

May 15, 2007

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

ULNRC05394



Ladies and Gentlemen:

**DOCKET NUMBER 50-483
CALLAWAY PLANT UNIT 1
UNION ELECTRIC CO.
FACILITY OPERATING LICENSE NPF-30
REQUEST FOR PARTIAL SITE RELEASE**

Union Electric, d/b/a AmerenUE recently discovered that the required approval per 10 CFR 50.83 was not obtained prior to the sale of non-impacted land from the Callaway Plant site. The sale involved two small parcels of land totaling approximately 0.83 acres that were sold to the State of Missouri on April 20, 2004. The land was required by the Missouri Highway and Transportation Commission to replace and improve the Logan Creek bridge on Highway 94. The property is located well beyond Callaway's Exclusion Area Boundary and at the northern end of AmerenUE's property in the vicinity of the plant's intake structure on the Missouri River. AmerenUE hereby requests after the sale approval to release this non-impacted property.

Attachment I provides the supporting information for this request in accordance with 10 CFR 50.83(b). This includes a description of property, the results of the historical site assessment of this property and the confirmatory radiological survey, and other evaluations of the effect of releasing this property. These reviews concluded that this property has no residual radioactivity in excess of natural background or fallout levels and qualifies as non-impacted under 10 CFR 50.83. Callaway's evaluation of the effect of releasing this property indicate that all applicable regulatory requirements will continue to be met and no change is needed to Callaway's Operating License or Technical Specifications.

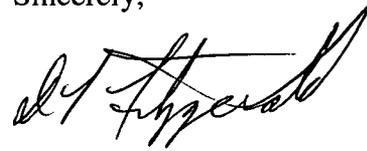
Attachment II shows the general location of the property in relation to Callaway Plant. Attachment III is the quit-claim deed that includes a legal description of the property. Attachment IV is the historical site assessment.

A001

The information provided is adequate to allow the NRC to make the determinations under 10 CFR 50.83(c) and to approve the release of this property. The property has already been sold to the State of Missouri and the bridge replacement is complete, so there is no required approval date. There is no concern with any other sale or development of this property as it is part of the Highway 94 road easement. The sale of this property did allow the bridge replacement and road improvements in this area, thus significantly improving the safety of this section of Highway 94. Approval is requested within six months of the date of this request.

This letter does not contain any new commitments.

Sincerely,

A handwritten signature in black ink, appearing to read "D. T. Fitzgerald", written in a cursive style.

David T. Fitzgerald
Manager – Regulatory Affairs

Attachment I, Supporting Information for Requested Partial Site Release
Attachment II, General Location of Property in Relation to Callaway Plant
Attachment III, Quit-Claim Deed Including Legal Description of Property
Attachment IV, Historical Site Assessment

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

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Licensing Project Manager, Callaway Plant
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
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Washington, DC 20555-2738

Missouri Public Service Commission
Governor Office Building
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PO Box 360
Jefferson City, MO 65102-0360

Mr. Ron Reynolds
Director
Missouri State Emergency Management Agency
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A160.0761

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*(Certrec receives ALL attachments
as long as they are non-safeguards
and public disclosed).*

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ATTACHMENT I

SUPPORTING INFORMATION FOR REQUESTED PARTIAL SITE RELEASE

BACKGROUND

In late 2003 the Missouri Department of Transportation started a process to purchase land from AmerenUE needed for road right of way to improve Highway 94 at the Logan Creek bridge. The improvements included bridge replacement as well as the approaches on each side of the bridge. Approximately 0.83 acres land was needed from AmerenUE for the right of way for this project.

The property was not believed to be impacted from Callaway Plant operations and was evaluated for environmental concerns. The soil was sampled for PCBs near a utility pole on the property and no PCBs were detected. No environmental concerns were identified on the property.

The individuals involved in this transaction were not aware of 10 CFR 50.83 which requires NRC approval for release of property from the Callaway Plant site. The property was sold to the State of Missouri on April 20, 2004. Since then the bridge has been replaced and the improvements for the bridge approaches have been completed.

