

September 29, 2008

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

ULNRC-05541



Ladies and Gentlemen:

**DOCKET NUMBER 50-483
CALLAWAY PLANT UNIT 1
UNION ELECTRIC CO.
FACILITY OPERATING LICENSE NPF-30
REQUEST FOR EXTENSION OF ENFORCEMENT DISCRETION**

In accordance with COMSECY-08-022, Union Electric Co. (dba AmerenUE), the licensee for Callaway Plant Unit 1, respectfully requests that the expiration date for enforcement discretion regarding transition to NFPA 805 be extended to 6 months past the milestone date of approval of the NRC's safety evaluation for the license amendment to be issued for the second pilot plant.

In 2005, AmerenUE decided to transition the fire protection licensing basis for Callaway Plant to the risk-informed, performance-based alternative in 10 CFR 50.48(c). AmerenUE submitted a letter of intent to the NRC on December 2, 2005 (ML053420340) for Callaway Plant to adopt NFPA 805 in accordance with 10 CFR 50.48(c).

By letter dated January 31, 2006 (ML053530018), the NRC acknowledged receipt of the letter of intent, but did not specifically grant a three-year enforcement discretion period requested in the letter of intent. The NRC granted a third year of enforcement discretion by Federal Register Notice 71 FR 19905 dated April 18, 2006. In accordance with NRC Enforcement Policy, the enforcement discretion period will continue until the NRC approval of the license amendment request is completed.

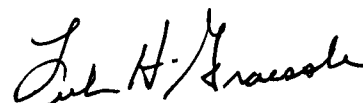
In accordance with COMSECY-08-022, AmerenUE is requesting that enforcement discretion be extended for Callaway Plant until 6 months after the Safety Evaluation is issued for the second pilot plant. Substantial progress toward completion of NFPA 805 transition is discussed in the attachment to this letter. The

ADD b
NRC

attachment provides the information requested by COMSECY-08-022 as applicable to Callaway Plant.

Please contact Mr. Scott Maglio at (573) 676-8719 if there are any questions regarding this submittal.

Sincerely,

A handwritten signature in black ink, appearing to read "Luke H. Graessle". The signature is fluid and cursive, with the first name "Luke" and last name "Graessle" being clearly legible.

Mr. Luke H. Graessle
Manager, Regulatory Affairs

DJW/nls

Attachment

cc: Mr. Elmo E. Collins, Jr.
Regional Administrator
U.S. Nuclear Regulatory Commission
Region IV
612 E. Lamar Blvd., Suite 400
Arlington, TX 76011-4125

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

Mr. Mohan C. Thadani (2 copies)
Licensing Project Manager, Callaway Plant
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Mail Stop O-8G14
Washington, DC 20555-2738

Director, Office of Enforcement
U. S. Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738

Index and send hardcopy to QA File A160.0761

Hardcopy:

Certrec Corporation
4200 South Hulen, Suite 422
Fort Worth, TX 76109
(Certrec receives ALL attachments as long as they are non-safeguards and may be publicly disclosed.)

**Electronic distribution for the following can be made via Other Situations
ULNRC Distribution:**

A. C. Heflin
F. M. Diya
T. E. Herrmann
L. H. Graessle
S. A. Maglio
S. L. Gallagher
L. M. Belsky (NSRB)
T. B. Elwood
D. J. Walker
M. K. Fletcher
G. A. Harris
S. L. Abel
L. E. Eitel
S. G. Cantrell
Ms. Diane M. Hooper (WCNOC)
Mr. Dennis Buschbaum (TXU)
Mr. Scott Bauer (Palo Verde)
Mr. Stan Ketelsen (PG&E)
Mr. Scott Head (STP)
Mr. John O'Neill (Pillsbury Winthrop Shaw Pittman LLP)
Missouri Public Service Commission

NFPA 805 Transition Progress

COMSECY-08-022 requested information from licensees on demonstrated progress toward completion of NFPA 805 transition, as a condition of granting an extension of enforcement discretion. Callaway has made substantial progress in its NFPA 805 transition effort. Callaway personnel have participated in the NEI NFPA 805 and Fire PRA Task Forces and the Frequently Asked Question (FAQ) process. They have made significant progress in performing the work activities for the transition effort in an effective manner, while utilizing the lessons learned from the Pilot Plant process.

