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

April 13, 2009

Mr. Dale E. Young, Vice President
Crystal River Nuclear Plant (NA1B)
ATTN: Supervisor, Licensing & Regulatory Programs
15760 W. Power Line Street
Crystal River, Florida 34428-6708

SUBJECT: CRYSTAL RIVER UNIT 3 - ISSUANCE OF AMENDMENT REGARDING PROPOSED CHANGES TO TECHNICAL SPECIFICATION SECTION 5.6.2.9, "INSERVICE TESTING PROGRAM" (TAC NO. ME0259)

Dear Mr. Young:

The Nuclear Regulatory Commission (the Commission) has issued the enclosed Amendment No. 232 to Facility Operating License No. DPR-72 for Crystal River, Unit 3 (CR-3) in response to your letter dated December 17, 2008, as supplemented by letter dated January 29, 2009. The amendment updates the CR-3 Technical Specifications (TSs) and inservice testing (IST) program to the applicable edition and addenda of American Society of Mechanical Engineers Code for Operation and Maintenance of Nuclear Power Plants. The amendment also extends the applicability of TS Surveillance Requirement 3.0.2 provisions to all normal and accelerated frequencies specified as 2 years or less in the IST program.

A copy of the safety evaluation is enclosed. The notice of issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

Farideh E. Saba

Farideh E. Saba, Senior Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-302

Enclosures:
1. Amendment No. 232 to Facility Operating License DPR-72
2. Safety Evaluation

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
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FLORIDA POWER CORPORATION

CITY OF ALACHUA

CITY OF BUSHNELL

CITY OF GAINESVILLE

CITY OF KISSIMMEE

CITY OF LEESBURG

CITY OF NEW SMYRNA BEACH AND UTILITIES COMMISSION,

CITY OF NEW SMYRNA BEACH

CITY OF OCALA

ORLANDO UTILITIES COMMISSION AND CITY OF ORLANDO

SEMINOLE ELECTRIC COOPERATIVE, INC.

DOCKET NO. 50-302

CRYSTAL RIVER UNIT 3 NUCLEAR GENERATING PLANT

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 232
License No. DPR-72

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment by Florida Power Corporation, et al. (the licensees), dated December 17, 2008, as supplemented by letter dated January 29, 2009, 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 amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-72 is hereby amended to read as follows:

   Technical Specifications

   The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 232 , are hereby incorporated in the license. Florida Power Corporation shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Thomas H. Boyce, Chief
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Operating License
and Technical Specifications

Date of Issuance: April 13, 2009

ATTACHMENT TO LICENSE AMENDMENT NO. 232

FACILITY OPERATING LICENSE NO. DPR-72

DOCKET NO. 50-302

Replace the following page of Facility Operating License DPR-72 with the attached revised page. The revised page is identified by amendment number and contains a vertical line indicating the area of change.

Remove	Insert
4	4

Replace the following page of the Appendix "A" Technical Specifications with the attached revised page. The revised page is identified by amendment number and contain vertical lines indicating the areas of change.

Remove	Insert
5.0-12	5.0-12

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:

2.C.(1) Maximum Power Level

Florida Power Corporation is authorized to operate the facility at a steady state reactor core power level not in excess of 2609 Megawatts (100 percent of rated core power level).

2.C.(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. , are hereby incorporated in the license. Florida Power Corporation shall operate the facility in accordance with the Technical Specifications.

The Surveillance Requirements contained in the Appendix A Technical Specifications and listed below are not required to be performed immediately upon implementation of Amendment 149. The Surveillance Requirements shall be successfully demonstrated prior to the time and condition specified below for each.

a) SR 3.3.8.2.b shall be successfully demonstrated prior to entering MODE 4 on the first plant start-up following Refuel Outage 9.

b) SR 3.3.11.2, Function 2, shall be successfully demonstrated no later than 31 days following the implementation date of the ITS.

c) SR 3.3.17.1, Functions 1, 2, 6, 10, 14, & 17 shall be successfully demonstrated no later than 31 days following the implementation date of the ITS.

d) SR 3.3.17.2, Function 10 shall be successfully demonstrated prior to entering MODE 3 on the first plant start-up following Refuel Outage 9.

e) SR 3.6.1.2 shall be successfully demonstrated prior to entering MODE 2 on the first plant start-up following Refuel Outage 9.

f) SR 3.7.12.2 shall be successfully demonstrated prior to entering MODE 2 on the first plant start-up following Refuel Outage 9.

g) SR 3.8.1.10 shall be successfully demonstrated prior to entering MODE 2 on the first plant start-up following Refuel Outage 9.

h) SR 3.8.3.3 shall be successfully demonstrated prior to entering MODE 4 on the first plant start-up following Refuel Outage 9.

