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

October 6, 2000

Mr. Garry L. Randolph
Vice President and Chief Nuclear Officer
Union Electric Company
Post Office Box 620
Fulton, MO 65251

SUBJECT: CALLAWAY PLANT, UNIT 1 - ISSUANCE OF EXIGENT AMENDMENT RE: SURVEILLANCE REQUIREMENT 3.5.2.5 ON AUTOMATIC CLOSURE FUNCTION OF RESIDUAL HEAT REMOVAL (RHR) PUMP SUCTION VALVE (TAC NO. MA9913)

Dear Mr. Randolph:

The Commission has issued the enclosed Amendment No. 140 to Facility Operating License No. NPF-30 for the Callaway Plant, Unit 1 (Callaway). The amendment consists of changes to the Technical Specifications (TS) in response to your application dated September 8, 2000.

The amendment adds a footnote to Surveillance Requirement (SR) 3.5.2.5 that states that verification of the automatic closure function of the residual heat removal (RHR) pump suction Valve BNHV8812A shall be performed prior to startup from the first shutdown to Mode 5 occurring after September 8, 2000, but not later than June 1, 2001. The next refueling outage for Callaway is scheduled for April 2001. The amendment is being issued as an exigent amendment in accordance with 10 CFR 50.91(a)(6).

Enforcement discretion was granted to the Union Electric Company on September 8, 2000, in that the staff will not enforce compliance with the action statements of SR 3.5.2.5 because of the failure to test the automatic closure function of Valve BNHV8812A as required by the SR. The granting of the enforcement discretion was documented in our letter of September 11, 2000, and was to expire when either (1) the automatic closure function of Valve BNHV8812A was tested prior to startup from the next plant shutdown to Mode 5 or, (2) the exigent amendment request was acted upon, whichever occurred first. With the issuance of this amendment, the enforcement discretion expires.

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A copy of the related Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's next biweekly Federal Register notice.

Sincerely,

/RA/

Jack N. Donohew, Senior Project Manager, Section 2
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-483

Enclosures: 1. Amendment No. 140 to NPF-30
2. Safety Evaluation

cc w/encls: See next page

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

UNION ELECTRIC COMPANY

CALLAWAY PLANT, UNIT 1

DOCKET NO. 50-483

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 140
License No. NPF-30

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment by Union Electric Company (UE, the licensee) dated September 8, 2000, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations set forth in 10 CFR Chapter I;

   B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;

   C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;

   D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and

   E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment and paragraph 2.C.(2) of Facility Operating License No. NPF-30 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 140 and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This amendment is effective as of its date of issuance and shall be implemented within 30 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Stephen Dembek, Chief, Section 2
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of Issuance: October 6, 2000

ATTACHMENT TO LICENSE AMENDMENT NO. 140

FACILITY OPERATING LICENSE NO. NPF-30

DOCKET NO. 50-483

Replace the following page of the Appendix A Technical Specifications with the attached revised page. The revised page is identified by amendment number and contains vertical lines indicating the areas of change.

REMOVE	INSERT
3.5-5	3.5-5

SURVEILLANCE REQUIREMENTS (continued)

SURVEILLANCE		FREQUENCY
SR 3.5.2.5	Verify each ECCS automatic valve in the flow path that is not locked, sealed, or otherwise secured in position, actuates to the correct position on an actual or simulated actuation signal.	18 months*
SR 3.5.2.6	Verify each ECCS pump starts automatically on an actual or simulated actuation signal.	18 months
SR 3.5.2.7	Verify, for each ECCS throttle valve listed below, each mechanical position stop is in the correct position. Valve Number EMV0095 EMV0107 EMV0089 EMV0096 EMV0108 EMV0090 EMV0097 EMV0109 EMV0091 EMV0098 EMV0110 EMV0092	18 months
SR 3.5.2.8	Verify, by visual inspection, each ECCS train containment sump suction inlet is not restricted by debris and the suction inlet trash racks and screens show no evidence of structural distress or abnormal corrosion.	18 months

* Verification of the automatic closure function of BNHV8812A shall be performed prior to startup from the first shutdown to MODE 5 occurring after September 8, 2000, but no later than June 1, 2001.