A project milestone schedule is attached. In addition, a detailed Callaway NFPA 805 Transition schedule is available onsite for review. The following table represents the major work activities for the Callaway Plant associated with NFPA 805 Transition. The "LAR/TR Reference" column refers to the referenced section of the Pilot Plant NFPA 805 LAR/Transition Reports that document the results of the NFPA 805 Transition. As shown in the table below, Callaway has demonstrated substantial progress in the NFPA 805 transition process.

LAR/TR Reference	Topic	Approximate % Complete	Current Milestone Completion Date
N/A	Safe shutdown Analysis Update (pre-requisite task)	82% ⁵	02/15/09
4.1 Attachment A	Fundamental FP Program Elements and Minimum Design Requirements (Table B-1)	91% ^{1,2}	12/12/08
4.2.1 Attachment B	Nuclear Safety Capability Assessment - Methodology (Table B-2)	80% ¹	01/31/09
Section 4.2.2 Attachment C	Nuclear Safety Capability Assessment - Fire Area - by - Fire Area Review (Table B-3)	60% ¹	02/15/09
Section 4.3 Attachment D	Non Power Operational Modes (Table F-1)	58% ³	12/26/08
Section 4.4 Attachment E	Radioactive Release (Table G-1)	98% ⁶	12/15/08
4.5.1	Fire PRA Development	72% ⁴	03/2/09

Note 1 – These tables contain open items that may require completion of the fire PRA

Note 2 – Includes B-1 Table, EEEE Reviews, and NFPA Code Compliance Calculations

Note 3 – Schedule impacted by FAQ 07-0040, Clarification on non-power operations

Note 4 – Does not include Peer Review scheduled for 3/09

Note 5 – May require fire PRA completion to support evaluation of recovery actions

Note 6 – Re-opened task to incorporate NRC comments to Pilot Plant

Physical Modifications

Callaway has identified physical modifications that will be required as part of the transition effort. However, no physical modifications have been performed to address any fire protection issues to date. Any modifications required will be identified in the license amendment request submittal letter, and that letter will provide a schedule and commitments for any such modifications.

NFPA 805 Monitoring Program

COMSECY-08-022 requested that as part of the status report for demonstrating substantial progress on the transition, the status of the NFPA 805 monitoring program be provided. The NFPA 805 monitoring program is highly dependent on fire PRA results as well as the traditional fire protection program issues. Therefore, the monitoring program is one of the last items to be completed during the transition effort. This is consistent with the manner in which both pilot plants are proceeding.

Information Available On Site

In addition to the information contained in this attachment, COMSECY-08-022 requested that additional information be compiled / documented on site available for inspection/audit.

