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June 21, 1984

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Re: Kansas Gas and Electric Company, et al.  
(Wolf Creek Generating Station, Unit No. 1)  
Docket No. 50-482 OL

Gentlemen:

Your letter of June 5, 1984 requested that the NRC Staff by June 14, 1984 provide an explanation of why it is acceptable to permit Wolf Creek to operate in light of the Staff's statements in the Safety Evaluation Report concerning unresolved safety issue (USI) A-46, "Seismic Qualification of Equipment in Operating Plants." Your letter invited comments by other parties on the Staff's submittal by June 21, 1984.

Applicants have reviewed the Staff's June 14 filing, including the attached affidavits of Tsun-Yung Chang and Arnold J. H. Lee. Applicants agree with the statements set forth in those affidavits.

USI A-46 was designated by NRC in December 1980 in recognition that

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[t]he margins of safety provided in existing nuclear power plant equipment to resist seismically induced loads and perform their intended safety functions may vary considerably, and may not meet current seismic qualification criteria. Therefore, there is a recognized need to reassess the seismic qualification of equipment in operating plants to ensure its performance during and after a seismic event.

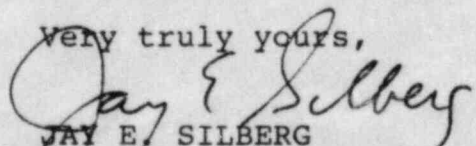
NUREG-1018, "Seismic Qualification of Equipment in Operating Plants: Status Report-Unresolved Safety Issue A-46" (September 1983) (emphasis added). As set forth in Mr. Lee's Affidavit, Wolf Creek is designed to meet the requirements of current seismic qualification criteria. See also NUREG-0881, "Safety Evaluation Report related to the operation of Wolf Creek Generating Station, Unit No. 1" (April 1982), at C-21 ("Wolf Creek was designed using current seismic criteria."); SNUPPS Final Safety Analysis Report, Chapter 3 (setting forth seismic design criteria for Wolf Creek). Thus, USI A-46 is inapplicable to Wolf Creek.

As was the case in at least one other Safety Evaluation Report, the reference to USI A-46 in the Wolf Creek SER "was an improvident use of boilerplate." Louisiana Power & Light Co. (Waterford Steam Electric Station, Unit 3), LBP-82-100, 16 N.R.C. 1550, 1560 (1982). What was said in Waterford equally applies here:

A-46 addressed whether safety equipment in plants designed against former criteria should be backfitted to comply with current criteria. Waterford 3, however, is being reviewed against and must meet current criteria, and thus A-46 is inapplicable as an unresolved generic issue in the instant case.

Id. That USI A-46 is not yet finally resolved is therefore irrelevant to the licensing and operation of Wolf Creek.

Very truly yours,

  
JAY E. SILBERG  
Counsel for Applicants

cc: Service List  
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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of	)	
	)	
KANSAS GAS AND ELECTRIC COMPANY, <u>et al.</u>	)	Docket No. STN 50-482
	)	
(Wolf Creek Generating Station,	)	
Unit No. 1)	)	

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