



Matthew W. Sunseri
Vice President Operations and Plant Manager

January 11, 2010

WO 10-0004

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

Reference: Letter WM 09-0065, dated December 9, 2009, from R. A. Muench, WCNOC, to USNRC

Subject: Docket No. 50-482: Licensee Event Report 2009-007-00, Removal of Equipment From Service Required by Technical Specifications and NRC Safety Evaluation

Gentlemen,

The enclosed Licensee Event Report (LER) is being submitted in accordance with 10 CFR 50.73, "Licensee event report system," paragraph (a)(2)(i)(B) as a condition prohibited by the plant's Technical Specifications (TS). The LER involves the removal of the Channel 4 degraded voltage circuitry to replace the 48 VDC power supply and the determination by the Nuclear Regulatory Commission (NRC) that this constituted removal of equipment required by TS 3.8.1 and the NRC safety evaluation for License Amendment No. 163.

On November 10, 2009, NRC Inspection Report 2009004 identified a green noncited violation of TS 3.8.1, Required Action B.4.2.2 for removing equipment from service that was required by TS 3.8.1 and the NRC safety evaluation for License Amendment No. 163. Therefore, this event is being reported pursuant to 10 CFR 50.73(a)(2)(i)(B) as a condition prohibited by the plant's TSs based on the NRC Inspection Report 2009004 characterization of the issue as a violation of TSs. Wolf Creek Nuclear Operating Corporation's (WCNOC's) review of this event determined the event was not reportable under this criterion and the basis for this determination is provided in the Enclosure. WCNOC's position and denial of the noncited violation has been provided to the NRC in the Reference. Based on the NRC's review of WCNOC's denial and their final position, a resolution will be provided in a supplement to this LER.

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The Attachment provides a list of regulatory commitments. If you have any questions concerning this matter, please contact me at (620) 364-4008, or Mr. Richard D. Flannigan, Manager Regulatory Affairs at (620) 364-4117.

Sincerely,

A handwritten signature in black ink, appearing to read "M W Sunseri".

Matthew W. Sunseri

MWS/rlt

Attachment
Enclosure

cc: E. E. Collins (NRC), w/a, w/e
G. B. Miller (NRC), w/a, w/e
B. K. Singal (NRC), w/a, w/e
Senior Resident Inspector (NRC), w/a, w/e

LIST OF REGULATORY COMMITMENTS

The following table identifies those actions committed to by WCNOC in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments. Please direct questions regarding these commitments to Mr. Richard Flannigan at (620) 364-4117.

REGULATORY COMMITMENT	DUE DATE/EVENT
Based on the NRC's review of WCNOC's denial and their final position, a resolution will be provided in a supplement to this LER.	06/30/2010