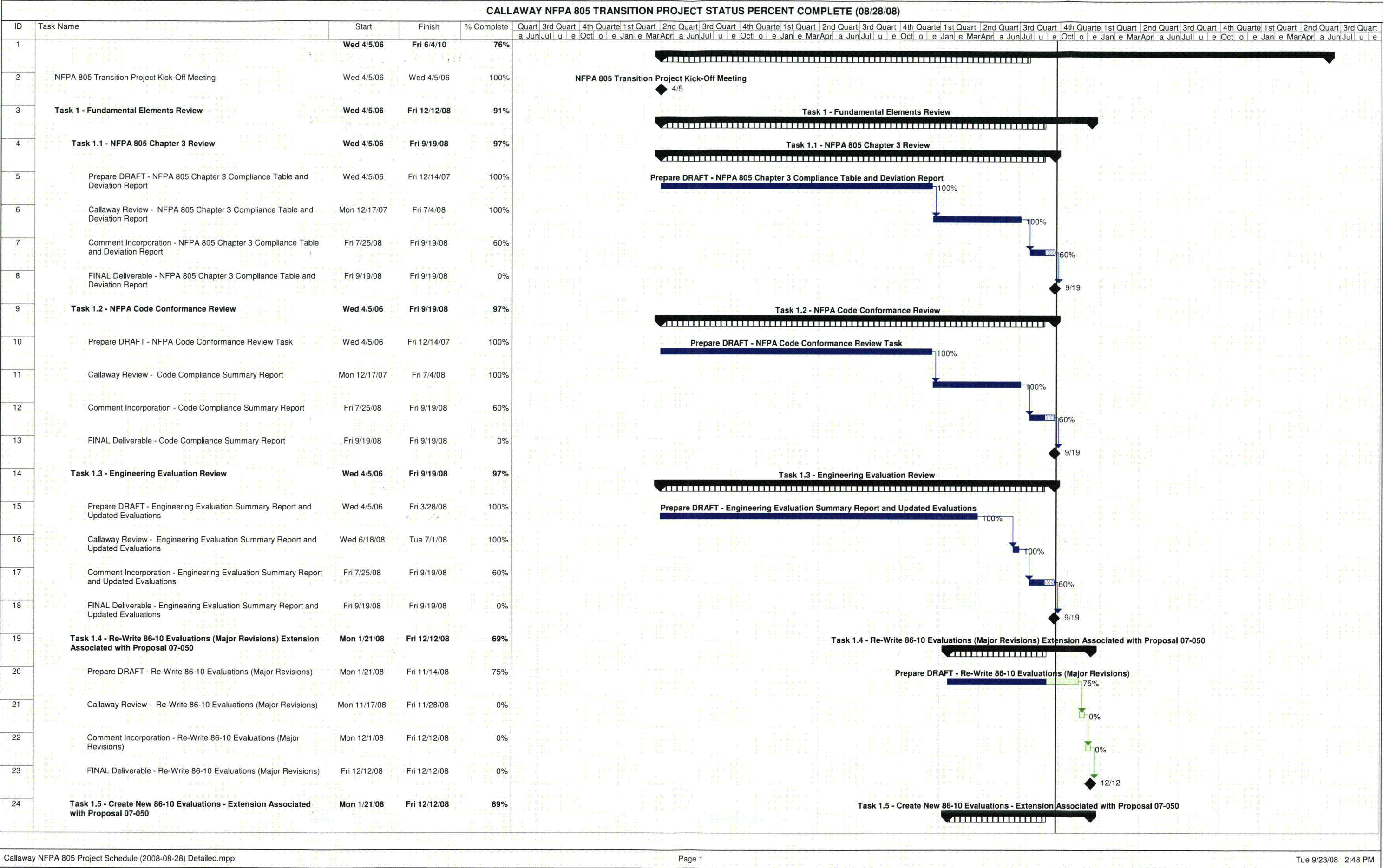
All fire protection-related noncompliances have been entered into the site corrective action program, and appropriate compensatory measures in accordance with the existing fire protection program have been implemented. This information is contained within the site's corrective action program and is available for review.

Unallowed Operator Manual Actions (those designated as bin H under NEI 04-02) which are being considered compensatory measures, comply with RIS 2005-07. The feasibility of the Operator Manual Actions has been reviewed and any such action being considered as a compensatory measure is considered feasible. The feasibility review for these actions was done based on the existing safe shutdown analysis.