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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 140 TO FACILITY OPERATING LICENSE NO. NPF-30

UNION ELECTRIC COMPANY

CALLAWAY PLANT, UNIT 1

DOCKET NO. 50-483

1.0 INTRODUCTION

By application dated September 8, 2000, the Union Electric Company (the licensee) requested changes to the Technical Specifications (TS, Appendix A to Facility Operating License No. NPF-30) for the Callaway Plant, Unit 1 (Callaway). The proposed amendment would add a footnote to Surveillance Requirement (SR) 3.5.2.5 that states that verification of the automatic closure function of the residual heat removal (RHR) pump suction Valve BNHV8812A shall be performed prior to startup from the first shutdown to Mode 5 occurring after September 8, 2000, but not later than June 1, 2001. The next refueling outage for Callaway is scheduled for April 2001.

2.0 BACKGROUND

The licensee was granted enforcement discretion on September 8, 2000, in that the staff will not enforce compliance with the action statements of SR 3.5.2.5, because of the failure to test the automatic closure function of Valve BNHV8812A as required by the SR. The granting of the enforcement discretion was documented in the staff's letter of September 11, 2000. With the issuance of this action on the licensee's request for an exigent amendment, the enforcement discretion expires.

3.0 EVALUATION

The licensee has proposed to add a footnote to SR 3.5.2.5 to state that verification of the automatic closure function of the RHR pump suction Valve BNHV8812A shall be performed prior to startup from the first shutdown to Mode 5 (cold shutdown) occurring after September 8, 2000, but not later than June 1, 2001. As documented in the staff's NOED letter of September 11, 2000, and the licensee's letter of September 7, 2000, the licensee is in non-compliance with SR 3.5.2.5 in that the automatic closure function of Valve BNHV8812A has not been tested in the past 22.5 months, which is the 18-month surveillance interval for SR 3.5.2.5 and the 25 percent extension to that interval (i.e., 4.5 months) allowed by SR 3.0.2. The staff has not been enforcing compliance with the actions required in TS 3.5.2, "ECCS - Operating," since the granting of enforcement discretion on September 8, 2000. The proposed footnote would amend the TS to allow verification of the automatic closure function of Valve

BNHV8812A to be delayed until the first shutdown to Mode 5 occurring after September 8, 2000, but not later than June 1, 2001.

The proposed footnote would be in effect until the plant is in Mode 5, cold shutdown. Currently, the plant is in Mode 1, power operation. Therefore, the plant would be able to continue operating at power, without the test having to be conducted, until the plant is in the next cold shutdown, but no later than nine months from the licensee's application. This shutdown to Mode 5 for the test would likely be in refueling outage 11, currently scheduled for April 2001. The test would have to be conducted before the restart from that outage, which includes cold shutdown, or the plant would again be in non-compliance with SR 3.5.2.5 and would then have to enter the action statements for TS 3.5.2. The enforcement discretion granted the licensee on September 8, 2000, does not require the licensee to enter these action statements while the enforcement discretion is in effect.

The automatic closure function of the RHR pump suction valve is part of the automatic switchover of the emergency core cooling system (ECCS) pumps' suction from the refueling water storage tank (RWST) to the containment recirculation sump. At the end of the injection phase of a loss-of-coolant (LOCA) accident, the ECCS pumps would switch from drawing water from the RWST to begin drawing water from the containment sump. The ECCS pumps inject water into the reactor coolant system (RCS) during a LOCA to cool the reactor core, and SR 3.5.2.5 provides assurance that the automatic closure function of Valve BNHV8812A will operate properly when needed.

