

February 12, 1986

Docket No. 50-263

Mr. D. M. Musolf
Nuclear Support Services Department
Northern States Power Company
414 Nicollet Mall - 8th Floor
Minneapolis, Minnesota 55401

Dear Mr. Musolf:

SUBJECT: ENVIRONMENTAL TECHNICAL SPECIFICATIONS

Re: Monticello Nuclear Generating Plant

The Commission has issued the enclosed Amendment No. 38 to Facility Operating License No. DPR-22 for the Monticello Nuclear Generating Plant. This amendment is in response to your application dated July 23, 1982, and revised on November 24, 1982.

The amendment provides new reporting requirements on nonradiological, nonaquatic environmental events. Specifically, this amendment will (a) delete Technical Specifications Section 6.7.C.2 concerning the reporting requirement for an Annual Nonradiological Environmental Monitoring and Ecological Studies Program Report, (b) renumber Section 6.7.C.3 "Special Reports" to Section 6.7.C.2 "Special Reports", and (c) add a new Section 6.7.C.3 entitled, "Other Environmental Reports (non-radiological, non-aquatic)."

A copy of our related Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly Federal Register notices.

Sincerely,

Original signed by

John A. Zwolinski, Director
BWR Project Directorate #1
Division of BWR Licensing

Enclosures:

1. Amendment No.38 to License No. DPR-22
2. Safety Evaluation

cc w/enclosures:
See next page

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

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Sincerely,

A handwritten signature in black ink, appearing to read "John A. Zwolinski", is written over the word "Sincerely,".

John A. Zwolinski, Director
BWR Project Directorate #1
Division of BWR Licensing

Enclosures:

1. Amendment No. 38 to License No. DPR-22
2. Safety Evaluation

cc w/enclosures:
See next page

Mr. D. M. Musolf
Northern States Power Company

Monticello Nuclear Generating Plant

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

NORTHERN STATES POWER COMPANY

DOCKET NO. 50-263

MONTICELLO NUCLEAR GENERATING PLANT

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 38
License No. DPR-22

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Northern States Power Company (the licensee) dated July 23, 1982, and revised on November 24, 1982, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.2 of Facility Operating License No. DPR-22 is hereby amended to read as follows:

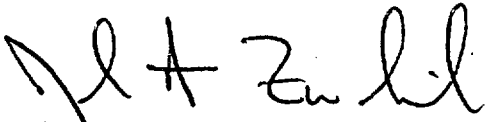
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2 Technical Specifications

The Technical Specifications contained in Appendix A as revised through Amendment No. 38 , are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read "John A. Zwolinski", is written over the typed name.

John A. Zwolinski, Director
BWR Project Directorate #1
Division of BWR Licensing

Attachment:
Changes to the Technical
Specifications

Date of Issuance: February 12, 1986

ATTACHMENT TO LICENSE AMENDMENT NO. 38

FACILITY OPERATING LICENSE NO. DPR-22

DOCKET NO. 50-263

Revise Appendix "A" Technical Specifications by removing the pages identified below and inserting the attached pages. The revised pages are identified by the captioned amendment number and contain marginal lines indicating the area of change.

REMOVE

253
253a
254

INSERT

253
253a
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C. Environmental Reports

The reports listed below shall be submitted to the Administrator of the appropriate Regional Office or designate:

1. Annual Radiation Environmental Monitoring Report

- a. Annual Radiation Environmental Monitoring Reports covering the operation of the program during the previous calendar year shall be submitted prior to May 1 of each year.
- b. The Annual Radiation Environmental Monitoring Reports shall include summaries, interpretations, and an analysis of trends of the results of the radiological environmental surveillance activities for the report period, including a comparison with preoperational studies, operational controls (as appropriate), and previous environmental surveillance reports and an assessment of the observed impacts of the plant operation on the environment. The reports shall also include the results of land use consensus required by Specification 4.16.B.1. If harmful effects or evidence of irreversible damage are detected by the monitoring, the report shall provide an analysis of the problem and a planned course of action to alleviate the problem.
- c. The Annual Radiation Environmental Monitoring Reports shall include summarized and tabulated results in the format of Regulatory Guide 4.8, December 1975 of all radiological environmental samples taken during the report period. In the event that some results are not available for inclusion with the report, the report shall be submitted noting and explaining the reasons for the missing results. The missing data shall be submitted as soon as possible in a supplementary report.
- d. The reports shall also include the following: a summary description of the radiological environmental monitoring program; a map of all sampling locations keyed to a table giving distances and directions from the reactor; and the results of licensee participation in the Interlaboratory Comparison Program, required by Specification 4.16.C.1.