AmerenUE requests NRC approval per 10 CFR 50.83 of the release of this non-impacted property from the jurisdiction of NRC operating license NPF – 30 for Callaway Plant in order to close out any concerns on this transaction. Described below are the historical site assessment, confirmatory radiological surveys and other reviews that show that the property is non-impacted and that the release of the property will not have any adverse impact on public health or safety.

DESCRIPTION OF THE PROPERTY

The property consists of two small parcels that total approximately 0.83 acres, located adjacent to Highway 94, one parcel on each side of Logan Creek. The property is over 3.5 miles from the plant site and outside of both the exclusion area and low population area. The Missouri River plant intake and plant discharge point is approximately 2,000 feet from the property. The plant discharge line at the closest approach comes within approximately 800 feet of the property. The property is upgradient of the plant discharge line from the location where it has the closest approach.

The land use is similar to most road easements, being mostly grass covered with some woods. This land is part of the Highway 94 road easement and would not be

expected to be used for any future development. The approximate location of this property in relation to Callaway Plant and the discharge line is shown in Attachment II. The quit-claim deed is in Attachment III, which includes a legal description of the property.

SCHEDULE FOR THE PROPOSED RELEASE

This property was sold to the State of Missouri on April 20, 2004. The bridge improvements that required this property have already been completed. Thus, there is no requested schedule of release. However, it is requested that an after the sale NRC approval is granted to close this open issue.

HISTORICAL SITE ASSESSMENT AND SAMPLING SUMMARY

In accordance with 10 CFR 50.83, AmerenUE has performed an historical site assessment (HSA) of the property. The HSA is provided in Attachment IV. The HSA included reviews of plant events that could have impacted the property and a review of site records. The HSA confirms that the land discussed in this review is non-impacted under 10 CFR 50.83.

In March 2007, environmental sampling was performed on the property and the samples were analyzed for the presence of radioactive materials. A total of four core samples were taken up to a depth of 24 feet. Samples were analyzed for radioactive materials including tritium. All results were within normal background levels.

It is concluded that this land has no reasonable potential for residual radioactivity in excess of natural background or fallout levels based on the results of the radiological survey and on the HSA. Therefore the land qualifies as a "non-impacted area" as per 10 CFR 50.2.

EVALUATION OF EFFECT OF PROPOSED RELEASE

AmerenUE has evaluated the effect of releasing the property in accordance with the criteria in 10 CFR 50.83(a) (1) in order to ensure that Callaway Plant will continue to comply with all applicable statutory and regulatory requirements that may be affected by the release of property. AmerenUE has confirmed that no change is necessary in Callaway's Operating License or Technical Specifications as a result of the sale of this property.

As listed below, AmerenUE's evaluation confirmed the following with respect to each of the areas listed in 10 CFR 50.83(a)(1)(i)-(vi):

- i. The dose to individual members of the public does not exceed the limits and standards of 10 CFR Part 20, Subpart E: AmerenUE has determined that this land was never used for any radiological purposes. Additionally

the radiological survey performed on this property shows that there is no residual radioactivity on this property. No radiological activities are planned in the vicinity of this land such that our current programs will ensure no members of the general public will receive doses in excess of 10 CFR Part 20 either at this land or anywhere at Callaway outside of the protected area.

- ii. **Emergency Planning and Physical Security:** AmerenUE has evaluated the sale of this land in regards to Emergency Planning and Physical Security, specifically in accordance with 10 CFR 50.54 (q) and (p). No credit is taken for this land in either the Emergency Plan or the Security Plan. Therefore, the land transfer has no adverse impact on either plan.
- iii. **Effluent releases remain within license conditions:** The land is distant from the plant site or structures that would have any potential for effluent releases. The plant programs to maintain effluent releases within license conditions remain in effect and this land transfer does not impact those programs. Therefore, effluent releases will remain within license conditions.
- iv. **Environmental Monitoring Program and Offsite Dose Calculation Manual:** The release of this land does not have any effect on the Environmental Monitoring Program or the Offsite Dose Calculation Manual.
- v. **The siting criteria of 10 CFR 100 continues to be met:** The release of this property has been reviewed with respect to the siting criteria in 10 CFR 100 and it has no effect on meeting these criteria.
- vi. **Other Statutory and Regulatory Requirements:** AmerenUE maintains policies and procedures to ensure that statutory and regulatory requirements are met. This land release has no adverse effect on these policies and procedures.