Valve BNHV8812A is involved in the transfer of the A-train ECCS pumps from the RWST to the containment recirculation sump during a LOCA. The automatic closure function for Valve BNHV8812A is the operation of the switch on Valve EJHV8811A. For the A-train ECCS pumps, Valve BNHV8812A connects the pumps to the RWST and Valve EJHV8811A connects the pumps to the sump. When Valve EJHV8811A opens upon the actuation signal, the switch causes Valve BNHV8812A to close. This switchover will have Train A of the ECCS pumps draw water from the containment sump. Upon the safety injection signal plus RWST low-low 1 water level signal, Valve EJHV8811A starts opening and actuates a switch which then causes Valve BNHV8812A to close. It is the operation of the switch on Valve EJHV8811A to actuate Valve BNHV8812A to close that has not been functionally tested in the last 22.5 months as required by SR 3.5.2.5. The switch for Valve BNHV8812A was lasted tested in refueling outage 9 about 29 months ago. The switch for the valve in the redundant B train was tested in the previous refueling outage 10, in the Fall of 1999, within the required 18 months.

The licensee stated that the automatic closure function should not be tested while the plant is in power operation because of risks involved with such testing at power. First, the switch to be tested is encapsulated within the containment pressure boundary and the test would require breaking containment integrity at power, which is not allowed by TS 3.6.1, "Containment." The TS would allow only one-hour to conduct the test before the plant would have to start shutting down. Second, the cold shutdown justification in the licensee's inservice testing program (IST) for not testing the automatic closure function of Valve BNHV8812A at power states that opening Valve EJHV8811A (full or partial stroke) during power operation would drain the RHR suction header into the containment sump rendering the RHR pumps inoperable, and current plant procedures are to isolate and drain the suction header prior to stroking Valve EJHV8811A. The

automatic closure switch for Valve ENHV8812A is on Valve EJHV8811A and Valve EJHV8811A must open to actuate the switch that will close Valve ENHV8812A. Therefore, conducting the test would also result in RHR Train A becoming inoperable at power, which would put the plant in a 72-hour action statement before requiring the plant to shut down.

Because the test would require containment integrity to be violated and RHR Train A to be inoperable, the staff concludes that testing the automatic closure function of Valve BNHV8812A should not be done at power. The cold shutdown justification in the IST program for not testing the switch was submitted to the staff as an attachment to the licensee's NOED letter of September 7, 2000.

The licensee considered shutting down the plant to cold shutdown to conduct the test. The plant is currently operating at full power. In submitting a justification to the staff for waiting until the next cold shutdown of the plant before conducting the test, the licensee stated the following:

- The redundant train "B" of ECCS is operable and the switch on Valve EJHV8811B to actuate Valve BNHV8812B to close has been functionally tested in the last 22.5 months as required by SR 3.5.2.5. This switch was tested in the last refueling outage approximately 11 months ago and the LOCA analysis is based on only one train operating.

- All the circuitry to close Valve BNHV8812A, except the switch and its cabling, was tested within the last 18 months and all components have been tested since refueling outage 9 (April 1998). The switch to close Valve BNHV8812A has been tested three times prior to refueling outage 9. Therefore, the licensee concludes that there is assurance that the automatic switch will function.

- If the switch should not function, the emergency operating procedures (EOPs) provide for Valves BNHV8812A and B to be manually closed from the main control room as is demonstrated during quarterly IST surveillance tests. These quarterly tests, however, do not test the automatic closure of the valve. Calculations by the licensee that are based on operator action times from the Callaway simulator demonstrate that the EOPs allow sufficient time for manual operator action to close Valves BNHV8812A and B to complete the switchover to the containment recirculation sump.

- To assure that the Valve BNHV8812A would be closed by the control operators if this was needed, the licensee stated that operator attention to possible need for operator action would be heightened by issuing a night order explaining that the switch to close the valve in a LOCA had not been tested within the past 18 months. Also, training would be conducted with the operating crews covering the contingency steps in the EOPs should Valve BNHV8812A fail to close in switchover in a LOCA. These compensatory actions were to be taken by the licensee in its response to the NOED and were also given in the licensee's letter of September 7, 2000, requesting the NOED. The resident inspectors at Callaway have confirmed these compensatory actions have been taken.

