



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 14, 2023

Mr. Cleveland Reasoner
Chief Executive Officer and
Chief Nuclear Officer
Wolf Creek Nuclear Operating Corporation
P.O. Box 411
Burlington, KS 66839

SUBJECT: WOLF CREEK GENERATING STATION, UNIT 1 – WITHDRAWAL OF
REQUESTED LICENSING ACTION RE: EXEMPTION FROM SPECIFIC
10 CFR PART 73 REQUIREMENTS (EPID L-2023-LLE-0022)

Dear Mr. Reasoner:

By letter dated August 9, 2023 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML23221A393), Wolf Creek Nuclear Operating Corporation (the licensee) requested an exemption from specific requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 73, “Physical Protection of Plants and Materials,” for the Wolf Creek Generating Station, Unit 1. The U.S. Nuclear Regulatory Commission (NRC) staff has been performing an acceptance review of this exemption request. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The purpose of this letter is to acknowledge receipt of the licensee’s withdrawal letter dated August 31, 2023 (ML23243A000).

Consistent with 10 CFR 73.5, “Specific exemptions,” the “Commission may, upon application of any interested person or upon its own initiative, grant such exemptions from the requirements of the regulations in this part as it determines are authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest.” Section 50.34 of 10 CFR addresses the content of technical information required. This section stipulates that the submittal address the design and operating characteristics, unusual or novel design features, and principal safety considerations.

By letter dated August 31, 2023, the licensee requested to withdraw the application from NRC review. The NRC acknowledges the licensee’s request to withdraw the application. NRC staff activities on the review have ceased and EPID L-2023-LLE-0022 is closed.

The NRC staff notes that its review to date has identified that the licensee’s application did not provide the following technical information in sufficient detail to enable the NRC staff to complete its detailed review. Therefore, should the licensee decide to re-submit the request, it must include the following information:

- Justification that the requested exemption is authorized by law and will not endanger life or property or the common defense and security, and is otherwise in the public interest.

- Information on environmental consideration.
- Detailed information, such as a description of the existing condition, why it does not meet the requirement, and why the licensee determines the existing condition is adequate.

If you have any questions, please contact me at 301-415-3168 or via email at Samson.Lee@nrc.gov.

Sincerely,

/RA/

Samson S. Lee, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-482

cc: Listserv

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 DATED SEPTEMBER 14, 2023

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ADAMS Accession No. ML23256A206 *concurrence via email NRR-106

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