From: Thadani, Mohan
Sent: Tuesday, June 23, 2009 1:35 PM
To: Maglio, Scott A; Elwood, Thomas B
Cc: Burkhardt, Janet; Lent, Susan; Feintuch, Karl
Subject: ACCEPTANCE OF REQUEST FOR LICENSING ACTION TO REVISE TECHNICAL SPECIFICATION 3.3.9

Correction of TAC number

June 23, 2009

Mr. Adam C. Heflin
Senior Vice President and
Chief Nuclear Officer
Union Electric Company
P.O. Box 620
Fulton, MO 65251

SUBJECT: CALLAWAY PLANT, UNIT 1 – ACCEPTANCE OF REQUESTED LICENSING ACTION RE: PROPOSED REVISION TO TECHNICAL SPECIFICATION 3.3.9, "BORON DILUTION MITIGATION SYSTEM (BDMS)." (TAC NO. ME1411)

Dear Mr. Heflin:

By letter dated June 1, 2009, (ADAMS Accession No. ML091530290), Union Electric Company (the licensee) requested the U.S. Nuclear Regulatory Commission (NRC) staff approval of an amendment to the Callaway Plant, Unit 1 Technical Specifications (TS).

The proposed amendment would revise the TS 3.3.9, “Boron Dilution Mitigation System (BDMS).” The LCO Applicability Note would be revised to more explicitly define what the term, “during reactor start up” means in Modes 2 and 3. The revision will clarify the situations during which the BDMS signal may be blocked.

The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff’s acceptance review of this amendment request. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

Consistent with Section 50.90 of Title 10 of the *Code of Federal Regulations* (10 CFR), an amendment to the license (including the technical specifications) must fully describe the changes requested, and following as far as applicable, the form prescribed for original applications. Section 50.34 of 10 CFR addresses the content of technical information required. This section stipulates that the submittal address the design and operating characteristics, unusual or novel design features, and principal safety considerations.

The NRC staff has reviewed your application and concluded that it does provide technical information in sufficient detail to enable the staff to proceed with its detailed technical review and make an independent assessment regarding the acceptability of the proposed amendment

in terms of regulatory requirements and the protection of public health and safety and the environment. If additional information is needed for the staff to complete its technical review, you will be advised by separate correspondence.

If you have any questions, please contact me at (301) 415-1476.

Mohan C Thadani
Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation
(301) 415-1476 Mohan.Thadani@nrc.gov