



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 12, 2016

Mr. Terry D. Hobbs
General Manager, Decommissioning
Crystal River Nuclear Plant (NA2C)
15760 W. Power Line Street
Crystal River, FL 34428-6708

SUBJECT: CRYSTAL RIVER UNIT 3 NUCLEAR GENERATING PLANT - AMENDMENT
FOR CHANGE OF NAME FROM DUKE ENERGY FLORIDA, INC., TO DUKE
ENERGY FLORIDA, LLC (TAC NOS. L53066)

Dear Mr. Hobbs:

By application dated September 22, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15265A590), Duke Energy Florida, Inc. (DEF), supplemented an application dated July 28, 2015 (ADAMS Accession No. ML15216A123), requesting U.S. Nuclear Regulatory Commission (NRC) consent to the direct transfer of ownership interest to DEF of 1.6994% combined ownership share in Crystal River Unit 3 (CR-3), held by Seminole Electric Cooperative, Inc. (Seminole Electric Cooperative). Included with that supplement was a request for NRC approval of a name change from Duke Energy Florida, Inc. to Duke Energy Florida, LLC. The Order approving the license transfer was issued on August 10, 2016.

The NRC staff has completed its review of the proposed name change from Duke Energy Florida, Inc. to Duke Energy Florida, LLC. The amendment approving the proposed name change is provided in Enclosure 1. Enclosure 2 contains the NRC staff's associated safety evaluation.

A notice of issuance of amendment has been forwarded to the Office of *Federal Register* for publication.

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

T. Hobbs

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If you have any questions, please contact me at 301-415-3017 or via e-mail at John.Hickman@nrc.gov.

Sincerely,



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

Docket No. 50-302

Enclosures:

1. Amendment to
License No. DPR-72
2. Safety Evaluation

cc: Service List

DUKE ENERGY FLORIDA, INC.
SEMINOLE ELECTRIC COOPERATIVE, INC.
DOCKET NO. 50-302
CRYSTAL RIVER UNIT 3 NUCLEAR GENERATING PLANT
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 250
License No. DPR-72

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Crystal River Unit 3 Nuclear Generating Plant (the facility) Facility Operating License No. DPR-72 filed by Duke Energy Florida, Inc., et al. (the licensees), dated September 22, 2015, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is hereby amended as indicated in the attachment to this license amendment.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read "J. R. Tappert", is written over the printed name.

John R. Tappert, Director
Division of Decommissioning, Uranium Recovery,
and Waste Programs,
Office of Nuclear Material Safety
and Safeguards.

Attachment:
Changes to the Operating License

Date of Issuance: October 12, 2016

ENCLOSURE 2

SAFETY EVALUATION

DUKE ENERGY FLORIDA, INC.

CRYSTAL RIVER UNIT 3 NUCLEAR GENERATING PLANT

DOCKET NO. 50-302

SAFETY EVALUATION BY
THE OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS
RELATED TO THE NAME CHANGE FROM DUKE ENERGY FLORIDA, INC.
TO DUKE ENERGY FLORIDA, LLC
DOCKET NO. 50-302
FACILITY OPERATING LICENSE NO. DPR-72

1.0 INTRODUCTION

By application dated September 22, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15265A590), Duke Energy Florida, Inc. (DEF), supplemented an application dated July 28, 2015 (ADAMS Accession No. ML15216A123), requesting U.S. Nuclear Regulatory Commission (NRC) consent to the direct transfer of ownership interest to DEF of 1.6994% combined ownership share in Crystal River Unit 3 (CR-3), held by Seminole Electric Cooperative, Inc. (Seminole Electric Cooperative). Included with that supplement was a request for NRC approval of a name change from Duke Energy Florida, Inc. to Duke Energy Florida, LLC. The Order approving the license transfer was issued on August 10, 2016. This safety evaluation addresses the licensee's request for the administrative name change of Duke Energy Florida, Inc. to Duke Energy Florida, LLC.

