

Docket No. 50-263

JUNE 28 1978

Northern States Power Company
ATTN: Mr. L. O. Mayer, Manager
Nuclear Support Services
414 Nicollet Mall - 8th Floor
Minneapolis, Minnesota 55401

Gentlemen:

The Commission has filed the enclosed "Notice of Proposed Issuance of Amendment to Provisional Operating License" with the Office of the Federal Register for publication.

The proposed amendment would allow the operation of Monticello Nuclear Generating Plant during Cycle 7 with a fuel type not previously used in that facility, in accordance with your application dated March 21, 1978.

Sincerely,

Original signed by

Thomas A. Ippolito, Chief
Operating Reactors Branch #3
Division of Operating Reactors

Enclosure: Notice

cc w/enclosure:
See next page

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Docket
ORB #3
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JBishop, OELD files
ASLAP (4)

concur subject to verification of stem discussion on working copy of Fed. Register notice. Please inform me of result of verification.

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OFFICE →	ORB #3	ORB #3	OELD	ORB #3		
SURNAME →	SSheppard	RBevan:mjf	B. Person	Tippolito		
DATE →	6/20/78	6/20/78	6/26/78	6/28/78		

June 28, 1978

cc w/enclosures:

Mr. G. D. Watson, General Counsel
Nebraska Public Power District
P. O. Box 499
Columbus, Nebraska 68601

Mr. Arthur C. Gehr, Attorney
Snell & Wilmer
3100 Valley Center
Phoenix, Arizona 85073

Cooper Nuclear Station
ATTN: Mr. L. Lessor
Station Superintendent
P. O. Box 98
Brownville, Nebraska 68321

Auburn Public Library
118 - 15th Street
Auburn, Nebraska 68305

Director
Nebraska Dept. of Environmental Control
P. O. Box 94877, State House Station
Lincoln, Nebraska 68509

Mr. William Siebert, Commissioner
Nemaha County Board of Commissioners
Nemaha County Courthouse
Auburn, Nebraska 68305

Chief, Energy Systems Analyses
Branch (AW-459)
Office of Radiation Programs
U. S. Environmental Protection Agency
Room 645, East Tower
401 M Street, S. W.
Washington, D. C. 20460

U. S. Environmental Protection Agency
Region VII
ATTN: EIS COORDINATOR
1735 Baltimore Avenue
Kansas City, Missouri 64108

UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NO. 50-263NORTHERN STATES POWER COMPANYNOTICE OF PROPOSED ISSUANCE OF AMENDMENT
TO PROVISIONAL OPERATING LICENSE

The Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Provisional Operating License No. DPR-22 issued to Northern States Power Company (the licensee), for operation of the Monticello Nuclear Generating Plant (the facility), located in Wright County, Minnesota.

The amendment would allow the operation of Monticello during operating Cycle 7 with a fuel type not previously used in that facility in accordance with the licensee's application for amendment dated March 21, 1978. The fuel type has been reviewed and approved by the NRC staff for use in BWR 3 reactors.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By August 8, 1978, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject provisional operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene

is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR §2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend his petition, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, the petitioner shall file a supplement to his petition to intervene which must include a list of the contentions which he seeks to have litigated in the matter, and the bases for each contention set forth with reasonable specificity. A petitioner who fails to file such a supplement which satisfies these requirements with respect

to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Docketing and Service Section, or may be delivered to the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. by the above date. A copy of the petition should also be sent to the Executive Legal Director, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, and to Gerald Charnoff, Esquire, Shaw, Pittman, Potts and Trowbridge, 1800 M Street, N. W., Washington, D. C. 20036, the attorney for the licensee.

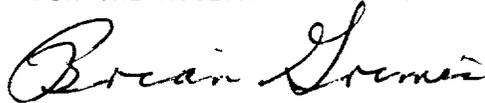
Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR §2.714(a)(i)-(v) and §2.714(d).

For further details with respect to this action, see the application for amendment dated March 21, 1978, which is available for public inspection

at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. and at the Environmental Conservation Library, Minneapolis Public Library, 300 Nicollet Mall, Minneapolis, Minnesota 55401.

Dated at Bethesda, Maryland, this 28th day of June 1978.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script, appearing to read "Brian K. Grimes".

Brian K. Grimes, Assistant Director
for Engineering and Projects
Division of Operating Reactors