Union Electric
Callaway Plant

PO Box 620
Fulton, MO 65251

September 9, 2003

U. S. Nuclear Regulatory Commission
Document Control Desk
Mail Stop P1-137
Washington, DC 20555-0001

Ladies and Gentlemen:

ULNRC-04898

DOCKET NUMBER 50-483
CALLAWAY PLANT
UNION ELECTRIC COMPANY
REQUEST FOR NRC REGIONAL
ENFORCEMENT DISCRETION

This letter confirms the results of a teleconference that was conducted between AmerenUE (Union Electric) and NRC Staff representatives at 1900 hours on September 6, 2003 in which AmerenUE requested the NRC to exercise enforcement discretion for the Callaway Plant, regarding the requirements of Technical Specification (TS) Limiting Condition for Operation (LCO) 3.4.11, "Pressurizer Power Operated Relief Valves (PORVs)." With the plant operating in Mode 1 (at 100% Rated Thermal Power), the request was made in order to provide additional time to repair and test the "B" pressurizer PORV block valve before a plant shutdown would have otherwise been required. Via a follow-up telephone call from NRC Region IV at 2100 hours on September 6, AmerenUE's request was approved.

The events leading to AmerenUE's request began when the "B" train pressurizer PORV block valve, BBHV8000B, was declared inoperable at 0601 hours Central Daylight Time (CDT) on September 4, 2003 to support a valve control switch modification. With the plant in Mode 1, Condition C of TS LCO 3.4.11 was entered at 0601 hours, thus placing associated Required Actions C.1 and C.2 into effect. With one block valve inoperable, Required Action C.1 requires placing the associated PORV in manual control within 1 hour, and Required Action C.2 requires restoring the block valve to OPERABLE status within a specified Completion Time of 72 hours. The "B" train PORV (BBPCV0456A) was accordingly placed in manual control at 0608 hours.

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Following installation of the control switch modification, the Control Room Reactor Operator identified a loss of indication for the valve. During the process of troubleshooting the loss of indication, station personnel reported an acrid odor in the electrical penetration room. This odor proved to be indicative of an electrical failure that was subsequently confirmed in the block valve's actuator and associated control circuit.

Required Action C.2 was entered when the "B" train PORV block valve was declared inoperable at 0601 hours on September 4. The 72-hour Completion Time for this Required Action required the inoperable block valve to be restored by 0601 hours CDT on September 7, 2003 before entering Condition D of LCO 3.4.11. This Condition requires a plant shutdown such that MODE 3 must be entered within 6 hours (per Required Action D.1) and MODE 4 must be entered within 12 hours (per Required Action D.2). Enforcement discretion was sought to permit noncompliance with LCO 3.4.11, i.e., to permit additional time for testing, troubleshooting and restoration of the block valve before a plant shutdown would be required. Specifically, an additional 48 hours was requested to restore the "B" train pressurizer PORV block valve to OPERABLE status such that entry into Mode 3 would not be required until 1201 on September 9, 2003.

As noted previously, this request for enforcement discretion was verbally discussed with the NRC Region IV Office and Office of Nuclear Reactor Regulation on September 6, 2003. It was noted that, as discussed in Regulatory Issue Summary 2001-20, this request requires a Regional Notice of Enforcement Discretion (NOED) since noncompliance with the Required Action Completion Time would be non-recurring and would not exceed 14 days in duration, and since a license amendment was unnecessary because the plant was expected to return to compliance in a short period of time. The requested additional time for restoring the block valve had been evaluated and was shown to involve no increase in net risk.

During the time that the requested enforcement discretion would be in effect, AmerenUE noted that it would be wheeling power in the north-to-south direction. Projected grid conditions were such that slightly higher-than-normal demand was expected for Monday (9/8) and Tuesday (9/9), but stable conditions were expected to prevail throughout this period. AmerenUE committed to maintaining required switchyard voltage for Callaway throughout this timeframe. In light of the stable grid conditions and the fact that mild weather was forecast for the next several days, this request was determined to not involve a "weather-related" NOED.

The details and basis for AmerenUE's request (as discussed in the September 6 teleconference) are provided in the Attachment to this letter, which was prepared in accordance with the guidance provided in RIS 2001-20. The attachment reflects the state of events as they existed during the telephone discussions with the NRC on September 6.

