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

December 16, 2024

Clark Eldredge, Chief
Bureau of Radiation Control
Environmental Administrator,
Radiation Machine Section
4052 Bald Cypress Way, Bin C21
Tallahassee, FL 32399-1741

SUBJECT: REVIEW OF THE DRAFT ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT FOR CRYSTAL RIVER UNIT 3 NUCLEAR PLANT INDEPENDENT SPENT FUEL STORAGE INSTALLATION UPDATED DECOMMISSIONING FUNDING PLANS

Dear Clark Eldredge:

By letters dated March 19, 2020 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML20079D925), and March 31, 2023 (ML23090A235), Duke Energy Florida, LLC (DEF)¹ and Accelerated Decommissioning Partners Crystal River Unit 3, LLC (ADP CR3), respectively, submitted updated decommissioning funding plans (DFPs) for the independent spent fuel storage installation (ISFSI) at CR3, located in Crystal River, Florida for the U.S. Nuclear Regulatory Commission (NRC) staff review and approval. The NRC staff is currently reviewing these updated DFPs submitted by DEF and ADP CR3.

Previously, by letter dated June 21, 2017 (ML17172A006), the NRC consulted with the Florida Department of Health, Bureau of Radiation Control (State) regarding the DEF initial 2017 DFP submittal for CR3 ISFSI (ML17135A230). The NRC staff noted that the State did not advise any substantive comments.

The NRC regulations at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater than Class C Waste," govern the storage of spent nuclear fuel (spent fuel) generated at commercial nuclear power reactors licensed by the NRC. Spent fuel that has been removed from the reactor's spent fuel pool is typically stored at a nuclear power plant's ISFSI.

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¹As ordered on April 1, 2020 (ML20069A024), and effected in the license transfer amendment on October 1, 2020 (ML20253A343), the NRC authorized the transfer of the CR3 ISFSI from DEF to ADP CR3. DEF retained ownership of the Decommissioning Trust Fund.

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The NRC requires its licensees to plan for the eventual decommissioning of their licensed facilities prior to license termination. On June 17, 2011, the NRC published a final rule amending its decommissioning planning regulations (76 *Federal Register* [FR] 35512). The final rule amended the NRC regulation, 10 CFR Section 72.30, which concerns financial assurance and decommissioning for ISFSIs. This regulation now requires each holder of, or applicant for, a license under 10 CFR Part 72 to submit, for NRC review and approval, a DFP. The purpose of the DFP is to demonstrate the licensee's financial assurance (i.e., that funds will be available to decommission the ISFSI). The NRC staff is reviewing the information submitted by DEF and ADP CR3.

Specifically, the NRC must determine whether CR3 DFPs contain the information required by 10 CFR 72.30(c), and whether DEF and ADP CR3 have provided reasonable assurance that funds will be available to decommission the CR3 ISFSI.

In accordance with 10 CFR Part 51, which contains the NRC regulations that implement the National Environmental Policy Act of 1969, as amended, the agency has prepared a separate draft environmental assessment (EA) for the CR3 ISFSI for the proposed action (enclosed). We are providing your office with the opportunity to review the draft EA and comment on environmental issues prior to the public issuance and publication of the EA. We request that distribution and use of the enclosed draft EA be limited only to those staff involved in the review and comment process.

Please submit any comments within 30 days from the date of this letter to the NRC, Document Control Desk, ATTN: Yoira Diaz-Sanabria, Mail Stop: TWFN 4B34, U.S. Nuclear Regulatory Commission, Washington, DC 20555. If you have any questions, please contact Daneira Meléndez-Colón of my staff by telephone at 301-415-7295, or by email at Daneira.Melendez-Colon@nrc.gov. The NRC staff will consider your timely comments and will revise the EA, as appropriate, before its final issuance and publication. Thank you for your assistance.

Sincerely,



Signed by Diaz-Sanabria, Yoira
on 12/16/24

Yoira Diaz-Sanabria, Chief
Storage and Transportation Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No.: 72-1035
License No.: SFGL-64
EPID No.: L-2023-FPR-0000

Enclosure:
Draft EA for CR3 ISFSI

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