

September 16, 1992

Docket No.: 50-483

Mr. Donald F. Schnell
Senior Vice President - Nuclear
Union Electric Company
Post Office Box 149
St. Louis, Missouri 63166

Dear Mr. Schnell:

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY
OPERATING LICENSE AND OPPORTUNITY FOR HEARING (TAC NO. M83955)

Enclosed is a "Notice of Consideration of Issuance of Amendment to
Facility Operating License and Opportunity for Hearing" concerning your
application for amendment dated June 12, 1992. This Notice was forwarded to
the Office of the Federal Register for publication.

Sincerely,

original signed by

L. Raynard Wharton, Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

Enclosure: As stated

cc w/enclosure:
See next page

NRC FILE SERIAL COPY

DISTRIBUTION:

Docket Files	NRC & Local PDRs	PD33 r/f	BBoger
JZwolinski	JHannon	RWharton	PKreutzer
OGC	DHagan	GHill(4)	Wanda Jones
CCarpenter	ACRS(10)	OPA	OC/LFMB
PD33 Gray	EGreenman, RIII		

LA/PD33	PM/PD33	PM/PD33	D/PD33 ✓	
PKreutzer <i>pk</i>	CCarpenter <i>cc</i>	RWharton	JHannon	
08/8/92	08/31/92	08/11/92	08/14/92	

OFFICIAL RECORD COPY
FILENAME: 83955_C3.FRN

280022

9209300162 920916
PDR ADOCK 05000483
P PDR

RF01
1/1



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

September 16, 1992

Docket No.: 50-483

Mr. Donald F. Schnell
Senior Vice President - Nuclear
Union Electric Company
Post Office Box 149
St. Louis, Missouri 63166

Dear Mr. Schnell:

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY
OPERATING LICENSE AND OPPORTUNITY FOR HEARING (TAC NO. M83955)

Enclosed is a "Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for Hearing" concerning your application for amendment dated June 12, 1992. This Notice was forwarded to the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in cursive script that reads "L. Raynard Wharton".

L. Raynard Wharton, Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

Enclosure: As stated

cc w/enclosure:
See next page

Mr. D. F. Schnell
Union Electric Company

Callaway Plant
Unit No. 1

cc:

Cermak Fletcher Associates
18225 Flower Hill Way #A
Gaithersburg, Maryland 20879-5334

Gerald Charnoff, Esq.
Thomas A. Baxter, Esq.
Shaw, Pittman, Potts & Trowbridge
2300 N. Street, N.W.
Washington, D.C. 20037

Mr. T. P. Sharkey
Supervising Engineer,
Site Licensing
Union Electric Company
Post Office Box 620
Fulton, Missouri 65251

U.S. Nuclear Regulatory Commission
Resident Inspectors Office
RR#1
Steedman, Missouri 65077

Mr. Alan C. Passwater, Manager
Licensing and Fuels
Union Electric Company
Post Office Box 149
St. Louis, Missouri 63166

Manager - Electric Department
Missouri Public Service Commission
301 W. High
Post Office Box 360
Jefferson City, Missouri 65102

Regional Administrator
U.S. NRC, Region III
799 Roosevelt Road
Glen Ellyn, Illinois 60137

Mr. Ronald A. Kucera, Deputy Director
Department of Natural Resources
P.O. Box 176
Jefferson City, Missouri 65102

Mr. Bart D. Withers
President and Chief
Executive Officer
Wolf Creek Nuclear Operating
Corporation
P.O. Box 411
Burlington, Kansas 66839

Mr. Dan I. Bolef, President
Kay Drey, Representative
Board of Directors Coalition
for the Environment
6267 Delmar Boulevard
University City, Missouri 65130

UNITED STATES NUCLEAR REGULATORY COMMISSIONUNION ELECTRIC COMPANYCALLAWAY PLANT, UNIT 1DOCKET NO. 50-483NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-30, issued to Union Electric Company (UE, the licensee), for operation of the Callaway Plant, Unit 1, located in Callaway County, Missouri.

The amendment would revise Figure 3.9-1 of Technical Specification Section 3/4.9.12 to reflect a maximum initial enrichment of 4.45 w/o U-235 for fuel storage in Region 2 of the Callaway spent fuel pool.

Prior to issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By October 22, 1992, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for hearing and a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current

9209300163 920916
PDR ADDCK 05000483
P PDR

copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555 and at the Local Public Document Room located at Callaway County Public Library, 710 Court Street, Fulton, Missouri 65251. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first pre-hearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions that are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing.

The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch,

or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C., 20555 by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-800-325-6000 (in Missouri 1-800-342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to John N. Hannon: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this FEDERAL REGISTER notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Gerald Charnoff, Esq., Shaw, Pittman, Potts & Trowbridge, 2300 N Street, N.W., Washington, D.C. 20037, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

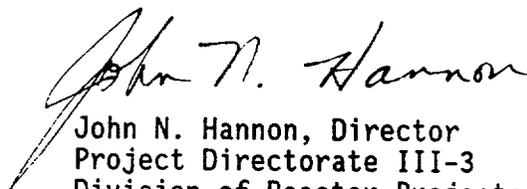
If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its intent to make a no significant hazards consideration finding in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated June 12, 1992, which is available for public inspection at the

Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555, and at the local public document room, Callaway County Public Library, 710 Court Street, Fulton, Missouri 65251.

Dated at Rockville, Maryland, this 14th day of September 1992.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script that reads "John N. Hannon". The signature is written in dark ink and is positioned above the typed name and title.

John N. Hannon, Director
Project Directorate III-3
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation