

May 26, 2009

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

SUBJECT: CALLAWAY PLANT UNIT 2 COMBINED LICENSE APPLICATION REVIEW
SCHEDULE

Dear Mr. Herrmann:

This letter transmits the Callaway Plant Unit 2 Combined License Application (COLA) review schedule. The COLA review schedule uses a 4-phase approach for the safety portion of the review. The safety review supports the issuance of a Final Safety Evaluation Report (FSER) in April 2012. The environmental review supports the issuance of a Final Environmental Impact Statement (FEIS) in April 2011. Milestones for the four phases of the safety review as well as the environmental review are provided in Table 1 of this letter. Because the review schedule for the Calvert Cliffs Unit 3 combined license application, which is the Reference COLA for the design center, is currently under re-evaluation, the safety review milestones provided in this letter will also be re-evaluated once those evaluations are completed and, if necessary, the U.S. Nuclear Regulatory Commission (NRC) will issue a revised schedule at that time.

In the NRC's application acceptance and docketing letter dated December 12, 2008 (Agencywide Documents and Access Management System [ADAMS] Accession Number ML083390355), the NRC indicated that some of the standard text in your application was not identical to the related information in the Reference Combined License Application (RCOLA). To facilitate implementation of the design centered review approach, the staff made a recommendation to revise your application to provide standard language identical to that in the RCOLA. These inconsistencies were removed by submission of Revision 1 of your application dated February 25, 2009 (ADAMS Accession Number ML090710444). The staff's acceptance letter also highlighted the schedular dependence of review of your application on the review schedules for the U.S. EPR Design Certification application and the Calvert Cliffs Nuclear Power Plant Unit 3 COL application.

There are several areas of concern that could have adverse impacts on the enclosed milestone schedule. The completion of submission and review activities associated with *cyber security* and *mitigative strategies to address loss of large areas* is required by the recent issuance of revised rulemaking in Title 10, Code of Federal Regulations, Part 73 and 50.54(hh)(2) (74 FR 13926, (March 27, 2009)). Secondly, completion of submission and review activities associated with the yet undescribed Setpoint Control Program related to Technical Specifications in the Design Certification and RCOL is required to provide acceptance of these areas in the Callaway Plant Unit 2 COLA. These open issues contribute considerable uncertainty to the accuracy of some of the staff projections in these areas and will have to be re-evaluated once the necessary guidance and/or directions are established in these areas.

The staff will re-evaluate the overall schedule when the last requests for additional information (RAIs) are issued, subsequent to development of the safety evaluation report with no open items. At that point, the staff may establish new milestones in Phases B through D based on the number and complexity of the unresolved items. The schedule assumes technically correct and complete responses within 30 days of receipt of NRC's RAIs. For any RAIs that cannot be answered within 30 days, it is expected that a response date will be provided to the staff within the 30-day period so that the staff can assess how this information will impact the published review schedule.

The schedule included in this letter is based on the currently available staff resources. As stated in staff's letter of May 4, 2009, the review schedule is subject to re-evaluation consistent with existing and planned resource availability. Furthermore, the review of Part 1 of your COL application includes financial qualification. This portion of the review is on hold pending receipt of a supplement to Part 1 of your application to provide current information. This information should be provided to the NRC prior to the end of Phase A of the COL review.

In addition, any new and significant changes, supplements or additions to the COLA or supporting documentation could impact scheduled completion dates.

It is the staff's intent to establish a predictable review schedule and a review process that supports identification and resolution of complex issues as early in the review as possible. To that end, the staff intends to interact with AmerenUE as the review progresses to address open items, schedule details, and potential schedule refinements.

If you have any questions or comments concerning this matter, I can be reached at 301-415-1421 or via e-mail address at Surinder.Arora@nrc.gov.

Sincerely,

/RA/

Surinder Arora, Project Manager
US EPR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-037
Enclosure: As stated
cc: See next page

The staff will re-evaluate the overall schedule when the last requests for additional information (RAIs) are issued, subsequent to development of the safety evaluation report with no open items. At that point, the staff may establish new milestones in Phases B through D based on the number and complexity of the unresolved items. The schedule assumes technically correct and complete responses within 30 days of receipt of NRC's RAIs. For any RAIs that cannot be answered within 30 days, it is expected that a response date will be provided to the staff within the 30-day period so that the staff can assess how this information will impact the published review schedule.

The schedule included in this letter is based on the currently available staff resources. As stated in staff's letter of May 4, 2009, the review schedule is subject to re-evaluation consistent with existing and planned resource availability. Furthermore, the review of Part 1 of your COL application includes financial qualification. This portion of the review is on hold pending receipt of a supplement to Part 1 of your application to provide current information. This information should be provided to the NRC prior to the end of Phase A of the COL review.

In addition, any new and significant changes, supplements or additions to the COLA or supporting documentation could impact scheduled completion dates.

It is the staff's intent to establish a predictable review schedule and a review process that supports identification and resolution of complex issues as early in the review as possible. To that end, the staff intends to interact with AmerenUE as the review progresses to address open items, schedule details, and potential schedule refinements.