In summary, the sale of this land has no impact on Callaway Plant's continued compliance with applicable NRC regulatory standards.

RESULTS OF 10 CFR 50.59 EVALUATION

10 CFR 50.83(b) requires for non-impacted areas that the licensee submit the results of the evaluation performed in accordance with 10 CFR 50.59. As required, AmerenUE has performed a 10 CFR 50.59 assessment of the free release of this property. The property release only results in a minor change in the property boundary near the plant intake, and no change in any of Callaway Plant's structures systems or components that are described in the Final Safety Analysis Report (FSAR) or any change in plant operations. This sale involves the release of only approximately 0.83 acres from the plant corridor area as described in the FSAR site addendum. The plant corridor area has approximately 2015 acres. The property description in the FSAR site addendum states the plant site consists of approximately 3,188 acres owned by Union Electric and that the land in the peripheral and plant corridor area consist of an approximately 4,042 additional acres owned by Union Electric.

AmerenUE's 10 CFR 50.59 review assessed the impact of the change in the site boundary on offsite dose calculations and effluent releases and concluded that the change:

- a. does not adversely affect any design function as described in the FSAR,
- b. does not adversely affect how a design function as described in the FSAR is performed or controlled,
- c. does not revise or replace and evaluation method used to establish design basis or safety analysis, and
- d. does not involve a test or experiment not described in the FSAR.

Therefore this change did not require prior NRC approval under the requirements of 10 CFR 50.59.

ENVIRONMENTAL IMPACTS

10 CFR 50.83(b)(5) requires that a request for NRC approval of a release of non-impacted areas must include the reasons for concluding that the environmental impacts associated with the release of the property will be bounded by appropriate previously issued Environmental Impact Statements. The original construction Final Environmental Statement (FES) for Callaway Plant was issued in March of 1975 and was for Callaway Units 1 and 2. Callaway Unit 1 was constructed, but Callaway Unit 2 was cancelled. In January 1982, the NRC issued the FES for Callaway Unit 1 operation.

AmerenUE has evaluated the environmental impacts associated with the release of this property and considered the impacts in light of the NRC's 1975 FES for construction and the 1983 FES for operation. AmerenUE's evaluation did not identify any significant new environmental impacts or any significant changes from the environmental impacts previously assessed by the NRC. The land transfer has no impact on effluent releases and no impact on offsite dose calculations. Positive highway safety improvements have resulted from the new wider Logan Creek bridge and improved approaches.

AmerenUE concludes that the environmental impacts associated with the proposed release of the property are bounded by the NRC's previous environmental reviews for Callaway Plant.

