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50-302
72-1035

Crystal River Nuclear Plant
15760 W Power Line Street
Crystal River, FL 34428
Docket 72-1035
Docket 50-302
Operating License No. DPR-72

10 CFR 50.90

July 5, 2017
3F0717-01

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

Subject: Crystal River Unit 3 – License Amendment Request #321, Revision 1, ISFSI Only Physical Security Plan

References:

1. CR-3 to NRC – Crystal River Unit 3 License Amendment Request #321, Revision 0, ISFSI Only Physical Security Plan dated May 24, 2016.
2. NRC to CR-3 – Issuance of Order for Implementation of Additional Measures and Fingerprinting for Unescorted Access at the Crystal River Nuclear Generating Plant Independent Spent Fuel Storage Installation dated February 24, 2016.
3. CR-3 to NRC – Response to NRC Issuance of Order for Implementation of Additional Measures and Fingerprinting for Unescorted Access at the Crystal River Nuclear Generating Plant Independent Spent Fuel Storage Installation and a Request for Order Relaxation dated February 20, 2017.

Dear Sir:

Pursuant to 10 CFR 50.90, Duke Energy Florida, LLC (DEF), hereby submits Revision 1 to previously submitted license amendment #321 pertaining to the Crystal River Nuclear Plant Unit 3 (CR-3) Physical Security, Training and Qualification and Safeguards Contingency Plans. Revision 0 was submitted on May 24, 2016 (Reference1). This submittal supersedes revision 0 in its entirety. A complete list of changes between revision 0 and revision 1 are contained in Enclosure 9 of this submittal.

Specifically, this license amendment requests approval of a new combined Independent Spent Fuel Storage Installation (ISFSI) Only Physical Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, referred to from here on out as the PLAN. The PLAN will supersede the current Physical Security Plan, Training and Qualification Plan, and Safeguards Contingency Plans at CR-3. The PLAN addresses the future site configuration once the spent fuel in the spent fuel pool has been moved to the ISFSI, with no requirement to return spent fuel to the spent fuel pool ("ISFSI only" status). Spent fuel movement to the ISFSI is currently scheduled to be completed in 2018.

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NOTE: ENCLOSURE 1 TO THIS LETTER CONTAINS "SECURITY-RELATED INFORMATION", ENCLOSURE 11 TO THIS LETTER CONTAINS "PROPRIETARY DUKE ENERGY INFORMATION" AND ENCLOSURES 3, 4, 5, 9 and 10 TO THIS LETTER CONTAIN "SAFEGUARDS INFORMATION". THIS INFORMATION MUST BE PROTECTED ACCORDINGLY. UPON SEPARATION OF THESE ENCLOSURES, THIS LETTER IS "DECONTROLLED."

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By letter dated February 24, 2016 (Reference 2), CR-3 was issued orders to provide Additional Security Measures (ASM) and Fingerprinting for Unescorted Access at the CR-3 ISFSI. By letter dated February 20, 2017 (Reference 3), CR-3 responded to the orders how compliance was met for the current approved wet/dry Physical Security Plan (PSP) and how future compliance would be met when this license amendment is approved and implemented. Changes were made to the future compliance ASM responses, therefore updated responses are attached to this submittal (Enclosure 10). Also attached to this submittal is the CR-3 Local Law Enforcement Agency (LLEA) letter sent to the Citrus County Sheriff's office, which outlines their response requirements (Enclosure 11).

An evaluation of this proposed license amendment (LAR 321, Revision 1) is provided in Enclosure 1. The proposed changes have been evaluated in accordance with 10 CFR 50.91(a)(1) using criteria in 10 CFR 50.92(c), and it has been determined that the proposed changes involve no significant hazards consideration. The bases for these determinations are included in Enclosure 2. The PLAN is provided in Enclosure 3. Enclosure 4 contains the assumptions used in developing the PLAN. Pursuant to 10 CFR 73.55(r), alternative measures that have been incorporated into the proposed PLAN are discussed in Enclosure 5. A marked-up and redline version of the facility operating license pages for the Physical Protection license condition, reflecting the commitment change proposed in this submittal, are included as Enclosures 6 and 7. Enclosure 8 contains a redacted version of Enclosure 1, that when detached from this letter is decontrolled.

In order to support site transition to "ISFSI only" status, CR-3 is requesting NRC approval of this proposed license amendment by December 31, 2017. CR-3 requests an implementation period of 120 days following submittal of written notification to the NRC that all the spent nuclear fuel assemblies have been transferred from the spent fuel pool to the ISFSI pad.