Based on the above, because of the compensatory measures and EOPs, the history of testing the switches, and because the plant transient involved with shutting down the plant has

operational risks and impacts, the staff also concludes that the plant should not be shut down only to conduct the automatic closure test. However, the automatic closure function of Valve BNHV8812A should be tested at the next shut down of Callaway to cold shutdown. This is consistent with the licensee's proposal to add a footnote to SR 3.5.2.5 to state that verification of the automatic closure function of Valve BNHV8812A shall be performed prior to startup from the first shutdown to cold shutdown occurring after September 8, 2000, but not later than June 1, 2001. The September 8, 2000, date is the date when the NOED was granted by the staff and is the beginning of the period when the testing of the automatic closure function is deferred. Therefore, the licensee proposes to conduct the test as soon as the plant has to enter cold shutdown for any reason other than the test. The end of the period of deferring the test is June 1, 2001. Because the next scheduled refueling outage should begin April 2001, the proposed June 1, 2001, date will allow the licensee two months margin as to when the refueling outage actually begins. The two months is a reasonable margin.

The licensee's proposed footnote for SR 3.5.2.5 is consistent with the staff conclusions, discussed above, that (1) the automatic closure function of Valve BNHV8812A should not be tested at power, (2) the plant should not be shut down only to conduct the test, and (3) the end date for delaying the test is consistent with the next refueling outage scheduled for Callaway. The proposed footnote requires the automatic closure function testing as soon as the plant enters cold shutdown. Based on this, the staff concludes that the proposed addition of the footnote to SR 3.5.2.5 is acceptable.

The circumstances for the exigent amendment request by the licensee are addressed in the next section.

4.0 EXIGENT CIRCUMSTANCES

The Commission's regulations, 10 CFR 50.91(a)(6), contain provisions for issuance of amendments when the usual 30-day public notice period cannot be met. One such provision concerns exigencies. An exigency is a case in which the staff and the licensee need to act promptly, and time does not permit the Commission to publish a Federal Register notice allowing 30 days for public comment.

Under exigent circumstances, the Commission notifies the public in one of two ways: (1) by issuing a Federal Register notice providing an opportunity for hearing and allowing at least two weeks for prior public comments, or (2) by issuing a press release discussing the proposed changes and requesting public comments. In this case, the Commission issued a notice in the Federal Register and requested public comment within 14 days.

The licensee submitted its request for amendment on September 8, 2000, and requested the proposed temporary change to SR 3.5.2.5 be reviewed on an exigent basis. It was noticed in the Federal Register on September 20, 2000, (65 FR 56943), at which time the staff proposed a no significant hazards consideration determination. There has been no public comment on this proposed finding.

The basis for its exigent request was provided by the licensee in its application of September 8, 2000. In that letter, the licensee stated that on August 29, 2000, a question was raised by

Callaway staff members regarding the scope of the testing of the automatic ECCS valves by SR 3.5.2.5. The surveillance requirement requires that each ECCS automatic valve in the flow path that is not locked, sealed, or otherwise secured in position must be demonstrated to actuate to its correct position on an actual or simulated actuation signal every 18 months. The licensee believed that the only ECCS valves that the surveillance applied to were valves that were directly actuated by a signal. The automatic closure function of Valves BNHV8812A and B are actuated by a switch. Because Valves BNHV8812A and B were not actuated directly by signals, the licensee did not recognize that SR 3.5.2.5 should include these valves.

The licensee stated that Specification 4.5.2.e.1 of the TS before the conversion to the Improved TS issued in Amendment 133 on May 28, 1999, listed the automatic actuation signals that were required to be tested. It was not recognized by the licensee that the surveillance should include subsequent valve actuations that are dependent on separate position switch. Therefore, the automatic closure of Valves BNHV8812A and B was not included in the TS surveillance procedures because the valves were not actuated from a slave relay from a signal. The Valves BNHV8812A and B do not automatically actuate to the closed position directly upon receipt of the signals listed in the Bases for SR 3.5.2.5.

Upon discovery that Valves BNHV8812A and B were covered by SR 3.5.2.5, the licensee responded immediately, and requested a NOED on September 7, 2000, and submitted the exigent amendment request on September 8, 2000.