5.6 Procedures, Programs and Manuals (continued)

5.6.2.9 Inservice Testing Program

This program provides controls for inservice testing of ASME Code Class 1, 2, and 3 components, including applicable supports. The program shall include the following:

a. Provisions that inservice testing of ASME Code Class 1, 2, and 3 pumps, valves, and snubbers shall be performed in accordance with the ASME Code for Operation and Maintenance of Nuclear Power Plants (ASME OM Code) and applicable Addenda as required by 10 CFR 50.55a;

b. Testing frequencies specified in the ASME OM Code and applicable Addenda;

c. The provisions of SR 3.0.2 are applicable to the above required Frequencies and to other normal and accelerated Frequencies specified as two years or less in the Inservice Testing Program for performing inservice testing activities;

d. The provisions of SR 3.0.3 are applicable to inservice testing activities; and

e. Nothing in the ASME OM Code shall be construed to supersede the requirements of any TS.

(continued)

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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 232 TO FACILITY OPERATING LICENSE NO. DPR-72

FLORIDA POWER CORPORATION, ET AL.

CRYSTAL RIVER UNIT 3 NUCLEAR GENERATING PLANT

DOCKET NO. 50-302

1.0 INTRODUCTION

By letter dated December 17, 2008, as supplemented by letter dated January 29, 2009, the Florida Power Corporation (the licensee) requested changes to the Technical Specifications (TSs) for Crystal River Unit 3 (CR-3). The proposed changes would update the CR-3 TSs and inservice testing (IST) program to the applicable edition and addenda of American Society of Mechanical Engineers (ASME) Code for Operation and Maintenance of Nuclear Power Plants (OM Code). The licensee also requested additional changes to extend the applicability of Surveillance Requirement (SR) 3.0.2 provisions to all normal and accelerated frequencies specified as 2 years or less in the IST program.

By letter dated July 28, 2008, the licensee notified the Nuclear Regulatory Commission (NRC or the Commission) that it will extend the CR-3 third 10-year IST interval, due to expire in August 13, 2008, to May 10, 2009. Therefore, implementation of fourth 10-year IST program at CR-3 would begin on May 11, 2009.

The supplement dated January 29, 2009, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's proposed no significant hazards consideration determination was published in the *Federal Register* on January 27, 2009 (74 FR 4773).

2.0 REGULATORY EVALUATION

Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a(f)(5)(ii), requires that, if a revised IST program for a facility conflicts with the TS for that facility, the licensee shall apply to the Commission for amendment of the TS to conform the TS to the revised program. The licensee shall submit this application, as specified in 10 CFR 50.4, at least 6 months before the start of the period during which the provisions become applicable, as determined by 10 CFR 50.55a(f)(4).

In 1990, the ASME published the initial edition of the ASME OM Code, which provides rules for IST of pumps and valves. The OM Code was developed and is maintained by the ASME Committee on Operation and Maintenance of Nuclear Power Plants. The ASME OM Code was developed in response to the ASME Board on Nuclear Codes and Standards directive that transferred responsibility for development and maintenance of rules for the IST of pumps and

valves from the ASME, Section XI, Subcommittee on Nuclear Inservice Inspection to the ASME OM Committee. The ASME intended to replace the ASME Section XI rules for IST of pumps and valves by the ASME OM Code. Therefore, the Section XI rules for IST of pumps and valves that had been incorporated by reference into NRC regulations have been deleted from Section XI.

The CR-3 fourth 10-year interval IST program was updated to comply with the 2001 Edition through the 2003 Addenda of the OM Code as required by 10 CFR 50.55a(f)(4)(ii). As a consequence, the TS reference to Section XI of the ASME Code for IST requirements results in a reference to a deleted portion of the ASME Code, and a revision to the TS is needed. The licensee's TS amendment dated December 17, 2008, was submitted, in part, to revise the TS to reference the current OM Code requirements.

In December 2005, NUREG-1430, Revision 3.1, "Standard Technical Specifications – Babcock and Wilcox Plants," incorporated Technical Specification Task Force (TSTF) Traveler 479, Revision 0 (TSTF-479), "Changes to Reflect Revision of 10 CFR 50.55a." TSTF-479 addressed changes to Standard Technical Specification Section 5.5.8, "IST Program," to reflect the revisions of 10 CFR 50.55a referencing ASME OM Code and the application of SR 3.0.2 to test frequencies specified in the IST program. In October 2006, TSTF Traveler 497, Revision 0 (TSTF-497), "Limit Inservice Testing Program SR 3.0.2 Application to Frequencies of 2 Years or Less," was reflected in NUREG-1430, Revision 3.1. TSTF-497 specified that the 25 percent extension (SR 3.0.2) applies only to frequencies 2 years or less in the IST program.

