



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
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September 14, 2006

EA-06-217

Charles D. Naslund, Senior Vice  
President and Chief Nuclear Officer  
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P.O. Box 620  
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**SUBJECT: RESPONSE TO COMMENTS RELATING TO A NONCITED VIOLATION  
IN NRC INSPECTION REPORT 05000483/2006011**

Dear Mr. Naslund:

This is in response to a letter from Mr. Keith D. Young, Manager, Regulatory Affairs, dated August 10, 2006, regarding AmerenUE's comments to the Callaway Plant Special NRC Inspection Report 05000483/2006011, dated July 14, 2006. In the letter, AmerenUE requests that the NRC re-evaluate Noncited Violation 5000483/2006011-01, Failure to Recognize and Correct Inadequate Emergency Procedures, and change the characterization of this finding from an NRC-identified to a licensee-identified inspection finding.

As stated in your letter, and discussed in the NRC's cover letter to the inspection report, on March 27, 2006, Callaway Plant personnel identified a procedural deficiency related to the amount of time required for Control Room crews to establish component cooling water flow to the residual heat removal heat exchangers, as demonstrated in licensed operator simulator training. The inspectors reviewed AmerenUE's actions to evaluate emergency operating procedure (EOP) deficiencies prior to identifying the concern with the timing of component cooling water initiation during emergency core cooling system containment recirculation. AmerenUE's short-term actions associated with the finding included that a Safety Analysis Engineer researched the issue and a corrective action document was initiated regarding the deficiency in the procedure. The NRC recognizes that an AmerenUE root cause analysis team was formed to investigate the issue, its extent of condition, and any generic related issues.

The NRC inspection team interacted with AmerenUE's root cause analysis team and there was a sharing of information as the root cause investigation team performed its investigation. However, in assessing whether the finding was NRC identified, self-revealing or licensee-identified, the NRC considered the definition of "NRC-identified" offered in Manual Chapter 0612, "Power Reactor Inspection Reports," issued on June 22, 2006. That definition states that "NRC-identified findings also include previously documented licensee findings to which the inspector has significantly added value. Added value means that the inspector has identified previously unknown weakness(es) in the licensee's classification, evaluation, or corrective actions associated with the licensee's correction of a finding."

As stated earlier, the NRC did give Callaway Plant personal credit for identifying the procedural deficiency, as reflected in the licensee-identified violation documented in the subject special inspection report. However, for the performance deficiency associated with previous opportunities to identify this issue and the associated Green noncited violation of 10 CFR Part 50, Appendix B, Criterion XVI, the NRC believes that its inspectors added significant value to the deficiencies already identified by AmerenUE. Specifically, the NRC inspectors identified significant additional information to be included in AmerenUE's evaluation by identifying problems associated with AmerenUE's previous corrective actions. AmerenUE had previous opportunities to identify and correct the emergency procedure deficiencies during implementation of corrective actions in response to a previous NRC finding (05000483/2003006-02), Callaway Action Request 200500564, and other identified conditions adverse to quality as articulated in NRC Inspection Report 05000483/2006011. Therefore, the NRC finds that Noncited Violation 5000483/2006011-01 was properly characterized as NRC-identified for the violation that involved the failure to identify and correct the issues associated with the previous NRC-identified EOP deficiencies.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

***/RA/ by Anton Vogel for***

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