



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

January 25, 2012

Mr. Jon A. Franke
Vice President, Crystal River Nuclear Plant
Crystal River Nuclear Plant (NA2C)
15760 W. Power Line Street
Crystal River, FL 34428-6708

SUBJECT: ERRATA - CRYSTAL RIVER UNIT 3 - FINAL SIGNIFICANCE
DETERMINATION OF A WHITE FINDING, NOTICE OF VIOLATION, AND
ASSESSMENT FOLLOW-UP LETTER (NRC INSPECTION REPORT NO.
05000302/2011504)

Dear Mr. Franke:

On December 20, 2011, the NRC issued the final significance determination for the preliminary White finding discussed in NRC Inspection Report No. 05000302/2011501. In reviewing the final significance determination letter (ML113540744) it was noted that the report number was incorrect. The correct report number is 05000302/2011504. Please replace pages 1 and 3 of the original letter with the pages enclosed.

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

Should you have any questions concerning this letter, please contact Mr. Brian Bonser at (404) 997-4653.

Sincerely,

/RA/

Brian Bonser, Chief
Plant Support Branch 1
Division of Reactor Safety

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

Enclosure:
Notice of Violation

cc w/encl.: (See page 2)

January 25, 2012

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Enclosure:
As stated

cc w/encl.: (See page 2)

Distribution w/encl
See page 3

X PUBLICLY AVAILABLE

☐ NON-PUBLICLY AVAILABLE

☐ SENSITIVE

X NON-SENSITIVE

ADAMS: X Yes ACCESSION NUMBER: **ML12026A827**

X SUNSI REVIEW COMPLETE X FORM 665 ATTACHED

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SIGNATURE	RA	RA	RA				
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DATE	01/25/2012	01/25/2012	01/25/2012				
E-MAIL COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

OFFICIAL RECORD COPY DOCUMENT NAME: G:\DRSI\PSB1\EMERGENCY PREPAREDNESS\CRYSTAL RIVER\ERRATA LTR CR3
FINAL SDP LETTER REV1.DOCX

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Letter to Jon A. Franke from B. Bonser dated January 25, 2012.

SUBJECT: ERRATA - CRYSTAL RIVER UNIT 3 - FINAL SIGNIFICANCE
 DETERMINATION OF A WHITE FINDING, NOTICE OF VIOLATION, AND
 ASSESSMENT FOLLOW-UP LETTER (NRC INSPECTION REPORT NO.
 05000302/2011504)

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

December 20, 2011

EA-11-208

Mr. Jon A. Franke
Vice President, Crystal River Nuclear Plant
Crystal River Nuclear Plant (NA2C)
15760 W. Power Line Street
Crystal River, FL 34428-6708

**SUBJECT: CRYSTAL RIVER UNIT 3 - FINAL SIGNIFICANCE DETERMINATION OF A
WHITE FINDING, NOTICE OF VIOLATION, AND ASSESSMENT FOLLOW-UP
LETTER (NRC INSPECTION REPORT NO. 05000302/2011504)**

Dear Mr. Franke:

This letter provides you the final significance determination of the preliminary White finding discussed in NRC Inspection Report No. 05000302/2011504, dated September 23, 2011. The finding involved a failure to comply with 10 CFR 50.54(q). Specifically on June 27, 2011, you identified that Crystal River Unit 3 emergency plan emergency action level (EAL) 1.4 (General Emergency – Gaseous Effluents) contained instrument classification threshold values that were beyond the specified effluent radiation monitors capability to accurately indicate.

At your request, a Regulatory Conference was held on November 7, 2011, to discuss your views on this issue. During the meeting your staff described your assessment of the significance of the finding, and the corrective actions taken to resolve it, including the root cause evaluation of the finding. Your root cause analysis found that establishment of the inappropriate radiation monitor threshold value was due to insufficient procedural guidance for the EAL change process. Contributing causes were found to be failures to validate assumptions and to conduct adequate reviews. Finally, you presented your assessment of the risk associated with this finding and determined it to be Green based on the availability of other means to evaluate gaseous effluent releases and fission-product barrier EALs to declare a timely and accurate General Emergency. You stated that the Inspection Manual Chapter (IMC) 0609, Appendix B, Emergency Preparedness Significance Determination Process result should be Green since even with the improper radiation monitor threshold value, the risk-significant planning standard function was not degraded.

You presented corrective actions related to the effluent radiation monitor threshold value for declaring a General Emergency and the emergency plan change process. The improper EAL threshold value was corrected promptly and you reviewed emergency plan related instruments and equipment to verify they were capable of performing their intended functions, and implemented changes to the emergency plan change review and implementation processes.

Enclosure

described in detail in the subject inspection report. In accordance with the NRC Enforcement Policy, the Notice is considered an escalated enforcement action because it is associated with a White finding.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC's review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

For administrative purposes, this letter is issued as NRC Inspection Report No. 05000302/2011504. Accordingly, AV 05000302/2011501-01 is updated consistent with the regulatory positions described in this letter. Therefore, AV 05000302/2011501-01, Failure to Maintain a Standard Emergency Action Level Scheme, is updated as VIO 05000302/2011501-01 with a safety significance of White, and a human performance cross-cutting element of Decision-making (H.1(a)) for ensuring that risk-significant decisions are made using a systematic process and obtaining interdisciplinary input and reviews. The NRC determined the performance at Crystal River Nuclear Plant Unit 3 to be in the Regulatory Response Column of the Reactor Oversight Process Action Matrix beginning the third quarter of 2011. Therefore, the NRC plans to conduct a supplemental inspection in accordance with Inspection Procedure 95001, "Supplemental Inspection for One or Two White Inputs in a Strategic Performance Area," to provide assurance that the root causes and contributing causes of risk-significant performance issues are understood, that the extent of cause is identified and that your corrective action for risk-significant performance issues are sufficient to address the root and contributing causes and prevent recurrence. The NRC requests that your staff provide notification of your readiness for the NRC to conduct a supplemental inspection to review the actions taken to address the White inspection finding.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, please provide a bracketed copy of your response that identifies the information that should be protected, and a redacted copy of your response that deletes such information. If you request withholding of such information, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). The NRC also includes significant enforcement actions on its Web site at <http://www.nrc.gov/reading-rm/doccollections/enforcement/actions>.

Enclosure