



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

July 20, 2021

Mr. Cleveland Reasoner  
Chief Executive Officer and  
Chief Nuclear Officer  
Wolf Creek Nuclear Operating Corporation  
P.O. Box 411  
Burlington, KS 66839

SUBJECT: WOLF CREEK GENERATING STATION, UNIT 1 - ISSUANCE OF  
AMENDMENT NO. 229 RE: CHANGE TO OWNER LICENSEE NAMES  
(EPID L-2020-LLA-0248)

Dear Mr. Reasoner:

The U.S. Nuclear Regulatory Commission (the Commission) has issued the enclosed Amendment No. 229 to Renewed Facility Operating License No. NPF-42 for the Wolf Creek Generating Station, Unit 1. The amendment consists of changes to the renewed facility operating license in response to your application dated November 4, 2020, as supplemented by letter dated May 24, 2021.

The amendment reflects a corporate name change for the owner licensee names for Kansas Gas and Electric Company to Evergy Kansas South, Inc., and Kansas City Power & Light Company to Evergy Metro, Inc., and other editorial corrections.

A copy of the related safety evaluation is enclosed. Notice of Issuance will be included in the Commission's monthly *Federal Register* notice.

Sincerely,

*/RA/*

Samson S. Lee, Senior Project Manager  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-482

Enclosures:

1. Amendment No. 229 to NPF-42
2. Safety Evaluation

cc: Listserv



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
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WOLF CREEK NUCLEAR OPERATING CORPORATION

WOLF CREEK GENERATING STATION, UNIT 1

DOCKET NO. 50-482

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 229  
License No. NPF-42

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment to the Wolf Creek Generating Station, Unit 1 (the facility) Renewed Facility Operating License No. NPF-42 filed by the Wolf Creek Nuclear Operating Corporation (the Corporation), dated November 4, 2020, as supplemented by letter dated May 24, 2021, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended by changes to Renewed Facility Operating License No. NPF-42, Appendix B, "Environmental Protection Plan (Nonradiological)," and Appendix C, "Antitrust Conditions," as indicated in the attachment to this license amendment.
3. The license amendment is effective as of its date of issuance and shall be implemented within 90 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Jennifer L. Dixon-Herrity, Chief  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment:  
Changes to the Renewed Facility  
Operating License, Appendix B,  
and Appendix C

Date of Issuance: July 20, 2021

ATTACHMENT TO LICENSE AMENDMENT NO. 229 TO  
RENEWED FACILITY OPERATING LICENSE NO. NPF-42  
WOLF CREEK GENERATING STATION, UNIT 1  
DOCKET NO. 50-482

Replace the following pages of Renewed Facility Operating License No. NPF-42; Appendix B, "Environmental Protection Plan (Nonradiological)"; and Appendix C, "Antitrust Conditions," with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Renewed Facility Operating License No. NPF-42

<u>REMOVE</u>	<u>INSERT</u>
1	1
3	3
4	4

Appendix B - Environmental Protection Plan (Nonradiological)

<u>REMOVE</u>	<u>INSERT</u>
Cover Page	Cover Page

Appendix C - Antitrust Conditions

<u>REMOVE</u>	<u>INSERT</u>
1	1
10	10

EVERGY KANSAS SOUTH, INC.

EVERGY METRO, INC.

KANSAS ELECTRIC POWER COOPERATIVE, INC.

