

Florida
Power
CORPORATION

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April 10, 1981
FILE: 3-0-3-e
#3-041-15

Mr. William O. Miller, Chief
License Fee Management Branch
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

References: Your letter to Dr. P. Y. Paynard dated January 30, 1981
Your letter to Mr. W. P. Stewart dated February 12, 1981
Your letter to Dr. P. Y. Baynard dated March 24, 1981

Subject: Crystal River Unit 3
Docket No. 50-302
Facility Operating License No. DPR-72
Technical Specification License Fees

Dear Mr. Miller:

Your letters, referenced above, requested additional license fees of Florida Power Corporation. The January 30 and March 24, 1981 letters addressed Technical Specification Change Request No. 67 and NRC approval of the use of BUNA-N seal material in hydraulic snubbers at Crystal River Unit 3. The February 12, 1981 letter addressed Technical Specification Change Requests 62 and 64.

Florida Power proposes the following resolution of these matters:

- 1) BUNA-N approval. While we concur that "...review and approvals..." are subject to fees, we would have expected this to have been waived by the staff on a discretionary basis. Since Revision II to Standard Technical Specifications (NUREG-0103) had already deleted this requirement and since the request was necessitated by an unduly restrictive license requirement, we would strongly urge waiver. However, we will acquiesce to your stated position and forward the \$4000 Class III fee.
- 2) Technical Specification Change Request 67. We concur with your position and will forward the additional \$2800 to arrive at the Class III amount.
- 3) Technical Specification Change Request 62. We concur with your position and will reduce our remittance by \$1200 accordingly.

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- 4) Technical Specification Change Request 64. We strongly disagree with the staff position. Change Request 64 clearly resulted from a Commission order (Confirmatory Order on Short Term Lessons Learned) and is therefore exempt from fees. Furthermore, if any fee is applicable it should not be Class IV but rather Class II. Enclosure 2 to your July 12, 1979 letter clarifying fee requirements states in part:


"Examples of such (Class II) changes are:... (3) incorporation into the technical specification of any information that was reviewed and/or approved as part of a prior action;..."

Florida Power respectfully submits that "Lessons Learned" was a prior action already addressed in a specific SER, in numerous specific and general inspections and resulting reports, in IE Bulletins (79-05, et al), in NUREG-0578 (and its clarifications), in NUREG-0660, and in NUREG-0737.

Florida Power Corporation is remitting herewith \$5600 in accordance with the above. If further discussion is warranted, please contact this office. Additionally, please refer all future correspondence regarding this docket to Mr. John A. Hancock, Assistant Vice President Nuclear Operations.

Very truly yours,

FLORIDA POWER CORPORATION


Patsy Y. Baynard
Manager
Nuclear Support Services

Attachment

KW/jl
KWF(txa)

JUN 10 1981