Note that recovery action feasibility will require modification and/or revision due to the information generated by the NFPA 805 transition effort. That feasibility review can not be completed until most of the other transition efforts are complete since the information

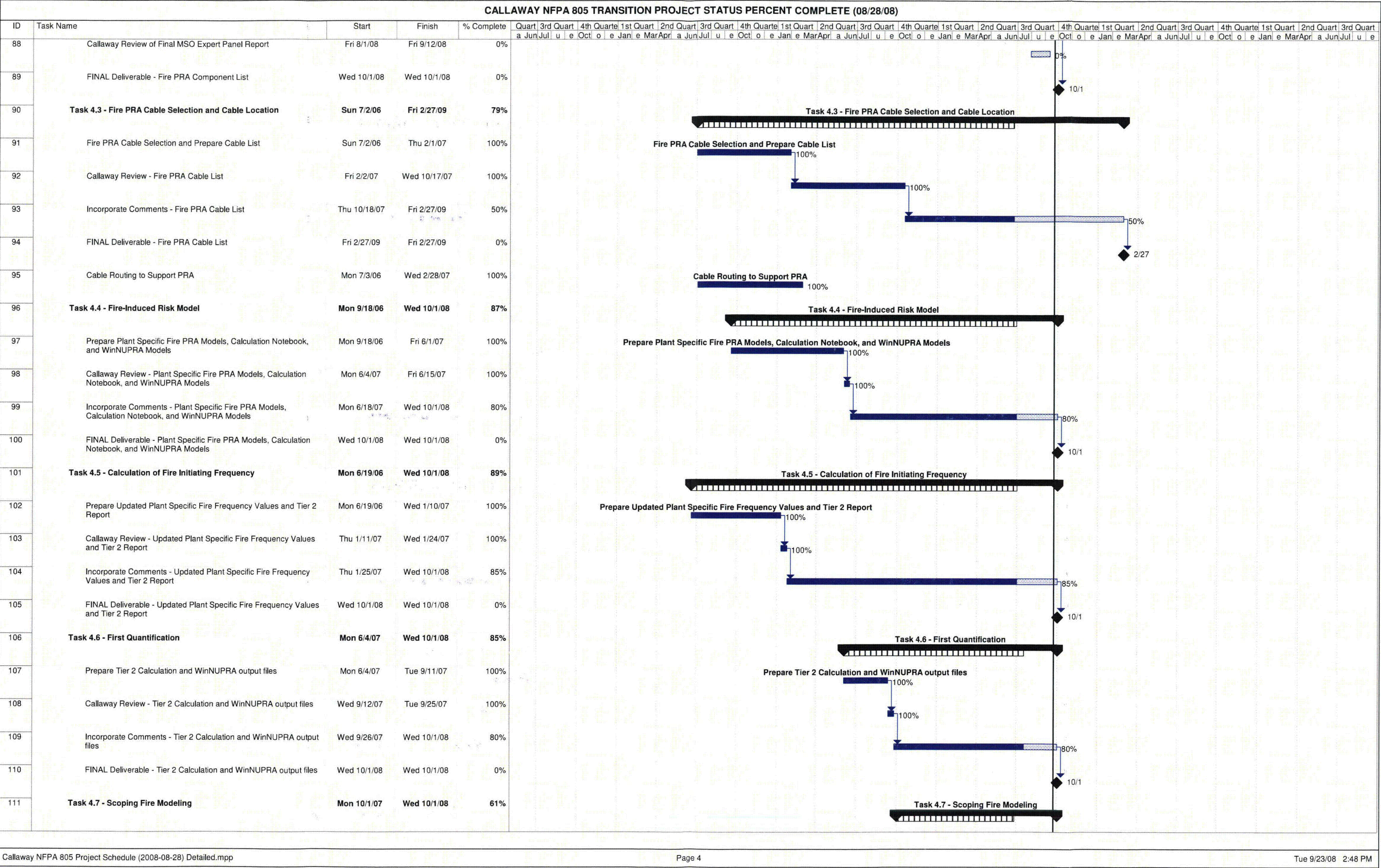
generated during the transition effort may change which recovery actions are required or may change the timing required for these or recovery actions. Some of that effort is tied to the completion of the fire PRA. Therefore, the feasibility of some of these actions will be reviewed at the completion of the fire PRA effort. This is consistent with the pilot plants.

