



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

October 22, 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 – WITHDRAWAL OF REQUESTED LICENSING ACTION RE: LICENSE AMENDMENT AND REGULATORY EXEMPTION FOR A RISK-INFORMED APPROACH TO ADDRESS GENERIC SAFETY ISSUE 191 AND RESPOND TO GENERIC LETTER 2004-02 (EPID L-2021-LLA-0152 AND EPID L-2021-LLE-0039)

Dear Mr. Reasoner:

By letter dated August 12, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21224A118), as supplemented by letter dated October 11, 2021 (ADAMS Accession No. ML21284A013), Wolf Creek Nuclear Operating Corporation (the licensee) submitted an application requesting a license amendment that would revise the licensing basis as described in the Wolf Creek Generating Station Updated Safety Analysis Report to allow the use of a risk-informed approach to address potential issues discussed in Generic Safety Issue (GSI)-191, "Assessment of Debris Accumulation on PWR [Pressurized-Water Reactor] Sump Performance," and respond to Generic Letter 2004-02, "Potential Impact of Debris Blockage on Emergency Recirculation During Design Basis Accidents at Pressurized-Water Reactors," dated September 13, 2004 (ADAMS Accession No. ML042360586). Additionally, the licensee requested an exemption from certain requirements in Section 50.46(a)(1) of Title 10 of the *Code of Federal Regulations* (10 CFR) in accordance with the provisions of 10 CFR 50.12, "Specific exemptions." The licensee's application was submitted following the guidance in Regulatory Guide 1.174, Revision 3, "An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to the Licensing Basis," dated January 2018 (ADAMS Accession No. ML17317A256).

The U.S. Nuclear Regulatory Commission (NRC) staff has been performing an acceptance review of the application. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant. By letter dated September 23, 2021 (ADAMS Accession No. ML21253A090), the NRC staff identified that information addressing details and quality of probabilistic risk assessment (PRA) was needed to begin its technical review.

Consistent with 10 CFR 50.90, an application for an amendment to a license (including the technical specifications) must fully describe the changes requested, and following as far as applicable, the form prescribed for original applications. Section 50.34 of 10 CFR addresses the content of technical information required. This section stipulates that the submittal addresses the design and operating characteristics, unusual or novel design features, and principal safety considerations.

Consistent with 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of the regulations of this part, which are authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense, and security. The Commission will not consider granting an exemption unless special circumstances are present, as specified in 10 CFR 50.12(a)(2).

By letter dated October 20, 2021 (ADAMS Accession No. ML21294A051), the licensee requested to withdraw the application from NRC review. The NRC acknowledges the licensee's request to withdraw the application. NRC staff activities on the review have ceased and the associated Cost Activity Code numbers have been closed.

The NRC staff notes that its review to date has identified that the quality of the PRA analysis used to support this application in terms of its appropriateness with respect to scope, level of detail, and technical acceptability is indeterminate. Therefore, should the licensee decide to resubmit the request, it should follow the guidance in Regulatory Guide 1.174 as stated in its October 20, 2021 letter.

If you have any questions, please contact me at 301-415-3168 or via e-mail at Samson.Lee@nrc.gov.

Sincerely,

/RA/

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

Docket No. 50-482

cc: Listserv

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*concurrence via e-mail

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