UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-4005

February 20, 2008

Rick A. Muench, President and
Chief Executive Officer
Wolf Creek Nuclear Operating Corporation
P.O. Box 411
Burlington, KS 66839

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR WOLF CREEK NUCLEAR OPERATING CORPORATION REGARDING WOLF CREEK GENERATING STATION [TAC NO. MD8098, NOED NO. 08-4-001]

Dear Mr. Muench:

By letter dated February 15, 2008, Wolf Creek Nuclear Generating Operating Corporation (WCNOC) confirmed a February 13, 2008, verbal request that the NRC exercise discretion to not enforce compliance with the actions required in Wolf Creek Generating Station, Technical Specification (TS) 3.8.1 "AC Sources – Operation," Action B.2.

WCNOC requested that a Notice of Enforcement Discretion (NOED) be granted pursuant to the NRC's policy regarding exercise of discretion for an operating facility, described in Section VII.C of the NRC's Enforcement Policy, and be effective for 15 hours for TS 3.8.1.B.2 expiring on February 14, 2008 at 9:20 a.m. (all times discussed in this letter refer to Central Standard Time).

This letter documents our telephone conversation on February 13, 2008, at 7:50 p.m., when we verbally granted enforcement discretion. Subsequent to the verbal authorization of this enforcement discretion, we understand that the condition causing the need for this enforcement discretion was corrected by you causing you to exit from the actions required in TS 3.8.1 and from this NOED at 1:41 a.m. on February 14, 2008. The basis for our decision to grant the exercising of enforcement discretion is provided in the following discussion.

Your letter documented information previously discussed with the NRC in a telephone conference which occurred on February 13, 2008. The principal NRC staff members who participated in the telephone conference included: Dwight Chamberlian, Director, Division of Reactor Projects, (DRP), RIV; Roy Caniano, Director, Division of Rector Safety, (DRS), RIV; Tony Vegel, Deputy Director, DRP, RIV; John Lubinski, Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation (NRR); Vincent Gaddy, Chief, Project Branch B, DRP, RIV; Tom Hiltz, Chief, Plant Licensing Branch 4, NRR; Tim Kobetz, Chief, Reactor Inspection Branch, NRR; Russ Bywater, Chief, Engineering Branch 1, DRS, RIV; Greg Cranston, NRR; Tim Kolb, NRR; Mike Runyan, Senior Reactor Analyst, DRS, RIV; Balwant Singal, Project Manager, NRR; Geoff Miller, Senior Project Engineer, Projects Branch E, DRP, RIV; Chris Long, Resident Inspector, DRP, RIV; See-Meng Wong, Senior Reactor Analyst, NRR; and Jay Robinson, Project Manager, NRR.

Your staff requested enforcement discretion to preclude declaring the Train B Centrifugal Charging Pump inoperable by 6:20 p.m. on February 13, 2008. On February 13, 2008, at 2:20 p.m. you identified leakage from the drain pan of the room cooler that supported operability of the Train A Centrifugal Charging Pump. The leakage rendered the room cooler inoperable and, therefore, required the licensee to declare the charging pump inoperable. Technical Specification 3.5.2 was entered with a 72 hour completion time to restore the Train A Centrifugal Charging Pump. After removal of the outer cover panel of the room cooler, a leak was identified on a room cooler H-bend assembly. Visual observation identified that the leak was due to a through-wall flaw at the threaded hex nut. Removal of the H-bend assembly identified that the most likely cause of the leak was due to flow induced erosion. This cooler is scheduled to be replaced in the upcoming refueling outage (March 2008).

The centrifugal charging pumps are part of the emergency core cooling system and the room cooler limits the pump room ambient temperature to assure operability of the pump. Specifically, the room cooler is designed to limit the temperature of the pump room to 122^{o} F during design basis accidents with a concurrent maximum lake temperature of 95^{o} F to assure operability.

On February 11, 2008 at 5:02 a.m., you had entered TS 3.8.1 Action B.4.2.2, due to planned maintenance for Diesel Generator B. Action B.4.2.2 specified a 7 day completion time to restore the diesel generator to an operable status. When the Train A Centrifugal Charging Pump was declared inoperable, entry into TS 3.8.1 Action B.2 was required as discussed in the Technical Specification Bases.

As a result of Diesel Generator B being inoperable with Train A Centrifugal Charging Pump inoperable, TS 3.8.1 Action B.2 was entered. This required 4 hours to declare the required feature supported by the inoperable diesel generator inoperable when its required redundant feature (Train A centrifugal charging pump) was inoperable. The TS required the Train B Centrifugal Charging Pump to be declared inoperable in 4 hours after the Train A centrifugal charging pump was declared inoperable.

