

# WOLF CREEK

NUCLEAR OPERATING CORPORATION

Bart D. Withers  
President and  
Chief Executive Officer

January 15, 1990

WM 90-0002

Document Control Desk  
ATTN: Ira Dinitz, Senior Insurance/Indemnity Specialist  
U. S. Nuclear Regulatory Commission  
Mail Stop 12E-4  
Washington, D. C. 20555

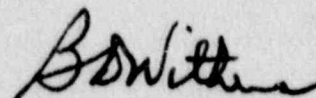
Subject: Docket No. 50-482: Wolf Creek Generating Station  
Amendment No. 4 to Indemnity Agreement No. B-99

Sir:

As requested, the three owners of the Wolf Creek Generating Station have signed four originals of Amendment No. 4 to Indemnity Agreement No. 99. Also, as requested, one original is being returned to you.

If you have any questions concerning this matter, please contact me or Mr. O. L. Maynard of my staff.

Very truly yours,



Bart D. Withers  
President and  
Chief Executive Officer

BDW/aem

Attachment

cc: B. L. Bartlett (NRC) w/a  
E. J. Holler (NRC) w/a  
R. D. Martin (NRC) w/a  
D. V. Pickett (NRC) w/a

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

Docket No. 50-482

Amendment to Indemnity Agreement No. B-99  
Amendment No. 4

Effective July 1, 1989, Indemnity Agreement No. B-99, between Kansas Gas and Electric Company, Kansas City Power & Light Company, and Kansas Electric Power Cooperative, Inc., and the Nuclear Regulatory Commission, dated May 9, 1984, as amended, is hereby further amended as follows:

The amount "\$160,000,000" is deleted wherever it appears and the amount "\$200,000,000" is substituted therefor.

The amount "\$124,000,000" is deleted wherever it appears and the amount "\$155,000,000" is substituted therefor.

The amount "\$36,000,000" is deleted wherever it appears and the amount "\$45,000,000" is substituted therefor.

Paragraph 1, Article I is modified to read as follows:

1. "Nuclear reactor," "byproduct material," "person," "source material," "special nuclear material," and "precautionary evacuation" shall have the meanings given them in the Atomic Energy Act of 1954, as amended, and the regulations issued by the Commission.

The definition of "public liability" in paragraph 7, Article I is deleted, and the following is substituted therefor:

"Public liability" means any legal liability arising out of or resulting from a nuclear incident or precautionary evacuation (including all reasonable additional costs incurred by a State or a political subdivision of a State, in the course or responding to a nuclear incident or precautionary evacuation), except (1) claims under State or Federal Workmen's Compensation Acts of employees of persons indemnified who are employed (a) at the location or, if the nuclear incident occurs in the course of transportation of the radioactive material, on the transporting vehicle, and (b) in connection with the licensee's possession, use or transfer of the radioactive material; (2) claims arising out of an act of war; and (3) claims for loss of, or damage to, or loss of use of (a) property which is located at the location and used in connection with the licensee's possession, use, or transfer of the radioactive material, and (b) if the nuclear incident occurs in the course of transportation of the radioactive material, the transporting vehicle, containers used in such transportation, and the radioactive material.

Paragraph 4(c), Article II is revised to read as follows:

- (c) Any issue or defense based on any statute of limitations if suit is instituted within three years from the date on which the claimant first knew, or reasonably could have known, of his injury or damage and the cause thereof.

In paragraph 1, Article VIII, the amount "\$5,000,000" is deleted and the amount "\$63,000,000" is substituted therefor.

Item 2a of the Attachment to the indemnity agreement is deleted in its entirety and the following substituted therefor:

Item 2 - Amount of financial protection

- |    |                |  |
|----|----------------|--|
| a. | \$1,000,000    | (From 12:01 a.m., May 9, 1984, to 12 midnight, March 10, 1985, inclusive)  |
|    | \$160,000,000* | (From 12:01 a.m., March 11, 1985, to 12 midnight, June 30, 1989 inclusive) |
|    | \$200,000,000* | (From 12:01 a.m., July 1, 1989)  |

FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

*Cecil O. Thomas*

Cecil O. Thomas, Chief  
Policy Development and Technical Support Branch  
Program Management Policy Development  
and Analysis Staff  
Office Nuclear Reactor Regulation

Accepted December 1, 1989

By *Kent R. Brown*  
Kansas Gas and Electric  
Company  
Group Vice President

Accepted November 27, 1989

By *JM Evans*  
Kansas City Power & Light Company  
Senior Vice President & Chief Operating Officer

Accepted December 4, 1989

By *Charles W. Terrell*  
Kansas Electric Power  
Cooperative, Inc.  
Executive Vice President  
and Chief Executive Officer

\*and, as of August 1, 1977, the amount available as secondary financial protection.