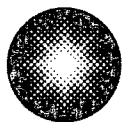


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**Constellation Energy**  
Nuclear Generation Group

November 7, 2008

U. S. Nuclear Regulatory Commission  
Washington, DC 20555

**ATTENTION:** Document Control Desk

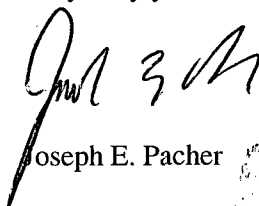
**SUBJECT:** R.E. Ginna Nuclear Power Plant  
Docket No. 50-244

**Report of Facility Changes, Tests, and Experiments  
Conducted Without Prior Commission Approval**

The subject report is hereby submitted as required by 10 CFR 50.59(d)(2). The enclosed report contains descriptions and summaries of the 10 CFR 50.59 evaluations conducted in support of proposed changes to the facility and procedures described in the UFSAR and special tests, from January 2007 through June 2008, performed under the provisions of 10 CFR 50.59. Also, for the period of January 2007 through June 2008 no regulatory commitment changes were made that met the threshold for notification to the NRC when evaluated per the guide lines of NEI-99-04, "Guidelines for Managing NRC Commitment Changes", that have not been previously submitted.

If you should have any questions regarding this submittal, please contact David Wilson at (585) 771-5219.

Very truly yours,



Joseph E. Pacher

Attachment: (1) Report of Facility Changes, Tests, and Experiments Conducted Without Prior NRC Approval for January 2007 through June 2008 under the Provisions of 10 CFR 50.59

cc: S. J. Collins, NRC  
D. V. Pickett, NRC  
Resident Inspector, NRC

1002042

JE47  
NRC

ATTACHMENT (1)

REPORT OF  
FACILITY CHANGES, TESTS, AND EXPERIMENTS  
CONDUCTED WITHOUT PRIOR NRC APPROVAL  
FOR JANUARY 2007 THROUGH JUNE 2008  
UNDER THE PROVISIONS OF 10 CFR 50.59

**Report of Facility Changes, Tests, and Experiments Conducted Without Prior NRC Approval for January 2007 through June 2008 under the Provisions of 10 CFR 50.59**

*50.59 Evaluation No:* 2008-0001

*Title of Change:* Non-LOCA Gap Release Fractions

*Implementation Document:* None

*UFSAR Affected Sections:* None

*System:* Reactor Coolant System

*Description of Change:*

A small number of fuel rods in the Cycle 33 and 34 reactor cores (2.45% and 0.48% respectively) will exceed the Regulatory Guide (RG) 1.183, Alternative Radiological Source Terms for Evaluating Design Basis Accidents at Nuclear Power Reactors, 1.183 Footnote 11 criterion for use of Table 3 non-LOCA gap release fractions. Dose analyses for the impacted accidents (fuel handling, tornado missile, and locked rotor) have been revised by doubling the gap release fractions for rods that violate the RG 1.183 criterion.

*Evaluation Summary:*

All dose consequences are not more than minimal due to the small number of rods that violate the RG 1.183 criterion. The changes to the gap release fractions for the fuel handling accident and the tornado missile accident can be performed under 10 CFR 50.59.

The changes to the locked rotor accident (LRA) are a departure from a method of evaluation and cannot pass criterion (c)(2)(viii) of 10 CFR 50.59, so a License Amendment will be required for permanent use of revised gap release fractions. Since the LRA dose consequences are not more than minimal when the gap fractions are doubled in accordance with guidance in NUREG/CR-5009, Assessment of the Use of Extended Burnup Fuel in Light Water Power Reactors, there is a reasonable expectation of operability once the RG 1.183 criterion is violated. This will be addressed as a nonconforming condition with appropriate compensatory actions within the Ginna corrective action program pending issuance of a License Amendment.