

June 16, 2016

MEMORANDUM TO: Biweekly Notice Coordinator

FROM: John B. Hickman, Project Manager **/RA/**
Reactor Decommissioning Branch
Division of Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

SUBJECT: REQUEST FOR PUBLICATION IN BIWEEKLY *FEDERAL REGISTER* NOTICE - NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING (TECHNICAL ACCOUNTING CONTROL NUMBER: L53129)

Duke Energy Florida, Inc., et al., Docket No. 50-302, Crystal River Unit 3 Nuclear Generating Plant (CR-3), Citrus County, Florida

Date of amendment request: May 25, 2016. A publicly available version is in the Agencywide Document Access Management System under Accession No. ML16146A639.

Description of amendment request: The amendment would replace the Crystal River Unit 3 Nuclear Plant (CR-3) Permanently Defueled Emergency Plan and its associated Emergency Action Level Bases Manual with the Independent Spent Fuel Storage Installation (ISFSI)-Only Emergency Plan (IOEP) and its associated Emergency Action Level (EAL) Bases Manual. This IOEP will be used at CR-3 after all spent fuel has been transferred to the CR-3 ISFSI.

Basis for proposed no significant hazards consideration determination: As required by Title 10 of the *Code of Federal Regulations* (10 CFR) 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

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1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed amendment would modify the CR-3 facility operating license by revising the emergency plan and revising the EAL scheme. CR-3 has permanently ceased operation and is permanently defueled. The proposed amendment is conditioned on all spent nuclear fuel being removed from wet storage in the spent fuel pools and placed in dry storage within the ISFSI. Occurrence of postulated accidents associated with spent fuel stored in a spent fuel pool is no longer credible in a spent fuel pool devoid of such fuel. The proposed amendment has no effect on plant systems, structures, or components (SSC) and no effect on the capability of any plant SSC to perform its design function. The proposed amendment would not increase the likelihood of the malfunction of any plant SSC. The proposed amendment would have no effect on any of the previously evaluated accidents in the CR-3 Final Safety Analysis Report.

Since CR-3 has permanently ceased operation, the generation of fission products has ceased and the remaining source term continues to decay. This continues to significantly reduce the consequences of previously evaluated postulated accidents. Therefore, the proposed amendment does not involve a significant increase in the consequences of a previously evaluated accident.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed amendment constitutes a revision of the emergency planning function commensurate with the ongoing and anticipated reduction in radiological source term at CR-3.

The proposed amendment does not involve a physical alteration of the plant. No new or different types of equipment will be installed and there are no physical modifications to existing equipment as a result of the proposed amendment. Similarly, the proposed amendment would not physically change any SSC involved in the mitigation of any postulated accidents. Thus, no new initiators or precursors of a new or different kind of accident are created. Furthermore, the proposed amendment does not create the possibility of a new failure mode associated with any equipment or personnel failures. The credible events for the ISFSI remain unchanged.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Because the 10 CFR Part 50 license for CR-3 no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel, as specified in 10 CFR 50.82(a)(2), the occurrence of postulated accidents

associated with reactor operation is no longer credible. With all spent nuclear fuel transferred out of wet storage from the spent fuel pools and placed in dry storage within the ISFSI, a fuel handling accident is no longer credible. There are no longer credible events that would result in radiological releases beyond the site boundary exceeding the EPA Protective Action Guide exposure levels, as detailed in the EPA's "Protective Action Guide and Planning Guidance for Radiological Incidents," Draft for Interim Use and Public Comment dated March 2013 (PAG Manual).

The proposed amendment does not involve a change in the plant's design, configuration, or operation. The proposed amendment does not affect either the way in which the plant structures, systems, and components perform their safety function or their design margins. Because there is no change to the physical design of the plant, there is no change to these margins.

Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

The U.S Nuclear Regulatory Commission (NRC) staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

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