2.0 BACKGROUND

CR-3 has been shutdown since September 26, 2009, and the final removal of fuel from its reactor vessel was completed on May 28, 2011. On February 5, 2013, DEF announced that CR-3 would be retired, and notified the NRC on February 20, 2013, of the permanent cessation of power operations and that CR-3 had removed all fuel from the reactor. Pursuant to 10 CFR 50.82(a)(2), the 10 CFR Part 50 license for CR-3 no longer authorizes operation of the reactor or emplacement or retention of fuel in the reactor vessel. CR-3 is authorized to possess and store irradiated nuclear fuel.

3.0 TECHNICAL EVALUATION

The applicants have requested approval of a proposed amendment to the operating license for CR-3 to implement the administrative name change of the licensee from Duke Energy Florida, Inc. to Duke Energy Florida, LLC. No physical or operating changes to the facility are requested. On August 1, 2015, Duke Energy Florida, Inc. converted its form of business organization from a Florida corporation to a Florida limited liability company. Upon the conversion, Duke Energy Florida, Inc. changed its name to Duke Energy Florida, LLC. In connection with the conversion, the former Articles of Incorporation and By-Laws were

terminated and Duke Energy Florida, LLC adopted Articles of Conversion, Articles of Organization, a Plan of Conversion, and a Limited Liability Company Operating Agreement. DEF requested NRC approval of proposed changes to the CR3 facility operating license revising the corporate name of the licensee from Duke Energy Florida, Inc. to Duke Energy Florida, LLC. Duke Energy Florida, LLC will continue to be an electric utility as defined by NRC regulations, and regulated by the Federal Energy Regulatory Commission and the Florida Public Service Commission. Duke Energy Florida, LLC will remain subject to cost-of-service ratemaking. Duke Energy Florida, LLC will also continue to be responsible for the safe decommissioning of the nuclear unit. No physical changes to the unit will be made as a result of the licensee name conversion. Nor will any changes to unit management or operating procedures be made as a result of the licensee name conversion. The liability insurance coverage policies and certificates currently maintained for the CR-3 facility by Duke Energy Florida, Inc. remain in effect under the new name of Duke Energy Florida, LLC. This proposed change does not alter the licensee's authorizations or responsibilities under license. The name change involves no change to either the management organization or technical personnel currently responsible for the maintenance and decommissioning of CR-3. The name change will have no impact on the ability of DEF personnel to continue to safely maintain and decommission CR-3. The license also proposed some administrative and formatting changes to the Technical Specifications. The amendment involves no safety questions and is administrative in nature. Accordingly, the proposed amendment is acceptable.

4.0 ENVIRONMENTAL CONSIDERATION

The amendments includes changes to the licensee's name and editorial, corrective and other minor revisions to the license. NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration (81 FR 54614; August 16, 2016), and there has been no public comment on such finding. Accordingly, the amendment meets the eligibility criteria for categorical exclusions set forth in 10 CFR 51.22(c)(10)(iii) or 10 CFR 51.22(c)(10)(v). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of this amendment.

5.0 STATE CONSULTATION

On June 7, 2016, the State of Florida was notified of the proposed name change from Duke Energy Florida, Inc. to Duke Energy Florida, LLC. The State had no comments.

Regarding the amendment, the State of Florida does not desire notification of issuance of license amendments, based upon a letter dated May 2, 2003, from Michael N. Stephens of the Florida Department of Health, Bureau of Radiation Control, to Ms. Brenda L. Mozafari, Senior Project Manager, U.S. Nuclear Regulatory Commission. In an email dated July 25, 2012 (ADAMS Accession No. ML12208A014), from Cynthia Becker, Florida State Bureau of Radiation Control, to Farideh Saba, Senior Project Manager, U.S. Nuclear Regulatory Commission, the State of Florida confirmed that the May 2003 letter continues to reflect the State's position on notification of issuance of license amendments.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: J. Hickman

