

September 21, 1992

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Senior Vice President  
Nuclear

U. S. Nuclear Regulatory Commission  
Document Control Desk  
Washington, DC 20555

ULNRC-2700

Gentlemen:

**REPLY TO NOTICE OF VIOLATION  
INSPECTION REPORT NO. 50-483/92011  
CALLAWAY PLANT**

This responds to C. D. Pederson's letter dated August 24, 1992, which transmitted a Notice of Violation for events discussed in Inspection Report 50-483/92011. Our response to the violation is presented below.

None of the material in the response is considered proprietary by Union Electric Company.

**Statement of Violation**

During an NRC inspection conducted on July 27 through 31, 1992, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions", 10 CFR 2, Appendix C (1992), the violation is listed below:

10 CFR 50.59(b)(1) requires, in part, that the licensee maintain records of changes in the facility to the extent that these changes constitute changes in the facility as described in the safety analysis report (SAR). These records must include a written safety evaluation which provides the bases for the determination that the change does not involve an unresolved safety question.

Contrary to the above, as of July 27, 1992, the licensee had not performed a written safety evaluation which provides the bases for the determination that storage of radioactive waste did not involve an unresolved safety question. The storage location constitutes a change in the facility as described in the safety analysis report.

This is a Severity Level IV violation  
(Supplement I).

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Reason for the Violation

This violation was caused by failure of Union Electric to implement a change to the FSAR and perform a 50.59 evaluation prior to storage of radwaste outside of plant buildings. When the radwaste department became cognizant of these requirements, a request for an FSAR change was, in fact, initiated. However, pending completion of the change notice and 50.59 evaluation, radwaste continued to be stored outside the plant buildings. This violation took place because it was believed that the 50.59 evaluation would allow use of outside areas for radwaste storage, since the waste form and/or containers were highly resistant to the release and spread of activity, and appropriate health physics controls were in place to minimize exposure to personnel. These considerations, along with the convenience afforded by outside storage areas during times of high radwaste generation (i.e., refuel outages) and the desire to keep personnel exposure ALARA, led to the erroneous assumption that justification existed to allow the practice to continue until the FSAR was changed and the appropriate evaluations completed.

Corrective Actions that have been taken and the results achieved:

- A. All material stored in the area cited in the violation was moved into plant buildings by August 4, 1992.
- B. As a result of the inspection, actions were taken to correct other outside radwaste storage areas as follows:
  - 1. A second fenced area adjacent to the Radwaste Building, used to stage sealand cargo boxes which are filled with Dry Active Waste for shipment off-site, had not been evaluated. A 50.59 evaluation was completed September 1, 1992 which found this area acceptable for storage of radwaste.
  - 2. Seventeen 55 gallon drums of dried, very low-activity sewage sludge were located adjacent to the sewage treatment plant awaiting shipment off-site for burial. Despite the fact that the contents of the drums were below 10 CFR 20 requirements for labeling and control of radioactive material, they were moved into the Radwaste Building on September 10, 1992.

radioactive material, they were moved into the Radwaste Building on September 10, 1992.

Corrective Actions that will be taken to avoid further violations:

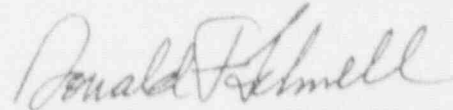
The response to this Notice of Violation will be reviewed with all Radwaste and Health Physics management personnel to ensure they are aware of the need to have a 50.59 evaluation completed before storing radwaste in an outside area. Additionally, procedure HDP-ZZ-02005, Control of Radioactive Material, will be revised to include a precaution that any outside area used to store radwaste will have a 50.59 evaluation performed prior to initial use. These corrective actions will be completed by October 9, 1992.

Date when full compliance will be achieved:

Full compliance was achieved when the radwaste was moved into plant buildings. Other actions listed will be completed by October 9, 1992.

If you have any questions regarding this response, or if additional information is required, please let me know.

Very truly yours,



Donald F. Schnell

DFS/bjp

cc: A. B. Davis - Regional Administrator, USNRC Region III  
R. L. Hague - Chief, Reactor Projects Section 3C, USNRC Region III  
C. D. Pederson - Chief, Reactor Support Programs Branch, USNRC Region III  
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B. L. Bartlett - USNRC Senior Resident Inspector  
Shaw, Pittman, Potts, & Trowbridge

