

November 14, 2006

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

Ladies and Gentlemen:

ULNRC-05342



**DOCKET NUMBER 50-483
CALLAWAY PLANT UNIT 1
UNION ELECTRIC CO.
FACILITY OPERATING LICENSE NPF-30
CLARIFICATION OF LETTER OF INTENT TO ADOPT NFPA 805
"PERFORMANCE-BASED STANDARD FOR FIRE PROTECTION FOR
LIGHT WATER REACTOR GENERATING PLANTS, 2001 EDITION"**

- References: (1) Letter from AmerenUE to NRC, "LETTER OF INTENT TO ADOPT NFPA 805 "PERFORMANCE-BASED STANDARD FOR FIRE PROTECTION FOR LIGHT WATER REACTOR GENERATING PLANTS, 2001 EDITION," ULNRC-05232 dated December 2, 2005
- (2) Letter from NRC to AmerenUE, NRC RESPONSE TO AMERENUE'S LETTER OF INTENT TO ADOPT 10 CFR 50.48(c) (NFPA RULE) FOR CALLAWAY PLANT, UNIT 1, dated January 31, 2006

By the referenced letter (1), AmerenUE committed to a transition to 10 CFR 50.48(c) and provided a schedule for the implementation of the transition. The NRC's response in reference (2) granted a 24 month enforcement discretion period in accordance with the conditions in the NRC's Interim Enforcement Policy. This letter confirms our understanding that the enforcement discretion period is extended to three years and continues until the NRC completes its review and approval of the license amendment request as published in the Federal Register volume 71 dated April 18, 2006.

Callaway is relying on outside resources to support the transition. Callaway's NFPA 805 Transition Project had a kick off meeting with our primary contractors EPM (Engineering Planning and Management), Scientech and Appendix R Solutions on April 5, 2006. The contract with our primary contractors was signed on April 24, 2006.

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The NRC interim Enforcement policy (69 FR 33684, June 16, 2004) provides guidelines for enforcement discretion on identified noncompliances. In order for enforcement discretion to apply to a noncompliance, it must meet the following: identified noncompliances must be in the licensee's corrective action program, they must not be associated with findings that the Reactor Oversight Process Significance Determination (SDP) would evaluate as red, or would not be categorized at Severity Level 1 and appropriate compensatory actions must also be taken.

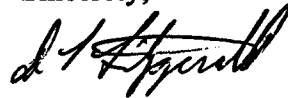
Our understanding is that enforcement discretion is allowed for NRC unresolved items (URIs) and non-compliances identified during the transition process as well as previously identified non-compliances related to fire protection. Callaway understands that the letter of intent initiated a period of enforcement discretion during which no enforcement actions will be taken for non-compliances (which meet the enforcement policy guidelines). In Callaway's letter of intent, we requested that the period of enforcement discretion start when the project starts which was in April 2006 and per our understanding of the policy, this is when our period of enforcement discretion started.

The actual schedule for this process is subject to change depending on the extent that the plant determines that it needs to make either physical modifications or changes to the fire protection program to comply with NFPA 805. An updated schedule will accompany the license amendment request required under 10 CFR 50.48(c)(3)(i).

This correspondence does not contain any regulatory commitments.

Please refer any questions regarding this submittal to Mr. Dave Shafer at 314-554-3104.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Fitzgerald', written over a horizontal line.

David Fitzgerald
Manager, Regulatory Affairs

PMB/jdg

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