



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 3, 2010

Mr. Mark E. Reddeman
Chief Executive Officer
Energy Northwest
P.O. Box 968 (Mail Drop 1023)
Richland, WA 99352-0968

SUBJECT: COLUMBIA GENERATING STATION - ISSUANCE OF AMENDMENT RE:
CHANGE TO EMERGENCY PLAN FOR U.S. DEPARTMENT OF ENERGY
618-11 WASTE BURIAL GROUND REMEDIATION (TAC NO. ME3863)

Dear Mr. Reddeman:

The U.S. Nuclear Regulatory Commission (NRC) has issued the enclosed Amendment No. 218 to Facility Operating License No. NPF-21 for the Columbia Generating Station. The amendment consists of changes to the Emergency Plan in response to your application dated April 28, 2010, as supplemented by letter dated August 9, 2010.

The amendment revises the Emergency Plan to reflect U.S. Department of Energy non-intrusive surveillance and characterization activities within the 618-11 Waste Burial Ground. Your application also requested related changes to the Final Safety Analysis Report. The NRC staff's determination regarding the proposed changes to the Final Safety Analysis Report has been addressed separately in Amendment No. 217.

A copy of the related Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's next biweekly *Federal Register* notice.

Sincerely,

A handwritten signature in black ink that reads "CF Lyon".

Carl F. Lyon, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-397

Enclosures:

1. Amendment No. 218 to NPF-21
2. Safety Evaluation

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
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ENERGY NORTHWEST

DOCKET NO. 50-397

COLUMBIA GENERATING STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 218
License No. NPF-21

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Energy Northwest (licensee), dated April 28, 2010, as supplemented by letter dated August 9, 2010, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations set forth in Title 10 of the *Code of Federal Regulations* (10 CFR) Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended as indicated in the attachment to this license amendment, and Paragraph 2.C.(2) of Facility Operating License No. NPF-21 is hereby amended to read as follows:

- (2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 218 and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

Further, the license is amended to authorize changes to the Columbia Generating Station Emergency Plan as set forth in the application for amendment by the licensee dated April 28, 2010, as supplemented by letter dated August 9, 2010, and as evaluated in the NRC staff's safety evaluation for this amendment. The amendment revises the Emergency Plan to reflect U.S. Department of Energy non-intrusive surveillance and characterization activities within the 618-11 Waste Burial Ground.

3. The license amendment is effective as of its date of issuance and shall be implemented within 60 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Eric J. Leeds, Director
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Facility
Operating License No. NPF-21

Date of Issuance: November 3, 2010

ATTACHMENT TO LICENSE AMENDMENT NO. 218

FACILITY OPERATING LICENSE NO. NPF-21

DOCKET NO. 50-397

Replace the following page of the Facility Operating License No. NPF-21 with the attached revised page.

Facility Operating License

REMOVE

INSERT

-3-

-3-

- (3) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
- (4) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use in amounts as required any byproduct, source of special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
- (5) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.
- (6) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to store byproduct, source and special nuclear materials not intended for use at Columbia Generating Station. The materials shall be no more than 9 sealed neutron radiation sources designed for insertion into pressurized water reactors and no more than 40 sealed beta radiation sources designed for use in area radiation monitors. The total inventory shall not exceed 24 microcuries of strontium-90, 20 microcuries of uranium-235, 30 curies of plutonium-238, and 3 curies of americium-241.

C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

The licensee is authorized to operate the facility at reactor core power levels not in excess of full power (3486 megawatts thermal). Items in Attachment 1 shall be completed as specified. Attachment 1 is hereby incorporated into this license.

