



Crystal River Nuclear Plant  
Docket No. 50-302  
Operating License No. DPR-72

Ref: 10 CFR 55.11  
10 CFR 55.59

December 13, 2010  
3F1210-10

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

Subject: Crystal River Unit 3 – Request for Exemption from Certain Requirements of 10 CFR 55.59 (TAC NO. ME5119)

Reference: CR-3 to NRC letter, 3F1210-08, dated December 2, 2010, “Crystal River Unit 3 – Request for Exemption from Certain Requirements of 10 CFR 55.59”

Dear Sir:

In accordance with 10 CFR 55.11, Florida Power Corporation (FPC), doing business as Progress Energy Florida, Inc., requested a one-time scheduled exemption to 10 CFR 55.59(c)(1) so that the current licensed operator requalification program period for Crystal River Unit 3 (CR-3) could be extended, on a one-time basis, from 24 to 26 months, ending April 30, 2011 (see above Reference). In a telephone conference call between NRC Headquarters/Region II personnel and members of the CR-3 Training and Operations departments, held on December 9, 2010, the need for additional justification for the subject request was discussed. Based on that discussion, this letter is being submitted to clarify the basis for the exemption request and completely supersedes the initial request (see above Reference).

The current annual 12-month operating test period goes from March 1, 2010 through February 28, 2011. The comprehensive biennial written examination period encompasses the 24-month requalification cycle from March 1, 2009 through February 28, 2011. This request would allow the current 12-month operating test period to be extended to 14 months (ending April 30, 2011) and would extend the 24-month requalification period to 26 months (ending April 30, 2011). The next annual 12-month operating test period would begin on May 1, 2011, and continue for 12 months to April 30, 2012. The next requalification program period would begin on May 1, 2011, and continue for 24 months to April 30, 2013.

This new examination period would have the least impact on CR-3 organizations. The overriding reason to pursue this extension is based on reasonable probability for plant startup from the current extended unit shutdown to coincide with licensed operator annual exams. Regardless of the actual CR-3 startup date, licensed operator annual exams will be completed prior to April 30, 2011.

This exemption is being requested at this time based on the successful completion of the recent two-year requalification cycle. A strong level of knowledge and skills in the recent end-of-cycle examinations was demonstrated by CR-3 licensed operators.

CR-3 would like approval of this exemption request by January 21, 2011, so as to make orderly plans to adopt the one-time 14-month operating test and 26-month written examination schedules in parallel.

Progress Energy Florida, Inc.  
Crystal River Nuclear Plant  
15760 W. Power Line Street  
Crystal River, FL 34428

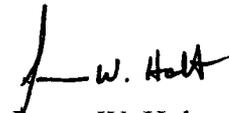
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Details supporting the analysis for this exemption request are provided in Attachment 1. Attachment 2 contains the environmental assessment.

This letter establishes no new regulatory commitments.

If you have any questions regarding this submittal, please contact Mr. Dan Westcott, Superintendent, Licensing and Regulatory Programs at (352) 563-4796.

Sincerely,



James W. Holt  
Plant General Manager  
Crystal River Nuclear Plant

JWH/dwh/ff

Attachments:

1. Request for Exemption from Certain Requirements of 10 CFR 55.59
2. Environmental Assessment

xc: NRR Project Manager  
Regional Administrator, Region II  
Malcolm T. Widmann, Region II  
Senior Resident Inspector

**PROGRESS ENERGY FLORIDA, INC.**

**CRYSTAL RIVER UNIT 3**

**DOCKET NUMBER 50-302 /LICENSE NUMBER DPR-72**

**ATTACHMENT 1**

**REQUEST FOR EXEMPTION FROM CERTAIN  
REQUIREMENTS OF 10 CFR 55.59**

## **Request for Exemption from Certain Requirements of 10 CFR 55.59**

### **1.0 INTRODUCTION**

In September 2009, Crystal River Unit 3 (CR-3) began Refueling Outage 16 to replace the steam generators, and upgrade various plant equipment in preparation for an Extended Power Uprate. During the outage, delamination was identified in the Reactor Building wall and the unit has remained in an extended shutdown while the evaluations and necessary repairs are being conducted.

### **2.0 DESCRIPTION OF THE PROPOSED EXEMPTION**

In accordance with 10 CFR 55.11, "Specific exemptions," Florida Power Corporation (FPC), doing business as Progress Energy Florida, Inc. is requesting NRC approval of an exemption from the requirements of 10 CFR 55.59, "Requalification," paragraph (c)(1) for the requalification program schedule at CR-3. The requested exemption would allow for a one-time extension of:

- the annual operating test required in paragraph (a)(2) from the 12-month interval to an interval of 14 months; and
- the comprehensive requalification written examinations required in paragraph (a)(2) from the 24-month interval to an interval of 26 months.

The repairs associated with the Reactor Building delamination are in the latter stages of completion. Engineering models are being utilized to determine the proper tendon re-tensioning sequence. At this time, there is a reasonable probability that plant startup schedules will overlap with the current comprehensive biennial licensed operator examination period. An overlap of this nature will result in significant impact to CR-3 organizations and the potential to adversely impact an event-free startup. The overriding reason to pursue this extension is based on scheduling difficulties associated with plant startup from the current extended unit shutdown. Moving the Operator annual and biennial exams from the January - February timeframe to a March - April timeframe would provide the following safety related benefits:

- Ensures distractions associated with requalification exams do not impact Operations focus on startup activities
- Removes the need to assign/divert critical licensed operator resources to training during startup activities; and
- Assists in managing fatigue related concerns by maximizing the number of available licensed operators.

