



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

February 28, 2013

Mr. Jon A. Franke
Vice President
Crystal River Nuclear Plant
15760 W. Power Line Street
Crystal River, FL 34428

SUBJECT: CRYSTAL RIVER NUCLEAR PLANT, UNIT 3 – WITHDRAWAL OF
APPLICATION FOR RENEWED OPERATING LICENSE
(TAC NOS. ME0274 AND ME0278)

Dear Mr. Franke:

By letter dated December 16, 2008, Florida Power Corporation (FPC or the applicant) submitted a license renewal application (LRA) in accordance with Title 10, Part 54, of the *Code of Federal Regulations*, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants," to the U.S. Nuclear Regulatory Commission (NRC or the staff) for Crystal River Nuclear Generating Plant, Unit 3 (CR-3). The applicant requested renewal of the CR-3 operating license (facility operating license number DPR-72) for a period of 20 years beyond the current expiration of midnight, December 3, 2016.

The staff completed its "Safety Evaluation Report With Open Items Related to the License Renewal of Crystal River Unit 3 Nuclear Generating Plant" (hereinafter known as the SER), in December 2010 (ADAMS Accession No. ML103490568).

By letter dated February 6, 2013, you requested to withdraw the application from NRC review based on your determination to retire CR-3.

Consistent with 10 CFR 54.13(a), "[I]nformation provided to the Commission by an applicant for a renewed license... must be complete and accurate in all material respects." The staff notes that the SER contains nine open items and two confirmatory items; these items are incomplete in regards to 10 CFR 54.13(a). The staff acknowledges your request to withdraw the application. NRC staff activities on the review have ceased and the associated Technical Assignment Control numbers will be closed by February 28, 2013.

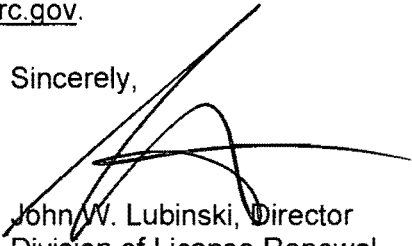
As noted above, the staff's review to date has identified that your application did not provide technical information in sufficient detail to enable the staff to complete its reviews. Therefore, if you decide to re-submit the application, it must include the information identified in our SER.

J. Franke

- 2 -

In accordance with our practice, a *Federal Register Notice* will be posted regarding this matter. If you have any questions, please contact the safety project manager, John Daily, at (301) 415-3873 or by email at john.daily@nrc.gov.

Sincerely,



John W. Lubinski, Director
Division of License Renewal
Office of Nuclear Reactor Regulation

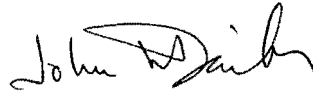
Docket No. 50-302

cc: Listserv

February 28, 2013

MEMORANDUM TO: Cindy K. Bladey, Chief
Rules, Announcements, and Directives Branch
Division of Administrative Services
Office of Administration

FROM: John Daily, Sr. Project Manager
Projects Branch 1
Division of License Renewal
Office of Nuclear Reactor Regulation



SUBJECT: NOTICE OF WITHDRAWAL FROM DOCKETING OF THE
APPLICATION REGARDING RENEWAL OF FACILITY OPERATING
LICENSE NUMBER DPR-72 FOR AN ADDITIONAL 20-YEAR
PERIOD FOR THE FLORIDA POWER CORPORATION CRYSTAL
RIVER NUCLEAR GENERATING PLANT, UNIT 3
(DOCKET NO. 50-302)

Enclosed please find one copy of the subject *Federal Register* Notice (FRN) for transmittal to the Office of Federal Register for publication.

The Office of Administration, Division of Administrative Services, Rules, Announcements, and Directives Branch (ADM/DAS/RDB) has been given owner's rights to the notice in Agencywide Documents Access and Management System (ADAMS) No. ML13052A655. Publicly available NRC documents referenced in the notice have been finalized in ADAMS and profiled for public release. ADAMS accession numbers for all such documents are provided in the text of the notice.

Copies of this notice and the document(s) being made available to the public have been forwarded to the Office of Information Services (OIS) staff at WEBWORK.Resource@nrc.gov for posting to the NRC public Web site.

Information about this license action has been forwarded to the OIS staff at WEBWORK.Resource@nrc.gov for posting to the NRC public Web site.

Docket No. 50-302

License No. DPR-72

Enclosure:
FRN

CONTACT: John Daily, NRR/DLR/RPB1
(301) 415-3873

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-302; NRC-2013-XXXX]

Crystal River Nuclear Generating Plant, Unit 3

Application for Renewal of License to Facility

Notice of Withdrawal

AGENCY: Nuclear Regulatory Commission.

ACTION: License Renewal Application; Withdrawal.

ADDRESSES: Please refer to Docket ID <NRC-2013-XXXX> when contacting the NRC about the availability of information regarding this document. You may access information related to this document, which the NRC possesses and are publicly available, using any of the following methods:

- **Federal rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID <NRC-2013-XXXX>. Address questions about NRC dockets to Carol Gallagher; telephone: 301-492-3668; e-mail: Carol.Gallagher@nrc.gov.