CONCLUSION

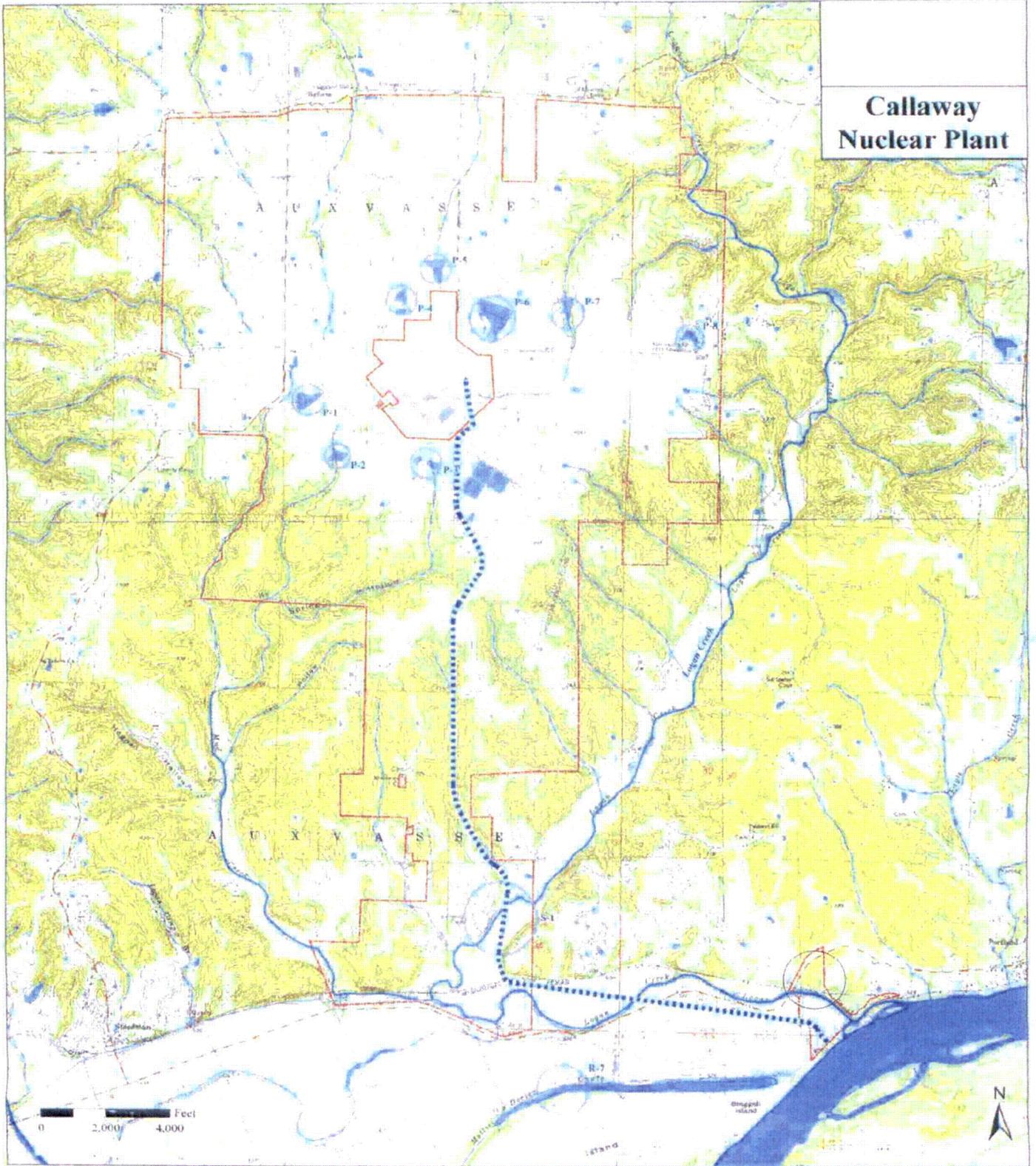
AmerenUE has evaluated the impact of releasing this property, and based on the reviews stated, the release of the property has been properly described as non-impacted. Accordingly it is requested that the NRC approve the requested release of this property under the provisions of 10 CFR 50.83.

ULNRC05394 Attachment II
May 15, 2007

ATTACHMENT II

**GENERAL LOCATION OF PROPERTY
IN RELATION TO CALLAWAY PLANT**

Callaway Nuclear Plant



Legend

- Discharge line
- Area of Property Sale

General Location of Property Sale in Relation to the Callaway Plant

ULNRC05394 Attachment III
May 15, 2007

ATTACHMENT III

**QUIT-CLAIM DEED INCLUDING
LEGAL DESCRIPTION OF PROPERTY**



No. 404463 Book M387 Page 949
Callaway County, State of Missouri
R E C O R D E D
Jun 8, 2004 10:22 AM Fees \$30.00
Kenneth Dillon, Recorder of Deeds

Deborah Zerr, Deputy

Deborah Zerr

This area to be used for recording information only.

Route: 94
County: Callaway
Project: J5S0351C
Parcel: 3

QUIT-CLAIM DEED

THIS DEED, made and entered into effective the 20th day APRIL, 2004, by and between UNION ELECTRIC COMPANY d/b/a AmerenUE, 1901 Chouteau Avenue, P.O. Box 66149, St. Louis, Missouri 63166-6149, a Missouri corporation ("Grantor"), and THE STATE OF MISSOURI, acting by and through the MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION, P.O. Box 718, Jefferson City, Missouri, 65102, ("Grantee"),

