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UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
1600 E. LAMAR BLVD.
ARLINGTON, TX 76011-4511

June 9, 2016

EA-15-224

Mr. Adam C. Heflin, President and
Chief Executive Officer
Wolf Creek Nuclear Operating Corporation
P.O. Box 411
Burlington, KS 66839

SUBJECT: WOLF CREEK GENERATING STATION - NOTICE OF VIOLATION;
NRC SECURITY INSPECTION REPORT 05000482/2016409 AND
INVESTIGATION REPORT 4-2014-048

Dear Mr. Heflin:

This letter refers to the investigation conducted at the Wolf Creek Generating Station by the U.S. Nuclear Regulatory Commission's (NRC's) Office of Investigations. The purpose of the investigation was to determine whether willful security-related violations of NRC requirements occurred at the Wolf Creek Generating Station. The investigation was initiated on August 27, 2014, and completed on October 20, 2015. This issue was discussed with you and other members of your staff during a telephone conversation on January 27, 2016, and the associated apparent violation was documented in our previous communication, dated February 9, 2016, which included NRC Inspection Report 05000482/2016406.

On March 17, 2016, a predecisional enforcement conference (PEC) was conducted in the Region IV office with members of your staff to discuss the apparent violation, its significance, its root cause, and your corrective actions. A copy of the handout your staff provided at the PEC is enclosed. During the PEC, your staff did not dispute the apparent violation, accepted responsibility for the apparent violation, and described additional corrective actions taken to resolve the apparent violation.

Based on the information developed during the investigation and the information provided during the PEC, the NRC has determined that a violation of NRC requirements occurred. The violation is cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding it are described in detail in NRC Inspection Report 05000482/2016406. Because the violation is security-related, refer to the aforementioned inspection report for the basis for the violation's significance. In addition, since the violation involved willfulness, the NRC considers the violation more significant. Therefore, this violation has been categorized in accordance with the NRC Enforcement Policy as greater than Severity Level IV.

**"Enclosures 1 and 2 contain Sensitive Unclassified Non-Safeguards Information.
When separated from the enclosures, this cover letter is decontrolled."**

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In accordance with the NRC Enforcement Policy, a base civil penalty is considered for a greater than Severity Level IV violation. However, because your facility identified the violation, the NRC considered whether credit was warranted for *Corrective Action* in accordance with the civil penalty assessment process in Section 2.3.4 of the Enforcement Policy. Your immediate corrective actions were described in NRC Inspection Report 05000482/2016406, and your staff described additional corrective actions during the PEC on March 17, 2016, which are summarized in the enclosed handout provided during the PEC. Collectively, the NRC views these corrective actions as both prompt and comprehensive, and the NRC has concluded that credit is warranted for *Corrective Action*.

Therefore, to encourage prompt identification and comprehensive correction of violations, I have been authorized, after consultation with the Director, Office of Enforcement, not to propose a civil penalty in this case. However, significant violations in the future could result in a civil penalty.

The NRC has concluded that information regarding: (1) the reason for the violation; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket in NRC Inspection Report 05000482/2016406, and in the enclosed handout you provided during the PEC. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with Title 10 of the Code of Federal Regulations (10 CFR) 2.390, "Agency Rules of Practice and Procedure," a copy of this letter will be made available for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

However, the enclosures to this letter contain security-related information in accordance with 10 CFR 2.390(d)(1), and their disclosure to unauthorized individuals could present a security vulnerability. Therefore, the material in the enclosures will not be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's ADAMS.

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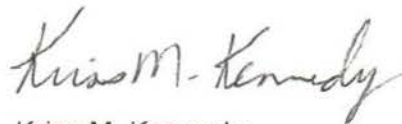
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If you choose to provide a response and security-related information is necessary to provide an acceptable response, please mark your entire response "Security-Related Information - Withhold from Public Disclosure Under 10 CFR 2.390" in accordance with 10 CFR 2.390(d)(1) and follow the instructions for withholding in 10 CFR 2.390(b)(1). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21. In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response.

Sincerely,



Kriss M. Kennedy
Deputy Regional Administrator

Docket: 50-482
License: NPF-42

Nonpublic Enclosures:

1. Notice of Violation
2. Wolf Creek Generating Station
Handout Provided During Predecisional
Enforcement Conference

cc w/encl:
Mr. David Erbe
Security Manager
Wolf Creek Nuclear Operating Corporation
P.O. Box 411
Burlington, KS 66839

cc w/o encl: Electronic Distribution

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