- **NRC's Agencywide Documents Access and Management System (ADAMS):**
You may access publicly available documents online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr.resource@nrc.gov. The ADAMS accession number for each

document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: John Daily, Senior Project Manager, Projects Branch 1, Division of License Renewal, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555; telephone: 301-415-3873; e-mail: John.Daily@nrc.gov.

SUPPLEMENTARY INFORMATION:

The U.S. Nuclear Regulatory Commission (NRC or the Commission) grants the Florida Power Corporation request to withdraw its application for the renewal of operating license DPR-72, which authorizes Florida Power Corporation (FPC) to operate the Crystal River Nuclear Generating Plant, Unit 3 (CR3), at 2609 megawatts thermal. FPC stated its decision to withdraw the application is based upon a determination to retire CR3. CR3 is located near Crystal River, FL; the current operating license for CR3 expires on December 3, 2016.

FPC submitted the license renewal application (LRA) by letter dated December 16, 2008, pursuant to Title 10, Part 54, of the *Code of Federal Regulations* (10 CFR Part 54), to renew operating license DPR-72 for CR3 (ADAMS Accession No. ML090080053). The Commission had previously noticed the acceptance of the application in the *Federal Register* on March 9, 2009 (74 FR 10099). FPC requested withdrawal of the application by letter dated

February 6, 2013, based on its determination to retire CR3 (ADAMS Accession No. ML13043A028).

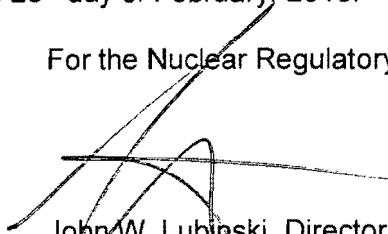
The NRC staff completed its "Safety Evaluation Report With Open Items Related to the License Renewal of Crystal River Unit 3 Nuclear Generating Plant" (hereinafter known as the SER) in December 2010 (ADAMS Accession No. ML103490568). Consistent with 10 CFR 54.13(a), "[I]nformation provided to the Commission by an applicant for a renewed license... must be complete and accurate in all material respects." The staff noted that the SER contains nine open items and two confirmatory items; these items are incomplete in regards to 10 CFR 54.13(a). Since the staff's review to date has identified that FPC's application did not provide technical information in sufficient detail to enable the staff to complete its reviews, if FPC decides to re-submit the application, it must include this technical information in sufficient detail to allow the staff to continue its evaluations.

The staff also issued a Notice of Issuance for the draft supplemental environmental impact statement (DSEIS) related to the proposed license renewal, which was published in the *Federal Register* on June 3, 2011 (76 FR 32237). However, since the licensee has withdrawn its application, all comments received on the DSEIS and all of the above *Federal Register* Notices need not be and will not be resolved.

For further details with respect to this action, see the LRA dated December 16, 2008, and the licensee's letter of withdrawal dated February 6, 2013.

Dated at Rockville, Maryland, this 28th day of February, 2013.

For the Nuclear Regulatory Commission.



John W. Lubinski, Director,
Division of License Renewal,
Office of Nuclear Reactor Regulation.

J. Franke

- 2 -

In accordance with our practice, a *Federal Register Notice* will be posted regarding this matter. If you have any questions, please contact the safety project manager, John Daily, at (301) 415-3873 or by email at john.daily@nrc.gov.

Sincerely,

/RA/

John W. Lubinski, Director
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-302

cc: Listserv

**ADAMS Accession Nos. ML13052A667 (Package)
ML13052A606 (Incoming)
ML13052A655 (FRN)
ML13052A658 (Memo)**

*concurring via email

OFFICE	DLR/LA	DLR/ RPB1/PM	DLR/RPB1/BC	DLR/ RPB2/BC	OGC NLO*	DLR/RPB1/PM
NAME	IKing	JDaily	DMorey	DWrona	LSubin	JDaily
DATE	2/22/13	2/26/13	2/28/13	2/28/13	2/28/13	2/28/13

OFFICIAL RECORD COPY

Letter to J. Franke from J. Lubinski, dated February 28, 2013

SUBJECT: CRYSTAL RIVER NUCLEAR PLANT, UNIT 3 – WITHDRAWAL OF
APPLICATION FOR RENEWED OPERATING LICENSE
(TAC NOS. ME0274 AND ME0278)

DISTRIBUTION:

HARD COPY:

DLR R/F

E-MAIL:

PUBLIC

RidsNrrDlr Resource

RidsNrrDlrRpb1 Resource

RidsNrrDlrRpb2 Resource

RidsNrrDlrRarb Resource

RidsNrrDlrRasb Resource

RidsNrrDlrRapb Resource

RidsNrrDlrRerb Resource

RidsOgcMailCenter Resource

JDaily

EKeegan

FSaba, DORL

AJones, OGC

DMcIntyre, OPA

LLake, RII

RReyes, RII

TMorrissey, RII