CR-3 requests that Enclosure 1, which contains Security-Related Information and Enclosure 11, which contains Proprietary Duke Energy Information, be withheld from public disclosure in accordance with 10 CFR 2.390. Enclosures 3, 4, 5, 9 and 10 contain Safeguards Information as defined by 10 CFR 73.22 and their disclosure to unauthorized individuals is prohibited by Section 147 of the Atomic Energy Act of 1954, as amended.

In accordance with 10 CFR 50.91, DEF is notifying the State of Florida of this license amendment request by transmitting a copy of this letter and uncontrolled enclosures to the designated State Officials; The State will not receive anything Security-Related or Safeguards information.

The CR-3 Plant Nuclear Safety Committee has reviewed this request and recommended it for approval.

There are no regulatory commitments made within this submittal.

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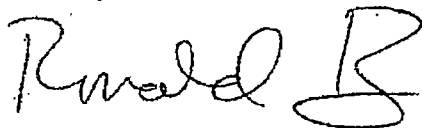
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If you have any questions regarding this submittal, please contact Mr. Mark Van Sicklen, Licensing Lead, Nuclear Regulatory Affairs, at (352) 563-4795.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 5, 2017

Sincerely,



Ronald Reising, Senior Vice President
Operations Support

RRR/mvs

Enclosures:

1. Evaluation of Proposed Changes (Security-Related Information)
2. No Significant Hazards Consideration and Environmental Assessment (Uncontrolled)
3. Duke Energy Florida, LLC - Crystal River Unit 3 Independent Spent Fuel Storage Installation Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan (Safeguards Information)
4. Programmatic Assumptions for ISFSI Only Sites (Safeguards Information)
5. Evaluations of Proposed Alternative Measures (Safeguards Information)
6. Facility Operating License Strikeout Pages (Uncontrolled)
7. Facility Operating License Revision Bar Pages (Uncontrolled)
8. REDACTED - Evaluation of Proposed Changes (Uncontrolled)
9. List of changes between revision 0 to revision 1 of this license amendment (Safeguards Information)
10. Updated future compliance (ISFSI-Only) ASM responses (Safeguards Information)
11. CR-3 LLEA letter to Citrus County Sheriff (Proprietary Duke Energy Information)

xc: NMSS Project Manager
State of Florida (Uncontrolled Enclosures ONLY, No SGI or SRI material)
Regional Administrator, Region I
Douglas Garner, NRC Reviewer

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Enclosure 2

DUKE ENERGY FLORIDA, LLC

**DOCKET NUMBERS 72 - 1035 and 50 - 302 /
LICENSE NUMBER DPR - 72**

ENCLOSURE 2

**No Significant Hazards Consideration
and Environmental Assessment
(Uncontrolled)**

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No Significant Hazards Consideration and Environmental Assessment (Uncontrolled)

1. REGULATORY EVALUATION

1.1 Applicable Regulatory Requirements/Criteria

10 CFR 73.55 requires licensees to maintain and implement a Commission-approved Physical Security Plan, Training and Qualification Plan and Safeguards Contingency Plan. 10 CFR 72.212(b)(9) requires licensees to comply with 10 CFR 73.55, with six (6) additional conditions and exceptions for general licensed ISFSIs under 10 CFR 72.210. The Crystal River Nuclear Plant Unit 3 (CR-3) Facility Operating License (No. DPR-72), includes a Physical Security license condition (2.D) that requires the respective licensees to fully implement and maintain in effect all provisions of the Commission-approved Physical Security Protection Plans, including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p).

1.2 No Significant Hazards Consideration Determination

DEF is requesting approval of the new Physical Security Plan and the amendment to the CR-3 Facility Operating License (No. DPR-72) to revise the Physical Security license condition 2.D as it relates to the new Physical Security Plan. The new Duke Energy Florida, LLC - Crystal River Unit 3 Independent Spent Fuel Storage Installation Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan (PLAN) addresses the protection of fuel on site that is licensed by the CR-3 Operating License. The PLAN reflects the configuration of CR-3 after all the spent nuclear fuel is stored at the ISFSI. The 10 CFR Part 50 license for CR-3 no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel. Also based on the AREVA CoC, Amendment 14 approval, CR-3 is no longer required to place Spent Nuclear Fuel back into the Spent Fuel Pools.

DEF has evaluated whether or not a significant hazards consideration is involved with the proposed amendment by focusing on the three standards set forth in 10 CFR 50.92, "Issuance of Amendment," as discussed below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed PLAN will become effective after all the spent nuclear fuel has been removed from the Spent Fuel Pools with no requirements to return spent fuel to the SFP. The only current design basis accident is the Fuel Handling Accident (FHA). Once the fuel is removed from the pool and placed on the ISFSI pad, the FHA will no longer be credible.