3.0 TECHNICAL EVALUATION

3.1 Specific Changes Requested

The proposed change would revise the CR-3 Improved Technical Specifications (ITS) to incorporate the changes identified in TSTF-479 and TSTF-497. The proposed change will particularly revise CR-3 TS 5.6.2.9, "Inservice Testing Program", for consistency with the requirements of 10 CFR 50.55a(f)(4) for pumps and valves that are classified as ASME Code Class 1, Class 2, and Class 3. The proposed change will also limit applying SR 3.0.2 to surveillances with a frequency of 2 years or less. The proposed wording for TS 5.6.2.9 is as follows:

a. Provisions that inservice testing of ASME Code Class 1, 2, and 3 pumps, valves, and snubbers shall be performed in accordance with the ASME Code for Operation and Maintenance of Nuclear Power Plants (ASME OM Code) and applicable Addenda as required by 10 CFR 50.55a;

b. Testing frequencies specified in the ASME OM Code and applicable Addenda;

c. The provisions of SR 3.0.2 are applicable to the above required frequencies and to other normal and accelerated frequencies specified as two years or less in the Inservice Testing Program for performing inservice testing activities;

d. The provisions of SR 3.0.3 are applicable to inservice testing activities; and

e. Nothing in the ASME OM Code shall be construed to supersede the requirements of any TS.

3.2 Licensee's Basis for Changes

In its letter dated December 7, 2008, the licensee stated that the purpose of the IST programs are to assess the operational readiness of pumps and valves, to detect degradation that might affect component operability, and to maintain safety margins with provisions for increased surveillance and corrective action. NRC regulation 10 CFR 50.55a, "Codes and Standards," defines the requirements for applying industry codes to each licensed nuclear powered facility. Licensees are required by 10 CFR 50.55a(f)(4)(i) to initially prepare programs to perform inservice testing of certain ASME Section III, Code Class 1, 2, and 3 pumps and valves during the initial 120-month interval. The regulations require that programs be developed utilizing the latest edition and addenda incorporated into paragraph (b) of 10 CFR 50.55a on the date 12 months prior to the date of issuance of the operating license subject to the limitations and modifications identified in paragraph (b).

NRC regulations also require that the IST programs be revised during successive 120-month intervals to comply with the latest edition and addenda of the ASME Code incorporated by reference in paragraph (b), 12 months prior to the start of the interval.

Section XI of the ASME Codes has been revised, on a continuing basis over the years, to provide updated requirements for the inservice inspection and testing of components. Until 1990, the ASME Code requirements addressing the IST of pumps and valves were contained in Section XI, Subsection IWP (pumps) and IWV (valves). In 1990, the ASME published the initial edition of the OM Code that provides the rules for the inservice testing for pumps and valves. Since the establishment of the 1990 Edition of the OM Code, the rules for the inservice testing for pumps and valves are no longer being updated in Section XI. As identified in the Commission paper, SECY-99-017, "Proposed Amendment to 10 CFR 50.55a," dated January 13, 1999, the NRC has generally considered the evolution of the ASME Code to result in a net improvement in the measures for inspecting piping and components and testing pumps and valves.

The IST program TS is revised to indicate that the provisions of SR 3.0.2 are applicable to other IST frequencies that are not specified in the program. The IST program may have frequencies for testing that are based on risk and do not conform to the standard testing frequencies specified in the TS. For example, an IST program may use ASME Code Case OMN-1, "Alternative Rules for Preservice and Inservice Testing of Certain Electric Motor-Operated Valve Assemblies in Light-Water Reactor Plants," in lieu of stroke time testing. The frequency of the surveillance may be determined through a mix of risk informed and performance based means in accordance with the IST program. This is consistent with the guidance in NUREG-1482, Revision1, "Guidelines for Inservice Testing at Nuclear Power Plants," which indicates that the 25 percent extension of the interval specified in the frequency would apply to increased frequencies the same way that it applies to regular frequencies. If a test interval is specified in 10 CFR 50.55a, the TS SR 3.0.2 Bases indicate that the requirements of the regulation take precedence over the TSs.

However, at the February 23, 2006 meeting between the NRC and members of the TSTF, the NRC staff stated that TSTF-479 did not provide an adequate justification for applying SR 3.0.2 to frequencies specified in the IST program as greater than 2 years, and the NRC would not approve plant-specific amendments based on TSTF-479 incorporating this change without further justification. After consideration, the TSTF declined to develop a technical justification for applying SR 3.0.2 to IST frequencies specified as greater than 2 years at this time due to inadequate cost benefit.