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 218 and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

- (a) For Surveillance Requirements (SRs) not previously performed by existing SRs or other plant tests, the requirement will be considered met on the implementation date and the next required test will be at the interval specified in the Technical Specifications as revised in Amendment No. 149.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 218 TO

FACILITY OPERATING LICENSE NO. NPF-21

ENERGY NORTHWEST

COLUMBIA GENERATING STATION

DOCKET NO. 50-397

1.0 INTRODUCTION

By application dated April 28, 2010 (Reference 1), as supplemented by letter dated August 9, 2010 (Reference 2), Energy Northwest (EN, the licensee) requested changes to the Emergency Plan (EPlan) for Columbia Generating Station (CGS) pursuant to paragraph 50.54(q) of Title 10 of the *Code of Federal Regulations* (10 CFR). The requested change would revise the Emergency Plan (EPlan) to reflect U.S. Department of Energy (DOE) non-intrusive surveillance and characterization activities within the 618-11 Waste Burial Ground (herein referred to as the 618-11 site). The licensee also requested changes to the licensing basis as described in the Final Safety Analysis Report (FSAR) for CGS.

This safety evaluation addresses the licensee's proposed change to the EPlan. The U.S. Nuclear Regulatory Commission (NRC) staff's determination regarding the proposed changes to the FSAR was provided separately by Amendment No. 217.

The licensee requested changes to the EPlan to support the DOE's performance of non-intrusive surveillance and characterization activities within the 618-11 site. The purpose of these non-intrusive activities is to obtain data and information necessary for future intrusive characterization and remediation.

Specifically, the licensee proposes to modify the EPlan to address inter-agency coordination, cooperation, and responsibilities for potential 618-11 site events and to add specific emergency action level (EAL) criteria and actions associated with any potential toxic, flammable, or radioactive material release from an abnormal event at the 618-11 site that could pose a threat to the health and safety of the licensee's staff or visitors within the CGS exclusion area.

The supplemental letter dated August 9, 2010, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination as published in the *Federal Register* on June 29, 2010 (75 FR 37473).

2.0 REGULATORY EVALUATION

The NRC staff used the following regulations and guidance in its review of the licensee's proposed changes.

2.1 Regulations

Section 47 of Part 50, "Domestic Licensing of Production and Utilization Facilities," to 10 CFR sets forth emergency plan requirements for nuclear power plant facilities. The regulations in 10 CFR 50.47(a)(1)(i) state, in part, that "... no initial operating license for a nuclear power reactor will be issued unless a finding is made by the NRC that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency."

Section 50.47(b) establishes the standards that the onsite and offsite emergency response plans must meet for NRC staff to make a positive finding that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. One of these standards, 10 CFR 50.47(b)(4), stipulates that emergency plans include a standard emergency classification and action level scheme.

Section IV.B of Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities," to 10 CFR Part 50, states, in part,

The means to be used for determining the magnitude of, and for continually assessing the impact of, the release of radioactive materials shall be described, including emergency action levels that are to be used as criteria for determining the need for notification and participation of local and State agencies, the Commission, and other Federal agencies, and the emergency action levels that are to be used for determining when and what type of protective measures should be considered within and outside the site boundary to protect health and safety. The emergency action levels shall be based on in-plant conditions and instrumentation in addition to onsite and offsite monitoring....

Section 21 of 10 CFR Part 100, "Reactor Site Criteria," sets forth evaluation factors for stationary power reactor site applications. Paragraph 100.21(e) states,

Potential hazards associated with nearby transportation routes, industrial and military facilities must be evaluated and site parameters established such that potential hazards from such routes and facilities will pose no undue risk to the type of facility proposed to be located at the site

2.2 Guidance

NRC Regulatory Guide 1.101 (RG 1.101), Revision 2, "Emergency Response Planning and Preparedness for Nuclear Power Reactors," dated October 1981 (Reference 3), provides guidance on methods acceptable to the NRC staff for implementing specific parts of the NRC's regulations – in this case, 10 CFR 50.47(b) and Appendix E to Part 50. Revision 2 of RG 1.101 endorses Revision 1 to NUREG-0654/FEMA-REP-1, "Criteria for Preparation and Evaluation of

Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants" (NUREG-0654), dated November 1980 (Reference 4), which provides specific acceptance criteria for complying with the standards set forth in 10 CFR 50.47(b). These criteria provide a basis for NRC licensees and State and local governments to develop acceptable radiological emergency plans and preparedness plans.