WITNESSETH, That Grantor in consideration of the sum of ONE THOUSAND TWO HUNDRED and No/100ths Dollars (\$1,200.00) to it paid by Grantee, the receipt of which is hereby acknowledged, does by these presents Remise, Release and forever Quit-Claim unto Grantee, its successors and assigns, the following described real estate situated in the County of Callaway, State of Missouri, to wit:

Two tracts of land containing a total of .83 acres, more or less, located in the Southeast Quarter of the Southeast Quarter of Section 31, Township 46 North, Range 7 West, and the West Half of the Southwest Quarter of Section 32, Township 46 North, Range 7 West, all in the County of Callaway, State of Missouri, more particularly described as follows:

TRACT NO. 1:

All of Grantor's land within a tract of land being bound on the North by Grantor's Northerly property line, bounded on the West by Grantor's Westerly property line (also known as existing right of way); and bounded on the South and East by a line described as follows: Beginning at a point 80.60 feet radial distance Southeasterly of Station 1388+34.78; thence Southeasterly to a point 130.1 feet radial distance Southeasterly of Station 1388+43.60; thence Northeasterly to a point 53.68 feet radial distance Southeasterly of Station 1393+62.09; thence Northeasterly to a point 35 feet radial distance Southeasterly of Station 1394+51.21.

TRACT NO. 2:

All of Grantor's land within a tract of land being bound on the West by Grantor's Westerly property line (also known as existing right of way line), bounded on the South by Grantor's Southwesterly property line, and on the North and East by a line described as follows: Beginning at a point 88.96 feet radial distance Southeasterly of Route 94 Station 1374+00; thence Southeasterly to a point 185 feet radial distance Southeasterly of Station 1375+00;

thence Northeasterly to a point 286.03 feet perpendicular distance Southeasterly of Station 1379+37.55; thence Northwesterly to a point 105 feet perpendicular distance Southeasterly of Station 1379+06.53.

The centerline of Route 94 is described as follows: Commencing at a Land Survey Monument - 1/2 inch iron pin found at the Southeast corner of Section 31, Township 46 North, Range 7 West; thence North 52 Degrees, 52 Minutes, 39.42 Seconds West, a distance of 1,439.9266 feet to Route 94 centerline median P.C. Station 1367+94.46, as witnessed by Larry V. Brickley (LS 1188); thence North 70 Degrees, 18 Minutes, 09 Seconds West, a distance of 457.4675 feet to Route 94 Station 1363+36.9925 (also known as Logan Creek Bypass 1 Station 0+00.00); thence South 70 Degrees, 18 Minutes, 09 Seconds East, a distance of 457.47 feet to Station 1367+94.46; thence Northeasterly on a curve to the left, having a radius of 763.94 feet, a distance of 1,059.78 feet to P.T. Station 1378+54.24; thence North 30 Degrees, 12 Minutes, 50.8 Seconds East, a distance of 679.89 feet to P.C. Station 1385+34.13; thence Northeasterly along a curve to the right, having a radius of 1,762.95 feet, a distance of 827.96 feet to P.T. Station 1393+62.09; thence North 57 Degrees, 07 Minutes, 21.4 Seconds East, a distance of 7.14 feet to Equation Station 1393+69.23 Back = P.C. Station 1394+00 Ahead; thence on a curve to the right, having a radius of 216.58 feet, a distance of 216.51 feet to P.T. Station 1396+16.51; thence North 67 Degrees, 56 Minutes, 50.9 Seconds, a distance of 243.71 feet to Station 1398+60.22.

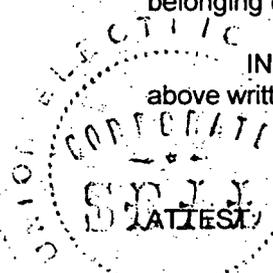
SUBJECT TO ALL easements, conditions, restrictions and rights-of-way of record.

EXCLUDING THEREFROM all of Grantor's existing electrical distribution facilities located on, across or under the above described property.

RESERVING, however, unto Grantor, its successors and assigns, the perpetual right and easement to construct, reconstruct, use, operate, maintain, patrol and remove electric and telecommunication lines consisting of poles, guys, anchors, wires, cables, conduits, transformers and other appurtenances thereto, upon, over, across and under the above described property. Grantor further reserves a temporary easement for ingress and egress, to, from, over and across the above described property designated as Tract 2. Grantee agrees that the existing Route 94 pavement south of the Logan Creek Bridge and Grantor's existing access to Route 94 located in said Tract 2 shall remain in place through September 1, 2005. The temporary easement rights reserved herein by Grantor shall be terminated after September 1, 2005.