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The proposed amendment has no effect on plant systems, structures, and components (SSCs) and no effect on the capability of any plant SSC to perform its design function. The proposed amendment would not increase the likelihood of the malfunction of any plant SSC. Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of a previously evaluated accident.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed amendment does not involve significant physical alteration of the plant. Minor modifications are associated with this proposed amendment (e.g., wiring changes in security equipment, the addition of telecommunications equipment, and software changes to the security computer system.) The proposed license amendment would not physically change any SSCs involved in the mitigation of any postulated accident. Thus, no new initiators or precursors of a new or different kind of accident are created. Furthermore, the proposed amendment does not create the possibility of a new failure mode associated with any equipment or personnel failures. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

Plant safety margins are established through limiting conditions for operation and safety analysis described in the FSAR. Because the 10 CFR Part 50 license for CR-3 no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel, as specified in 10 CFR 50.82(a)(2), the occurrence of postulated accidents associated with reactor operation is no longer credible. The proposed amendment does not involve a change in the plant's design, configuration, or operation. The modifications associated with this proposed amendment does not affect plant safety or design margins. Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

Based on the above, CR-3 concludes that the proposed amendment presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of "no significant hazards consideration" is justified.

1.3 Conclusions

In conclusion, based on the considerations discussed above: (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 amendment will not be inimical to the common defense and security or to the health and safety of the public.

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2. ENVIRONMENTAL CONSIDERATION

CR-3 has evaluated this proposed license amendment against the criteria for identification of licensing and regulatory actions requiring environmental assessment in accordance with 10 CFR 51.21. CR-3 has determined that this proposed license amendment meets the criteria for a categorical exclusion set forth in 10 CFR 51.22(c)(12). This determination is based on the fact that this change is being proposed as an amendment to a license issued pursuant to 10 CFR 50 and relates solely to safeguards matters (i.e., protection against sabotage or loss or diversion of special nuclear material). The proposed amendment meets the eligibility criterion for a categorical exclusion set forth in 10 CFR 51.22(c)(12). Therefore, 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.

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Enclosure 3

DUKE ENERGY FLORIDA, LLC

**DOCKET NUMBERS 72 - 1035 and 50 - 302 /
LICENSE NUMBER DPR - 72**

ENCLOSURE 3

**Duke Energy Florida, LLC - Crystal River Unit 3 Independent
Spent Fuel Storage Installation Security Plan, Training and
Qualification Plan, and Safeguards Contingency Plan
(Safeguards Information)**

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Enclosure 4

DUKE ENERGY FLORIDA, LLC

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ENCLOSURE 4

**Programmatic Assumptions for ISFSI Only Sites
(Safeguards Information)**

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Enclosure 5

DUKE ENERGY FLORIDA, LLC

**DOCKET NUMBERS 72 - 1035 and 50 - 302 /
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ENCLOSURE 5

**Evaluations of Proposed Alternative Measures
(Safeguards Information)**

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ENCLOSURE 6

**Facility Operating License Strikeout Pages
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Enclosure 7

DUKE ENERGY FLORIDA, LLC

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ENCLOSURE 7

**Facility Operating License Revision Bar Pages
(Uncontrolled)**

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Enclosure 8

DUKE ENERGY FLORIDA, LLC

**DOCKET NUMBERS 72 - 1035 and 50 - 302 /
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ENCLOSURE 8

REDACTED - EVALUATION OF PROPOSED CHANGES

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Enclosure 8
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REDACTED - EVALUATION OF PROPOSED CHANGES

1. SUMMARY DESCRIPTION
2. DETAILED DESCRIPTION
3. TECHNICAL EVALUATION

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1.0 SUMMARY DESCRIPTION

Pursuant to 10 CFR 50.90, Duke Energy Florida, LLC (DEF), hereby requests a license amendment pertaining to the Crystal River Nuclear Plant Unit 3 (CR-3) Physical Security, Training and Qualification and Safeguards Contingency Plans, and a proposed revision to the existing Physical Security license condition in the facility operating license. Specifically, the replacement of the existing Physical Security plan, Training and Qualification Plan, and Safeguards Contingency Plan with a new combined Independent Spent Fuel Storage Installation (ISFSI) Only Physical Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, referred to from here on out as the PLAN.

2.0 DETAILED DESCRIPTION

Pursuant to 10 CFR 50.90, Duke Energy Florida, LLC (DEF), hereby requests a license amendment pertaining to the Crystal River Nuclear Plant Unit 3 (CR-3) Physical Security, Training and Qualification and Safeguards Contingency Plans, and a proposed revision to the existing Physical Security license condition in the facility operating license. Specifically, the replacement of the existing Physical Security plan, Training and Qualification Plan, and Safeguards Contingency Plan with a new combined Independent Spent Fuel Storage Installation (ISFSI) Only Physical Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, referred to from here on out as the PLAN.