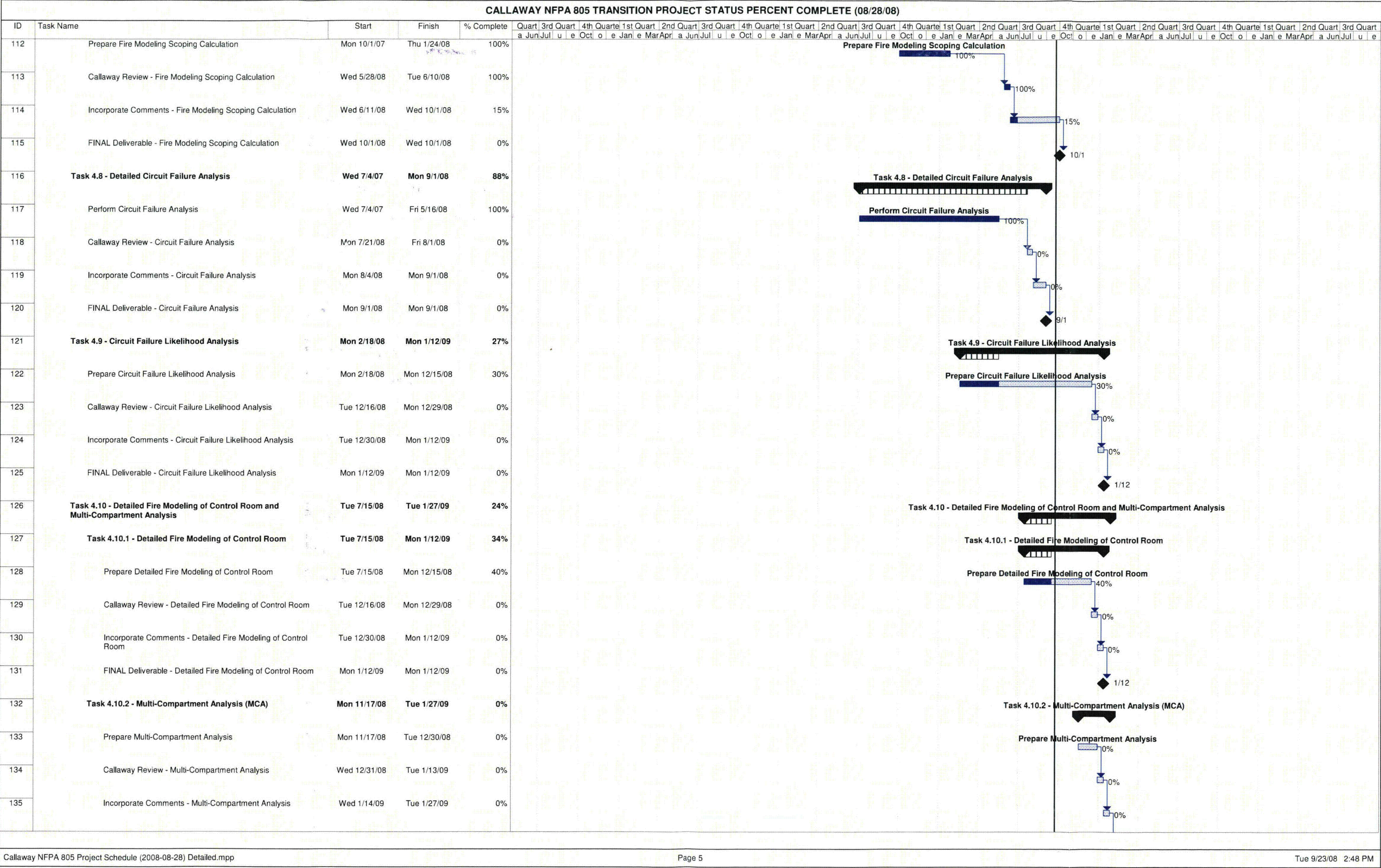
PROJECT MILESTONE SCHEDULE
(9 Pages)