Date: October 12, 2016

ATTACHMENT TO LICENSE AMENDMENT NO. 250

FACILITY OPERATING LICENSE NO. DPR-72

DOCKET NO. 50-302

Replace the pages of Facility Operating License DPR-72 with the attached pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

<u>Remove</u>	<u>Insert</u>
1	1
2	2
3	3
4	4
4a	
5	5
5a	
5b	
5c	
5d	
6	
7	
8	



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

DUKE ENERGY FLORIDA, LLC

SEMINOLE ELECTRIC COOPERATIVE, INC.

DOCKET NO. 50-302

CRYSTAL RIVER UNIT 3 NUCLEAR GENERATING PLANT

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 250
License No. DPR-72

1. The Nuclear Regulatory Commission (the Commission) having found that:
 - A. The application filed by Florida Power Corporation*** and Seminole Electric Cooperative, Inc. (the licensees), as supplemented by letter dated December 9, 1976, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter 1;
 - B. Construction of the Crystal River Unit 3 Nuclear Generating Plant (facility) has been substantially completed in conformity with Provisional Construction Permit No. CPPR-51 and the application, as amended, the provisions of the Act and the rules and regulations of the Commission;
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
 - D. There is reasonable assurance: (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
 - E. The licensees are financially qualified and Duke Energy Florida, LLC is technically qualified to engage in the activities authorized by this operating license in accordance with the rules and regulations of the Commission;
 - F. The licensees have satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;

***On April 29, 2013, the name "Florida Power Corporation" was changed to "Duke Energy Florida, Inc." On August 1, 2015, Duke Energy Florida, Inc. converted to a limited liability company and the name was changed to "Duke Energy Florida, LLC."

- G. The issuance of this operating license will not be inimical to the common defense and security or to the health and safety of the public;
 - H. After weighing the environmental, economic, technical, and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of Facility Operating License No. DPR-72 subject to the conditions for protection of the environment set forth herein is in accordance with 10 CFR Part 51, (formerly Appendix D to 10 CFR Part 50), of the Commission's regulations and all applicable requirements have been satisfied;
 - I. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Part 30, 40 and 70, including 10 CFR Sections 30.33, 40.32, 70.23 and 70.31.
2. Facility Operating License No. DPR-72, issued to the licensees, is hereby amended in its entirety to read as follows:
- A. This amended license applies to the Crystal River Unit 3 Nuclear Generating Plant, a pressurized water nuclear reactor and associated equipment (the facility), owned by the licensees and operated by Duke Energy Florida, LLC. The facility is located on the Gulf of Mexico, about seven and one-half miles northwest of the town of Crystal River, Citrus County, Florida, and is described in the "Final Safety Analysis Report" as supplemented and amended and the Environmental Report as supplemented and amended.
 - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:
 - (1) Duke Energy Florida, LLC, pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess and use the facility;
 - (2) The licensees to possess the facility at the designated location in Citrus County, Florida, in accordance with the procedures and limitations set forth in this license;
 - (3) Duke Energy Florida, LLC, pursuant to the Act and 10 CFR Part 70, to possess at any time special nuclear material configured as reactor fuel, in accordance with the limitations for storage as described in the Final Safety Analysis Report, as supplemented and amended;
 - (4) Duke Energy Florida, LLC, pursuant to the Act and 10 CFR Parts 30, 40 and 70 to possess at any time any byproduct, source and special nuclear material as sealed neutron sources used previously for reactor startup, as fission detectors, and sealed sources for reactor instrumentation and to possess and use at any time any byproduct, source, and special nuclear material as sealed sources for radiation monitoring equipment calibration in amounts as required;

- (5) Duke Energy Florida, LLC, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components;
- (6) Duke Energy Florida, LLC, pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility;
- (7) Duke Energy Florida, LLC, pursuant to the Act and 10 CFR Parts 30 and 70, to receive and possess, but not separate, that byproduct and special nuclear materials associated with four (4) fuel assemblies (B&W Identification Numbers 1A-01, 04, 05 and 36 which were previously irradiated in the Oconee Nuclear Station, Unit No. 1) acquired by Florida Power Corporation*** from Duke Power Company for use as reactor fuel in the facility.

