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

SUBJECT: FEDERAL REGISTER NOTICE FOR CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING - CALLAWAY PLANT (TAC NO. M90477)

Dear Mr. Schnell:

Enclosed is a copy of a "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing" for your information. This notice relates to your application dated September 8, 1994 (ULNRC-3070), for amendment to the Callaway Plant Technical Specifications to establish administrative controls to address the boron dilution transient associated with the Mode 6 refuel pool washdown and drain evolution.

The original of this notice has been forwarded to the Office of Federal Register for publication.

Sincerely,
 Original signed by
 L. Raynard Wharton

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

Docket No. 50-483

Enclosure: Federal Register Notice

cc w/encl: see next page

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Union Electric Company

Callaway Plant
Unit No. 1

cc:

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UNITED STATES NUCLEAR REGULATORY COMMISSION

UNION ELECTRIC COMPANY

DOCKET NO. 50-483

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION, 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 (the licensee), for operation of the Callaway plant, located in Callaway County, Missouri.

The proposed amendment would modify Technical Specification (TS) Section 3/4.9.1 to establish administrative controls to address a possible boron dilution event directly from the reactor makeup water (RMW) system. An unreviewed safety question was involved with the use of RMW to rinse items removed from the refueling pool and to spray down the refueling pool walls during the pool drain evolution. The use of RMW in prior refueling outages during these Mode 6 activities raised the possibility of a different type of accident than any previously evaluated in the Callaway Final Safety Analysis Report (FSAR).

FSAR Section 15.4.6.2 currently states that administrative controls during Mode 6, i.e., closing and locking dilution source manual valves, preclude an inadvertent dilution of the boron concentration of the primary system. Since these valve closures do not preclude the potential dilution scenario described above,

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different procedural controls are required to ensure that LCO 3.9.1 boron concentration limit of 2000 ppm is met.

NRC Generic Letter 85-05, "Inadvertent Boron Dilution Events," January 1985, and NSAC-183, "Risk of PWR Inadvertent Criticality During Shutdown and Refueling," dated December 1992, documents the technical justification for determining that boron dilution events are self-limiting. Based on the analyses provided in these documents, the staff's acceptance criteria remains valid for the different boron dilution transient (i.e., that gradual boron dilution events are self-limiting due to inherent reactivity feedback mechanisms). Given the above, there will be no increase in the consequences of any accident or equipment malfunction.

In a letter dated September 8, 1994, the licensee submitted an application to amend their Technical Specifications. In their submittal, the licensee confirmed the applicability of the analyses in GL 85-05 and NSAC-183 to the subject boron dilution event. Pursuant to 10 CFR 50.59(c)(2), the proposed amendment is required since changes are needed to procedural controls as described in the FSAR. These changes involve an unreviewed safety question which require Commission approval prior to implementation.

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

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that

operation of the facility in accordance with the proposed 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. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

- (1) The initiating events are presented in revised FSAR Section 15.4.6.2. The proposed changes affect only the procedural controls applicable for Mode 6.

Overall protection system performance will remain within the bounds of the accident analyses documented in FSAR Chapter 15, WCAP-10961-P, and WCAP-11883 since no hardware changes are proposed.

There will be no degradation in the performance of nor an increase in the number of challenges to equipment assumed to function during an accident situation.

This amendment application does not involve any hardware changes. There will be no change to normal plant operating parameters or accident mitigation capabilities. Therefore, there will be no increase in the probability of any accident previously evaluated.

The Technical Specification limits on Mode 6 boron concentration will be met. The conclusions of NRC Generic Letter 85-05 and NSAC-183 will remain valid (i.e., that gradual boron dilution events are self-limiting due to inherent reactivity feedback mechanisms). Given the above, there will be no increase in the consequences of any accident previously evaluated.

- (2) As discussed above, there are no hardware changes associated with these Technical Specification revisions nor are there any changes in the method by which any safety-related plant system performs its safety function.

Administrative controls will limit the volume of unborated water which can be added to the refueling pool for decontamination activities. Administrative controls will

also limit the potential for an unborated layer of water from entering the core region during the draining evolution. Technical Specification 3.9.1 will continue to be met.

Given the above and the safety evaluation continued in Attachment 1 to the licensee's September 8, 1994, letter, the possibility of a new or different kind of accident from any previously evaluated is not created.

- (3) The proposed administrative controls are sufficient to preclude diluting the boron concentration of the refueling pool below 2000 ppm. There will be no effect on the manner in which safety limits or limiting safety system settings are determined nor will there be any effect on those plant systems necessary to assure the accomplishment of protection function. There will be no impact on DNBR limits, F_0 , F -delta-H, LOCA PCT, peak local power density, or any other margin of safety.

Based upon the preceding information, it has been determined that the proposed changes to the Technical Specifications do not involve a significant increase in the probability or consequences of an accident previously evaluated, create the possibility of a new or different kind of accident from any accident previously evaluated, or involve a significant reduction in a margin of safety. Therefore, it is concluded that the proposed changes meet the requirements of 10 CFR 50.92(c) and do not involve a significant hazards consideration.

Therefore, based on the above considerations, the Commission has made a proposed determination that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Regulatory Publications Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear

Regulatory Commission, Washington, D.C. 20555, and should cite the publication date and page number of this FEDERAL REGISTER notice.

Written comments may also be delivered to Room 6D22, Two White Flint, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By March 31, 1995 , 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 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 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 the 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 prehearing 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 which 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.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the

amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

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) 248-5100 (in Missouri 1 (800) 342-6700). The Western Union operator should be given Datagram Identification Number

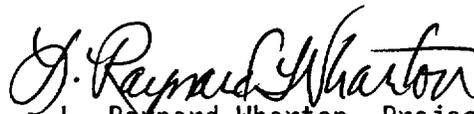
3737 and the following message addressed to Leif J. Norrholm:
petitioner's name and telephone number; date petition was mailed;
plant name; and publication date and page number of this FEDERAL
REGISTER notice. A copy of the petition should also be sent to the
Office of the General Counsel, U.S. Nuclear Regulatory Commission,
Washington, D.C. 20555, and to Gerald Charnoff, Esq., Thomas A.
Baxter, 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 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).

For further details with respect to this action, see the
application for amendment dated September 8, 1994, 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 located at Callaway County Public
Library, 710 Court Street, Fulton, Missouri 65251.

Dated at Rockville, Maryland, this 24th day of February 1995.

FOR THE NUCLEAR REGULATORY COMMISSION



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