

December 31, 2020

ULNRC-06625

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555-0001

10 CFR 26

Ladies and Gentlemen:

**DOCKET NUMBER 50-483
CALLAWAY PLANT UNIT 1
UNION ELECTRIC CO.
RENEWED FACILITY OPERATING LICENSE NPF-30
ADDITIONAL REQUEST FOR EXEMPTION FROM SPECIFIC
REQUIREMENTS OF 10 CFR PART 26, "FITNESS FOR DUTY PROGRAMS"**

References:

1. NRC Letter from H. Nieh and J. Lubinski to NEI, dated November 10, 2020, "U.S. Nuclear Regulatory Commission Updated Planned Actions Related to Certain Requirements for Operating and Decommissioning Reactor Licenses During the Coronavirus Disease 2019 Public Health Emergency" (ML20261H515)
2. NRC Letter from C. Erlanger to Ameren Missouri, dated November 17, 2020, "Callaway Plant, Unit No. 1 – Exemption from Select Requirements of 10 CFR Part 26 (EPID L-2020-LLE-0181 [COVID-19])" (ML20317A153)

As a result of continued challenges related to the ongoing public health emergency (PHE) due to the COVID-19 pandemic, Union Electric Company (dba Ameren Missouri) expects that the Callaway plant will be unable to comply with the work-hour controls of Title 10 of the Code of Federal Regulation (10 CFR) Part 26, "Fitness for Duty Programs," Section 26.205(d) for the covered workers collectively described in this letter. Ameren Missouri continues to proactively take steps to complete necessary work, testing, and inspections in a manner that supports both worker and neighboring community safety to limit the spread of COVID-19.

Pursuant to 10 CFR 26.9, this request is being made in support of the continued efforts to maintain the recommendations made by the Centers for Disease Control and Prevention (CDC) related to social distancing, worker screening, and limiting close-proximity work. Specifically, Ameren Missouri requests an extension of its currently approved work hour exemption (Reference 2) for an additional 60 days beyond the currently established expiration date of January 16, 2021. Particularly given the challenges that COVID-19 continues to present in the immediate community surrounding Callaway, leveraging the alternative work-hour controls will assist in facilitating further Callaway worker and community protection.

As the U.S. Departments of Homeland Security and Energy have stated in their guidance, the electric grid and nuclear plant operation make up the nation's critical infrastructure similar to the medical, food, communications, and other critical industries. In regard to the electrical power support provided by the Callaway plant, it is anticipated that Callaway will return to power operation (from its current outage) during the requested, additional 60-day exemption period.

In accordance with Reference 1, and in support of this request, the following information is provided in the table below:

- Positions [as described in 10 CFR 26.4(a)(1)–(a)(5)] for which either current work-hour controls will be maintained or for which alternative controls will be required as a preventive measure.
- The date and time for which alternative controls (if necessary) will be implemented for the listed positions.

	Position	Compliance	Begin Implementation
26.4(a)(5)	Security	Will apply the NRC-approved site-specific alternative work-hour controls (as defined in the referenced NRC letter) when identified to be needed to support shift coverage.	January 16, 2021

The Callaway site-specific COVID-19 PHE fatigue-management controls are consistent with the constraints outlined in the Reference 1 letter, including Enclosure 1, as further described below.

To the extent possible, Ameren Missouri will continue to follow the fatigue-management controls, behavioral observation requirements, and self-declaration allowances in accordance with the current work-hour control program and station procedure APA-ZZ-00911, "Fatigue Management Program." Under the requested exemption, if approved, Ameren Missouri will implement the alternative controls described below, as needed, consistent with Reference 1 for the management of fatigue during the period of the exemption. These controls ensure that covered workers are subjected to the following minimum controls:

- (1) not more than 16 work-hours in any 24-hour period and not more than 86 work-hours in any 7-day period, excluding shift turnover;
- (2) a minimum 10-hour break is provided between successive work periods;

- (3) 12-hour shifts are limited to not more than 14 consecutive days;
- (4) a minimum of 6 days off are provided in any 30-day period; and
- (5) requirements are established for behavioral observation and self-declaration during the period of the exemption.

