

November 20, 1991

Docket No. 50-483

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

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Dear Mr. Schnell:

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY  
OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

Enclosed is a "Notice of Consideration of Issuance of Amendment to  
Facility Operating License and Proposed No Significant Hazards Consideration  
Determination and Opportunity for Hearing" concerning your application for  
amendment dated November 15, 1991. This Notice was forwarded to the  
Office of the Federal Register for publication.

Sincerely,

Original Signed By:

James R. Hall, Sr. 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

LA/PDIII-3      PM/PDIII-3      (A)D/PDIII-3  
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11/19/91      11/19/91      11/20/91

DOCUMENT NAME: CALLAWAY EX FRN

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DOCUMENT NAME: CALLAWAY EX FRN

Mr. D. F. Schnell  
Union Electric Company

Callaway Plant  
Unit No. 1

cc:

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Gaithersburg, Maryland 20879-5334

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Thomas A. Baxter, Esq.  
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Union Electric Company  
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U. S. Nuclear Regulatory Commission  
Resident Inspectors Office  
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Steedman, Missouri 65077

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Manager - Electric Department  
Missouri Public Service Commission  
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Regional Administrator  
U. S. NRC, Region III  
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Glen Ellyn, Illinois 60137

Mr. Ronald A. Kucera, Deputy Director  
Department of Natural Resources  
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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 COMPANYDOCKET NO. 50-483NOTICE 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, Unit No. 1 located in Callaway County, Missouri.

The amendment would correct the Callaway Technical Specification (TS) Surveillance Requirement 4.8.1.1.2.F.(2) by deleting the reference to a value "greater than or equal to 1352 kW" as a criterion for an acceptable emergency diesel generator (EDG) load rejection test. That value was derived from sizing design calculations and is not representative of the largest single load on the diesel under design basis conditions. The revised requirement would reflect the criteria that have been used to demonstrate the capability of the EDGs to withstand the rejection of the largest load; namely, that voltage and frequency can be maintained within specified limits.

The proposed amendment is necessary in order to bring the current surveillance test into full, literal compliance with the TSs. The tests as conducted have been consistent with the licensing basis for the facility and have conformed with NRC Regulatory Guides 1.9 and 1.108.

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Before 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.

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.

The licensee has provided an evaluation indicating that the proposed change does not involve a significant hazards consideration under the Commission's regulations in 10 CFR 50.92 as follows:

The proposed change does not involve a significant hazards consideration because operation of Callaway Plant in accordance with this change would not:

(1) Involve a significant increase in the probability or consequences of an accident previously evaluated.

The load rejection surveillance test in question is taken from Regulatory Guide 1.9, Revision 1, Position C.5 and Regulatory Guide 1.108, Revision 1, Position C.2.a.(4) which call for a test of the loss of the largest single load. This surveillance test is performed at Callaway by disconnecting an ESW pump motor with the ESW and AC power

systems aligned in their emergency operation modes. Currently there is no direct way to assure that this rejected load equals the 1352 kW listed in the Technical Specifications. However, the actual kW load associated with the ESW pump motors is less than 1352 kW and can vary slightly depending on plant conditions and motor efficiency. This variance is insignificant as assured by the preventive maintenance program that monitors pump/driver performance. Therefore, there should be no listed value for this load in the Technical Specifications nor is one needed to satisfy the regulatory guide requirements. The intended requirement is to assure that the diesel meets the specified acceptance criteria given the rejection of the ESW pump motor load when the plant is in a lineup representative of emergency conditions at Callaway.

No new design requirements are being imposed on any plant systems or components. There is no change to the 12 second diesel start time assumed in the accident analyses and verified by Technical Specification 4.8.1.1.2.a.(4) nor is there is a change to the acceptance criteria for any of the diesel generator surveillance tests, including the startup, rated load, and load rejection tests. There will be no effect on the capability of the diesel generators to supply the loads assumed in the mitigation of the accidents analyzed in FSAR Chapter 15.

(2) Create the possibility of a new or different kind of accident from any previously evaluated.

The proposed change does not involve any design changes or hardware modifications nor will there be any changes to the intended manner of plant operation or in the method by which any safety-related plant system performs its safety function. No new accident initiators,

transient precursors, failure mechanisms, or limiting single failures are introduced as a result of this change.

(3) Involve a significant reduction in a margin of safety.

The requirement to test for the loss of the single largest load will continue to be satisfied given the approval of this amendment application. The proposed change does not alter the manner in which safety limits or limiting safety system settings are determined. The proposed change will have no effect on those plant systems necessary to assure the accomplishment of protection functions and meet the accident analysis acceptance criteria in FSAR Chapter 15. There will be no impact on DNBR limits,  $F_Q$ , F-delta-H, LOCA PCT, or any other defined safety margin.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied.

Accordingly, the Commission proposes to determine that this change does not involve a significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within fifteen (15) 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 P-223, Phillips Building, 7920 Norfolk Avenue, Bethesda, 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. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By December 27, 1991 , 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 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 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.

If the amendment is issued before the expiration of 30-days, the Commission will make a final determination on the issue of no significant hazards considerations. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves a no significant hazards consideration, the Commission may issue the

amendment and make it immediately 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 15-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 15-day notice period, provided that its final determination is that the amendment involves no significant hazards considerations. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the FEDERAL REGISTER a notice of 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., 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 3737 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. and Thomas A. Baxter, Esq., Shaw, Pittman, Potts and 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).

For further details with respect to this action, see the application for amendment dated November 15, 1991, 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 the Callaway County Public Library, 710 Court Street, Fulton, Missouri 65251.

Dated at Rockville, Maryland, this 20th day of November 1991.

FOR THE NUCLEAR REGULATORY COMMISSION

  
James R. Hall, Sr. Project Manager  
Project Directorate III-3  
Division of Reactor Projects III/IV/V  
Office of Nuclear Reactor Regulation