The Third 10-year IST interval for CR-3 will conclude on May 10, 2009, and the fourth 10-year IST interval will begin on May 11, 2009. The code of record for the third 10-year IST interval has been the 1989 Edition of the ASME Code, Section XI, with no addenda. The fourth 10-year IST interval for CR-3 will use the 2001 Edition through the 2003 Addenda of the ASME Code as the code of record. Currently, the CR-3 ITS does not address the OM Code, and as such, will not be completely and administratively prepared for the fourth 10-year IST interval. The proposed changes are necessary to achieve consistency with the IST requirements of 10 CFR 50.55a, beginning with the fourth 10-year IST interval.

Therefore, the licensee stated that it is providing License Amendment Request #300, Revision 0 that incorporates the approved wording found in TSTF-479 and TSTF-497.

3.3 NRC's Evaluation

Section 50.55a(f) of 10 CFR, "Inservice Testing Requirements", requires, in part, that ASME Code Class 1, 2, and 3 pumps and valves meet the requirements of the ASME OM Code. The ASME generally publishes a new edition of the ASME OM Code every 3 years, and new addendum every year. The CR-3 fourth 10-year interval IST program was updated to comply with the 2001 Edition through the 2003 Addenda of the ASME OM Code as required by 10 CFR 50.55a(f)(4)(ii). As a consequence, the CR-3 TS 5.6.2.9 reference to Section XI of the ASME Code for IST requirements results in a reference to a deleted portion of the ASME Code.

The proposed changes to reference the OM Code in CR-3 TS 5.6.2.9 do not eliminate any inservice tests and do not relinquish the licensee of its responsibility to seek relief from code test requirements. The changes, however, will eliminate the ASME Code inconsistency between the IST program and the TS as required by 10 CFR 50.55a(f)(5)(ii). The proposed changes will maintain consistency with the ASME Code requirements and implement a TS Bases Control Program consistent with TSTF-479 and NUREG-1430, Revision 3.1. Therefore, the NRC staff finds this proposed change to be administrative in nature and acceptable.

The proposed change to CR-3 TS 5.6.2.9.c will allow the application of 25 percent extension provided for in SR 3.0. 2 to all normal and accelerated frequencies specified in the IST program, but will limit the applicability to test intervals of two years or less. With the proposed change to TS 5.6.2.9.c, if a test frequency (e.g., quarterly) is augmented and increased (e.g., to a 6-week test frequency), it could also have the 25 percent extension applied. This is consistent with the intent that the extension would provide operational flexibility, but would not significantly degrade the reliability that results from performing the surveillance at a specified frequency. Further, the proposal to limit the applicability to frequencies of 2 years or less limits the maximum incremental time period, between surveillances, which could be added by the 25 percent extension, is consistent with the approved provisions in TSTF-497, and guidance provided in

NUREG-1482, Revision 1. Without this limitation, some components, such as safety and relief valves, which may be tested at surveillance intervals significantly greater than 2 years, could have extensions applied which would be much greater than needed for operational flexibility. Therefore, the staff finds that the proposed change to TS 5.6.2.9.c is acceptable

4.0 STATE CONSULTATION

Based upon a letter dated May 2, 2003, from Michael N. Stephens of the Florida Department of Health, Bureau of Radiation Control, to Brenda L. Mozafari, NRC Senior Project Manager, the State of Florida does not desire notification of issuance of license amendments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The 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 NRC has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding issued on January 27, 2009 (74 FR 4773). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 CONCLUSION

The NRC 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) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Y. S. Huang

Date: April 13, 2009

April 13, 2009

Mr. Dale E. Young, Vice President
Crystal River Nuclear Plant (NA1B)
ATTN: Supervisor, Licensing & Regulatory Programs
15760 W. Power Line Street
Crystal River, Florida 34428-6708

SUBJECT: CRYSTAL RIVER UNIT 3 - ISSUANCE OF AMENDMENT REGARDING PROPOSED CHANGES TO TECHNICAL SPECIFICATION SECTION 5.6.2.9, "INSERVICE TESTING PROGRAM" (TAC NO. ME0259)

Dear Mr. Young:

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A copy of the safety evaluation is enclosed. The notice of issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,
/RA/

Farideh E. Saba, Senior Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
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Docket No. 50-302

Enclosures:
1. Amendment No. 232 to Facility Operating License DPR-72
2. Safety Evaluation

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