The staff concludes that exigent circumstances defined in 10 CFR 50.91 exist in that there is a need to return the plant design back in compliance with the TS and that the licensee did not have sufficient time to propose the amendment and allow for the normal 30-day public comment period. The staff also concludes that the licensee has used its best efforts to make a timely application for amendment and has not acted to create the exigency to take advantage of the provisions of 10 CFR 50.91(a)(6). Based on this, the staff is issuing the amendment under exigent circumstances.

5.0 FINAL NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

The Commission's regulations in 10 CFR 50.91 requires that for exigent amendments the Commission must make a determination that the amendment involves no significant hazards considerations. The regulations in 10 CFR 50.92 state that the Commission may make a final determination that a license amendment involves no significant hazards consideration if operation of the facility in accordance with the amendment would not: (1) involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety. This was addressed by the licensee in its application of September 8, 2000.

The proposed amendment would add a footnote to SR 3.5.2.5 to state that verification of the automatic closure function of Valve BNHV8812A would be performed prior to the startup from the first shutdown to Mode 5 occurring after September 8, 2000, but no later than June 1, 2001.

For criterion (1), based on the proposed amendment, there are no changes to the plant design. Overall protection system performance will remain within the bounds of the accident analyses because there are no hardware changes. The reactor trip system and engineered safety features actuation system instrumentation will be unaffected by the amendment. These protection systems will continue to function in a manner consistent with the plant design basis and the accident analyses. All design, material, and construction standards are maintained. The proposed request will not affect the probability of any event initiators. There will be no degradation in the performance of, or an increase in the number of challenges imposed on, safety-related equipment assumed to function during an accident situation. There will be no change to normal plant operating parameters or accident mitigation performance because the possible operator actions to close Valve BNHV8812A is within the EOPs and the times demonstrated in simulator tests are within the accident analysis. The proposed request will not alter any assumptions or change any mitigation actions in the radiological consequence evaluations in the Callaway Final Safety Analysis Report. Therefore, the staff concludes that the operation of the facility in accordance with the proposed amendment will not involve a significant increase in the probability or consequences of an accident previously evaluated.

For criterion (2), because there are no hardware changes nor are there any changes in the method by which any safety-related plant system performs its safety function, the proposed amendment will not affect the normal method of plant operation and no performance requirements are affected. The proposed amendment does not introduce any new accident scenarios, transient precursors, failure mechanisms, or limiting single failures. There will be no adverse effect or challenges imposed on any safety-related system as a result of this amendment. The amendment does not alter the design or performance of the 7300 Process Protection System, nuclear instrumentation system, or solid state system used in the plant protection systems. The plant protection systems and safety-related systems, or any plant system, are not being changed. Based on this, the staff concludes that operation of the facility in accordance with the proposed amendment will not create the possibility of a new or different kind of accident from any accident previously evaluated.

For criterion (3), the proposed amendment will not affect the manner in which safety limits or limiting safety settings are determined or are stated in the TS, nor will there be any effect on those plant systems necessary to assure the accomplishment of protective functions. There will be no impact on the overpower limit, departure from nucleate boiling ratio (DNBR) limits, heat flux hot channel factor, nuclear enthalpy rise hot channel factor, LOCA peak cladding temperature of 10 CFR 50.46, peak local power density, or any other margin of safety. The radiological dose consequences criteria listed in the Standard Review Plan (NUREG-0800) will continue to be met. The proposed amendment delays performing the automatic closure function test of the switch that acts to close Valve BNHV8812A until the next plant shutdown to cold shutdown. This switch has been previously tested several times, but not in the past 18 months. The control room operators have been given special training to make them sensitive to the fact that this test has not been done in the past 18 months and that the EOPs include steps for the operators to close the valve within the control room in a LOCA, if the valve does not close automatically. The control room operator times to close the valve based on Callaway simulator tests are within the time required by the accident analysis. Based on this, the staff concludes that operation of the facility in accordance with the proposed amendment will not involve a significant reduction in a margin of safety.

Therefore, the Commission determines that the amendment involves no significant hazards consideration.

6.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Missouri State official was notified of the proposed issuance of the amendment. The State official had no comments.

7.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has made a final finding that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. As set forth above, the Commission has made a final determination that the amendment involves no significant hazards consideration. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

8.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: J. Donohew

Date: October 6, 2000