It may be noted that subsequent to the telephone call in which NRC granted verbal approval of AmerenUE's request, work continued on restoring the block valve to OPERABLE status. Testing of the block valve was completed by approximately 0400 hours on September 7. However, as noted in the attachment to this letter, work was also performed in parallel to resolve an annunciator problem that occurred during the restoration effort. (This work had already begun at the time of the telephone discussions on September 6.) Although there was a high degree of assurance that this problem did not affect operability of the block valve, the block valve was conservatively not declared OPERABLE until the operability impact of the annunciator problem was fully evaluated. Extensive testing of the annunciator circuit was performed to ensure there was no impact on valve operability. Upon completion of the evaluation, the block valve was declared OPERABLE at 1418 hours on September 7.

AmerenUE appreciates the prompt attention given to this matter. For any questions or additional information regarding this request, please contact me at (576) 676-8763 or Dave Shafer at (314) 554-3104.

Very truly yours,

Warren A. Witt

Warren A. Witt
Manager - Callaway Plant

TBE/mlo

Attachment 1: REQUEST FOR REGIONAL ENFORCEMENT DISCRETION REGARDING COMPLIANCE WITH TECHNICAL SPECIFICATION 3.4.11, "PRESSURIZER PORVS"

cc: U. S. Nuclear Regulatory Commission (Original and 1 copy)
Attn: Document Control Desk
Mail Stop P1-137
Washington, DC 20555-0001

Mr. Thomas P. Gwynn
Acting Regional Administrator
U.S. Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-4005

Senior Resident Inspector
Callaway Resident Office
U.S. Nuclear Regulatory Commission
8201 NRC Road
Steedman, MO 65077

Mr. Jack N. Donohew (2 copies)
Licensing Project Manager, Callaway Plant
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Mail Stop 7E1
Washington, DC 20555-2738

Manager, Electric Department
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102

REQUEST FOR REGIONAL ENFORCEMENT DISCRETION REGARDING COMPLIANCE WITH TECHNICAL SPECIFICATION 3.4.11, "PRESSURIZER PORVS"

1. Technical Specification (TS) or other License Conditions that will be Violated:

The reactor coolant system (RCS) at Callaway is provided with a pressurizer which provides a point in the RCS where liquid and vapor are maintained in equilibrium under saturated conditions for pressure control purposes to prevent bulk boiling in the remainder of the RCS. Key functions include maintaining required primary system pressure during steady-state operation, and limiting the pressure changes caused by coolant thermal expansion and contraction during normal load transients.

The pressurizer is equipped with two types of devices for pressure relief: pressurizer safety valves and pressure-operated relief valves (PORVs). Specifically, two PORVs are provided: an "A" valve and a "B" valve. The PORVs are safety-related DC solenoid-operated valves that are controlled to open at a specific set pressure when the pressurizer pressure increases, and to close when the pressurizer pressure decreases. The PORVs may also be manually operated from the control room.

Block valves, which are normally open, are located between the pressurizer and the PORVs. The block valves are used to isolate the PORVs in case of excessive leakage or a stuck open PORV. Block valve closure is normally accomplished manually using controls in the control room. As discussed further in Section 3, the PORVs and their associated block valves may be used by plant operators to depressurize the RCS to recover from certain transients if normal pressurizer spray is not available. Operability and test requirements for both the PORVs and block valves are set forth in Callaway Technical Specification (TS) 3.4.11, "Pressurizer Power Operated Relief Valves (PORVs)."

On September 4, 2003 the "B" train pressurizer PORV block valve (BBHV8000B) was declared inoperable at 0601 hours Central Daylight Time (CDT) to support modification of an associated valve control switch. Condition C of the Limiting Condition for Operation (LCO) section of TS 3.4.11 was entered at 0601 hours, thus requiring associated Required Actions C.1 and C.2 to be met. With one block valve inoperable, Required Action C.1 requires placing the associated PORV in manual control within 1 hour, and Required Action C.2 requires restoring the block valve to OPERABLE status within a specified Completion Time of 72 hours. The "B" train PORV (BBPCV0456A) was accordingly placed in manual control at 0608 hours.