NRC Regulatory Guide 1.70, Revision 3, "Standard Format and Content of Safety Analysis Reports for Nuclear Power Plants," dated November 1978 (Reference 5), provides for licensees to establish whether the effects of potential accidents in the vicinity of the site from present and projected industrial, transportation, and military installations and operations should be used as design basis events (DBEs) for plant design and to establish the design parameters related to the accidents so selected. It also provides that licensees should perform an analysis of the effects of the identified design-basis accidents on the safety-related components of the nuclear plant and discuss the steps taken to mitigate the consequences of these accidents, including such things as the addition of engineered safety feature equipment and reinforcing of plant structures, as well as the provisions made to lessen the likelihood and severity of the accidents themselves.

NRC Regulatory Issue Summary 2005-02, "Clarifying the Process for Making Emergency Plan Changes," dated February 14, 2005 (Reference 6), provides guidance for making emergency plan changes.

3.0 TECHNICAL EVALUATION

In its application, the licensee states that the 618-11 site is an 8-acre parcel on DOE property directly adjacent to land leased from the DOE by EN, and is located wholly within CGS's exclusion area boundary. The site was used from 1962 through 1967 and contains low- to high-activity waste, fission products, some plutonium-contaminated waste, and toxicological waste (bounded by beryllium). The non-intrusive surveillance and characterization activities will obtain data and information necessary for planning future intrusive activities and remediation strategies. The licensee has reviewed the safety analysis and evaluation for the activities and determined they will not adversely affect the operation of CGS, and thus not result in a significant hazard to the health and safety of the public from CGS's operation.

The remediation of the 618-11 site is a new activity within the CGS exclusion area. These efforts were not considered during initial licensing of the plant and are not addressed in the EPlan. This activity modifies the 618-11 site assumptions upon which the NRC reviewed and approved the original license for CGS.

In its application, the licensee states that DOE activities at the 618-11 site are being conducted pursuant to DOE authority under the Atomic Energy Act, and separate agreements with other Federal and State governmental agencies. Further, coordination regarding specific activities at the 618-11 site as they relate to EN is managed by the Memorandum of Understanding (MOU) between EN and the DOE's contractor, Washington Closure Hanford (WCH), regarding 618-11 site activities.

The 618-11 site is located 1,100 feet west of the CGS Reactor Building, adjacent to property leased by EN from the DOE, and is entirely within CGS's exclusion area and security barrier. CGS's exclusion area boundary is a circle with its center at the reactor and a radius of

1,950 meters. The security barrier encompasses the CGS site and is located on both leased land and DOE property. Where the security barrier is located on DOE property, DOE has granted an easement to the licensee.

The 618-11 site received low- to high-activity radioactive waste from the Hanford Reservation 300 Area laboratories and fuels development facilities (generally located between CGS and Richland, Washington) from March 1962 to December 1967. The 618-11 site was permanently closed on December 31, 1967. Final site closure occurred in 1968 and the burial ground was covered with a minimum of 2 feet of soil.

The licensee conducted a top-down review to ascertain the characteristics of the new activity. The activities are dealing with materials under the responsibility and control of DOE, not NRC. Accident analyses per Chapter 15 of the FSAR for CGS are not applicable because these 618-11 site activities do not involve or cause CGS reactor accidents. The non-intrusive characterization of the 618-11 site is an external event evaluated in accordance with 10 CFR 100.10, "Factors to be considered when evaluating sites," to assure that no safety-related or important to safety structures, systems, or components (SSCs) are impacted, and that no credited operator actions are affected. In this manner, no new accident is postulated, and the mitigation of an analyzed event remains unaffected.

The licensee evaluated the DOE determination that the 618-11 site DBE for the non-intrusive activities is a caisson penetration with fire accident. The DBE postulates that a cone penetrometer inadvertently penetrates into a caisson and is assumed to induce an explosion in a waste package canister located within the caisson. This explosion is assumed to pressurize the caisson and cause a release of radioactive material. The material remaining in the caisson is assumed to be exposed to a fire and produce an additional release. The overall release is a combination of an explosion and fire.

EN stated that it performed a calculation utilizing CGS meteorological data and FSAR dispersion methodology, which resulted in a calculated radiological dose consequence of less than 0.1 roentgen equivalent man (rem) at the exclusion area boundary and at the closest control room intake (300 meters from the source). This dose consequence does not pose challenges to any CGS SSCs, their operation, control room habitability, or any credited operator actions.

