

Mr. Charles D. Naslund
Senior Vice President and Chief Nuclear Officer
Union Electric Company
Post Office Box 620
Fulton, MO 65251

September 12, 2005

SUBJECT: CALLAWAY PLANT, UNIT 1 - INDIVIDUAL FEDERAL REGISTER NOTICE
FOR LICENSE AMENDMENT REQUEST RELATED TO MAIN FEEDWATER
ISOLATION VALVE (MFIV) STROKE TIME LIMITS (TAC NOS. MC8284)

Dear Mr. Naslund:

Enclosed is the Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing for the license amendment request that would revise Surveillance Requirements (SRs) 3.7.3.1 and 3.7.3.2, and add SR 3.7.3.3 in Technical Specification (TS) 3.7.3, "Main Feedwater Isolation Valves (MFIVs)," for the Callaway Plant, Unit 1 (Callaway). These TS changes were proposed in your application dated September 9, 2005 (ULNRC-05206). This notice will be published in the *Federal Register* as an individual notice of a proposed license amendment request for Callaway, and will also be included in the Commission's next biweekly *Federal Register* notice.

Sincerely,

/RA/
Jack Donohew, Senior Project Manager, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-483

Enclosure: Notice of Consideration of Issuance of Amendment

cc w/encl: See next page

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UNITED STATES NUCLEAR REGULATORY COMMISSIONCALLAWAY PLANT, UNIT 1DOCKET NO.: 50-483NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING

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

The proposed amendment, submitted in the licensee's application dated September 9, 2005, would revise Surveillance Requirements (SRs) 3.7.3.1 and 3.7.3.2 and add SR 3.7.3.3 in Technical Specification (TS) 3.7.3, "Main Feedwater Isolation Valves (MFIVs)." The new SR 3.7.3.3 would add Figure 3.7.3-1, the acceptable valve closure time versus the steam generator pressure for the MFIVs, to the TSs.

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 Title 10 of the *Code of Federal Regulations* (10 CFR), Section 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. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No. Revision of the MFIV stroke time limit has no impact on the frequency of occurrence of those events for which feedwater isolation is credited or assumed. The MFIVs themselves are not part of the initiating mechanisms or failure modes for such events (such as steamline break or feedwater line break). Therefore, the proposed change has no impact on the probability of occurrence of such events and does not involve a significant increase in the probability of an accident previously evaluated.

With regard to consequences of previously evaluated accidents, evaluations were documented in References 7.1, 7.2, and 7.3 [(the licensee's letters to the Nuclear Regulatory Commission dated June 27 and December 12, 2003, and September 17, 2004, respectively)] that assessed the impact of the change in MFIV actuators and an associated 15-second MFIV stroke time (for operating conditions that include secondary system pressures above the reference pressure that corresponds to [the] P-11 permissive) on LOCA [loss-of-coolant accident] mass and energy releases; main steamline break mass and energy releases; LOCA and LOCA related transients; non-LOCA transients; LOCA hydraulic forces and steam releases used for radiological consequence calculations. The consequences of those evaluations are not adversely affected by the proposed change to an increasing MFIV stroke time limit where appropriate for lower secondary system pressures. The evaluations discussed in Section 4.0 [of Attachment 2 to the licensee's application dated September 9, 2005,] demonstrate that such an increase in the MFIV stroke time from the 15 seconds assumed in the analyses performed in support of the Callaway RSG [Replacement Steam Generator] Program (Reference 7.3) to a higher bounding stroke time value of 90 seconds where appropriate for lower secondary system pressures is acceptable with respect to the impacted accident analyses. The resulting interpolated TS curve proposed as TS Figure 3.7.3-1 provides an MFIV stroke time limit that is pressure dependent but bounding, as it ensures the applicable FSAR [Callaway Final Safety Analysis Report] Chapter 15 events that credit MFIV closure remain bounding.

Therefore, the proposed change does not result in a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No. The proposed changes do not involve any hardware or design

changes [n]or any changes in the methods by which safety-related plant systems perform their safety function. No new accident scenarios, transient precursors, failure mechanisms, or limiting single failures are introduced as a result of this request. There will be no adverse effect or challenges imposed on any safety-related system as a result of the proposed change.