NRC FORM 366 (9-2007)		U.S. NUCLEAR REGULATORY COMMISSION		APPROVED BY OMB: NO. 3150-0104 Estimated burden per response to comply with this mandatory collection request: 80 hours. Reported lessons learned are incorporated into the licensing process and fed back to industry. Send comments regarding burden estimate to the Records and FOIA/Privacy Service Branch (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0104), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.		EXPIRES: 08/31/2010		
LICENSEE EVENT REPORT (LER) (See reverse for required number of digits/characters for each block)								
1. FACILITY NAME WOLF CREEK GENERATING STATION				2. DOCKET NUMBER 05000 482		3. PAGE 1 OF 5		
4. TITLE Removal of Equipment From Service Required by Technical Specifications and NRC Safety Evaluation								
5. EVENT DATE			6. LER NUMBER			7. REPORT DATE		
MONTH	DAY	YEAR	YEAR	SEQUENTIAL NUMBER	REV NO.	MONTH	DAY	YEAR
03	24	2009	2009 - 007 - 00			01	11	2010
8. OTHER FACILITIES INVOLVED								
FACILITY NAME			DOCKET NUMBER			FACILITY NAME		
			05000			DOCKET NUMBER		
						05000		
9. OPERATING MODE			11. THIS REPORT IS SUBMITTED PURSUANT TO THE REQUIREMENTS OF 10 CFR§: (Check all that apply)					
1			<input type="checkbox"/> 20.2201(b)		<input type="checkbox"/> 20.2203(a)(3)(i)		<input type="checkbox"/> 50.73(a)(2)(i)(C)	
			<input type="checkbox"/> 20.2201(d)		<input type="checkbox"/> 20.2203(a)(3)(ii)		<input type="checkbox"/> 50.73(a)(2)(ii)(A)	
			<input type="checkbox"/> 20.2203(a)(1)		<input type="checkbox"/> 20.2203(a)(4)		<input type="checkbox"/> 50.73(a)(2)(ii)(B)	
			<input type="checkbox"/> 20.2203(a)(2)(i)		<input type="checkbox"/> 50.36(c)(1)(i)(A)		<input type="checkbox"/> 50.73(a)(2)(iii)	
10. POWER LEVEL			<input type="checkbox"/> 20.2203(a)(2)(ii)		<input type="checkbox"/> 50.36(c)(1)(ii)(A)		<input type="checkbox"/> 50.73(a)(2)(iv)(A)	
			<input type="checkbox"/> 20.2203(a)(2)(iii)		<input type="checkbox"/> 50.36(c)(2)		<input type="checkbox"/> 50.73(a)(2)(v)(A)	
100			<input type="checkbox"/> 20.2203(a)(2)(iv)		<input type="checkbox"/> 50.46(a)(3)(ii)		<input type="checkbox"/> 50.73(a)(2)(v)(B)	
			<input type="checkbox"/> 20.2203(a)(2)(v)		<input type="checkbox"/> 50.73(a)(2)(i)(A)		<input type="checkbox"/> 50.73(a)(2)(v)(C)	
			<input type="checkbox"/> 20.2203(a)(2)(vi)		<input checked="" type="checkbox"/> 50.73(a)(2)(i)(B)		<input type="checkbox"/> 50.73(a)(2)(v)(D)	
			<input type="checkbox"/> 50.73(a)(2)(vii) <input type="checkbox"/> 50.73(a)(2)(viii)(A) <input type="checkbox"/> 50.73(a)(2)(viii)(B) <input type="checkbox"/> 50.73(a)(2)(ix)(A) <input type="checkbox"/> 50.73(a)(2)(x) <input type="checkbox"/> 73.71(a)(4) <input type="checkbox"/> 73.71(a)(5) <input type="checkbox"/> OTHER Specify in Abstract below or in NRC Form 366A					
12. LICENSEE CONTACT FOR THIS LER								
FACILITY NAME Richard D. Flannigan, Manager Regulatory Affairs						TELEPHONE NUMBER (Include Area Code) (620) 364-4117		
13. COMPLETE ONE LINE FOR EACH COMPONENT FAILURE DESCRIBED IN THIS REPORT								
CAUSE	SYSTEM	COMPONENT	MANU-FACTURER	REPORTABLE TO EPIX	CAUSE	SYSTEM	COMPONENT	MANU-FACTURER
14. SUPPLEMENTAL REPORT EXPECTED					15. EXPECTED SUBMISSION DATE			
<input checked="" type="checkbox"/> YES (If yes, complete 15. EXPECTED SUBMISSION DATE) <input type="checkbox"/> NO					MONTH: 06 DAY: 30 YEAR: 2010			
ABSTRACT (Limit to 1400 spaces, i.e., approximately 15 single-spaced typewritten lines) <p>On March 24, 2009 at 0600 Central Standard Time (CST), Limiting Condition for Operation (LCO) 3.8.1 was declared not met and Condition B entered when the "B" diesel generator (DG) was taken out of service for voluntary planned maintenance activities. Required Action B.4.2.2 with a Completion Time of 7 days was applied when the DG was declared or rendered inoperable for the performance of voluntary planned maintenance.</p> <p>At 1552 hours, a partial performance of STS IC-208B, "4kV Loss of Voltage and Degraded Voltage TADOT NB02 Bus – Separation Group 4," was commenced to take as-found data prior to the replacement of the 48 VDC power supply (EGL0002DA). At 1620 hours, Condition A.1 of LCO 3.3.5 was entered when the Channel 4 degraded voltage circuitry was removed from service for the partial performance of STS IC-208B. Channel 4 was returned to service at 1630 hours and the partial performance of STS IC-208B completed satisfactorily. At 1654 hours, the Channel 4 degraded voltage circuitry was removed from service for replacing the 48 VDC power supply and Condition A.1 of LCO 3.3.5 entered with 6 hours to place the channel in trip. At 2109 hours, Condition A of LCO 3.3.5 was exited when the Channel 4 degraded voltage circuitry was returned to service after replacement of the power supply and completion of STS IC-208B.</p> <p>The "B" DG was returned to service on March 28, 2009 at 0323 hours. The Condition B, Required Action B.4.2.2, of LCO 3.8.1 was completed well within (3 days 21 hours and 23 minutes) the 7 day Completion Time as required by the Technical Specifications.</p>								