The NRC staff reviewed the licensee's regulatory and technical analyses in support of its proposed EPlan changes, as described in the licensee's application dated April 28, 2010, as supplemented by letter dated August 9, 2010. The staff's technical evaluation is provided below.

3.1 Detailed Description of Proposed CGS EPlan Changes

3.1.1 CGS EPlan Section 1.6, Assigned Authorities

Section 1.6.5, Emergency Plan Interrelationships, will be revised to ensure 618-11 site emergency plans and procedures are coordinated with the CGS EPlan.

3.1.2 Section 3.1 - Coordination of Support Organizations

An MOU delineating coordination between EN and WCH, the DOE contractor responsible for the 618-11 site project activities within the CGS exclusion area, has been established. The MOU describes interrelationships between CGS and 618-11 site emergency plans and assures that changes are identified and communicated for appropriate emergency planning response. Reference to this agreement will be added to this section of the EPlan.

3.1.3 Section 4 - Emergency Classification and Notification

The NRC-approved EAL structure only considers radioactivity from the reactor which is a source of activity that is much larger and contains far greater energy for dispersion than the 618-11 site. As such, the EPlan will be revised to add two new 618-11 project specific EALs. These EALs are being added to address any release from an abnormal event at the 618-11 site that could be detrimental to the health and safety of personnel within the exclusion area, impede CGS access, or impede mobilization of the EN Emergency Response Organization (ERO). A release from the 618-11 site would not have a significant impact beyond the site boundary nor adversely affect the operation of CGS.

Section 4.1, Emergency Classification, is being revised to add a paragraph describing how events at the 618-11 site will be classified for toxic, flammable, and radioactive material releases. This will address the emergency response to on-site facility events involving releases other than those associated with the operation and maintenance of CGS.

Section 4.6.2, Nearby Facilities Notification, will be revised to include notification protocols for 618-11 site personnel of CGS events and EN personnel of 618-11 site events. This section will document that notification protocols are established for communication of events and protective actions for the health and safety of CGS personnel, 618-11 site personnel, and the public.

Table 4-1, Emergency Classification Initiating Conditions, will be revised to include two new 618-11 site-specific emergency action levels (EALs). The Notification of Unusual Event EAL addresses impacts due to any release from an abnormal event at the 618-11 site that is deemed potentially detrimental to the health and safety of EN personnel and visitors within the CGS exclusion area. The Alert EAL represents an escalation if an explosion and/or fire involving or suspected to involve the waste buried within the 618-11 site is reported. Mobilization of the EN ERO would occur at an Alert classification. These 618-11 site-specific EALs will be removed upon termination of activities at the site.

3.1.4 Section 5.5 - Protective Action and Responsibilities

A new Section 5.5.1, 618-11 Waste Burial Ground Protective Actions, will be added to document that 618-11 site personnel are responsible to comply with protective action decisions made by the EN Emergency Director for events at CGS. In addition, 618-11 site personnel will notify the CGS Control Room in the event of an emergency at the 618-11 site. EN personnel, contractors, and visitors will be instructed by CGS Control Room personnel to respond to notification of a 618-11 site emergency as required by EN procedures developed to implement protective action recommendations of the 618-11 site emergency plan.

3.1.5 Appendix 2 - Emergency Plan Implementing Procedures

A new procedure will be created to address emergency plan considerations associated with the 618-11 site and is being added to the list of Emergency Plan Implementing Procedures (EPIPs). An EPIP prescribes the appropriate course of action necessary to activate the EROs and minimize the consequences of an incident. The list of EPIPs will be updated to include a new 618-11 site implementing procedure. This new procedure will instruct EN personnel on how to respond to an emergency at the 618-11 site in accordance with the WCH 618-11 site emergency plan.

