

March 8, 2007

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

SUBJECT: CALLAWAY PLANT, UNIT 1 - ISSUANCE OF AMENDMENT RE: UNBORATED  
WATER SOURCE ISOLATION VALVES (TAC NO. MD1154)

Dear Mr. Naslund:

The U.S. Nuclear Regulatory Commission (the Commission) has issued the enclosed Amendment No. 181 to Facility Operating License No. NPF-30 for the Callaway Plant, Unit 1. The amendment consists of changes to the Technical Specifications (TSs) in response to your application dated March 28, 2006 (ULNRC-05269), as supplemented by letter dated November 17, 2006 (ULNRC-05345).

The amendment deletes references to specific isolation valves in the chemical and volume control system (CVCS) and to modify notes to allow (1) an exception for decontamination activities and (2) an exception for CVCS resin vessel operation. These are changes to TS 3.3.9, "Boron Dilution Mitigation System (BDMS)," and TS 3.9.2, "Unborated Water Source Isolation Valves."

A copy of the related Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's next biweekly *Federal Register* notice.

Sincerely,

**/RA/**

Jack Donohew, Senior Project Manager  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-483

Enclosures: 1. Amendment No. 181 to NPF-30  
2. Safety Evaluation

cc w/encls: See next page

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Callaway Plant, Unit 1

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June 2006

UNION ELECTRIC COMPANY

CALLAWAY PLANT, UNIT 1

DOCKET NO. 50-483

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 181  
License No. NPF-30

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Union Electric Company (UE, the licensee), dated March 28, 2006, as supplemented by letter dated November 17, 2006, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications and paragraph 2.C.(2) of Facility Operating License No. NPF-30 as indicated in the attachment to this license amendment.

3. This amendment is effective as of its date of issuance, and shall be implemented within 90 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

David Terao, Chief  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Facility  
Operating License and  
Technical Specifications

Date of Issuance: March 8, 2007

ATTACHMENT TO LICENSE AMENDMENT NO. 181

FACILITY OPERATING LICENSE NO. NPF-30

DOCKET NO. 50-483

Replace the following pages of the Facility Operating License No. NPF-30 and Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Facility Operating License

REMOVE

-3-

INSERT

-3-

Technical Specifications

REMOVE

4  
3.3-72  
3.9-3 to  
3.9.12  
-----

INSERT

4  
3.3-72  
3.9-3 to  
3.9.12  
3.9.13

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 181 TO FACILITY OPERATING LICENSE NO. NPF-30

UNION ELECTRIC COMPANY

CALLAWAY PLANT, UNIT 1

DOCKET NO. 50-483

1.0 INTRODUCTION

By application dated March 28, 2006, as supplemented by letter dated November 17, 2006 (Agencywide Documents Access and Management System (ADAMS) Accession Nos. ML061000347 and ML063280185, respectively), Union Electric Company (the licensee) requested changes to Facility Operating License No. NPF-30 for the Callaway Plant, Unit 1 (Callaway). The licensee is proposing changes to Technical Specifications (TSs) 3.3.9, "Boron Dilution Mitigation System (BDMS)," and 3.9.2, "Unborated Water Source Isolation Valves." The proposed changes would (1) add a note to allow Chemical and Volume Control System (CVCS) resin vessels to be unisolated intermittently under administrative controls when the resin vessel is not preconditioned with borated water and (2) remove specific valve numbers corresponding to isolating unborated water sources.

The supplemental letter dated November 17, 2006, revised the proposed TS changes for TSs 3.3.9 and 3.9.2, and provided additional information that clarified the application. The proposed change for TS 3.3.9 no longer included the addition of a note that would allow CVCS resin vessels to be unisolated intermittently under administrative controls when the resin vessel is not preconditioned with borated water and only removed specific valve numbers corresponding to isolating unborated water sources. The revised proposed change for TS 3.9.2 included the addition of a more generic note that would allow unborated water sources to be unisolated under administrative control and removed specific valve numbers corresponding to isolating unborated water sources. However, in doing this, the supplemental letter did not expand the scope of the application as originally noticed, and did not change the Nuclear Regulatory Commission (NRC) staff's original proposed no significant hazards consideration determination published in the *Federal Register* on May 9, 2006 (71 FR 27004).

The licensee also identified changes to the TS Bases associated with the proposed amendment in its supplemental letter dated November 17, 2006. These changes would be made by the licensee to the TS Bases in accordance with TS 5.5.14, "Technical Specifications Bases Control Program," at the time that the amendment is implemented, if approved. These changes were reviewed to determine if the NRC staff had any disagreements with the changes.