With Required Action C.2 currently in effect, the inoperable "B" train pressurizer PORV block valve must be restored no later than 0601 hours CDT on September 7, 2003. If the PORV block valve cannot be restored to OPERABLE status in that timeframe, Condition D must be entered, which requires a plant shutdown. Specifically, Required Action D.1 requires entry into MODE 3 (Hot Standby) within 6 hours, and Required Action D.2 requires entry into MODE 4 (Hot Shutdown) within 12 hours. Enforcement discretion is being sought such that it would allow up

to an additional 48 hours for restoring the "B" train pressurizer PORV block valve to OPERABLE status. In effect, it would allow delayed entry into Mode 3 per Required Action D.1 such that entry into Mode 3 would not be required until 1201 on September 9, 2003.

2. Circumstances Requiring the Request for Enforcement Discretion

Background on Control Switch Modification

As part of a design change implemented with License Amendment 137 dated September 25, 2000, the pressurizer PORV block valve hand-indicating switches (BBHIS8000A and B, as shown on FSAR Figure 7.6-4) were replaced per a new switch design. That switch design required the operating staff to manipulate two switches when operating in the cold overpressure protection mode with the Cold Overpressure Mitigation System (COMS) manually armed. The block pushbutton on the COMS arming switch would have to be depressed before the pressurizer PORV block valve hand-indicating switch can work.

The operating staff subsequently requested that the pressurizer PORV block hand-indicating switches be replaced with a design that locks down in the CLOSED position. The new hand-indicating switch design that was selected to be installed and retested would have a maintained-CLOSED position, and the OPEN position would be momentary with a spring-return to the AUTO position. This design would allow the operating staff to release the OPEN pushbutton after the demand is made. Normally, the valve would be expected to be open with the hand-indicating switch in the AUTO position.

The switch replacements were scheduled to be performed on-line by modifying one PORV block valve control circuit at a time and restoring them to service upon completion of the modification and associated retesting. The "B" block valve was selected to be modified first.

Event Background

The switch modification on the "B" train pressurizer PORV block valve (BBHV8000B), including retesting, was completed on September 4, 2003 at 1817 hours. At approximately 1830 hours, the on-coming Balance of Plant (BOP) operator noted the open indication for BBHV8000B was not illuminated during his control board walk-down. The on-shift BOP operator attempted to replace the indicating light bulbs. At 1840 hours, following the BOP operator shift turnover, the off-going BOP operator told the Control Room Supervisor (CRS) that he attempted to replace the bulbs twice but the lights would not work. The CRS informed the Shift Supervisor (SS) and the Field Supervisor (FS) that a problem may exist with the new switch and/or the valve. The on-shift crew started an investigation into the scope of work that had been performed.

At approximately 1850 hours, security personnel reported an acrid odor in the south electrical penetration room, and the primary Equipment Operator (EO) was dispatched to that location.

The FS was sent to help investigate, and at 1920 hours he reported that the breaker was found to be tripped.

Apparent Cause

It has been determined that during rewiring of the control circuit in the MCC cubicle, a vendor wire that was in a previously inactive part of the circuit should have been removed but was not. The drawings included in the work package did not reflect this vendor wire. This vendor wire was in effect a jumper around the MOV "open" limit switch and the "open" torque switch. This allowed the "open" contactor coil to remain energized with the "open" limit and "open" torque switches open. This caused the valve actuator to continue to drive the valve open until motor damage occurred and the breaker tripped.

Extent of Damage

Electricians tested the motor and found that it had shorted windings. Upon opening the MOV actuator, damage to the motor and limit switch assembly was found. The power cables for the motor were tested and were found undamaged. Evaluation has determined that the Locked Rotor Current is well below the Penetration Thermal Damage Curve and no damage would have occurred at the penetration. The successful megger testing of the power cables supports this determination. Visual inspection of the visible portions of the threads, valve stem, and bonnet indicated that these items are undamaged. A GL 91-18 operability determination documents that valve, stem and bonnet operability is assured until Refuel 13 (April 2004). In addition, the MCC cubicle (NG02BDF1) was inspected and the overload relays were found damaged. No other components in the MCC cubicle were damaged.

Westinghouse has evaluated the extent of damage to the valve, and concluded that stem integrity was the limiting factor for the condition of over-thrust on opening into the backseat. It was determined that the valve stem is acceptable for use until Refuel 13 at a minimum.

