

December 12, 2008

Mr. Timothy E. Herrmann  
Vice President, Engineering  
AmerenUE  
P.O. Box 620  
Fulton, Missouri 65251

SUBJECT: COMBINED LICENSE APPLICATION ACCEPTANCE REVIEW FOR  
CALLAWAY PLANT UNIT 2 NUCLEAR POWER PLANT

Dear Mr. Herrmann:

By letter dated July 28, 2008, as supplemented by letter dated September 24, 2008, AmerenUE submitted an application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license (COL) for a single unit of the U.S. Evolutionary Power Reactor (U.S. EPR) in accordance with the requirements contained in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants." We sent you a letter on October 16, 2008, providing you a status of the acceptance review. You further supplemented your application in letters dated November 14, 2008, and November 25, 2008. This letter informs you that the NRC staff has completed its acceptance review and has determined that your application is acceptable for docketing. This reactor will be identified as Callaway Plant Unit 2, and is to be located at the current Callaway County, Missouri site of the Callaway Power Plant. The Docket Number established for Unit 2 is 52-037.

The Callaway Plant Unit 2 COL application (COLA) incorporates by reference the U.S. EPR Design Control Document submitted by AREVA NP as Revision 0. As allowed by 10 CFR 52.55(c), at your own risk, you have referenced a design certification application that has been docketed but not granted. Therefore, your COLA review schedule is dependent on the review schedule for the design certification. In addition, as a subsequent COL applicant, your COLA review schedule is also dependent on the review schedule for the Calvert Cliffs Nuclear Power Plant COLA (the reference COLA for the U.S. EPR design center). Because it utilizes the standard content contained in the reference COLA (R-COLA), it is incumbent upon AmerenUE to remain cognizant of the resolution of the standard technical issues that will be addressed during the NRC review of the Calvert Cliffs Nuclear Power Plant R-COLA application. If you determine that it is necessary to resolve a standard issue differently for the Callaway Unit 2 COLA, you must notify NRC immediately so that we may determine the review impact of this standard issue being considered as site specific.

Your application includes a discussion in Part 2, FSAR Chapter 1.0, Section 1.1, that information included in braces "{ }" is unique to Callaway Plant Unit 2. However, later you state that minor changes are made within the standard text that are not identified as site-specific by the use of braces. This creates a problem for the review of the application in that the standard text is not identical between the R-COLA and your Subsequent Combined License Application

(S-COLA). This inconsistent standard text practice makes implementation of the designed centered review approach for an S-COLA less efficient because the staff cannot assume that the information reviewed in the R-COLA is the same as that included in an S-COLA. This potentially impacts review resources, with associated potential schedule impacts. The staff recommends that you amend your application to provide standard language identical to that in the R-COLA to support the review of your application.

As stated in the October 3, 2008, letter acknowledging the receipt of the Callaway Plant Unit 2 application, the staff intended to publish a schedule for review of the Callaway Plant Unit 2 COLA within 30 days of completion of the acceptance review. Because of the timing of the completion of the acceptance review, and the issues highlighted above, we expect to issue the detailed schedule in mid-January 2009. The staff expects to interact with you as this schedule is developed.

The enclosed notice of acceptance for docketing has been forwarded to the Office of the *Federal Register* and a separate notice will be published, in accordance with the provisions of 10 CFR 2.104, regarding the opportunity to file a petition for leave to intervene in the mandatory hearing required for this application.

Should you have any questions or comments concerning this matter, I can be reached at 301-415-7102 or e-mail address of [Joseph.Colaccino@nrc.gov](mailto:Joseph.Colaccino@nrc.gov).

Sincerely,

*/RA/*

Joseph Colaccino, Chief  
US EPR Projects Branch  
Division of New Reactor Licensing  
Office of New Reactors

Docket No. 52-037

Enclosure:  
*Federal Register* Notice

cc: See next page

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Sincerely,

Joseph Colaccino, Chief  
US EPR Projects Branch  
Division of New Reactor Licensing  
Office of New Reactors

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CALLAWAY PLANT UNIT 2 NUCLEAR POWER PLANT DATED

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(Revised 10/06/2008)

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