## 2.0 REGULATORY EVALUATION

Section 182a of the Atomic Energy Act requires applicants for nuclear power plant operating licenses to include TSs as part of the license. The TSs ensure the operational capability of structures, systems, and components that are required to protect the health and safety of the public. The NRC's regulatory requirements related to the content of the TSs are contained in Section 50.36 of Title 10 of the *Code of Federal Regulations* (10 CFR 50.36), which requires that the TSs include items in the following categories: (1) safety limits, limiting safety systems settings, and limiting control settings; (2) limiting conditions for operation (LCOs); (3) surveillance requirements (SRs); (4) design features; and (5) administrative controls. However, the rule does not specify the particular requirements to be included in a plant's TSs. As stated in 10 CFR 50.36(c)(2)(i), the "[l]imiting conditions for operation are the lowest functional capability or performance levels of equipment required for safe operation of the facility. When a limiting condition for operation of a nuclear reactor is not met, the licensee shall shut down the reactor or follow any remedial action permitted by the technical specifications ..." SRs are, in accordance with 10 CFR 50.36(c)(3), "requirements relating to test, calibration, or inspection to assure that the necessary quality of systems and components is maintained, that facility operation will be within safety limits, and that the limiting conditions for operation will be met."

Unborated water can be added to the reactor coolant system (RCS) via the CVCS. This may happen inadvertently because of operator error or CVCS malfunction, and cause an unwanted increase in reactivity and a decrease in shutdown margin (SDM). Depending on the specific plant design and mode of operation, there may be other potential sources of unborated water that could lead to an inadvertent deboration of the RCS and loss of SDM. The NRC's acceptance criteria are based on the following General Design Criteria (GDC) in Appendix A to Part 50 in Title 10 of the *Code of Federal Regulations* (Appendix A to 10 CFR Part 50):

1. GDC 10, insofar as it requires that the reactor core and associated coolant, control, and protection systems be designed with appropriate margin to assure that specified acceptable fuel design limits (SAFDLs) are not exceeded during any condition of normal operation, including anticipated operational occurrences (AOOs),
2. GDC 15, insofar as it requires that the RCS and associated auxiliary, control, and protection systems be designed with sufficient margin to assure that the design conditions of the reactor coolant pressure boundary are not exceeded during any condition of normal operation, including AOOs, and
3. GDC 26, insofar as it requires that a reactivity control system be provided and be capable of reliably controlling the rate of reactivity changes to ensure that, under conditions of normal operation, including AOOs, SAFDLs are not exceeded.

Standard Review Plan (SRP), Section 15.4.6, of NRC NUREG-0800, stipulates that boron dilution events should be considered for all modes of operation. Typically, the way licensees show acceptable results for this transient is to demonstrate the operators have sufficient time to terminate the boron dilution before a complete loss of SDM occurs. If SDM is not lost then the reactor does not return to criticality and boron dilution is bounded by other analyses. TS 3.3.9 requires that two trains of the BDMS are operable in Modes 2 (below the P-6 intermediate



range neutron flux interlock), 3, 4, and 5 for detection and termination of the event, and TS 3.9.2 requires isolation of potential sources of unborated water in Mode 6 (Reference 3). These alternate means of demonstrating acceptable performance during a boron dilution event must also prevent a complete loss of SDM for the alternate means to be acceptable.

Additional guidance on information in the TS Bases is given in NUREG-1431, "Standard Technical Specifications [for] Westinghouse Plants," Revision 3.1, dated June 2004, and Generic Letter (GL) 91-08, "Removal of Component Lists from Technical Specifications," dated May 6, 1991.

### 3.0 TECHNICAL EVALUATION

#### 3.1 Proposed TS Changes

In its supplemental letter dated November 17, 2006, which revised the TS changes proposed in its application dated March 28, 2006, the licensee proposed the following changes to TSs 3.3.9 and 3.9.2:

- TS 3.3.9
  1. Delete the valve numbers BGV0178 and BGV0601 from (1) Required Actions B.3.1 and B.3.2 of LCO 3.3.9 Condition B for two trains of BDMS (boron dilution mitigation system) inoperable or the required action and associated completion time of LCO 3.3.9 Condition A (one BDMS train inoperable) and (2) Required Actions C.1 and C.2 of LCO 3.3.9 Condition C for no RCS loop in operation.
  