TO HAVE AND TO HOLD the same, with all rights, immunities, privileges and appurtenances thereto belonging unto Grantee, and its successors and assigns, forever.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed the day and year first above written.



Assistant Secretary

ATTEST:

Mavis Ann Winters
Secretary

UNION ELECTRIC COMPANY d/b/a AmerenUE

By: Daniel F. Cole
Name: Daniel F. Cole
Title: Senior VTO President

MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION

By: Bill McKenna
Name: BILL MCKENNA
Title: CHAIRMAN



APPROVED AS TO FORM:

Byrne Gerbl
Assistant Counsel

BRUCE D. GAMBLIN
Assistant Counsel

STATE OF MISSOURI }
CITY OF ST. LOUIS } SS

On this 20th day of APRIL, 2004, before me appeared DANIEL F. COLE, to me personally known, who, being by me duly sworn, did say that he is a SENIOR Vice President of UNION ELECTRIC COMPANY d/b/a AmerenUE, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and said DANIEL F. COLE acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in my office in the City of St. Louis, Missouri, the day and year first above written.

My Commission expires July 21, 2007.



Johanna I. Patton
Notary Public

STATE OF MISSOURI }
COUNTY OF COLE } SS

On this 26 day of May, 2004, before me appeared Bill McKenna, to me personally known, who, being by me duly sworn, did say that he/she is the Chairman of the MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION, and said Bill McKenna acknowledged said instrument to be the free act and deed of said MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in my office in the County of Cole, State of Missouri, the day and year first above written.