3.2 Licensee Notification to the State

By letter dated August 9, 2010 (Reference 2), the licensee stated that EN and DOE presented information to the offsite agencies at a meeting on January 7, 2010, at the Franklin County Emergency Operations Center about the intended activities at the 618-11 site and the necessary changes to the EN EPlan to support the efforts. Attendees included representatives from Federal Emergency Management Agency (FEMA) Region X, Washington Emergency Management and Department of Health, the Oregon Office of Energy, and Benton, Franklin, and Grant Counties. Additionally, the licensee stated that it informed stakeholders via letter of the emergency event lead agency for emergency conditions arising within the CGS exclusion area. EN will assume the lead for conditions arising at CGS, and WCH will assume lead for conditions arising at the 618-11 site. This letter was sent to FEMA Region X, Washington Emergency Management and Department of Health, Benton County Emergency Services, and Franklin County Emergency Services. The licensee stated that it received confirmation of receipt of the letter.

3.3 NRC Staff Evaluation

Based on the technical analysis in the application and the licensee's responses to the NRC staff's request for additional information dated July 7, 2010 (Reference 7), the NRC staff concludes that the proposed changes to the CGS EPlan continue to meet the standards of 10 CFR 50.47(b) and the requirements of Appendix E to 10 CFR Part 50, and that they provide reasonable assurance that the licensee will take adequate protective measures in a radiological emergency. Therefore, the proposed changes described above to the CGS EPlan are acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Washington State official was notified by the NRC staff of the proposed issuance of the amendment. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

Pursuant to 10 CFR 51.21, 51.32, and 51.35, an environmental assessment and finding of no significant impact was published in the *Federal Register* on October 4, 2010 (75 FR 61225). Accordingly, based upon the environmental assessment, the Commission has determined that issuance of this amendment will not have a significant effect on the quality of the human environment.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

7.0 REFERENCES

1. Oxenford, W.S., Energy Northwest, letter to U.S. Nuclear Regulatory Commission, "License Amendment Request in Support of Department of Energy (DOE) 618-11 Waste Burial Ground Remediation Project – Non-Intrusive Activities," dated April 28, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML101250340).
2. Oxenford, W.S., Energy Northwest, letter to U.S. Nuclear Regulatory Commission, "Response to Request for Additional Information Related to License Amendment Request to Support 618-11 Remediation," dated August 9, 2010 (ADAMS Accession No. ML102300537).
3. U.S. Nuclear Regulatory Commission, "Emergency Planning and Preparedness for Nuclear Power Reactors," Regulatory Guide 1.101, Revision 2, October 1981 (ADAMS Accession No. ML090440294).
4. U.S. Nuclear Regulatory Commission/Federal Emergency Management Agency, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," NUREG-0654/FEMA-REP-1, Revision 1, November 1980 (ADAMS Accession No. ML040420012).
5. U.S. Nuclear Regulatory Commission, "Standard Format and Content of Safety Analysis Reports for Nuclear Power Plants," Regulatory Guide 1.70, Revision 3, November 1978 (ADAMS Accession No. ML011340072).
6. U.S. Nuclear Regulatory Commission, "Clarifying the Process for Making Emergency Plan Changes," Regulatory Issue Summary 2005-02, dated February 14, 2005 (ADAMS Accession No. ML042580404).
7. Lyon, C., U.S. Nuclear Regulatory Commission, letter to J.V. Parrish, Energy Northwest, "Columbia Generating Station - Request for Additional Information Related to License Amendment Request to Support 618-11 Remediation (TAC No. ME3863)," dated July 7, 2010 (ADAMS Accession No. ML101870685).

Principal Contributor: M. Norris

Date: November 3, 2010

November 3, 2010

Mr. Mark E. Reddeman
Chief Executive Officer
Energy Northwest
P.O. Box 968 (Mail Drop 1023)
Richland, WA 99352-0968

SUBJECT: COLUMBIA GENERATING STATION - ISSUANCE OF AMENDMENT RE:
CHANGE TO EMERGENCY PLAN FOR U.S. DEPARTMENT OF ENERGY
618-11 WASTE BURIAL GROUND REMEDIATION (TAC NO. ME3863)

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Sincerely,

/RA/

Carl F. Lyon, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-397

Enclosures:

1. Amendment No. 218 to NPF-21
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*memo dated

**NLO w/changes

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