Operation of the Wolf Creek Generating Station". In Section 13.3.2 the Staff concluded that "...on the basis of information in Revision 15 of the emergency plan and EPP 01-10.1, and on the applicant's demonstrated performance in the November 1984 exercise, the applicant is in conformance with the emergency planning standard for protective response." WCNOC recognizes that the Staff can and will periodically change its technical interpretation concerning what is acceptable. However, if the Staff changes its interpretation after its initial acceptance, the plant specific backfit provisions of 10 CFR 50.109 and NRC Manual Chapter 0514 are applicable and should be complied with prior to imposing the changes on the utility.

If you have any questions concerning this matter, please contact me or Mr. O. L. Maynard of my staff.

Very truly yours,



Bart D. Withers
President and
Chief Executive Officer

BDW/jad

Attachment

cc: B. L. Bartlett (NRC), w/a
D. D. Chamberlain (NRC), w/a
R. D. Martin (NRC), w/a
D. V. Pickett (NRC), w/a (2)

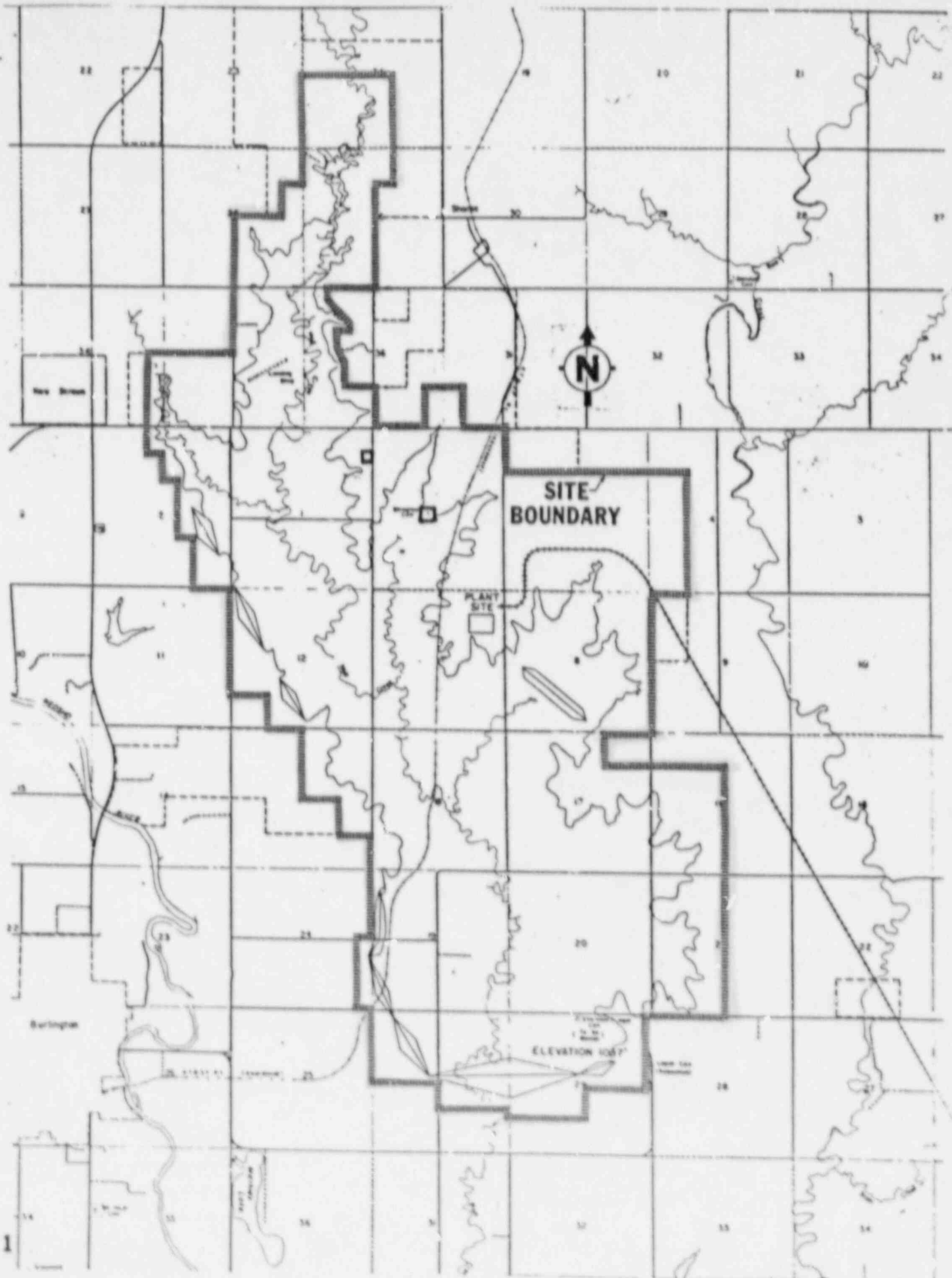


FIGURE 1

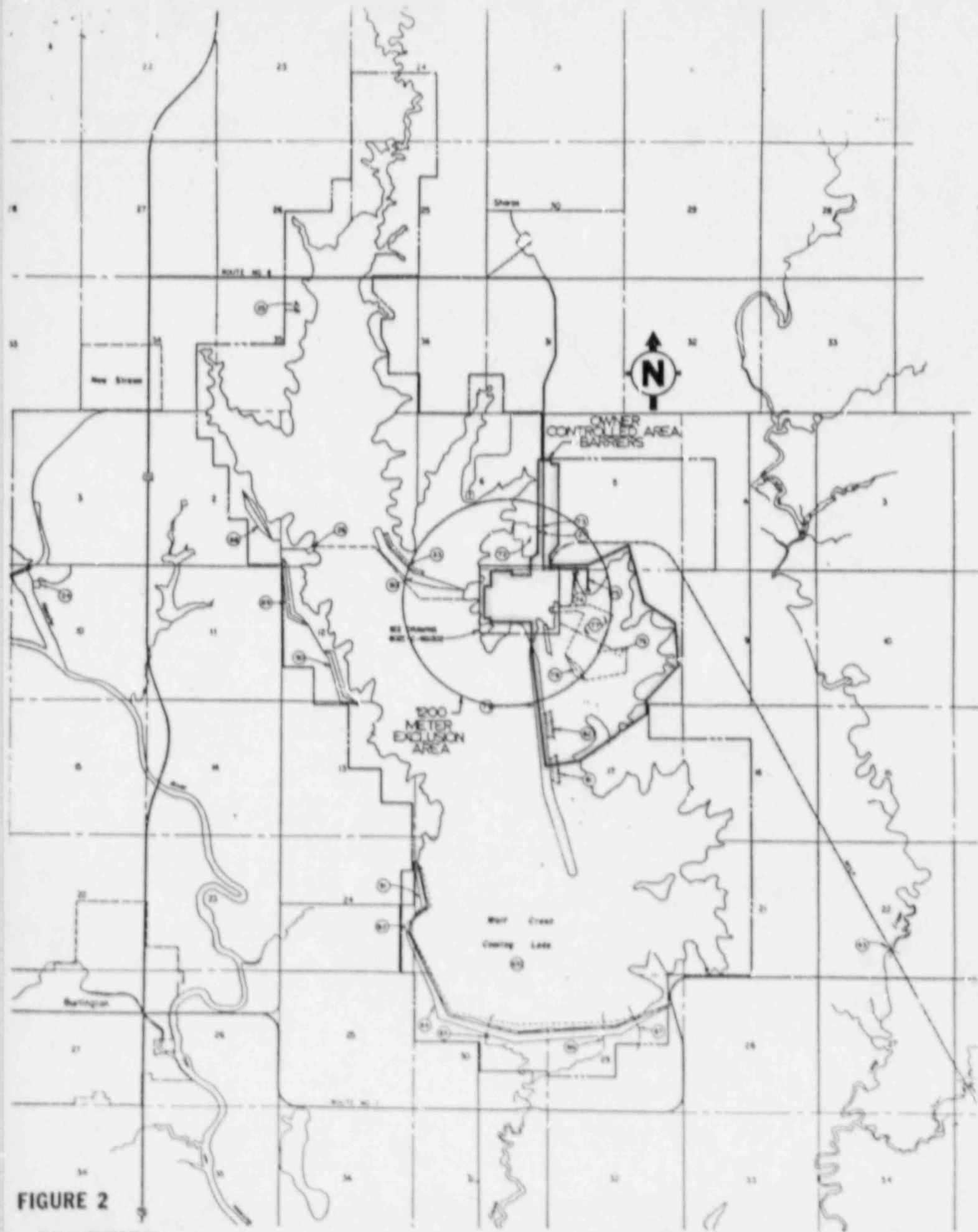


FIGURE 2