Therefore, the proposed change does not create a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No. The proposed changes to incorporate a pressure-dependent MFIV surveillance stroke time limit and to delete the Notes on SR 3.7.3.1 and SR 3.7.3.2 do not affect any safety analysis acceptance criteria nor involve any change to a safety analysis limit, limiting safety system setting, or safety system performance criterion. 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 functions. The radiological dose consequence acceptance criteria will continue to be met. There will be no significant impact on the overpower limit, departure from nucleate boiling ratio limits, heat flux hot channel factor (F_Q), nuclear enthalpy rise hot channel factor ($F_{\Delta H}$), loss[-]of[-]coolant accident peak cladding temperature (LOCA PCT), peak local power density, or any other margin of safety. The radiological dose consequence acceptance criteria listed in the Standard Review Plan will continue to be met.

Therefore, the proposed change does not involve a significant reduction in the margin of safety.

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. Therefore, the NRC staff proposes to determine 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.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the

amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the *Federal Register* a notice of issuance. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this *Federal Register* notice. Written comments may also be delivered to Room 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland.

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

Within 60 days after the date of publication of this notice, 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 a hearing and a petition for leave to intervene. Requests for a hearing and a petition 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 2.309, which is available at the Commission's PDR, located at One White Flint North, Public File Area O1F21,

11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/doc-collections/cfr/>. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, 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 general requirements: (1) the name, address and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestors/petitioner's interest. The petition must also identify the specific contentions which the petitioner/requestor seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner/requestor shall provide a brief explanation of the bases for 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/requestor 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. The petition must include 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/requestor who fails to satisfy 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.

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 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.

Nontimely requests and/or petitions and contentions will not be entertained absent a determination by the Commission or the presiding officer of the Atomic Safety and Licensing Board that the petition, request and/or the contentions should be granted based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)-(viii).

A request for a hearing or a petition for leave to intervene must be filed by: 1) first class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; 2) courier, express mail, and expedited delivery services: Office of the Secretary, Sixteenth

Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff; 3) E-mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, HEARINGDOCKET@NRC.GOV; or 4) facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC, Attention: Rulemakings and Adjudications Staff at (301) 415-1101, verification number is (301) 415-1966. A copy of the request for hearing and petition for leave to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and it is requested that copies be transmitted either by means of facsimile transmission to 301-415-3725 or by email to OGCMailCenter@nrc.gov. A copy of the request for hearing and petition for leave to intervene should also be sent to the John O'Neill, Esq., Shaw, Pittman, Potts & Trowbridge, 2300 N Street, N.W., Washington, D.C. 20037, attorney for the licensee.

For further details with respect to this action, see the application for amendment dated September 9, 2005, which is available for public inspection at the Commission's PDR, located at One White Flint North, File Public Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have

access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland, this 12th day of September 2005.

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FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Jack Donohew, Senior Project Manager, Section 2

Project Directorate IV

Division of Licensing Project Management

Office of Nuclear Reactor Regulation

Callaway Plant, Unit 1

cc:

Professional Nuclear Consulting, Inc.
19041 Raines Drive
Derwood, MD 20855

John O'Neill, Esq.
Shaw, Pittman, Potts & Trowbridge
2300 N. Street, N.W.
Washington, D.C. 20037

Mr. Mark A. Reidmeyer, Regional
Regulatory Affairs Supervisor
Regulatory Affairs
AmerenUE
P.O. Box 620
Fulton, MO 65251

U.S. Nuclear Regulatory Commission
Resident Inspector Office
8201 NRC Road
Steedman, MO 65077-1302

Mr. Les H. Kanuckel
Manager, Quality Assurance
AmerenUE
P.O. Box 620
Fulton, MO 65251

Missouri Public Service Commission
Governor Office Building
200 Madison Street
Jefferson City, MO 65102-0360

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

Mr. Mike Wells, Deputy Director
Missouri Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65101

Mr. Rick A. Muench
President and Chief Executive Officer
Wolf Creek Nuclear Operating Corporation
P.O. Box 411
Burlington, KA 66839

Mr. Dan I. Bolef, President
Kay Drey, Representative
Board of Directors Coalition for the
Environment
6267 Delmar Boulevard
University City, MO 63130

Mr. Lee Fritz, Presiding Commissioner
Callaway County Court House
10 East Fifth Street
Fulton, MO 65151

Mr. David E. Shafer
Superintendent, Licensing
Regulatory Affairs
AmerenUE
P.O. Box 66149, MC 470
St. Louis, MO 63166-6149

Mr. Keith D. Young
Manager, Regulatory Affairs
AmerenUE
P.O. Box 620
Fulton, MO 65251

Mr. Scott Clardy, Director
Section for Environmental Public Health
P.O. Box 570
Jefferson City, MO 65102-0570

Certrec Corporation
4200 South Hulen, Suite 630
Fort Worth, TX 76109

Director, Missouri State Emergency
Management Agency
P.O. Box 116
Jefferson City, MO 65102-0116

Updated: July 2005