Restoration Work Activities

Work performed for the inoperable block valve thus far includes several activities. The Limitorque motor and actuator have been replaced. The power cables to the motor have been tested to verify required insulation resistance, and the associated overload heaters and relays have been replaced. The MCC bucket and new hand-indicating switch were scheme-checked to confirm the as-installed wiring configuration. Further, the MCC bucket and the hand-indicating switch have been rewired to the pre-modification configuration. MOVATS testing will be performed on the new actuator and motor prior to declaring the valve OPERABLE again.

At present, troubleshooting is in progress to address an unanticipated annunciator associated with the COMS system, which was received during restoration of limit switch settings. Specifically, Annunciator 64A, COP BLOCK VALVE NOT OPEN toggled in several times while performing initial limit switch adjustment on BBHV8000B. The annunciator circuit is such that the annunciator should be lit when valve BBHV8000B is not open and when handswitch

BBHS8000B is in ARM. A work history review indicated that a previous occurrence of this problem happened in May, 2001.

Troubleshooting has indicated that the handswitch contacts are currently open, which is consistent with the current state of the handswitch. The handswitch is being replaced with a new handswitch that has been verified to operate properly. It is believed that this problem does not affect operability of the block valve or its associated PORV, this is being confirmed.

Need for Prompt Action

Without enforcement discretion, the 72-hour Completion Time imposed by the LCO 3.4.11 Required Action C.2 will expire at 0601 hours CDT on September 7, 2003. Thereafter, in accordance with Required Actions D.1 and D.2, respectively, Callaway Plant will be required to shut down to MODE 3 within 6 hours (i.e., by 1201 hours on September 7) and to MODE 4 within 12 hours (i.e., by 1801 hours on September 7). Enforcement discretion is being sought to allow additional time for the "B" pressurizer PORV block valve to be restored to OPERABLE status such that entry into Mode 3 would not be required until 1201 on September 9, 2003.

3. Safety Basis Including Evaluation of Safety Significance and Qualitative Risk Assessment

Design Basis Function of Pressurizer PORV Block Valves

Motor-operated block valves are provided for the following functions:

- The valves may be remote-manually stroked to the open position upon demand (using controls in the main control room) to enable the pressurizer PORVs to provide pressure relief in the event of an Inadvertent Emergency Core Cooling System (ECCS) Actuation (as discussed in FSAR Section 15.5.1), Steam Generator Tube Rupture (SGTR, as discussed in FSAR Section 15.6.3), or an Anticipated Transient Without Scram (ATWS, as discussed in the body of references listed in FSAR Section 15.8);
- The valves automatically stroke to the open position upon arming of COMS (i.e., the pre-modification configuration) to enable the pressurizer PORVs to provide cold overpressure protection; and
- The valves may be remote-manually stroked to the closed position upon demand (using controls in the main control room) to isolate a PORV(s) if excessive seat leakage develops or if the PORV fails to close resulting, in effect, a small break loss of coolant accident (SBLOCA).

The capability to remote-manually stroke the block valves from the main control room was included in licensing basis commitments made in response to NUREG-0737 and NRC Generic Letter 90-06 (50.54(f) letter).

The PORVs, with the block valves open, may also be used for feed-and-bleed core cooling in the case of multiple equipment failure events that are not within the design basis, such as a total loss of feedwater. These events are analyzed in the Callaway PRA.

Safety Assessment and Probabilistic Risk Assessment (PRA) Evaluation

Regarding the current impact of the request on safety, it should be noted that the "A" train pressurizer PORV block valve is fully OPERABLE at this time. Both the "A" and "B" train PORVs are fully OPERABLE at this time. The "B" train pressurizer PORV block valve is inoperable in the fully open position and will have power removed, except when closed for short durations for testing or maintenance activities during valve restoration. With the block valve in the open position, however, the functions discussed above are all capable of being fully satisfied except for the function to stroke closed to isolate a leaking or stuck-open PORV.