WOLF CREEK NUCLEAR OPERATING CORPORATION

DOCKET NO. 50-482

WOLF CREEK GENERATING STATION, UNIT 1

RENEWED FACILITY OPERATING LICENSE

Renewed License No. NPF-42

1. The Nuclear Regulatory Commission (the Commission), having previously made the findings set forth in License No. NPF-42, has now found that:
  - A. The application for a renewed operating License No. NPF-42 filed by Wolf Creek Nuclear Operating Corporation\* (WCNOC) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the rules and regulations of the Commission as set forth in Title 10, Chapter I, CFR, and all required notifications to other agencies or bodies have been duly made;
  - B. Construction of the Wolf Creek Generating Station, Unit No. 1 (the facility) has been substantially completed in conformity with Construction Permit No. CPPR-147 and the application, as amended, the provisions of the Act, and the regulations of the Commission;
  - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the regulations of the Commission, (except as exempted from compliance in Section 2.D below);
  - D. There is reasonable assurance: (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I, (except as exempted from compliance in Section 2D below);
  - E. Wolf Creek Nuclear Operating Corporation\* is technically qualified to engage in the activities authorized by this license in accordance with the Commission's regulations set forth in 10 CFR Chapter I;

\*Wolf Creek Nuclear Operating Corporation is authorized to act as agent for the Evergy Kansas South, Inc. (f/k/a Kansas Gas and Electric Company), Evergy Metro, Inc. (f/k/a Kansas City Power & Light Company), and Kansas Electric Power Cooperative, Inc., and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility. Historic reference to the Kansas Gas and Electric Company and the Kansas City Power & Light Company is not changed.

Renewed License No. NPF-42  
Amendment No. 229

- A. This renewed operating license applies to the Wolf Creek Generating Station, Unit No. 1, a pressurized water nuclear reactor and associated equipment (the facility), owned by Evergy Kansas South, Inc. (f/k/a Kansas Gas and Electric Company), Evergy Metro, Inc. (f/k/a Kansas City Power & Light Company), and Kansas Electric Power Cooperative Inc., and operated by the Wolf Creek Nuclear Operating Corporation. The facility is located in Coffey County, Kansas, approximately 28 miles east-southeast of Emporia, Kansas, and is described in the licensees' "Final Safety Analysis Report," as supplemented and amended, and in the licensees' Environmental Report, as supplemented and amended.
- B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Wolf Creek Nuclear Operating Corporation (the Operating Corporation), Evergy Kansas South, Inc. (f/k/a Kansas Gas and Electric Company), Evergy Metro, Inc. (f/k/a Kansas City Power & Light Company), and Kansas Electric Power Cooperative, Inc. (KEPCO):
- (1) Pursuant to Section 103 of the Act and 10 CFR Part 50 "Domestic Licensing of Production and Utilization Facilities," the Operating Corporation, to possess, use and operate the facility at the designated location in Coffey County, Kansas, in accordance with the procedures and limitations set forth in this license;
  - (2) Evergy Kansas South, Inc., Evergy Metro, Inc. and KEPCO to possess the facility at the designated location in Coffey County, Kansas, in accordance with the procedures and limitations set forth in this license;
  - (3) The Operating Corporation, pursuant to the Act and 10 CFR Part 70, to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended;
  - (4) The Operating Corporation, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;

- (5) The Operating Corporation, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
- (6) The Operating Corporation, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.
- C. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission, now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:
- (1) Maximum Power Level
- The Operating Corporation is authorized to operate the facility at reactor core power levels not in excess of 3565 megawatts thermal (100% power) in accordance with the conditions specified herein.
- (2) Technical Specifications and Environmental Protection Plan
- The Technical Specifications contained in Appendix A, as revised through Amendment No. 227, and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 229, both of which are attached hereto, are hereby incorporated in the license. The Corporation shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.
- (3) Antitrust Conditions
- Evergy Kansas South, Inc. and Evergy Metro, Inc. shall comply with the antitrust conditions delineated in Appendix C to this license.
- (4) Environmental Qualification (Section 3.11, SSER #4, Section 3.11, SSER #5)\*
- Deleted per Amendment No. 141.

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\*The parenthetical notation following the title of many license conditions denotes the section of the supporting Safety Evaluation Report and/or its supplements wherein the license condition is discussed.

APPENDIX B

TO FACILITY OPERATING LICENSE NO. NPF-42

EVERGY KANSAS SOUTH, INC. |

EVERGY METRO, INC. |

KANSAS ELECTRIC POWER COOPERATIVE, INC.