- TS 3.9.2
  1. Delete the valve numbers BGV0178 and BGV0601 from LCO 3.9.2.
  2. Add the note to LCO 3.9.2 that states that "Unborated water sources may be unisolated under administrative controls for planned boron dilution evolutions."
  3. Delete the valve numbers BGV0178 and BGV0601 from SR 3.9.2.1.

#### 3.2 Background and NRC Staff Evaluation

##### TS 3.3.9

LCO 3.3.9 requires two trains of the BDMS to be operable and one RCS loop to be in operation. It is applicable in Modes 2, 3, 4, and 5. The function of the BDMS is to detect and terminate a boron dilution event. When there are no trains of BDMS operable or at least one RCS loop in operation, TS 3.3.9 requires sources of unborated water to be isolated and periodically verified to be isolated. Currently, only two valves in unborated water sources are identified in TS 3.3.9 as required to be secured in the closed position in the required actions when LCO 3.3.9 is not being met. These are valves numbered BGV0178 and BGV0601. However, in its letters, the licensee has identified other potential sources of unborated water than those associated with

these two valves. Therefore, the licensee concluded that the current TS 3.3.9 is not sufficient to preclude a boron dilution event when the BDMS is inoperable in that not all isolation valves for unborated water sources are required to be closed, for Conditions B and C when LCO 3.3.9 is not being met.

Rather than incorporating these additional valve numbers for unborated water sources into Required Actions B.3.1, B.3.2, C.1, and C.2 in TS 3.3.9, the licensee proposed to list the valves necessary to isolate potential unborated water sources in the TS 3.3.9 Bases, remove the specific valve numbers for these sources from the TS 3.3.9 required actions for LCO Conditions B and C, and, thereby, require that any potential sources of unborated water be isolated in these required actions. By removing or deleting the valve numbers, the required actions become the requirement to close or verify to be closed "unborated water source isolation valves." By not listing any valve numbers in the required actions, the requirement applies to any and all "unborated water source isolation valves."

Thus, this proposal would have all potential sources of unborated water required to be isolated, not just the two valves currently listed in TS 3.3.9, which preserves the true intent of the TS 3.3.9 required actions. There is no reason to only require the unborated water sources associated with valves numbered BGV0178 and BGV0601 to be closed or verified to be closed, and leave the isolation valves for other unborated water sources open.

Listing the valves necessary to isolate potential unborated water sources in the TS 3.3.9 Bases is in keeping with the level of detail in the improved Standard Technical Specifications (STS) (Reference 4), which the TSs are based upon, and GL 91-08 (Reference 6). It should be noted that the design and operation of the BDMS are not being changed by the proposed change to TS 3.3.9.

#### TS 3.9.2

The current LCO 3.9.2 and SR 3.9.2.1 require only valves numbered BGV0178 and BGV0601 to be secured in the closed position and to be verified to be in secured the closed position, respectively, in Mode 6. The intent of TS 3.9.2 is to require each valve used to isolate unborated water sources to be closed and secured in Mode 6. As LCO 3.9.2 and SR 3.9.2.1 only list two specific valves, the implication is that those valves are the only sources of unborated water in Mode 6; however, the licensee has identified other potential sources of unborated water.

The Callaway licensing basis for a Mode 6 boron dilution event is that the RCS is isolated from all potential sources of unborated water. Therefore, the current LCO 3.9.2 and SR 3.9.2.1 are not sufficient to preclude a boron dilution event in Mode 6 in that not all potential sources of unborated water are required to be isolated. Again, rather than incorporating the additional valves into the TS, the licensee has proposed to list the valves necessary to isolate potential unborated water sources in the TS 3.9.2 Bases, remove the specific valves from LCO 3.9.2 and SR 3.9.1.2, and, thereby, require all potential sources of unborated water to be isolated.

Thus, this proposal would have all potential sources of unborated water required to be isolated, not just the two valves currently listed in LCO 3.9.2 and SR 3.9.2.1, which preserves the true intent of LCO 3.9.2. There is no reason to only require the unborated water sources associated

with valves numbered BGV0178 and BGV0601 to be closed or verified to be closed, and leave the isolation valves for other unborated water sources open.

As stated for TS 3.3.9, listing the valves necessary to isolate potential unborated water sources in the TS Bases is in keeping with the level of detail in the STS and GL 91-08.