Callaway NFPA 805 Project Schedule (2008-08-28) Detailed.mpp

Callaway NFPA 805 Project Schedule (2008-08-28) Detailed.mpp





CALLAWAY NFPA 805 TRANSITION PROJECT STATUS PERCENT COMPLETE (08/28/08)					
ID	Task Name	Start	Finish	% Complete	
136	FINAL Deliverable - Multi-Compartment Analysis	Tue 1/27/09	Tue 1/27/09	0%	
137	Task 4.11 - Post-Fire Human Reliability Analysis	Mon 11/5/07	Tue 1/27/09	28%	
138	Prepare Fire HRA Calculation Report	Mon 11/5/07	Tue 12/30/08	30%	
139	Callaway Review - Fire HRA Calculation Report	Wed 12/31/08	Tue 1/13/09	0%	
140	Incorporate Comments - Fire HRA Calculation Report	Wed 1/14/09	Tue 1/27/09	0%	
141	FINAL Deliverable - Fire HRA Calculation Report	Tue 1/27/09	Tue 1/27/09	0%	
142	Task 4.12 - Seismic-Fire Interactions Assessment	Mon 11/5/07	Fri 11/28/08	9%	
143	Prepare Seismic Fire Interaction Notebook	Mon 11/5/07	Fri 10/31/08	10%	
144	Callaway Review - Seismic Fire Interaction Notebook	Mon 11/3/08	Fri 11/14/08	0%	
145	Incorporate Comments - Seismic Fire Interaction Notebook	Mon 11/17/08	Fri 11/28/08	0%	
146	FINAL Deliverable - Seismic Fire Interaction Notebook	Fri 11/28/08	Fri 11/28/08	0%	
147	Task 4.13 Final Fire Risk Quantification	Wed 7/30/08	Tue 2/17/09	0%	
148	Prepare Final Fire Risk Quantification	Wed 7/30/08	Tue 1/20/09	0%	
149	Callaway Review - Final Fire Risk Quantification	Wed 1/21/09	Tue 2/3/09	0%	
150	Incorporate Comments - Final Fire Risk Quantification	Wed 2/4/09	Tue 2/17/09	0%	
151	FINAL Deliverable - Final Fire Risk Quantification	Tue 2/17/09	Tue 2/17/09	0%	
152	Task 4.14 - Uncertainty and Sensitivity Analysis	Wed 12/10/08	Mon 3/2/09	0%	
153	Prepare Uncertainty and Sensitivity Analysis Report	Wed 12/10/08	Mon 2/2/09	0%	
154	Callaway Review - Uncertainty and Sensitivity Analysis Report	Tue 2/3/09	Mon 2/16/09	0%	
155	Incorporate Comments - Uncertainty and Sensitivity Analysis Report	Tue 2/17/09	Mon 3/2/09	0%	
156	FINAL Deliverable - Uncertainty and Sensitivity Analysis Report	Mon 3/2/09	Mon 3/2/09	0%	
157	Task 5 - Non-Power Operational Modes Review	Mon 2/12/07	Fri 12/26/08	58%	
158	Prepare DRAFT - Non-Power Operational Modes Review	Mon 2/12/07	Fri 11/28/08	60%	
159	Callaway Review - Non-Power Operational Modes Review	Mon 12/1/08	Fri 12/12/08	0%	

The Gantt chart displays the duration and completion status of each task relative to a timeline divided by quarter boundaries. Tasks are represented as horizontal bars spanning their respective start and end dates.