WOLF CREEK GENERATING STATION UNIT 1

DOCKET NO. 50-482

ENVIRONMENTAL PROTECTION PLAN

(NONRADIOLOGICAL)



APPENDIX C

WOLF CREEK, UNIT 1

ANTITRUST CONDITIONS FOR  
EVERGY KANSAS SOUTH, INC.

1. As used herein:

(a) "Licensee" means Evergy Kansas South, Inc. (f/k/a Kansas Gas and Electric Company).

(b) "Licensee's Service Area" means those counties located in whole or in part within the area certificated to Licensee and Evergy Kansas Central, Inc. (f/k/a Westar Energy, Inc.) by the appropriate state regulatory commission.

(c) "Bulk Power" means the electric power, and any attendant energy, supplied or made available at transmission or subtransmission voltage by one entity to another.

(d) "Emergency support" is capacity and energy as available from one system, and as needed by another system to replace capacity and energy made unavailable due to forced outages of generating equipment or transmission facilities.

(e) "Maintenance support" is capacity and energy planned by one system to be made available to another system to replace capacity and energy made unavailable due to forced maintenance of generating equipment or transmission facilities.

(f) "Entity" means a financially responsible private or public corporation, governmental agency or authority, municipality, cooperative, or lawful association of any of the foregoing, owning, contractually controlling, or operating, or in good faith proposing to own, contractually control, or operate, facilities for the generation and transmission of electricity for bulk power supply which meets each of the following criteria: (1) its existing or proposed facilities are technically feasible of interconnection with those of Licensee; (2) with the exception of municipalities, cooperatives, government agencies or authorities it is, or upon commencement of operations will be, a public utility subject to regulation with respect to rates and services under the laws of Kansas.

(g) "KEC" refers to Kansas Electric Cooperatives, Inc. or Kansas Electric Power Cooperative, Inc. insofar as it shall become a successor in interest.

(h) "KEPCo" refers to Kansas Electric Power Cooperative, Inc. as the successor in interest to KEC.

(i) "KEPCo Members in Licensee's Service Area" refers to all KEPCo Member rural electric cooperatives with facilities in the combined service area of Evergy Kansas Central, Inc. (f/k/a Westar Energy, Inc.) and Evergy Kansas South, Inc. (f/k/a Kansas Gas and Electric Company).

(j) "Power Requirements" of the KEPCo Members in Licensee's Service Area refers to the sum for all such KEPCo Members of the delivery point contributions to Evergy Kansas Central, Inc. greatest one hour net load for the month.

APPENDIX C

WOLF CREEK, UNIT 1

ANTITRUST CONDITIONS FOR

EVERGY METRO, INC.

1. As used herein:

(a) "Licensee" means Evergy Metro, Inc.

(b) "Licensee's Service Area" means those portions of the States of Missouri and Kansas which are certificated to Licensee by the respective state regulatory commissions. An entity shall be deemed to be in the "Licensee's Service Area" if it has electric power generation, transmission or distribution facilities located in whole or in part in or adjacent to the above- described area or in counties served in part at retail by Licensee.

(c) "Bulk Power" means the electric power, and any attendant energy, supplied or made available at transmission or subtransmission voltage by one entity to another.

(d) "Entity" means person, a private or public corporation, a municipality, a cooperative, a joint stock association, business trust or a lawful association of any of the foregoing constituting, a separate legal entity owning, operating or proposing to own or operate equipment or facilities for the generation, transmission, or distribution of electricity, provided that, except for municipalities and cooperatives, an "entity" is restricted to those which are or will be a public utility under the laws of the state in which the entity transacts business or under the Federal Power Act and are or will be providing electric service under a contract or rate schedule on file with and subject to the regulation of a state regulatory commission or the Federal Power Commission.

