



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064**

July 23, 2001

EA-01-130

Garry L. Randolph, Senior Vice
President and Chief Nuclear Officer
Union Electric Company
P.O. Box 620
Fulton, Missouri 65251

**SUBJECT: FINAL SIGNIFICANCE DETERMINATION FOR A WHITE FINDING AND
NOTICE OF VIOLATION - NRC INSPECTION REPORT 50-483/01-09 -
CALLAWAY PLANT**

Dear Mr. Randolph:

The purpose of this letter is to provide you with the final results of our significance determination of the preliminary White finding identified in the subject inspection report, which was forwarded to you by our letter of June 22, 2001. The inspection finding was assessed using the significance determination process and was preliminarily characterized as White, i.e., an issue with low to moderate increased importance to safety, which may require additional NRC inspections. This White finding involved an essential service water (ESW) pump which was inoperable for approximately 132 hours while the plant operated in Mode 1 between February 9-15, 2001. The pump became inoperable as a result of a 20-foot section of reinforced tygon hose falling into the pump suction bay and becoming entangled in the suction of the pump when the pump was started.

In a telephone conversation with Mr. William Johnson of NRC, Region IV, on June 29, 2001, Mr. Kevin Schoolcraft of your staff indicated that Union Electric Company did not contest the characterization of the risk significance of this finding and that you declined your opportunity to discuss this issue in a Regulatory Conference.

After considering the information developed during the inspection, the NRC has concluded that the inspection finding is appropriately characterized as White, i.e., an issue with low to moderate increased importance to safety, which may require additional NRC inspections.

You have 10 business days from the date of this letter to appeal the staff's determination of significance for the identified White finding. Such appeals will be considered to have merit only if they meet the criteria given in NRC Inspection Manual Chapter 0609, Attachment 3.

The NRC has also determined that operating the plant for 132 hours with an ESW pump inoperable is a violation of Technical Specification Limiting Condition for Operation 3.7.8, as

cited in the attached Notice of Violation (Notice). The circumstances surrounding the violation are described in detail in the subject inspection report. The NRC acknowledges that, from the time of discovery of this condition on February 14, 2001, the pump was restored to an operable status within the time permitted by Technical Specification 3.7.8.B. In accordance with the NRC Enforcement Policy, NUREG-1600, the Notice of Violation is considered an escalated enforcement action because it is associated with a White finding.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

At the time of the end of the inspection for this finding, June 4, 2001, Callaway Plant overall plant performance had been determined to be in the degraded cornerstone column of the NRC Action Matrix because of previous inspection findings. Consequently, NRC will use the degraded cornerstone column of the NRC Action Matrix to determine the most appropriate NRC response for this event.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Ellis W. Merschoff
Regional Administrator

Docket: 50-483
License: NPF-30

Enclosure:
Notice of Violation

cc w/enclosure:
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Union Electric Company

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RIV:C:DRP/B	D:ACES	D:DRP	RC	DRA	RA
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7/6/01	7/9/01	7/16/01	7/20/01	7/18/01	7/18/01

ENCLOSURE

NOTICE OF VIOLATION

Union Electric Company
Callaway Plant

Docket: 50-483
License: NPF-30
EA-01-130

During an NRC inspection completed on June 4, 2001, one violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

Callaway Plant Technical Specification Limiting Condition for Operation 3.7.8 requires that two essential service water trains be operable when the plant operates in Modes 1, 2, 3, or 4. Technical Specification 3.7.8.A requires that an inoperable essential service water train be restored to an operable status within 72 hours. Technical Specification 3.7.8.B requires that the plant be placed in Mode 3 within 6 hours and in Mode 5 within 36 hours if the allowed outage time of 72 hours for an inoperable essential service water train cannot be met.

Contrary to the above, the plant operated in Mode 1 from February 9-15, 2001, a period of approximately 132 hours, without two essential service water trains operable. Essential service water Pump B became inoperable on February 9 when a 20-foot section of reinforced tygon hose fell into the suction bay of the pump. When the pump was subsequently started on February 14, the hose became wrapped around the rotating assembly in the first stage impeller of the pump casing. This blocked a portion of the suction path, limiting the pump discharge pressure and flow to below the minimum required to perform its safety function. The tygon hose was removed from the pump suction bay on February 14, and the pump was restored to an operable status on February 15. The licensee's actions to restore operability from the time of discovery were completed within the time permitted by the Technical Specification.

This violation is associated with a White SDP finding. (50-483/01-09-01)

Pursuant to the provisions of 10 CFR 2.201, Union Electric Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555, with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation or, if contested, the basis for disputing the violation or severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or

revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because your response will be made available to the public, to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated this 23rd day of July 2001