For the closing function, it may be noted that in the event of a demand, with the valve "declutched" from its motor-operator, local closure of the valve may be effected for events that would not immediately render the containment inaccessible. Moreover, throughout most of the latter stages of valve restoration, during MOVATS testing for example, functionality of the valve will exist to the point that it will be capable of being closed from the control room in the event of a demand. Finally, it should be noted that from an accident analysis point of view, if the "B" train PORV were to open and stick in that position (with the block valve open), the associated, ensuing transient that may be assumed is bounded by analyses currently contained within FSAR Section 15.6.1 (equivalent of a stuck-open safety valve) and FSAR Section 15.6.5 (SBLOCA). Therefore, granting this request for enforcement discretion will have a minimal impact on nuclear safety during the short time frame it will be in force.

With respect to risk assessment, and as noted previously, the pressurizer PORVs, i.e., BBPCV0455A and BBPCV0456A, and their associated block valves (BBHV8000A and BBHV8000B, respectively) are credited to mitigate core damage events in the Callaway PRA. Specifically, the valves are credited to mitigate the effects of an ATWS event, and are credited (along with operator actions) for RCS feed-and-bleed cooling to mitigate the effects of various transients given the loss of secondary cooling. The PORVs and PORV block valves are thus required to open to provide these mitigative functions. As also noted previously, the PORV block valves are credited to mitigate the effects of a stuck open PORV, and are thus required to close to provide this function.

To provide assurance that the requested NOED is risk-neutral, the following risk-offsetting Compensatory Actions will be taken during the time period the NOED is in force. Based upon risk insights from the Callaway PRA, these actions will serve to reduce core damage and large early release risk.

- BBHV8000B will be kept in the open position during the NOED period, except for valve stroking required for maintenance or testing. This serves to maintain the availability of the associated PORV and its pressure relief functions as described above. This reduces

the risk impact of the most risk-significant block valve failure mode (i.e., failure of the block valve to open is more risk-significant than failure of the valve to close.)

- As a contingency action, Operators and work crews will be directed, via briefs, to shut the block valve if a demand for closure should arise. This supports the above-noted PORV isolation function of the block valve, and would help to reduce risk.
- Access will be restricted to the switchyard to reduce the likelihood of a loss of offsite power (LOOP). In addition, no work will be performed in the switchyard. Reducing the LOOP frequency reduces Callaway's overall risk, and reduces the risk of a PORV open demand.
- No work or surveillances will be performed on the Reactor Trip System (RTS) or Engineered Safety Feature Actuation System (ESFAS) that could initiate a reactor trip or an ESFAS actuation in order to reduce the likelihood of a plant transient. Reducing plant transient frequency reduces Callaway's risk of a PORV open demand.
- No work will be performed on "A" train components to protect the OPERABLE train. This helps to ensure the pressure-relief function and has a risk-reducing effect.
- No work will be performed on the Auxiliary Feedwater System, steam generator atmospheric steam dump valves (ASDs), or the main steam dump control valves, in order to reduce the likelihood of a PORV demand if a plant transient were to occur. This compensatory measure also reduces the risk of losing secondary cooling during an event, which reduces the risk of needing the PORV block valves to support feed-and-bleed cooling.

These Compensatory Actions will be delineated and discussed in Plan of the Day Meetings and during shift turnovers. In addition, through Callaway's Maintenance Rule 10 CFR 50.65(a)(4) program, plant risk will be assessed and managed throughout the NOED period, including any risk associated with unanticipated emergent plant conditions.

Given the above-identified risk-offsetting compensatory actions, this request for enforcement discretion to allow additional outage time for the inoperable block valve was qualitatively determined to involve no increase in net risk.

4. Justification for Duration of Non-Compliance

Due to the damaged valve actuator, the work activities to be performed for restoring the block valve to operable status, as described in Section 2, may require more time to complete than what the Completion Time of Required Action C.2 of TS LCO 3.4.11 permits. This effort also involves resolving the annunciator problem that has been identified. (It is believed that this problem does not affect operability of the block valve or its associated PORV, this is being confirmed.) It should be noted that from a human factors perspective, a very deliberate and careful approach to restoration of the block valve is required in light of the fact that the work must be performed in the containment where high noise levels and elevated temperatures which limit worker stay time exist. Although radiation levels in the work area are moderate, care must be taken whenever entry into the containment is required.

The safety/risk assessment summarized in Section 3 supports the timeframe required to complete repairs and post-maintenance testing.