This exemption is being requested at this time based on the successful completion of the recent two-year requalification cycle. A strong level of knowledge and skills in the recent end-of-cycle examinations was demonstrated by CR-3 licensed operators.

CR-3 would like approval of this exemption request by January 21, 2011, so as to make orderly plans to adopt the one-time 14-month operating test and 26-month written examination schedules in parallel.

### **3.0 BACKGROUND**

During Refueling Outage 16, delamination was identified in the Reactor Building wall. As a result, CR-3 was unable to restart following the completion of the scheduled outage. CR-3 has remained in an extended shutdown while the evaluation and necessary repairs are being conducted.

Currently, as CR-3 moves forward, operator focus is, and must continue to be, towards a safe, event-free plant restart.

### **4.0 REGULATORY REQUIREMENTS AND GUIDANCE**

The criteria for granting specific exemptions from 10 CFR 55 regulations are stated in 10 CFR 55.11. In accordance with 10 CFR 55.11, the NRC is authorized to grant an exemption upon determining that the exemption is authorized by law and will not endanger life or property and is otherwise in the public interest.

The proposed action would grant an exemption from the requirements of 10 CFR 55.59(c)(1). The requested exemption would allow for a one-time extension of the annual operating test required in paragraph (a)(2) from the 12-month interval to an interval of 14 months, and the comprehensive requalification written examinations from the 24-month interval to an interval of 26 months.

### **5.0 JUSTIFICATION FOR REQUEST**

During the initial as well as the current extended outage period, the requalification training cycles have continued in accordance with the Institute of Nuclear Power Operations (INPO) National Academy for Nuclear Training accredited training programs. All CR-3 licensed personnel are actively enrolled in accredited training programs. Prior to Refueling Outage 16, the content of the accredited programs were modified to ensure a high degree of operator proficiency was maintained. The Reactor Operator, Senior Reactor Operator, and Shift Technical Advisor programs include both periodic written and operational exams. During these periodic exams, which were developed and conducted in the modified plant configuration, the program incumbents have continued to display a high degree of knowledge and skills. A recent NRC inspection of operator proficiency affirmed this conclusion. The startup from the current outage will be uniquely challenging in several respects:

- The plant has undergone major modifications, including the replacement of the steam generators and many significant secondary components, which require post-modification testing that cannot be conducted while the plant is offline; and,
- The plant's thermal-hydraulic response upon startup is expected to be somewhat different than previous plant startups.

The operators have been thoroughly trained on these new items on the simulator, but the fact remains that this will be the first time these new systems are placed in service. Focus and a questioning attitude to understand observed differences for unintended responses are critical.

The requested exemption will prevent distractions, maximize the available licensed individuals to focus on startup activities and assist in managing fatigue related concerns. As such, approval of this exemption will not endanger life or property and is consistent with public interest.

## **6.0 PRECEDENTS**

By letter dated March 6, 2003 (Accession No. ML030760013), Crystal River requested a one-time exemption from the licensed operator requalification program schedule requirements of 10 CFR 55.59. The exemption was approved by the Commission by letter dated May 14, 2003 (Accession No. ML031340033).

**PROGRESS ENERGY FLORIDA, INC.**

**CRYSTAL RIVER UNIT 3**

**DOCKET NUMBER 50-302 /LICENSE NUMBER DPR-72**

**ATTACHMENT 2**

**ENVIRONMENTAL ASSESSMENT**

## ENVIRONMENTAL ASSESSMENT

Florida Power Corporation (FPC) is requesting a one-time exemption from the requirements of 10 CFR 55.59(c)(1) for Crystal River Unit 3 (CR-3). In accordance with 10 CFR 51.30, "Environmental assessment," and 10 CFR 51.32, "Finding of no significant impact," the following information is provided in support of an environmental assessment and finding of no significant impact for the proposed exemption.

- (1) The proposed exemption is administrative in nature and is limited to changing the current licensed operator requalification program period for CR-3, on a one-time basis, from 24 to 26 months. The proposed exemption does not make any changes to the facility or operating procedures and does not alter the design, function or operation of any plant equipment. Therefore, issuance of this exemption does not increase the probability or consequences of an accident previously evaluated.
- (2) The proposed exemption is administrative in nature and is limited to changing the current licensed operator requalification program period for CR-3, on a one-time basis, from 24 to 26 months. The proposed exemption does not make any changes to the facility or operating procedures and would not create any new accident initiators. The proposed exemption does not alter the design, function or operation of any plant equipment. Therefore, this exemption does not create the possibility of a new or different kind of accident from any accident previously evaluated.
- (3) The proposed exemption is administrative in nature and is limited to changing the current licensed operator requalification program period for CR-3, on a one-time basis, from 24 to 26 months. The proposed exemption does not alter the design, function or operation of any plant equipment. Therefore, this exemption does not involve a significant reduction in the margin of safety.

FPC has also determined that the proposed exemption request does not involve:

- any change to the types, characteristics, or quantities of non-radiological effluents discharged to the environment.
- any changes to liquid radioactive effluents discharged to the environment.
- any changes to gaseous radioactive effluents discharged to the environment.
- any change in the type or quantity of solid radioactive waste generated.
- any change in occupational dose under normal or Design Basis Accident (DBA) conditions.
- any change in the public dose under normal or DBA accident conditions.
- any land disturbance.

### **Conclusion**

There is no significant radiological environmental impact associated with the proposed exemption request and the request will not affect any historical sites nor will it affect non-radiological plant effluents. The proposed exemption request meets the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(25). Therefore, in accordance with 10 CFR 51.22(b), no environmental impact statement or environmental assessment needs to be prepared in connection with granting the exemption request.