- Task 4.11 - Post-Fire Human Reliability Analysis:** A thick black bar from Mon 11/5/07 to Tue 1/27/09, followed by a thin blue bar indicating 28% completion.
- Prepare Fire HRA Calculation Report:** A dark grey bar from Mon 11/5/07 to Tue 12/30/08, with a light yellow segment at the beginning representing 30% completion.
- Task 4.12 - Seismic-Fire Interactions Assessment:** A thick black bar from Mon 11/5/07 to Fri 11/28/08, followed by a thin blue bar indicating 9% completion.
- Prepare Seismic Fire Interaction Notebook:** A dark grey bar from Mon 11/5/07 to Fri 10/31/08, with a light yellow segment at the beginning representing 10% completion.
- Task 4.13 Final Fire Risk Quantification:** A thick black bar from Wed 7/30/08 to Tue 2/17/09, followed by a thin blue bar indicating 0% completion.
- Prepare Final Fire Risk Quantification:** A dark grey bar from Wed 7/30/08 to Tue 1/20/09, with a light yellow segment at the beginning representing 0% completion.
- Task 4.14 - Uncertainty and Sensitivity Analysis:** A thick black bar from Wed 12/10/08 to Mon 3/2/09, followed by a thin blue bar indicating 0% completion.
- Prepare Uncertainty and Sensitivity Analysis Report:** A dark grey bar from Wed 12/10/08 to Mon 2/2/09, with a light yellow segment at the beginning representing 0% completion.
- Task 5 - Non-Power Operational Modes Review:** A thick black bar from Mon 2/12/07 to Fri 12/26/08, followed by a thin blue bar indicating 58% completion.
- Prepare DRAFT - Non-Power Operational Modes Review:** A dark grey bar from Mon 2/12/07 to Fri 11/28/08, with a light yellow segment at the beginning representing 60% completion.

Milestones are indicated by diamond shapes along the right edge of the chart area, corresponding to specific due or completion dates such as 1/27, 11/28, 2/17, and 3/2.

Callaway NFPA 805 Project Schedule (2008-08-28) Detailed.mpp Page 6 Tue 9/23/08 2:48 PM

[illegible]

CALLAWAY NFPA 805 TRANSITION PROJECT STATUS PERCENT COMPLETE (08/28/08)																														
ID	Task Name	Start	Finish	% Complete	Quart a	3rd Quart a	4th Quart a	1st Quart e	2nd Quart e	3rd Quart e	4th Quart e	1st Quart e	2nd Quart e	3rd Quart e	4th Quart e	1st Quart e	2nd Quart e	3rd Quart e	4th Quart e	1st Quart e	2nd Quart e	3rd Quart e	4th Quart e	1st Quart e	2nd Quart e	3rd Quart e	4th Quart e	1st Quart e	2nd Quart e	3rd Quart e
184	Task 8 - Transition Report and LAR	Thu 2/1/07	Fri 10/9/09	42%																										
185	Task 8.1 - License Amendment Request	Mon 3/2/09	Fri 10/9/09	0%																										
186	Prepare DRAFT - License Amendment Request	Mon 3/2/09	Fri 8/14/09	0%																										
187	Callaway Review - License Amendment Request	Mon 8/17/09	Fri 9/25/09	0%																										
188	Incorporate Comments - License Amendment Request	Mon 9/28/09	Fri 10/9/09	0%																										
189	FINAL Deliverable - License Amendment Request	Fri 10/9/09	Fri 10/9/09	0%																										
190	Task 8.2 - Transition Report	Thu 2/1/07	Fri 10/9/09	52%																										
191	Prepare DRAFT - Transition Report	Thu 2/1/07	Fri 8/14/09	55%																										
192	Callaway Review - Transition Report	Mon 8/17/09	Fri 9/25/09	0%																										
193	Incorporate Comments - Transition Report	Mon 9/28/09	Fri 10/9/09	0%																										
194	FINAL Deliverable - Transition Report	Fri 10/9/09	Fri 10/9/09	0%																										
195	Task 9 - Documentation Updates	Mon 11/30/09	Fri 6/4/10	0%																										
196	Update Fire Hazards Analysis (FHA)	Mon 11/30/09	Fri 6/4/10	0%																										
197	Update Final Safety Analysis Report (FSAR)	Mon 11/30/09	Fri 6/4/10	0%																										
198	Update Fire Protection Program Plan	Mon 11/30/09	Fri 6/4/10	0%																										
199	Update Technical Specifications	Mon 11/30/09	Fri 6/4/10	0%																										
200	Task 10 - Develop Monitoring Program	Mon 11/30/09	Fri 6/4/10	0%																										
201	Task 11 - NRC Support	Wed 4/5/06	Fri 6/4/10	90%																										
202	Task 12 - Callaway Implementation of SAFE	Mon 1/5/09	Thu 4/30/09	0%																										
203	Task 13 - Associated Circuits Review (Extension per Proposal 07-050)	Mon 1/14/08	Fri 9/5/08	95%																										
204	P1951 SWGR Room Heat-Up Calculation (Extension per Proposal 07-050)	Mon 1/14/08	Fri 8/8/08	80%																										
205	Develop Room Heat-Up Calculation	Mon 1/14/08	Fri 8/8/08	80%																										
206	P1947 Address Group A & B Quality Gaps in Base PRA Model (Extension per Proposal 07-061)	Wed 1/2/08	Thu 12/31/09	31%																										
207	Group A Quality Gaps in Base PRA Model	Wed 1/2/08	Wed 12/31/08	58%																										

