



November 14, 2022

ULNRC-06779

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

Ladies and Gentlemen:

**DOCKET NUMBER 50-483
CALLAWAY PLANT UNIT 1
UNION ELECTRIC CO.
RENEWED FACILITY OPERATING LICENSE NPF-30
CONTESTING OF GREEN NCV 05000483/2022010-03, "FAILURE TO PERFORM
REQUIRED INSERVICE TESTING OF RESIDUAL HEAT REMOVAL HEAT
EXCHANGER PNEUMATICALLY (AIR) OPERATED OUTLET AND BYPASS VALVES"**

References: 1. Callaway Plant – Biennial Problem Identification and Resolution Inspection Report 05000483/2022010 dated October 12, 2022. (ADAMS Accession No. ML22277A822)

By letter dated October 12, 2022 (Reference 1), the U.S. Nuclear Regulatory Commission (NRC) issued Inspection Report 05000483/2022010 providing results of the Biennial Problem Identification and Resolution Inspection conducted at Ameren Missouri's Callaway Energy Center from August 15 through September 1, 2022.

In the referenced inspection report, the NRC issued a Green non-cited violation (NCV) of Title 10 CFR 50.55a(f), "Preservice and inservice testing requirements," paragraph (4), "Inservice testing standards requirements for operating plants," asserting that Callaway had failed to perform required inservice testing in accordance with the ASME OM Code for trains A and B residual heat removal heat exchanger air-operated outlet and bypass valves as a result of incorrectly classifying them as passive valves. The NRC inspection report states that the "most significant contributing cause or primary cause of the performance deficiency associated with this finding related to the licensee's historical understanding of its design and licensing basis." The inspection report also states that "A LOCA or any design basis accident, such as a loss of offsite power, are credible events required to be mitigated in MODE 4 in accordance with the regulatory requirements and the licensee's licensing and design basis."

Ameren Missouri respectfully disagrees with the identified violation and maintains that the ASME OM Code passive classification for the subject valves is consistent with Callaway's design and licensing basis requirements, which fully comply with the regulatory requirements.

The subject valves are maintained in their safety position (i.e., not repositioned) during operational modes that require them to support a plant shutdown to Callaway's licensed safe-shutdown condition. For Callaway, the licensed safe-shutdown condition is Hot Standby (Mode 3). The subject valves are also maintained in their safety position (i.e., not repositioned) during operational modes in which they are required to be capable of mitigating the consequences of Callaway's analyzed design basis accident (DBA) loss-of-coolant accident (LOCA). Callaway's DBA LOCA analysis of record assumes the plant is operating in Mode 1 (full power), as the bounding condition, but no Mode 4 LOCA analysis of record exists.

Ameren Missouri is concerned that the inspection report position constitutes a new interpretation of Callaway's design and licensing basis requirements for LOCA mitigation. This NRC position would require Ameren Missouri to change Callaway's licensing and design bases. Due to the absence of regulatory requirements or NRC approved guidance related to performance of a Mode 4 DBA LOCA analysis, it is unclear what analysis and NRC approval would be needed for Callaway to comply with this position.

In summary, Ameren Missouri respectfully disagrees that a violation of regulatory requirements occurred and maintains that Callaway fully complies with Title 10 CFR 50.55a(f), "Preservice and inservice testing requirements," paragraph (4), "Inservice testing standards requirement for operating plants," for the subject valves. Further, changing the valves' ASME OM Code classification to active is inconsistent with Callaway's historical and current licensing basis. In addition, there are currently no regulatory requirements for licensees to perform a LOCA analysis in Mode 4.

The enclosures to this letter provide Ameren Missouri's detailed response and basis for denying NCV 05000483/2022010-03.

This letter does not contain new commitments.

If there are any questions, please contact Mr. Todd A. Witt at 314-478-5346.

Sincerely,



Barry Cox
Nuclear Site Vice President

Enclosures: 1. Ameren Missouri's Response to NCV 05000483/2022010-03
2. Pressurized Water Reactor Owners Group letter, OG-22-187, "PWR Owners Group Mode 4 LOCA Analysis for Westinghouse NSSS Plants," dated October 27, 2022.

cc: Mr. Scott A. Morris: Regional Administrator – NRC Region IV
Dan Bradley: Senior Resident Inspector
Mr. Mahesh Chawla: Project Manager, Callaway Plant
Mark Lombard: Director, Office of Enforcement
Certrec Corporation (Receives ALL attachments as long as they are non-safeguards and may be publicly disclosed.)
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