Added per
Amdt. 15,
7-24-78

C. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Section 50.54 and 50.59 of Part 50, Section 70.32 of Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

- (1) Deleted per Amendment No. 247
- (2) Technical Specifications

The Technical Specifications contained in Appendix A are hereby replaced with the Permanently Defueled Technical Specifications (PDTS). Duke Energy Florida, LLC shall maintain the facility in accordance with the Permanently Defueled Technical Specifications, as revised through Amendment No. 249.
- (3) Deleted per Amendment No. 247
- (4) Deleted per Amendment No. 20 dated 7-3-79
- (5) Deleted per Amendment No. 247
- (6) Deleted per Amendment No. 21, 7-3-79
- (7) Deleted per Amendment No. 247
- (8) Deleted per Amendment No. 247
- (9) Deleted per Amendment No. 247
- (10) Deleted per Amendment No. 247

***On April 29, 2013, the name "Florida Power Corporation" was changed to "Duke Energy Florida, Inc." On August 1, 2015, Duke Energy Florida, Inc. converted to a limited liability company and the name was changed to "Duke Energy Florida, LLC."

- (11) Deleted per Amendment No. 247
- (12) Deleted per Amendment No. 237
- (13) Deleted per Amendment No. 229
- (14) Mitigation Strategy License Condition

The licensee shall develop and maintain strategies for addressing large fires and explosions that include the following key areas:

- (1.) Fire fighting responses strategy with the following elements:
 - a. Pre-defined coordinated fire response strategy and guidance
 - b. Assessment of mutual aid fire fighting assets
 - c. Designated staging areas for equipment and materials
 - d. Command and control
 - e. Training of response personnel
- (2.) Operations to mitigate fuel damage considering the following:
 - a. Protection and use of personnel assets
 - b. Communications
 - c. Minimizing fire spread
 - d. Procedures for implementing integrated fire response strategy
 - e. Identification of readily-available pre-staged equipment
 - f. Training on integrated fire response strategy
 - g. Spent fuel pool mitigation measures
- (3.) Actions to minimize release to include consideration of:
 - a. Water spray scrubbing
 - b. Dose to onsite responders

- (15) Deleted per Amendment No. 247

D. Physical and Cyber Security

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Physical Security Plan, Revision 5," and "Safeguards Contingency Plan, Revision 4," submitted by letter dated May 16, 2006, and "Guard Training and Qualification Plan, Revision 0," submitted by letter dated September 30, 2004, as supplemented by letters dated October 20, 2004, and September 29, 2005.

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved cyber security plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The licensee's CSP was approved by License Amendment No. 238, as supplemented by changes approved by License Amendment Nos. 242 and 245.

- E. Deleted per Amendment No. 247
- F. In accordance with the requirement imposed by the October 8, 1976, order of the United States Court Appeals for the District of Columbia Circuit in Natural Resources Defense Council v. Nuclear Regulatory Commission, No. 74-1385 and 74-1586, that the Nuclear Regulatory Commission "shall make any licenses granted between July 21, 1976 and such time when the mandate is issued subject to the outcome of the proceedings herein," the license issued herein shall be subject to the outcome of such proceedings.
- G. This amended license is effective as of the date of issuance. Facility Operating License No. DPR-72, as amended, shall expire at midnight, December 3, 2016.

Amdt. #97
March 31, 1987

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed by

Roger S. Boyd, Director
Division of Project Management
Office of Nuclear Reactor Regulation

Attachments:

Appendices A & B - Technical Specifications

Date of Issuance: Jan 28 1977