CALLAWAY NFPA 805 TRANSITION PROJECT STATUS PERCENT COMPLETE (08/28/08)																															
ID	Task Name	Start	Finish	% Complete	Quart a	3rd Quart Jul	4th Quart u e	1st Quart Oct o	2nd Quart e Jan	3rd Quart e Mar	4th Quart Apr a	1st Quart Jun	2nd Quart Jul u	3rd Quart e Oct o	4th Quart e Jan	1st Quart e Mar	2nd Quart Apr a	3rd Quart Jun	4th Quart Jul u	1st Quart e Oct o	2nd Quart e Jan	3rd Quart e Mar	4th Quart Apr a	1st Quart Jun	2nd Quart Jul u	3rd Quart e Oct o	4th Quart e Jan	1st Quart e Mar	2nd Quart Apr a	3rd Quart Jun	4th Quart Jul u
208	Group B Quality Gaps in Base PRA Model	Fri 5/16/08	Thu 12/31/09	14%																											
209	P1946 Fire PRA Peer Review (Extension per Proposal 07-063)	Tue 4/1/08	Fri 5/1/09	0%																											
210	Task 1 - Fire PRA Self Assessment Preparation	Tue 4/1/08	Mon 2/2/09	0%																											
211	Task 2 - On-Site Pilot Peer Review	Mon 3/2/09	Fri 3/6/09	0%																											
212	Task 3 - Post Reviw Support (Resolution of Findings)	Mon 3/9/09	Wed 4/1/09	0%																											
213	Task 4 - Post Review changes to model & documentation	Tue 3/10/09	Mon 4/20/09	0%																											
214	FINAL Deliverable - Updated Final Fire Risk Quantification	Fri 5/1/09	Fri 5/1/09	0%																											
215	P1972 - Normal SW and Charging Cable Selection and Cable Location	Mon 6/30/08	Tue 9/30/08	46%																											
216	Cable Selection and Prepare Cable List	Mon 6/30/08	Fri 7/18/08	100%																											
217	Callaway Review - Fire PRA Cable List	Mon 7/21/08	Fri 8/1/08	0%																											
218	Incorporate Comments - Fire PRA Cable List	Mon 8/4/08	Fri 8/15/08	0%																											
219	FINAL Deliverable - Fire PRA Cable List	Fri 8/15/08	Fri 8/15/08	0%																											
220	Cable Routing	Mon 6/30/08	Fri 8/15/08	75%																											
221	Update Task 2.4	Mon 8/18/08	Fri 8/29/08	0%																											
222	FPRA Quantification	Wed 9/17/08	Tue 9/30/08	0%																											
223	P1984 - Detailed Fire Modeling for Fire PRA	Fri 8/15/08	Fri 12/19/08	4%																											
224	Detailed Fire Modeling	Fri 8/15/08	Fri 11/14/08	5%																											
225	Fire PRA Associated with Detailed Fire Modeling	Mon 11/17/08	Fri 12/19/08	0%																											

Callaway NFPA 805 Project Schedule (2008-08-28) Detailed.mpp

Page 9

Tue 9/23/08 2:48 PM