5. Basis for Conclusion That Non-Compliance is not a Potential Detriment to the Public Health and Safety and that No Significant Hazard Consideration is Involved

<u>No Significant Hazards Consideration Evaluation</u>

In accordance with 10 CFR 50.92(c), AmerenUE's evaluation of the proposed enforcement discretion for significant hazards concluded the request would not:

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

The increased allowed outage time for the PORV block valve has no impact on the frequency of occurrence for those events for which PORV or PORV block valve protection is credited or assumed. The valve itself is not part of the initiating mechanisms or failure modes for such events (such as inadvertent SI actuation or S/G tube rupture). Therefore, a change in the allowed outage time for the PORV block valve has no impact on the probability of occurrence of such events. With regard to a closed block valve serving to isolate leakage through a PORV that is not leak-tight, extension of the AOT for an inoperable block valve has no impact on the PORV itself and thus has no impact on the probability of PORV leakage. (Block valves are normally open and are typically only closed for any length of time when needed to isolate a PORV that has begun to leak excessively.) Similarly, with regard to an event involving a stuck open PORV, although the block valve may be credited to provide isolation of the stuck-open PORV, extension of the block valve AOT itself has no impact on the probability of occurrence of a stuck open PORV. Therefore, based on all of the above considerations, extension of the AOT for a block valve does not involve a significant increase in the probability of an accident previously evaluated.

During the requested additional time to restore operability of the block valve, the valve will be maintained in the open position (except when closed on a short-term basis for valve stroking or testing as needed). Further, the "A" train (PORV and block valve) is OPERABLE and will be maintained as such throughout the subject period. Under these conditions, with the PORVs themselves fully OPERABLE, pressure relief capability will continue to fully exist for the mitigation of all events that may require such capability. With the block valve in the open position and not capable of being remotely closed from the control room, the capability of isolating a stuck-open or excessively leaking PORV under worst-case conditions is temporarily reduced, notwithstanding the low probability of an event that would require this capability, and the fact that the associated PORV is currently leak-tight. However, in the event of a demand, with the valve "declutched" from its motor-operator, local closure of the valve may be effected for events that would not immediately render the containment inaccessible. Further, for a significant part of the restoration time it is anticipated that sufficient functionality will exist to enable the block valve to be closed from the control room. Notwithstanding this closure capability, if the "B" train PORV were to open and stick in that position, the ensuing transient would be bounded by analyses currently contained within FSAR Section 15.6.1 (equivalent of a stuck-open safety valve) and FSAR Section 15.6.5 (small break LOCA). From these considerations it may be concluded that the proposed change (to temporarily extend the block valve restoration period) does not involve a significant increase in the consequences of any accident previously evaluated.

In total, therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

The Completion Time extension involves no hardware or design changes (except as needed for repair of the single, affected block valve to preserve its current design function), nor any changes in the methods by which safety-related plant systems perform their safety function. (With regard to the block valve being open, an unisolated, stuck-open PORV is an event or condition that is already evaluated and is therefore not a new or different accident from any previously evaluated.) No new accident scenarios, transient precursors, failure mechanisms, or limiting single failures are introduced as a result of this request.

Therefore, the requested Completion Time extension does not create the possibility of a new or different kind of accident from any accident previously evaluated.

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

The requested Completion Time extension (with the block valve open) does not affect any total system response time or acceptance criterion assumed in the safety analyses, nor does it involve any change to a safety analysis limit, limiting safety system setting, or

safety system performance criterion. No margin of safety assumed or required in the deterministic accident analyses is thus affected. The only intent and effect of the change is to temporarily extend the Completion Time for restoring the inoperable block valve to OPERABLE status, given that the Technical Specifications permit an allowed outage time for an inoperable block valve. If risk margin is considered in this regard, the increased Completion Time has been evaluated, and it has been determined that the requested change involves no increase in net risk, given the risk-offsetting compensatory actions in place. Based on the above, the proposed Completion Time extension does not involve a significant reduction in any margin of safety.

Conclusion: Based on the above information, it has been determined that the proposed request for enforcement discretion meets the requirements of 10 CFR 50.92(c) and does not involve a significant hazards consideration.