In Amendment No. 97 (Reference 5), the licensee was granted an exception to having all potential sources of unborated water isolated from the RCS in Mode 6. The exception allows the licensee to use a predetermined amount of unborated water for decontamination activities in that "Administrative controls will limit volume of borated water which can be added to the refueling pool for decontamination activities in order to prevent the diluting the refueling pool below the limits in the LCO [3.9.1, 'Boron Concentration']." Amendment No. 97 added the text in quotation to the then page B 3/4 9-1 of the TS 3/4.9.1 Bases. While in Mode 6 with the reactor vessel head removed, this water has the potential to reach the open RCS; however, the licensee is required to have administrative controls. The NRC approval of the above exception included specific control of refueling pool level and draining. Because this exception is not explicitly stated in the TSS, the licensee has proposed to add a note to LCO 3.9.2 that would recognize the previously approved amendment to the Callaway license and allow the licensee to exercise certain other exceptions (i.e., under administrative controls for planned boron dilution evolutions) to the requirement for all sources of unborated water to be isolated in Mode 6.

There was a correction letter dated May 3, 1995, to Amendment No. 97; however, this letter did not change page B 3/4 9-1 of the TS 3/4.9.1 Bases. The correction letter only issued page B 3/4 9-1 of the TS Bases which was not changed by the amendment.

The specific exceptions discussed by the licensee in the revised license amendment request (LAR) (References 1 and 2) are flushing the CVCS letdown gamma radiation detector (detector No. SJRE001) and placing demineralizing ion exchangers into service in Mode 6. These would be in addition to the refueling pool decontamination activities addressed in Amendment No. 97. The licensee has indicated these exceptions will be handled as planned boron dilutions with appropriate administrative controls. The licensee has also listed these exceptions in the identified changes to the TS 3.9.2 Bases.

The licensee stated that these two other exceptions will be relatively small dilutions and the NRC staff considers them similar, in impact, as the original exception for decontamination activities that were approved in Amendment No. 97. The licensee has described the administrative controls they will utilize to control these exceptions in its response to NRC Question 3 in its supplemental letter (Reference 2) and the NRC staff finds them to be acceptable. The licensee has included these administrative controls in the identified changes to the TS 3.9.2 Bases.

While the new TS 3.9.2 LCO could be interpreted to allow large scale bleed and feed dilutions, the licensee explicitly stated in the revised LAR (Reference 2) they will not be performing bleed and feed dilutions, hence this scenario has not been considered by the staff and this type of operation is not included in the identified TS 3.9.2 Bases changes.

### 3.3 Conclusion

As discussed in the NRC staff's evaluation above, the NRC staff has reviewed the licensee's proposed changes to TSs 3.3.9 and 3.9.2 to (1) remove the specific valve numbers from the two TSs and (2) add an LCO note allowing exceptions to having all unborated water sources isolated in Mode 6. Based on this evaluation, the NRC staff concludes the following:

1. With no change to the design of the BDMS, the licensee continues to meet GDC 10, 15, and 26.
2. With the proposed changes to TSs 3.3.9 and 3.9.2, (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be adverse to the common defense and security or to the health and safety of the public.
3. Based on the two previous conclusions, the NRC staff also concludes that the proposed TS changes meet 10 CFR 50.36.

Based on the conclusion above that the amendment meets 10 CFR 50.36, the NRC staff also concludes that the amendment is acceptable.

In the proposed changes to TS 3.9.2 on unborated water source isolation valves, the licensee proposed changes that added one page to TS 3.9.2. This change is the listing of SR 3.9.2.1 on page 3.9-4. Since the existing TS Table of Contents lists TS 3.9.3, "Nuclear Instrumentation," on page 3.9-4, the page numbers for TS 3.9.3 through 3.9.7 must be changed to account for the addition of the one page to TS 3.9.2. This is an administrative change for which no requirements in the TSs are being changed. Based on this, the NRC staff concludes that the page number changes to the TS Table of Contents is acceptable.

### 3.4 Identified Changes to the TS Bases

The licensee identified changes to the TS Bases in its revised application (Reference 2). These changes were reviewed by the NRC staff and the NRC staff does not have any disagreement with these changes. As stated above in Section 3.2 of the safety evaluation, the licensee has included the list of exceptions under administrative controls to the requirement of having all unborated water sources isolated in Mode 6 and the administrative controls in the changes to TS 3.9.2 Bases.

### 3.5 Regulatory Commitments

In Attachment 5 to its supplemental letter (Reference 2), the list listed the following five regulatory commitments:

1. The proposed amendment will be implemented within 90 days after approval.
2. Administrative controls consisting of written procedures will be established prior to the implementation of the proposed changes. The procedural controls require

that in Mode 6 each valve used to isolate unborated water sources shall be secured in the closed position [within 90 days following NRC approval of the amendment].