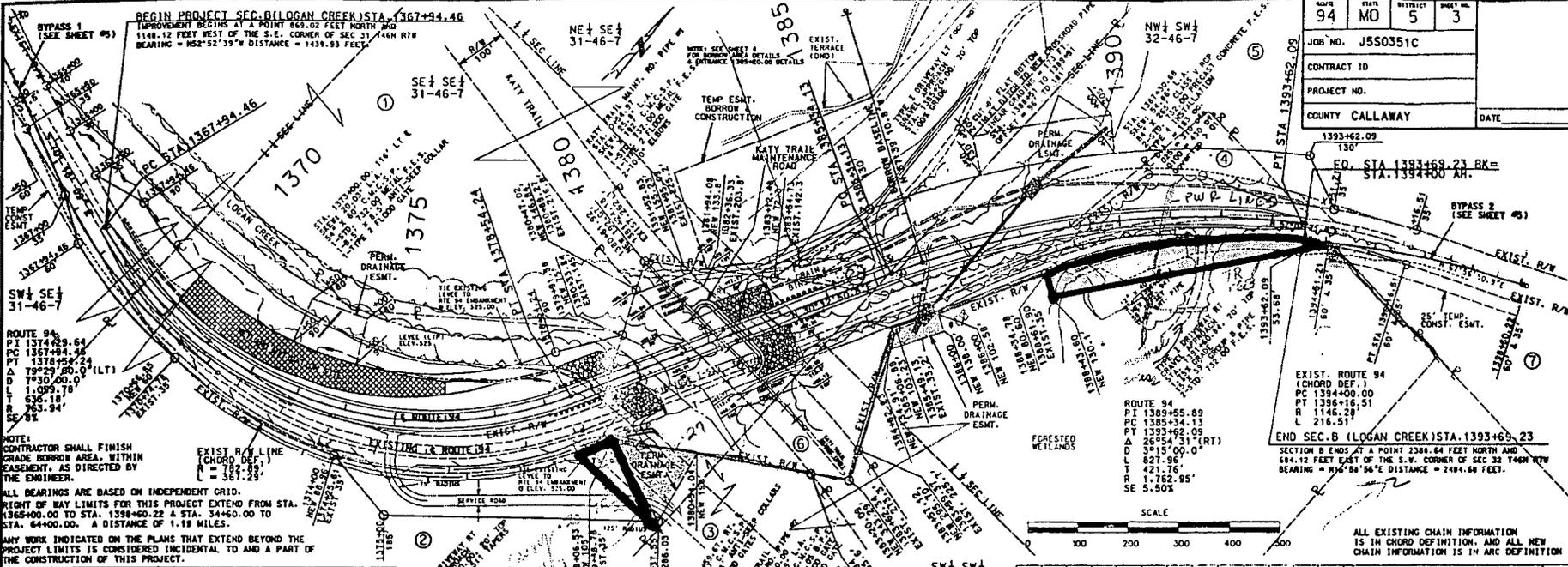
My Commission expires July 7, 2007

DANA L. KAISER
Notary Public - Notary Seal
STATE OF MISSOURI
County of Cole

My Commission Expires: July 7, 2007

Dana L. Kaiser
Notary Public
Dana L. Kaiser

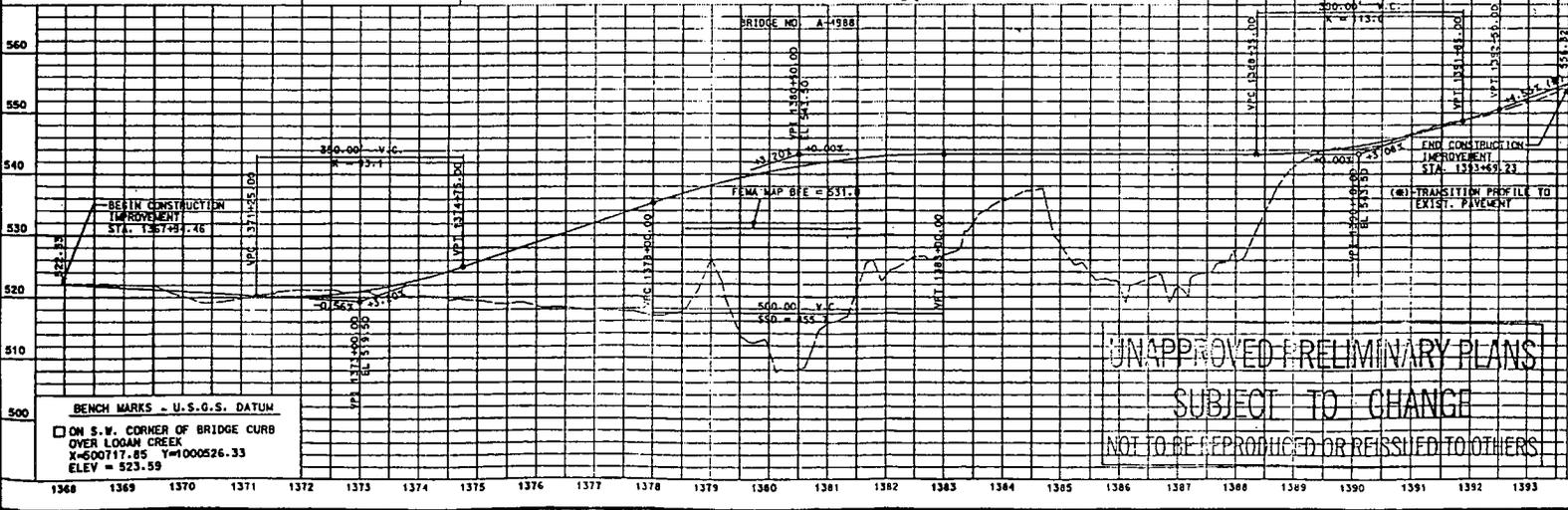
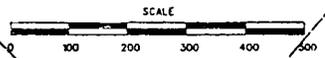
STATE	COUNTY	DISTRICT	SHEET NO.
94	MO	5	3
JOB NO. J550351C			
CONTRACT ID			
PROJECT NO.			
COUNTY CALLAWAY			
DATE			



NOTES:
 CONTRACTOR SHALL FINISH GRADE BORROW AREA, WITHIN EASEMENT, AS DIRECTED BY THE ENGINEER.
 ALL BEARINGS ARE BASED ON INDEPENDENT GRID.
 RIGHT OF WAY LIMITS FOR THIS PROJECT EXTEND FROM STA. 1365+00.00 TO STA. 1398+60.22 & STA. 34+60.00 TO STA. 64+00.00, A DISTANCE OF 1.19 MILES.
 ANY WORK INDICATED ON THE PLANS THAT EXTEND BEYOND THE PROJECT LIMITS IS CONSIDERED INCIDENTAL TO AND A PART OF THE CONSTRUCTION OF THIS PROJECT.