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NARRATIVE**PLANT CONDITIONS PRIOR TO EVENT:**

MODE - 1
Power - 100

EVENT DESCRIPTION:

On March 24, 2009 at 0600 Central Standard Time (CST), Technical Specification (TS) Limiting Condition for Operation (LCO) 3.8.1 was declared not met and Condition B entered when the "B" diesel generator (DG) [EIS Code: DG] was taken out of service for voluntary planned maintenance activities. Required Action B.4.2.2 with a Completion Time of 7 days was applied when the DG was declared or rendered inoperable for the performance of voluntary planned maintenance.

At 1552 hours, a partial performance of procedure STS IC-208B, "4kV Loss of Voltage and Degraded Voltage TADOT NB02 Bus – Separation Group 4," was commenced to take as-found data prior to the replacement of the 48 VDC power supply (NFEBL0002DA) [EIS Code: BUJX]. Work Order (WO) 08-311106-000 had previously determined that this power supply was degraded and should be replaced at the next available opportunity. WO 09-314508 was initiated for the replacement of the power supply during the "B" train TS Equipment Outage scheduled for March 24, 2009. At 1620 hours, Condition A.1 of LCO 3.3.5 was entered when the Channel 4 degraded voltage circuitry was removed from service for the partial performance of STS IC-208B. Channel 4 was returned to service at 1630 hours and the partial performance of STS IC-208B completed satisfactorily. At 1654 hours, the Channel 4 degraded voltage circuitry was removed from service for replacing the 48 VDC power supply and Condition A.1 of LCO 3.3.5 entered with 6 hours to place the channel in trip. At 2109 hours, Condition A of LCO 3.3.5 was exited when the Channel 4 degraded voltage circuitry was returned to service after replacement of the power supply and completion of STS IC-208B.

The "B" DG was returned to service on March 28, 2009 at 0323 hours. The Condition B, Required Action B.4.2.2, of LCO 3.8.1 was completed well within (3 days 21 hours and 23 minutes) the 7 day Completion Time as required by the TSs.

BASIS FOR REPORTABILITY:

Subsequent to the restoration of the "B" DG on March 28, 2009, the Nuclear Regulatory Commission (NRC) Resident Inspectors concluded the performance of procedure STS IC-208B and the replacement of the 48 VDC power supply to be inappropriate during a planned 7-day DG equipment outage because it increased the probability of the loss of offsite power to safety equipment that could not be powered by the DG. On November 10, 2009, NRC Inspection Report 2009004 identified a green noncited violation of TS 3.8.1, Required Action B.4.2.2, for removing equipment from service that was required by TS 3.8.1 and the NRC safety evaluation for License Amendment No. 163. This event is being reported pursuant to 10 CFR 50.73(a)(2)(i)(B) as a condition prohibited by the plant's TSs based on the NRC Inspection Report 2009004 characterization of the issue as a violation of TSs. WCNOC's denial of the violation has been submitted and based on the NRC's further review and final position, a resolution will be provided in a supplement to this LER.