Consistent with the above conclusion regarding no significant hazards consideration, and as supported by the qualitative risk evaluation that has been performed, the compensatory measures that are in place (as described in Section 7), and the determination that there is no adverse impact to radiological effluents or reactor operation (as discussed in Section 6 below), it is concluded that the requested Completion Time extension does not constitute a potential detriment to public health and safety.

6. **Environmental Evaluation**

With regard to environmental assessment, AmerenUE has determined that this request for enforcement discretion meets the categorical exclusion eligibility criteria set forth in 10 CFR 51.22(c)(9) as specified below:

(1) It involves no significant hazards consideration.

As demonstrated in Section 5 above, this request does not involve a significant hazards consideration.

(2) There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite.

The request does not involve a change to the facility or operating procedures that would cause an increase in the amounts of effluents or create new types of effluents.

(3) There is no significant increase in individual or cumulative occupational radiation exposure.

The requested noncompliance would not adversely affect the operation of the reactor, nor does it create additional exposure to utility personnel or affect radiation levels that are present.

Based on the above, it may be concluded that there would be no impact on the environment resulting from the request, and that the request meets the criteria specified in 10 CFR 51.22 for a categorical exclusion from the requirements of 10 CFR 51.21 relative to requiring a specific environmental assessment by the Commission.

7. Compensatory Actions

To provide assurance that the requested NOED involve no increase in net risk, the following risk-offsetting Compensatory Actions (which were discussed further in Section 3) will be taken during the time period the NOED is in force. Based upon risk insights from the Callaway PRA, these actions will serve to reduce core damage and large early release risk.

- BBHV8000B will be kept in the open position during the NOED period, except for valve stroking required for maintenance or testing.
- Operators and work crews will be directed, via briefs, to shut the block valve if a demand for closure should arise.
- Access will be restricted to the switchyard to reduce the likelihood of a loss of offsite power (LOOP). In addition, no work will be performed in the switchyard.
- No work or surveillances will be performed on the Reactor Trip System (RTS) or Engineered Safety Feature Actuation System (ESFAS) that could initiate a reactor trip or an ESFAS actuation to reduce the likelihood of a plant transient.
- No work will be performed on "A" train components to protect the OPERABLE train.
- No work will be performed on the Auxiliary Feedwater System, steam generator atmospheric steam dump valves (ASDs), or the main steam dump control valves, in order to reduce the likelihood of requiring the PORV block valve functions.

These Compensatory Actions will be delineated and discussed in Plan of the Day Meetings and during shift turnovers.

In addition, through the plant's Maintenance Rule 10 CFR 50.65(a)(4) program, plant risk will be assessed and managed throughout the NOED period, including any risk associated with unanticipated emergent plant conditions.

8. Approval by the Onsite Review Committee

This request for enforcement discretion was reviewed and approved by the Callaway Plant Onsite Review Committee on September 6, 2003.

9. Basis for Type of NOED Required (Per Criteria Specified in Section B of Part 9900, "Technical Guidance: Operations – Notice of Enforcement Discretion"

The type of NOED required per this request was identified to be a "regular" NOED, i.e., one that does not involve severe weather or other natural phenomena. It involves a nonrecurring noncompliance as it only involves a single request for extending the period of time that an inoperable plant component must be restored to OPERABLE status as specified per the plant Technical Specifications. As such, it involves a plant condition whereby the plant would be returned to compliance with the plant operating license within a short period of time. The request was therefore determined to require an NRC Region-issued NOED (if approved).

With regard to "regular" NOEDS, Section 2.1 of the NRC's Part 9900 guidance identifies NOED criteria applicable to various plant conditions, which the NRC takes into consideration when considering the issuance of an NOED. Specifically, this guidance refers to "operating plants," "plants in a shutdown condition," and "plants attempting to start up." It notes that for an operating plant, the NOED is intended to (a) avoid unnecessary transients as a result of compliance with the license condition and, thus, minimize potential safety consequences and operational risks, or (b) avoid testing, inspection, or system realignment that is inappropriate for the particular plant conditions.

With the Callaway Plant currently in Mode 1 at 100 % power, this request is for an operating plant. The intent is to avoid an unnecessary plant shutdown, thereby avoiding the increased potential for a transient associated with plant shutdown, consistent with criterion 2.1.1 (a) above.