



Crystal River Unit 3
Docket No. 50-302
Operating License No. DPR-72

Ref: 10 CFR 50.72

May 3, 2001
3F0501-08

Document Control Desk
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Clarification of Crystal River Unit 3 (CR-3) Reporting Requirements under 10 CFR 50.72 for Live Sea Turtle Rescues

Dear Sir:

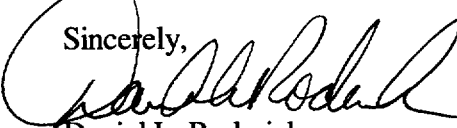
The purpose of this letter is to document and confirm discussions between the CR-3 Licensing and Regulatory Programs Supervisor and the NRC Project Manager for CR-3 regarding the reporting of live sea turtle rescues. The Crystal River Energy Complex (CREC) Biological Opinion and Incidental Take Statement requires Florida Power Corporation (FPC) to notify the National Marine Fisheries Service (NMFS) when 40 live sea turtles have been rescued from the CREC intake canal. In addition, notification is also required for each subsequent live rescue. For each notification made to the NMFS in accordance with the requirements of the Biological Opinion, CR-3 has also made a report to the NRC in accordance with 10 CFR 50.72 (b)(2) (xi).

Since the threshold of 40 live rescues has been exceeded, FPC, through the NRC, has initiated reconsultation with the NMFS regarding the limits in the CREC Incidental Take Statement. This process is anticipated to take several months to complete. Based on discussions between the CR-3 Licensing and Regulatory Programs Supervisor and the NRC Project Manager for CR-3, it has been agreed that additional live sea turtle rescues during the reconsultation period are events of little environmental significance. Therefore, based on the guidance provided in NUREG-1022, Revision 2, "Event Reporting Guidelines, 10 CFR 50.72 And 50.73," it has been determined that NRC notification of additional live rescues via the Emergency Notification System is not required. However, FPC will notify the NRC Project Manager for CR-3 of each additional live rescue during the reconsultation period until a new Incidental Take Statement is issued for the CREC.

This letter establishes no new regulatory commitments.

If you have any questions regarding this submittal, please contact Mr. Sid Powell, Supervisor, Licensing and Regulatory Programs at (352) 563-4883.

Sincerely,


Daniel L. Roderick
Plant General Manager

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xc: Regional Administrator, Region II
Senior Resident Inspector
NRR Project Manager

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