Wolf Creek Nuclear Operating Corporation's (WCNOC's) review of this event determined that the event did not meet the criteria for reporting under 10 CFR 50.73(a)(2)(v). The performance of procedure STS IC-208B and the replacement of the 48 VDC power supply did not result in either offsite power (an offsite circuit) or onsite emergency power being unavailable to the plant.

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Condition B of TS LCO 3.8.1, "AC Sources – Operating," specifies the Required Actions to be taken with one DG inoperable. Required Action B.4.2.2 requires the inoperable DG be restored to OPERABLE status in 7 days. The "B" DG was declared inoperable at 0600 hours on March 24, 2009 for planned preventative maintenance activities under Required Action B.4.2.2. The "B" DG was restored to OPERABLE status in 3 days 21 hours and 23 minutes, which is well within the 7 day Completion Time of Required Action B.4.2.2. Therefore, a violation of LCO 3.8.1, Required Action B.4.2.2 did not occur.

Required Action B.4.2.2 specifically states, "Restore DG to OPERABLE status." with a Completion Time of 7 days. The TS Required Action does not specify that the limitations articulated in the NRC Safety Evaluation for License Amendment No. 163 be met.

Nevertheless, the considerations in NRC Safety Evaluation for Amendment No. 163 were followed verbatim. The Safety Evaluation states that elective testing and maintenance activities in the switchyard that could cause a power line outage or challenge offsite power availability would be precluded. The administrative controls established by WCNOG restricted switchyard access and restricted elective maintenance within the switchyard that would challenge offsite power availability. The performance of STS IC-208B and the replacement of the 48 VDC power supply were elective testing and maintenance activities performed outside of the switchyard. The Safety Evaluation also specified that additional elective equipment maintenance or testing that requires equipment to be removed from service during the extended DG Completion Time will be evaluated and activities that would cause unacceptable results will be avoided. The replacement of the 48 VDC power supply and performance of STS IC-208B, which were not activities in the switchyard, were evaluated per AP 22C-003, "Operational Risk Assessment," and determined that this activity would not cause unacceptable results. Therefore, WCNOG concludes that the TS Bases administrative controls and the limitations articulated in the NRC Safety Evaluation for Amendment No. 163 were met.

CAUSE:

Letter WO 03-0057, dated October 30, 2003, submitted a license amendment request that proposed a revision to TS 3.8.1, "AC Sources -Operating," to extend the Completion Times for the Required Actions associated with an inoperable diesel generator. Section 4.1.1.2 of the application described the Tier 2 (avoidance of risk-significant plant conditions) compensatory measures and configuration risk management controls that would apply when utilizing the extended Completion Time allowance. Section 4.1.1.2 stated, in part:

Additional compensatory measures and configuration risk management controls that will apply when entering the proposed planned, extended DG Completion Time (greater than 72 hours and up to 7 days) include:

- Perform work during a favorable weather period (Sept. 6 through April 22)
- Weather forecast checked for severe weather conditions
- Elective testing and maintenance activities are precluded in the WCGS switchyard that could cause a line outage or challenge offsite power availability
- Additional AC power Sharpe Station available and performance acceptable
- Concurrent work on other key SSCs is not planned (Essential Service Water System, Component Cooling Water System, Motor/Turbine Driven Auxiliary Feedwater Pumps, Residual Heat Removal System)

While in the proposed extended DG Completion Time, additional elective equipment maintenance or testing that requires the equipment to be removed from service will be evaluated and activities that yield unacceptable results will be avoided.

