

Mr. Percy M. Beard, Jr.
Senior Vice President, Nuclear Operations
Florida Power Corporation
ATTN: Manager, Nuclear Licensing (SA2A)
Crystal River Energy Complex
15760 W Power Line Street
Crystal River, Florida 34428-6708

January 16, 1997

SUBJECT: CRYSTAL RIVER NUCLEAR GENERATING PLANT UNIT 3 - EXEMPTION FOR
CRITICALITY ACCIDENT REQUIREMENTS - 10 CFR 70.24 (TAC NO. M95439)

Dear Mr. Beard:

By letter dated May 3, 1996, you requested clarifications relating to the criticality accident requirements specified in Title 10 of the Code of Federal Regulations Part 70, Section 24 (10 CFR 70.24). You indicated that the NRC previously granted an exemption (June 20, 1973) from 10 CFR 70.24 for special nuclear material (SNM) covered under Material License No. SNM-1275. SNM-1275 expired on December 31, 1974. Crystal River 3 (CR3) was issued an operating license on January 28, 1977 under the provisions 10 CFR 50.56 and 50.57. The exemption from 10 CFR 70.24 relating to the criticality accident requirements was not carried over to 10 CFR Part 50 license.

CR3 operating license Section 2. B(3) authorizes receipt, processing and use of SNM in accordance with Part 70. In view of this provision, you believe that the previously-issued exemption from 10 CFR 70.24 should not be considered to have expired and no further exemption is necessary. You requested our interpretation in this matter.

We have reviewed your request and determined that the previously-issued exemption from 10 CFR 70.24 has expired. Therefore it is necessary that you provide for criticality accident monitoring in accordance with 10 CFR 70.24 requirements. Alternatively, you may seek relief by submitting an exemption request as allowed by 10 CFR 70.24(d).

If you have any questions regarding this matter, please write or call me at (301)-415-1471.

Sincerely,

L. Ragnavan, Project Manager
Project Directorate II-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-302

cc w/enclosures: See next page

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Mr. Percy M. Beard, Jr.
Florida Power Corporation

CRYSTAL RIVER UNIT NO. 3
GENERATING PLANT

cc:

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