CR-3 has been shutdown since September 26, 2009. DEF notified the Nuclear Regulatory Commission (NRC) on February 20, 2013 of the permanent cessation of power operations and that CR-3 had removed all fuel from the reactor. By letter dated March 13, 2013, the NRC acknowledged CR-3's certification of permanent cessation of power operation and permanent removal of fuel from the reactor vessel. Accordingly, pursuant to 10 CFR 50.82(a)(2), the 10 CFR Part 50 license for CR-3 no longer authorizes operation of the reactor or emplacement or retention of fuel in the reactor vessel.

The PLAN will supersede the current Physical Security Plan, Training and Qualification Plan, and Safeguards Contingency Plans at CR-3. The new PLAN addresses the future site configuration once the spent fuel in the spent fuel pool has been moved to the ISFSI, with no requirement to return spent fuel to the spent fuel pool ("ISFSI only" status). Spent fuel movement to the ISFSI is currently scheduled to be completed in 2018.

By letter dated February 24, 2016 (Reference 2), CR-3 was issued orders to provide Additional Security Measures (ASM) and Fingerprinting for Unescorted Access at the CR-3 ISFSI. By letter dated February 20, 2017 (Reference 3), CR-3 responded to the orders how compliance was met for the current approved wet/dry Physical Security Plan (PSP) and how future compliance would be met when this license amendment is approved and implemented. Changes were made to the future compliance ASM responses, therefore updated responses

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Enclosure 8
Page 3 of 4

are attached to this submittal (Enclosure 10). Also attached to this submittal is the CR-3 Local Law Enforcement Agency (LLEA) letter sent to the Citrus County Sheriff's office, which outlines their response requirements (Enclosure 11).

A technical evaluation of this proposed license amendment is provided below. The proposed changes have also been evaluated in accordance with 10 CFR 50.91(a)(1) using criteria in 10 CFR 50.92(c), and it has been determined that the proposed change involves no significant hazards consideration. The bases for these determinations are included in Enclosure 2. The PLAN is provided in Enclosure 3. Enclosure 4 contains the assumptions used in developing the PLAN. Pursuant to 10 CFR 73.55(r), alternative measures that have been incorporated into the proposed PLAN are discussed in Enclosure 5. A marked-up and redline version of the facility operating license pages for the Physical Protection license condition, reflecting the commitment change proposed in this submittal, are included as Enclosures 6 and 7. Enclosure 8 contains a redacted version of Enclosure 1, that when detached from this letter is decontrolled.

In order to support site transition to "ISFSI only" status, CR-3 is requesting NRC approval of this proposed license amendment by December 31, 2017. CR-3 requests an implementation period of 120 days following submittal of written notification to the NRC that all the spent nuclear fuel assemblies have been transferred from the spent fuel pool to the ISFSI pad.

3.0 TECHNICAL EVALUATION

The PLAN

The PLAN will supersede the current Physical Security Plan, Training and Qualification Plan, and Safeguards Contingency Plans at CR-3. The new PLAN addresses the future site configuration once the spent fuel in the spent fuel pool has been moved to the ISFSI, with no requirement to return spent fuel to the spent fuel pool ("ISFSI only" status). Spent fuel movement to the ISFSI is currently scheduled to be completed in 2018.

10 CFR 72.212(b)(9) requires licensees to comply with 10 CFR 73.55, with six (6) additional conditions and exceptions. Therefore, the PLAN was based on the NRC endorsed template for Operating Nuclear Plants, NEI 03-12 Revision 7, and modified to incorporate the six (6) additional conditions and exceptions.

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CR-3 has taken a methodical approach to integrating 10 CFR 72.212(b)(9) requirements with various other Code of Federal Regulation requirements. The PLAN complies with these requirements except where alternative measures have been requested. The PLAN protects against the applicable sections of the design basis threat of radiological sabotage and ensures the health and safety of the public.

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Enclosure 9

DUKE ENERGY FLORIDA, LLC

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ENCLOSURE 9

**LIST OF CHANGES BETWEEN
REVISION 0 TO REVISION 1
OF THIS LICENSE AMENDMENT**

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Enclosure 10

DUKE ENERGY FLORIDA, LLC

**DOCKET NUMBERS 72 - 1035 and 50 - 302 /
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ENCLOSURE 10

**UPDATED FUTURE COMPLIANCE
(ISFSI-ONLY) ASM RESPONSES**

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Enclosure 11

DUKE ENERGY FLORIDA, LLC

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ENCLOSURE 11

**CRYSTAL RIVER
LOCAL LAW ENFORCEMENT AGENCY
LETTER TO CITRUS COUNTY SHERIFF**

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