At 6:20 p.m., on February 13, 2008, the Train B Centrifugal Charging Pump was declared inoperable, and TS 3.0.3 was entered and actions were initiated within 1 hour to place the Unit in Mode 3. You sought enforcement discretion to permit non-compliance with the completion time of Action B.2 of TS 3.8.1. to permit additional time to complete repairs and restoration of the Train A Centrifugal Charging Pump room cooler and Centrifugal Charging Pump before a plant shutdown was required. You requested an additional 15 hours to restore the Train A Centrifugal Charging Pump and Room Cooler to an operable status by 9:20 a.m. on February 14, 2008, such that entry into Mode 3 would not be required until 4:20 p.m. on February 14, 2008.

Based on the information provided in the telephone conversation in February 13, 2008, and in your letter dated February 15, 2008, the NRC has determined that Criterion B.2.1.1.a of NRC Inspection Manual Part 9900, “Technical Guidance, Operation – Notice of Enforcement Discretion,” was met. The NRC reviewed your written request for enforcement discretion dated February 15, 2008, and verified consistency between your oral and written requests. The NRC’s basis for this discretion considered: (1) the compensatory measures to reduce the probability of a plant transient while ensuring the availability of other safety-related equipment; (2) the availability of offsite electrical power; and (3) the quantitative risk assessment of the condition which indicated that the risk associated with increasing the allowed outage time an additional 15 hours did not cause the risk to exceed the level determined acceptable during

normal work controls. Based on the compensatory risk management measures, it was determined that there was no net increase in risk.

The WCNOC final quantitative risk analysis indicated that the incremental conditional core damage probability (ICCDP) for the proposed 15 hour extension is 1.53E-08, and the incremental conditional large early release probability (ICLERP) for the proposed 15 hour extension results is less than 5E-8. These values are both less than the guidance thresholds in Inspection Manual Part 9900 Technical Guidance. To further mitigate the risk impact in (1) above, WCNOC committed to implement a series of compensatory actions for the duration of the enforcement discretion period. Some of the compensatory actions that WCNOC committed to implement included: (1) avoidance of testing and maintenance impacting availability of the Train A safety bus, including but not limited to, the essential service water system, motor-driven auxiliary feedwater pump, turbine-driven auxiliary feedwater pump, component cooling water system, residual heat removal system, air conditioning units, all 125 Vdc system batteries, and the associated diesel generator to maximize the mitigative response to a station blackout.; (2) ensuring no switchyard work is allowed: (3) enhanced operator sensitivity to safety bus electrical power supply issues to recognize and respond expeditiously to a station blackout or loss of offsite power event; (4) continual monitoring by the grid operator regarding grid conditions to anticipate challenges to offsite power availability; (5) availability of the Sharpe Station to mitigate a station blackout and station operator just-in-time training; and (6) just-in-time training for the top reactor operator manual actions as shown in the Wolf Creek PRA.

On the basis of the NRC staff's evaluation of your request, we have concluded that granting this NOED is consistent with the Enforcement Policy and staff guidance and has no adverse impact on public health and safety. Therefore, as we communicated to your staff at 7:50 p.m. on February 13, 2008, we exercised discretion to not enforce compliance with TS 3.8.1, Required Action B.2 for a period of 15 hours from 6:20 p.m. February 13, 2008, to 9:20 a.m. February 15, 2008.

In addition, as discussed on February 13, 2008, the NRC staff agrees with WCNOC's determination that a follow-up TS amendment was not needed. The staff finds that a TS amendment (either a temporary or permanent amendment) needed for circumstances similar to those addressed by the NOED is not necessary because it involves a nonrecurring noncompliance and only involves a single request for extending the period of time that an inoperable plant component must be restored to operable status as specified per the plant's TS.

As stated in the Enforcement Policy, action will be taken, to the extent that violations were involved, for the root cause that led to the noncompliance for which this NOED was necessary.

Sincerely,

/RA/

Elmo E. Collins
Regional Administrator

Docket: 50-482
License: NPF-42

cc:
Vice President Operations/Plant Manager
Wolf Creek Nuclear Operating Corp.
P.O. Box 411
Burlington, KS 66839

Jay Silberg, Esq.
Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, NW
Washington, DC 20037

Supervisor Licensing
Wolf Creek Nuclear Operating Corp.
P.O. Box 411
Burlington, KS 66839

Chief Engineer
Utilities Division
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604-4027

Office of the Governor
State of Kansas
Topeka, KS 66612

Attorney General
120 S.W. 10th Avenue, 2nd Floor
Topeka, KS 66612-1597

County Clerk
Coffey County Courthouse
110 South 6th Street
Burlington, KS 66839-1798

Chief, Radiation and Asbestos
Control Section
Kansas Department of Health and
Environment
Bureau of Air and Radiation
1000 SW Jackson, Suite 310
Topeka, KS 66612-1366

Ronald L. McCabe, Chief
Technological Hazards Branch
National Preparedness Division
DHS/FEMA
9221 Ward Parkway
Suite 300
Kansas City, MO 64114-3372

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SUNSI Review Completed: _VGG__ ADAMS: ☒ Yes □ No Initials: _VGG_
☒ Publicly Available □ Non-Publicly Available □ Sensitive ☒ Non-Sensitive
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