(e) "Cost" means any and all operating, maintenance, general and administrative expenses, together with any and all ownership costs, which are reasonably allocable to the transaction consistent with industry practices. Cost shall include a reasonable return on Licensee's investment. The



UNITED STATES  
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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 229 TO

RENEWED FACILITY OPERATING LICENSE NO. NPF-42

WOLF CREEK NUCLEAR OPERATING CORPORATION

WOLF CREEK GENERATING STATION, UNIT 1

DOCKET NO. 50-482

1.0 INTRODUCTION

By application dated November 4, 2020 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20310A201), as supplemented by letter dated May 24, 2021 (ADAMS Accession No. ML21144A182), Wolf Creek Nuclear Operating Corporation (WCNOC, the licensee) requested changes to the Renewed Facility Operating License (RFOL) No. NPF-42 for Wolf Creek Generating Station, Unit 1 (Wolf Creek, WCGS), including Appendix B, "Environmental Protection Plan," and Appendix C, "Antitrust Conditions."

The proposed changes would reflect a corporate name change for the owner licensee names for Kansas Gas and Electric Company to Evergy Kansas South, Inc., and Kansas City Power & Light Company to Evergy Metro, Inc., and other editorial corrections.

The supplemental letter dated May 24, 2021, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the U.S. Nuclear Regulatory Commission (NRC, the Commission) staff's original proposed no significant hazards consideration determination as published in the *Federal Register* on January 26, 2021 (86 FR 7118).

2.0 REGULATORY EVALUATION

The license amendment request (LAR) was submitted pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.90, "Application for amendment of license, construction permit, or early site permit." The LAR was submitted for the purpose of changing the affected license documents to reflect a corporate name change for the owner licensee names for Kansas Gas and Electric Company to Evergy Kansas South, Inc., and Kansas City Power & Light Company to Evergy Metro, Inc., and other editorial corrections.

The proposed changes are purely administrative in nature. The corporate existence continues uninterrupted, all legal characteristics remain the same, and no transfer of control of the license

within the scope of 10 CFR 50.80, "Transfer of licenses," will occur with the proposed name change.

The guidance in NUREG-1577, Revision 1, "Standard Review Plan on Power Reactor Licensee Financial Qualifications and Decommissioning Funding Assurance" (ADAMS Accession No. ML013330264), states, in part:

The reviewer should treat applications involving changes of ownership, mergers, formation of holding companies, and other restructuring proposals that go beyond corporate name changes or internal reorganizations as potential transfers of licenses, directly or indirectly, through transfer of control of the license, as subject to [10 CFR] 50.80 review, and not merely subject to a [10 CFR] 50.90 license amendment review. ... (A name change of a licensee that does not involve license transfer considerations under [10 CFR] 50.80 will be effected by a license amendment issued administratively under [10 CFR] 50.90.)

### 3.0 TECHNICAL EVALUATION

By Order dated March 12, 2018 (ADAMS Accession No. ML18040A666), the NRC approved a proposed indirect transfer of control of RFOL No. NPF-42 for Wolf Creek and WCNOG, due to the proposed merger transaction involving Great Plains Energy Incorporated (Great Plains) through its subsidiary Kansas City Power & Light Company and Westar Energy, Inc. (Westar) through its subsidiary Kansas Gas and Electric Company. This would result in a combined parent company referred to at the time as Holdco and presently named Evergy, Inc. By letter dated June 5, 2018 (ADAMS Accession No. ML18163A125), the licensee indicated that the merger of Great Plains and Westar was completed on June 4, 2018. On November 4, 2020, the licensee submitted an LAR to revise the Wolf Creek RFOL to reflect the name change (Evergy Kansas South, Inc., and Evergy Metro, Inc.) and other editorial corrections.

