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October 09, 2013

ULNRC-06036

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555-0001

Order No. EA-12-049

Ladies and Gentlemen:

**DOCKET NUMBER 50-483  
CALLAWAY PLANT UNIT 1  
UNION ELECTRIC CO.  
FACILITY OPERATING LICENSE NPF-30  
REQUEST FOR RELAXATION FROM NRC ORDER EA-12-049, "ORDER  
MODIFYING LICENSES WITH REGARD TO REQUIREMENTS FOR MITIGATION  
STRATEGIES FOR BEYOND-DESIGN-BASIS EXTERNAL EVENTS"**

- References: 1. Letter dated March 12, 2012 from E. J. Leeds and M. R. Johnson, USNRC, to Adam C. Heflin, Callaway Plant, Union Electric Company, "Issuance of Order to Modify Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events" (ADAMS Accession Number ML12054A736)
2. ULNRC-05962, "Overall Integrated Plan in Response to March 12, 2012 Commission Order Modifying Licenses With Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events," dated February 28, 2013 (ADAMS Accession Number ML13063A459)

This letter transmits a request for relaxation of the requirements contained in NRC Order EA-12-049. On March 12, 2012, the U. S. Nuclear Regulatory Commission (NRC) issued an Order (Reference 1) to Union Electric Company (Ameren Missouri) for Callaway Plant. Reference 1 was immediately effective and directs Ameren Missouri to develop, implement, and maintain guidance and strategies to maintain or restore core cooling, containment, and spent fuel pool cooling capabilities in the event of a beyond-design-basis external event. As described in the Overall Integrated Plan for Callaway Plant (Reference 2), one requirement of the mitigation strategies is dependent upon implementation of a missile protected water source for Auxiliary Feedwater (Condensate Storage Tank) established in accordance with NRC Order EA-12-049 (Reference 1).

The currently identified date for establishing a missile protected water source for Auxiliary Feedwater is completion of the fall 2014 refueling outage. An extension of one additional refueling cycle is requested, which would move the implementation date to completion of the spring 2016 refueling outage. This would allow time to install a larger, more robust Condensate Storage Tank (CST) that would meet FLEX and Expedited Seismic Evaluation Process (ESEP) requirements.

Section IV of NRC Order EA-12-049 (Reference 1) states that licensees proposing to deviate from requirements contained in NRC Order EA-12-049 may request that the Director, Office of Nuclear Reactor Regulation, relax those requirements. Therefore, in accordance with Section IV of NRC Order EA-12-049, Ameren Missouri is requesting that the Director, Office of Nuclear Reactor Regulation, relax the requirement for completion of full implementation as prescribed in Section IV.A.2 of NRC Order EA-12-049 and as described in the attachment to this letter.

Ameren Missouri considers that, upon approval by the NRC, the alternative full implementation dates regarding NRC Order EA-12-049 proposed in the attachment will constitute a condition of the NRC Order EA-12-049 for Callaway Plant. Therefore, there are no new regulatory commitments contained in this letter.

Should you have any questions concerning the content of this letter, please contact Scott Maglio, Regulatory Affairs Manager, at 573-676-8719.

I declare under penalty of perjury that the foregoing is true and correct.

Sincerely,

Executed on: 10/9/13



Cleveland Reasoner  
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Enclosure

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**REQUEST FOR RELAXATION OF NRC ORDER EA-12-049 REQUIREMENT IV.A.2  
FOR CALLAWAY PLANT**

**Relaxation Request**

Pursuant to the procedure specified in Section IV of Nuclear Regulatory Commission (NRC) Order EA-12-049, "Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events" (Reference 1), Callaway Plant, hereby submits a request for relaxation from the Order requirements for completion of full implementation no later than two (2) refueling cycles after submittal of the Overall Integrated Plan, as required in Condition C.1.a of the Order, or December 31, 2016, whichever comes first.

**Order Requirement from Which Relaxation is Requested**

NRC Order EA-12-049, Section IV.A.2 requires completion of full implementation of the Order requirements no later than two (2) refueling cycles after submittal of the Overall Integrated Plan, as required by Condition C.1.a or December 31, 2016, whichever comes first. In accordance with the requirements of the Order, Ameren Missouri submitted the Overall Integrated Plan for Callaway Plant (Reference 2) on February 28, 2013. The Overall Integrated Plan milestone schedule identified the completion dates for full implementation of NRC Order EA-12-049 as completion of the fall 2014 refueling outage for Callaway Plant.

NRC Order EA-12-049 requires the development, implementation, and maintenance of guidance and strategies to maintain or restore core cooling, containment, and spent fuel pool cooling capabilities in the event of a beyond-design-basis external event. As described in the Overall Integrated Plan for Callaway Plant (Reference 2), these mitigation strategies are dependent upon implementation of a seismically qualified and missile protected water source for Auxiliary Feedwater (Condensate Storage Tank). The current Condensate Storage Tank (CST) does not meet the missile protection requirements in NEI 12-06 Section 7 and therefore is not creditable for FLEX missile protection. Callaway Plant is designing and implementing a new and larger hardened CST that will meet the seismic requirements of Expedited Seismic Evaluation Process (ESEP) and missile protection of NEI 12-06. This new tank will provide approximately 72 hours of protected water source for the safety function of core cooling.

**Justification for Relaxation Request**

Based on the complex design, lead time for materials, and construction time for a new tank to meet seismic requirements of ESEP and missile protection of NEI 12-06, full implementation of the mitigation strategies in accordance with NRC Order EA-12-049 would not be completed by the Order requirement date. The current required implementation date is completion of the fall 2014 refueling outage. An extension of one additional refueling cycle is requested, which would move the implementation date to completion of the spring 2016 refueling outage, which is still

within the maximum allowed timeframe of December 2016. The extension would provide additional time to fully design and safely install a larger, more robust CST.

### **Conclusion**

Compliance with NRC Order EA-12-049 schedule requirement for full completion of implementation of mitigation strategies would require Callaway Plant to establish interim compensatory measures until construction of a new tank (to conform to ESEP requirements) is complete. Relaxation would allow the plant to focus on construction of a new tank versus interim compensatory measures. Therefore, in accordance with the provisions of Section IV of the Order, Ameren Missouri requests relaxation of the requirement described in Section IV.A.2.

### **References**

1. NRC Order EA-12-049, "Issuance of Order to Modify Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events," dated March 12, 2012
2. ULNRC-05962, "Overall Integrated Plan in Response to March 12, 2012 Commission Order Modifying Licenses With Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events," dated February 28, 2013