3. Administrative controls consisting of written procedures will ensure prompt verification that unborated water source isolation valves are closed and secured after completion of any planned boron dilution activities [within 90 days after NRC approval of the amendment].
4. Administrative controls consisting of written procedures will be established prior to the implementation of the proposed changes [in the amendment, which is within 90 days after NRC approval of the amendment]. The procedural controls require that when both BDMS trains are inoperable, or when no reactor coolant loop is in operation, and when in Mode 2 (below the P-6 setpoint), 3, 4, or 5, each valve used to isolate unborated water sources shall be secured in the closed position.
5. Identified TS Bases and Callaway FSAR [Final Safety Analysis Report (Reference 3)] changes will be incorporated into the TS Bases and the Callaway FSAR during implementation of the amendment [within 90 days after NRC approval of the amendment].

The first regulatory commitment is the licensee's agreement to implement the amendment within 90 days after NRC approval of the amendment. This is also stated in the amendment.

The second, third, and fourth commitments cover the administrative controls to be used to implement the note to LCO 3.9.2 for having unborated water sources unisolated for certain planned activities in Mode 6 and to secure unborated water source isolation valves in accordance with LCO 3.3.9 Conditions B and C and should be in place before the licensee would use the amendment at Callaway.

The fifth commitment would have the TS bases and FSAR changed to account for the amendment before the licensee would use the amendment at Callaway. The licensee did not identify any changes to the FSAR in its letters.

The NRC staff finds that reasonable controls for the licensee's implementation and subsequent evaluation of any changes to the above regulatory commitments are provided by the licensee's administrative processes, including its commitment management program. The NRC staff has determined that Commitment Nos. 2 through 5 do not warrant the creation of regulatory requirements which would require prior NRC approval of subsequent changes. The NRC staff has agreed that Nuclear Energy Institute (NEI) 99-04, "Guidelines for Managing NRC Commitment Changes," Revision 0, provides reasonable guidance for the control of regulatory commitments made to the NRC staff. See Regulatory Issue Summary 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000. The commitments will be controlled in accordance with the licensee's commitment management program in accordance with NEI 99-04. Any change to the regulatory commitments is subject to licensee management approval and to the procedural controls established at the plant for commitment management in accordance with NEI 99-04, which includes notification of the NRC. Also, the NRC staff may choose to verify the

implementation and maintenance of these commitments in a future inspection or audit. Based on this, the NRC staff concludes that the second through fifth regulatory commitments listed above are acceptable.

#### 4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Missouri State official was notified of the proposed issuance of the amendment. The State official had no comments.

#### 5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes a surveillance requirement. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration and there has been no public comment on such finding (71 FR 27004, published in the *Federal Register* on May 9, 2006). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

#### 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

#### 7.0 REFERENCES

1. Letter from Keith D. Young (Union Electric Company) to U.S. Nuclear Regulatory Commission, Attn: Document Control Desk, "Docket Number 50-483, Callaway Plant, Union Electric Company, Proposed Revision to Technical Specification 3.9.2, 'Unborated Water Source Isolation Valves' and Associated Revisions to Technical Specification 3.3.9, 'Boron Dilution Mitigation System (BDMS)' (License Amendment Request OL 1238)," dated March 28, 2006 (ADAMS Accession No. ML061000347).
2. Letter from Dave T. Fitzgerald (Union Electric Company) to U.S. Nuclear Regulatory Commission, Attn: Document Control Desk, "Docket Number 50-483, Callaway Plant, Union Electric Company, Proposed Revision to Technical Specification 3.9.2, 'Unborated Water Source Isolation Valves' and Associated Revisions to Technical Specification 3.3.9, 'Boron Dilution Mitigation System (BDMS)' (License Amendment Request OL 1238)," dated November 17, 2006 (ADAMS Accession No. ML063280185).

3. Callaway Final Safety Analysis Report, Revision OL-15, dated May 2006.
4. NUREG-1431, "Standard Technical Specifications [for] Westinghouse Plants," Revision 3.1.
5. Letter from L. Raynard Warton, (NRC) to Donald F. Schnell (Union Electric Company), "Amendment No. 97 to Facility Operating License No. NPF-30 - Callaway, Unit 1 (TAC No. M90477)," dated March 31, 1995 (ADAMS Accession No. ML021630094).
6. Generic Letter 91-08, "Removal of Component Lists from Technical Specifications."

Principal Contributor: Kent Wood

Date: March 8, 2007