If you have any questions or comments concerning this matter, I can be reached at 301-415-1421 or via e-mail address at Surinder.Arora@nrc.gov.

Sincerely,

/RA/

Surinder Arora, Project Manager
 US EPR Projects Branch
 Division of New Reactor Licensing
 Office of New Reactors

Docket No. 52-037
 Enclosure: As stated
 cc: See next page

DISTRIBUTION:

PUBLIC	RidNroDnrlResource
NARP R/F	RidsNroDnrlNarpResource
GTesfaye, NRO	RidsOgcMailCenterResource
JMcLellan, NRO	RidsAcrsAcnwMailCenterResource
SArora, NRO	RidsRgn1MailCenterResource
BOlson, NRO	RidsNRODserRap3Resource
JFlack, ACRS	

Mailing List: COL – Callaway

ADAMS Accession Number: ML091380111

NRO-002

OFFICE	DNRL/NARP:PM	DNRL/NARP:LA	DSER/RAP1:PM	DSER/RAP1:BC	DCIP/CTSB:BC
NAME	SArora	JMcLellan	BOlson	GHatchett	MKowal
DATE	05/18/09	05/18/09	05/18/09	05/19/09	05/19/09
OFFICE	DSP/DDRS/RS:BC	OGC	DNRL/NARP: BC	DNRL: DD	
NAME	DHuyck	AHodgdon	JColaccino	FAkstulewicz	
DATE	05/19/09	05/21/09	05/21/09	05/26/09	

TABLE 1

**Callaway Plant Unit 2 Combined License Application
Review Milestones**

Key Milestones	
<i>Safety Review</i>	
Phase A - Requests for Additional Information (RAIs) Issued to Applicant	6/21/2010
Phase B - Advanced Final Safety Evaluation Report (SER) without Open Items	8/15/2011
Phase C - ACRS Review of Advanced Final SER	12/20/2011
Phase D - Final SER	4/12/2012
<i>Environmental Review</i>	
Phase 1 - Environmental impact statement (EIS) scoping summary report issued	9/14/2009
Phase 2 - Draft EIS issued to EPA	4/23/2010
Phase 3 - Response to public comments on draft EIS issued	10/13/2010
Phase 4 - Final EIS issued to EPA	4/18/2011

ENCLOSURE

COL AmerenUE - Callaway Mailing List

(Revised 04/16/2009)

cc:

Scott Bond
Callaway Plant
P.O. Box 620
Fulton, MO 65251

Ms. Michele Boyd
Legislative Director
Energy Program
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Ms. Pat Cryderman
Superintendent
Replacement/Accident Analysis
and Major Projects
AmerenUE
P.O. Box 620
Fulton, MO 65251

Mr. Tim E. Herrmann
Vice President, Nuclear Engineering
AmerenUE
P.O. Box 620
Fulton, MO 65251

Mr. Dave Shafer
Superintendent
Licensing
AmerenUE
1901 Chouteau Avenue
St. Louis, MO 63103

COL AmerenUE - Callaway Mailing List

Email

APH@NEI.org (Adrian Heymer)
awc@nei.org (Anne W. Cottingham)
BrinkmCB@westinghouse.com (Charles Brinkman)
chris.maslak@ge.com (Chris Maslak)
cwaltman@roe.com (C. Waltman)
david.lewis@pillsburylaw.com (David Lewis)
greshaja@westinghouse.com (James Gresham)
hrobertson@greatriverslaw.org (Henry Robertson)
jgutierrez@morganlewis.com (Jay M. Gutierrez)
jim.riccio@wdc.greenpeace.org (James Riccio)
JJNesrsta@cpsenergy.com (James J. Nesrsta)
John.O'Neill@pillsburylaw.com (John O'Neill)
Joseph_Hegner@dom.com (Joseph Hegner)
KSutton@morganlewis.com (Kathryn M. Sutton)
kwaugh@impact-net.org (Kenneth O. Waugh)
lchandler@morganlewis.com (Lawrence J. Chandler)
Marc.Brooks@dhs.gov (Marc Brooks)
maria.webb@pillsburylaw.com (Maria Webb)
mark.beaumont@wsms.com (Mark Beaumont)
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)
media@nei.org (Scott Peterson)
mike_moran@fpl.com (Mike Moran)
miowens@ksdk.com (Michael Owens)
MSF@nei.org (Marvin Fertel)
nirsnet@nirs.org (Michael Mariotte)
patriciaL.campbell@ge.com (Patricia L. Campbell)
paul.gaukler@pillsburylaw.com (Paul Gaukler)
Paul@beyondnuclear.org (Paul Gunter)
pshastings@duke-energy.com (Peter Hastings)
RJB@NEI.org (Russell Bell)
RKTemple@cpsenergy.com (R.K. Temple)
sabinski@suddenlink.net (Steve A. Bennett)
sandra.sloan@areva.com (Sandra Sloan)
sfrantz@morganlewis.com (Stephen P. Frantz)
stephan.moen@ge.com (Stephan Moen)
Vanessa.quinn@dhs.gov (Vanessa Quinn)
VictorB@bv.com (Bill Victor)
Wanda.K.Marshall@dom.com (Wanda K. Marshall)