The requirements of 10 CFR 26.33, "Behavioral observation"; 10 CFR 26.209, "Self-declarations"; and 10 CFR 26.211, "Fatigue assessments," remain in effect during the period of the exemption. These requirements provide reasonable assurance that should personnel become impaired due to fatigue, requirements and processes are in place to identify the impairment through observation by plant staff or through worker self-declaration, and to assess and address instances of impairment through fatigue assessments.

In regard to exemption from the work-hour rule controls of 10 CFR 26.205(d)(1)-(d)(7), Ameren Missouri requests extension beyond the current exemption period, which expires January 16, 2021, such that an additional 60 days beyond that date (i.e., to March 17, 2021) would be allowed. This extension will reasonably not result in cumulative fatigue of covered staff and will not compromise plant safety or security due to impaired worker fitness for duty. This conclusion is justifiable because:

- To date, the approved alternative controls were utilized for only eight security officers by Ameren Missouri during the period commencing November 17, 2020. Otherwise, station management continued to control the work hours of the covered personnel in accordance with 10 CFR 26.205(d)(1)-(d)(7).
- To date, neither waivers nor exceedances of the work-hour controls of 10 CFR 26.205(d)(1)-(d)(7) have occurred during the exemption period commencing November 17, 2020.
- For security personnel, the shifts are 12-hour, rotating shifts (except for the training/relief week, which are 8-hour day shifts). For security supervisors, the hours are 0500 to 1700 and 1700 to 0500. For security officers, the hours are 0542 to 1800 and 1742 to 0600. There are 18 minutes built into each security officer's schedule for shift turnover. The schedule for security personnel is a 5-week schedule which is covered by 5 crews. The pattern of days on and off is as follows:
 - Week 1: Days - Monday, Tuesday, Friday, and Saturday
 - Week 2: Days - Sunday, Wednesday and Thursday
 - Week 3: Days - 8-hour training/relief week Monday through Friday
 - Week 4: Nights - Monday, Tuesday, Friday and Saturday
 - Week 5: Nights - Sunday, Wednesday, and Thursday

The average number of hours worked per week for security is 40 hour average over the 5 week schedule.

- To date, there was one self-declaration by a security person for fatigue, which occurred on December 13, 2020. There were no behavioral observations of fatigue or impaired alertness during the exemption period commencing November 17, 2020.
- As described above, Ameren Missouri will administer the alternative work-hour controls in accordance the station's work-hour control program and station procedure APA-ZZ-00911, "Fatigue Management Program."

Upon NRC approval, Ameren Missouri will implement, when necessary, the alternative controls described in Reference 1 for the management of fatigue during the additional 60-day exemption period requested per this letter. The requested exemption from the 10 CFR 26.205(d)(1) through (d)(7) requirements is intended to prevent and limit the spread of COVID-19 and to mitigate its effect should staffing be significantly impacted. Ameren Missouri intends to use the alternative controls only when necessary to efficiently perform operation, inspection, maintenance and testing activities that cannot be performed in accordance with the requirements of 10 CFR 26.205.

Near the end of the 60-day period for the requested exemption, if the COVID-19 conditions persist at the site, thereby affecting staffing requirements and the efforts to maintain CDC, state, and local recommendations related to social distancing, worker screening, and limiting close-proximity work, as well as continuing to present a COVID-19 challenge to the immediate community of Callaway, another request may be submitted to provide for an additional 60-day exemption period in regard to work-hour controls.

Ameren Missouri respectfully requests NRC approval of the requested exemption by no later than January 16, 2021, in order to continue implementation of the safety benefits of the alternative controls.

This letter does not contain new commitments.

If there are any questions, please contact Tom Elwood at 314-225-1905.

Sincerely,



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