In its letter dated November 4, 2020, the licensee stated, in part, that:

The proposed changes to the operating license are administrative in nature. There will be no change to the Board of Directors or officers or management of WCNOG as a result of this reorganization. Officers and senior managers of WCNOG who currently exercise ultimate decision-making authority over decisions involving nuclear safety or security at WCNOG will retain their positions and authority at WCNOG while also becoming employees of Evergy Kansas Central, Inc. This "dual hatting" of the Chief Executive Officer/Chief Nuclear Officer and other officers ensures that decisions exercised by those licensee officials may not be modified, overruled, or reversed except by the WCNOG licensee. The proposed changes will not result in any physical changes or changes to the operation of WCGS. The makeup of the WCGS site organization will remain unchanged and continue to operate according to the operating licensee's Appendix B programs and procedures. The owner licensee name changes do not result in a functional change to the operating organization, its technical qualifications, the facility, or the plant technical specifications. WCNOG will continue as the licensed operator of WCGS.

The NRC staff reviewed the licensee proposed changes, which are necessary to ensure that the names of the licensee owners on the RFOL are accurate. Based on the NRC's March 12, 2018, Order and following a review of the information contained in the licensee's November 4, 2020,

submittal, the NRC staff confirmed that the requested changes to the RFOL were purely administrative in nature. WCNOG will remain as the established operating organization; and, in accordance with the RFOL, WCNOG will maintain “exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.” There will be no actual impact on facility operations, the operating organization at Wolf Creek, or the facility management organization responsible for oversight at Wolf Creek. The NRC staff determined that these proposed changes were accurate and purely administrative in nature; therefore, the proposed changes are acceptable. The NRC staff also determined that this LAR had been submitted appropriately, pursuant to 10 CFR 50.90.

The licensee also proposed to add the statement: “Historic reference to the Kansas Gas and Electric Company and the Kansas City Power & Light Company is not changed,” to the bottom of page 1 of the RFOL. The NRC staff determined that this proposed change was accurate and purely administrative in nature; therefore, the proposed change is acceptable.

In addition, the licensee proposed to delete in its entirety Footnote 1 on page 3 of the RFOL. The NRC staff determined that this proposed change was accurate and purely administrative in nature; therefore, the proposed change is acceptable.

#### NRC Staff Conclusion

The NRC staff has determined that there is no transfer of a license or of an interest in a license per 10 CFR 50.80. This determination is consistent with prior precedence where the NRC staff found that a change in name, where there has not been a dissolution of the corporation or a transfer of ownership under state law, is allowable and does not require a license transfer review. The name change does not impact the licensee’s ability or responsibility to comply with any of its obligations under the RFOL. The proposed changes do not alter any technical content of the license or involve any change in the qualifications of the licensee. The name change will have no impact on the design, function, or operation of any plant structures, systems, or components, or on the content of technical specifications. The current design basis and licensing basis will remain the same.

In summary, the NRC staff concludes that the proposed changes are administrative in nature and that no changes to the licensee’s arrangements or ability to own, operate, or decommission will result from the changes.

#### 4.0 STATE CONSULTATION

In accordance with the Commission’s regulations, the Kansas State official was notified of the proposed issuance of the amendment on March 2, 2021. The State official had no comments.

#### 5.0 ENVIRONMENTAL CONSIDERATION

The amendment relates to changes in recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

## 6.0 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) there is reasonable assurance that 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.

Principal Contributors: S. McCarthy, NMSS  
J. Vazquez, NRR

Date: July 20, 2021

SUBJECT: WOLF CREEK GENERATING STATION, UNIT 1 - ISSUANCE OF  
 AMENDMENT NO. 229 RE: CHANGE TO OWNER LICENSEE NAMES  
 (EPID L-2020-LLA-0248) DATED JULY 20, 2021

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**ADAMS Accession No. ML21095A192**

OFFICE	NRR/DORL/LPL4/PM	NRR/DORL/LPL4/LA	NRR/DRO/IOLB/BC	NMSS/REFS/FAB/BC(A)
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DATE	5/25/2021	5/27/2021	3/24/2021	4/2/2021
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