LAND SURVEY MONUMENT - 1/2" IRON PIN FOUND AT THE S.E. CORNER OF SEC. 31 T-46-N R-7-W ON A BEARING OF N52° 52' 39" W THENCE 1439.93 FEET TO STA. 1367+94.46 WITNESSED BY LARRY V. BRICKEY, LS 1188

EXISTING AND CONSTRUCTED ENTRANCES MAY BE WIDENED TO A MAXIMUM OF 60 FEET BY PERMIT UNLESS OTHERWISE NOTED.



STAGE	STATIONING	CLASS	FILL	ROCKFILL	OTHER
STAGE 1	STA XXXX+XX.XX TO XXXX+XX.XX	CLASS A EXC.	= 88 CY	FILL = 0 CY	USE 88 CY IN STAGE 2
STAGE 2	STA XXXX+XX.XX TO XXXX+XX.XX	CLASS A EXC.	= XXXX CY	FILL = XX,XXX CY	ROCKFILL = XX,XXX CY
		OBTAIN XX,XXX CY CLASS A FROM BORROW AREA			
		OBTAIN XX,XXX CY CLASS A FROM STAGE 1			
		OBTAIN XX,XXX CY CLASS C FROM BORROW AREA			
STAGE 3	STA XXXX+XX.XX TO XXXX+XX.XX	CLASS A EXC.	= XXXX CY	FILL = XXX CY	USE XXXX CY CLASS A IN STAGE 4
STAGE 4	STA XXXX+XX.XX TO XXXX+XX.XX	CLASS A EXC.	= 88 CY	FILL = XXXX CY	OBTAIN XXXX CY CLASS A FROM STAGE 1

UNAPPROVED PRELIMINARY PLANS
 SUBJECT TO CHANGE
 NOT TO BE REPRODUCED OR REISSUED TO OTHERS

R/W taking
 Drainage Easmt
 Temp. Easmt

ATTACHMENT IV

HISTORICAL SITE ASSESSMENT

10 CFR 50.83 process includes a historical site assessment. This has been done for the property involved in this sale to identify potential or known sources of radioactive material or radioactive contamination that may have affected the property. The property is about 3.5 miles from Callaway Plant except for the Intake and discharge structure on the Missouri river. The property is approximately 800 feet from the discharge line at its closest point. This property has not been used for any activities that could have radioactively contaminated the property.

A review of corrective action documents was completed for events that could have had a potential for releasing radioactive material to this property. The only event of any significance for this property was leak in the discharge line that was discovered January 11, 2005. Note that this leak actually occurred after the property had been sold. The leak was water from the discharge line flowing up to the surface near the break. The leak was estimated to be about 50 gallons per minute or less depending on discharge flow. The leak was of fairly short duration as it most likely started only about a day before it was discovered and it was repaired within 10 days. Compensatory actions were taken to minimize leakage until it could be repaired. It is believed that the break was due to heavy equipment operating on the road directly above the damaged section of piping. The heavy equipment had only been used for about two months prior to the leak being discovered. The repair of the pipe was completed on January 21, 2005.

Low level radioactivity was identified in the water and soil in the immediate vicinity of the leak. The leak was more than 800 feet from the property. The property is upgradient to the leak area and it would not be expected that this leak would have impacted the property. The results of the radiological sampling on the property verify that the property was not impacted.

The findings of this review are that:

1. The land has not been used for plant operations.
2. The land has not been used for storage of any radioactive material or waste.
3. There are no event records that any spills, leaks or uncontrolled release of radioactive material have ever occurred on the land.
4. The closest event that released radioactivity to an area near the land was over 800 feet from the land and the land is upgradient from where the event occurred. Recent sampling confirms there was no impact from this event.

Therefore this property qualifies as a "non-impacted area" as per 10 CFR 50.2.