



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION II
245 PEACHTREE CENTER AVENUE NE, SUITE 1200
ATLANTA, GEORGIA 30303-1257

September 1, 2011

Mr. Jon A. Franke, Vice President
Crystal River Nuclear Plant (NA1B)
Supervisor, Licensing &
Regulatory Programs
15760 West Power Line Street
Crystal River, Florida 34428-6708

**SUBJECT: MID-CYCLE PERFORMANCE REVIEW AND INSPECTION PLAN – CRYSTAL
RIVER NUCLEAR PLANT UNIT 3 (NRC INSPECTION REPORT
05000302/2011006)**

Dear Mr. Franke:

On August 10, 2011, the NRC staff completed its performance review of the Crystal River Nuclear Plant. The NRC reviewed the most recent quarterly performance indicators (PIs) in addition to inspection results and enforcement actions from July 1, 2010, through June 30, 2011. This letter informs you of the NRC's assessment of your facility during this period and its plans for future inspections at your facility. This performance review and enclosed inspection plan do not include security information. A separate letter will include the NRC's assessment of your performance in the Security Cornerstone and its security-related inspection plan.

The NRC determined that the performance of Crystal River Unit 3 during the most recent quarter was within the Licensee Response Column of the NRC's Reactor Oversight Process (ROP) Action Matrix because all inspection findings had very low (i.e., green) safety significance and all effective PIs indicated performance was within the nominal, expected range (i.e., green). Therefore, the NRC plans to conduct ROP baseline inspections at your facility, in accordance with Manual Chapter 0351, "Implementation of the Reactor Oversight Process at Reactor Facilities in an Extended Shutdown Condition for Reasons Other Than Significant Performance Problems."

Crystal River has been shutdown since October 2009. Since the Unplanned Scrams with Complications (USwC) and Mitigating Systems Performance Index (MSPI) PIs are heavily influenced by the operational status of the reactor, NRC staff has evaluated the validity of these PIs. The NRC also discussed the question of PI validity with the Nuclear Energy Institute (NEI) and other external stakeholders during the July 13, 2011, ROP working group meeting. Since the reactor has not been critical for two years, there have been no opportunities for a scram that would count in the USwC indicator. Similarly, the MSPI values are skewed because of the very low number of critical hours in three years. For these reasons, the staff has determined that these PIs no longer provide valid indications of performance. On August 19, 2011, the NRC updated the NRC's public website to indicate that these PIs are "Not Applicable." You should

continue to submit PI data to the NRC in accordance with NEI 99-02 and superseding resolutions to frequently asked questions

The enclosed inspection plan lists the inspections scheduled through December 31, 2012. Routine inspections performed by resident inspectors are not included in the inspection plan. The inspections listed during the last nine months of the inspection plan are tentative and may be revised at the end-of-cycle performance review. The NRC provides the inspection plan to allow for the resolution of any scheduling conflicts and personnel availability issues. The NRC will contact you as soon as possible to discuss changes to the inspection plan should circumstances warrant any changes.

In the days following the Fukushima Daiichi nuclear accident in Japan, the Commission directed the staff to establish a senior-level agency task force to conduct a methodical and systematic review of the NRC's processes and regulations to determine whether the agency should make additional improvements to its regulatory system. The NRC has since completed Temporary Instruction (TI) 183, "Follow-up to Fukushima Daiichi Nuclear Station Fuel Damage Event," and TI-184, "Availability and Readiness Inspection of Severe Accident Management Guidelines (SAMGs)" at your facility. Results of these inspections can be found here: <http://www.nrc.gov/japan/japan-activities.html>. Additionally, on May 11, 2011, the agency issued NRC Bulletin 2011-01, "Mitigating Strategies," to confirm compliance with Order EA-02-026, subsequently imposed license conditions, and 10 CFR 50.54(hh)(2), and to determine the status of licensee mitigating strategies programs. On July 12, 2011, the NRC's Task Force made its recommendations to the Commission in its report, "Recommendations for Enhancing Reactor Safety in the 21st Century: The Near-Term Task Force Review of Insights from the Fukushima Daiichi Accident." The NRC is currently reviewing the Task Force's recommendations to determine what additional actions may be warranted.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Please contact me at (404) 997-4721 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

/RA/

Daniel W. Rich, Chief
Reactor Projects Branch 3
Division of Reactor Projects

Docket No.: 50-302
License No.: DPR-72

Enclosure: Crystal River Nuclear Plant Inspection/Activity Plan (09/01/11 - 12/31/12)

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X PUBLICLY AVAILABLE

☐ NON-PUBLICLY AVAILABLE

☐ SENSITIVE

X NON-SENSITIVE

ADAMS: X Yes ACCESSION NUMBER PKG.: ML112440335

X SUNSI REVIEW COMPLETE X FORM 665 ATTACHED

OFFICE	RII:DRP	RII:DRP					
SIGNATURE	GJW	DWR1					
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DATE	09/01/2011	09/01/2011					
E-MAIL COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

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Letter to Jon A. Franke from Daniel W. Rich dated September 1, 2011

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