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In the initial application (WO 03-0057) proposed TS Bases changes were provided to include the Tier 2 restrictions and specifically one of the administrative controls to be applied during use of Condition B for voluntary planned maintenance activities. The proposed changes to the TS Bases (for information only) included that addition of administrative controls to address the Tier 2 requirements and included the following:

- b. The offsite power supply and switchyard condition are conducive to an extended DG Completion Time, which includes ensuring that switchyard access is restricted and no elective maintenance within the switchyard is performed that would challenge offsite power availability.

License Amendment No. 163 (Reference 2) was issued on April 26, 2006 and implemented on July 24, 2006. Amendment No. 163 revised TS 3.8.1 to provide an extended Completion Time of 7 days for preplanned maintenance activities on a DG and add a Required Action to verify the required Sharpe Station gensets are available when utilizing the extended Completion Time. The NRC Safety Evaluation includes the following excerpts:

3.3.1.2 Tier 2 Considerations

For Tier 2, the licensee identified the following additional compensatory measures that will apply when the plant enters the proposed planned extended DG CT: [only the pertinent measures to this LER are listed]

- Preclude elective testing and maintenance activities in the switchyard that could cause a power line outage or challenge offsite power availability.
- Additional elective equipment maintenance or testing that requires equipment to be removed from service during the extended DG CT will be evaluated and activities that would cause unacceptable results will be avoided.

4.0 REGULATORY COMMITMENTS

In Attachment VI to its application and its supplemental letter dated March 6, 2006, the licensee provided the following regulatory commitments for this amendment:

Stated in Supplemental letter dated March 6, 2006:

6. Prior to the licensee entering TS 3.8.1 Required Action B.4.2.2 for voluntary planned maintenance activities and using the extended 7-day CT for pre-planned DG maintenance activities, administrative controls will be applied to ensure or require that:
 - b. The offsite power supply and switchyard conditions are conducive to an extend DG CT, which includes ensuring that switchyard access is restricted and no elective maintenance within the switchyard is performed that would challenge the offsite power availability.

Implementation of Amendment No. 163 resulted in changes to plant procedures that included the administrative controls identified in the license amendment application and the NRC safety evaluation. This implementation endorsed the Tier 2 plant configurations that required the offsite power supply and switchyard conditions be conducive by ensuring access to the switchyard was restricted and no elective maintenance within the switchyard is performed that could cause a loss of the offsite circuits or the transmission network. This administrative control pertained to activities in the switchyard proper. WCNOG had identified (as discussed in Section 3.3.1.2 of the NRC safety evaluation) that additional elective equipment maintenance or testing that requires the equipment to be removed from service will be evaluated and activities that yield unacceptable results will be avoided.

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ACTIONS TAKEN:

The replacement of the DG start instrumentation 48 VDC power supplies and performance of procedures STS IC-208A and STS IC-208B have been removed from schedules associated with a 7-day DG equipment outage.

SAFETY SIGNIFICANCE:

The probabilistic safety assessment (PSA) risk assessment for Week 2009-113 determined the activity to replace the power supplies did not render the load shedder and emergency load sequencer (LSELS) unavailable. The coincidence logic was reduced from a two-out-of-four logic to a one-out-of-three logic. The performance of post maintenance test STS-IC-208B was identified as affecting risk and resulted in an extremely small change in the core damage frequency. The work order and associated post maintenance test were evaluated as part of the extensive risk assessment process and determined that the activities did not yield unacceptable results when performed in conjunction with the DG equipment outage.

OPERATING EXPERIENCE/PREVIOUS EVENTS:

NRC Inspection Report 2008002 identified a green noncited violation of TS 3.8.1 Required Action B.4.2.2 when elective maintenance was performed in the switchyard and removed equipment from service that was prohibited by Technical Specifications while in an extended diesel generator outage. Procedure STS IC-805B, "Channel Calibration of NB02 Grid Degraded Voltage, Time Delay Trip," was performed on February 12 and 13, 2008, and tests the 4.16 kV degraded voltage bistables. Performance of the surveillance procedure results in declaring the associated offsite circuit inoperable. As a result of this noncited violation, procedure STS IC-208B was reviewed and a determination made that this procedure would not challenge offsite power.