2.0 Special Reports

When radioactivity levels in samples exceed limits specified in Table 4.16.3 a Special Report shall be submitted within 30 days from the end of the affected calendar quarter. For certain cases involving long analysis time, determination of quarterly averages may extend beyond the 30 day period. In these cases the potential for exceeding the quarterly limits will be reported within the 30 day period to be followed by the Special Report as soon as practicable.

3. Other Environmental Reports (non-radiological, non-aquatic)

Written reports for the following items shall be submitted to the appropriate NRC Regional Administrator:

- a. Environmental events that indicate or could result in a significant environmental impact causally related to plant operation. The following are examples: excessive bird impactation; onsite plant or animal disease outbreaks; unusual mortality of any species protected by the Endangered Species Act of 1973; increase in nuisance organisms or conditions; or excessive environmental impact caused by herbicide application to transmission corridors associated with the plant. This report shall be submitted within 30 days of the event and shall (a) describe, analyze, and evaluate the event, including extent and magnitude of the impact and plant operating characteristics, (b) describe the probable cause of the event, (c) indicate the action taken to correct the reported event, (d) indicate the corrective action taken to preclude repetition of the event and to prevent similar occurrences involving similar components or systems, and (e) indicate the agencies notified and their preliminary responses.
- b. Proposed changes, tests or experiments which may result in a significant increase in any adverse environmental impact which was not previously reviewed or evaluated in the Final Environmental Statement or supplements thereto. This report shall include an evaluation of the environmental impact of the proposed activity and shall be submitted 30 days prior to implementing the proposed change, test or experiment.

6.8 ENVIRONMENTAL QUALIFICATION

- A. By no later than June 30, 1982 all safety-related electrical equipment in the facility shall be qualified in accordance with the provisions of Division of Operating Reactors "Guidelines for Evaluating Environmental Qualification of Class IE Electrical Equipment in Operating Reactors" (DOR Guidelines); or, NUREG-0588 "Interim Staff Position on Environmental Qualification of Safety-Related Electrical Equipment", December 1979. Copies of these documents are attached to Order for Modification of License DPR-22 dated October 24, 1980.
- B. By no later than December 1, 1980, complete and auditable records must be available and maintained at a central location which describe the environmental qualification method used for all safety-related electrical equipment in sufficient detail to document the degree of compliance with the DOR Guidelines or NUREG-0588. Thereafter, such records should be updated and maintained current as equipment is replaced, further tested, or otherwise further qualified.

6.7/6.8

254



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
SUPPORTING AMENDMENT NO. 38 TO FACILITY OPERATING LICENSE NO. DPR-22
NORTHERN STATES POWER COMPANY
MONTICELLO NUCLEAR GENERATING PLANT
DOCKET NO. 50-263

1.0 INTRODUCTION

By letter dated July 23, 1982, and revised on November 24, 1982, Northern States Power Company (NSP) transmitted a Technical Specification Change Request to amend Appendix A of Facility Operating License No. DPR-22. The change under consideration includes (a) deletion of Section 6.7.C.2 concerning the reporting requirement for an Annual Nonradiological Environmental Monitoring and Ecological Studies Program Report, (b) renumbering Section 6.7.C.3 Special Reports to Section 6.7.C.2 Special Reports, and (c) incorporating a new Section 6.7.C.3 Other Environmental Reports (non-radiological, nonaquatic) into the existing Appendix A Technical Specifications. The requested change is intended to comply with the Atomic Safety and Licensing Appeal Board (ASLAB) Yellow Creek decision which held as a matter of law that the NRC did not have the requisite responsibilities in the water quality area (ASLAB-515, 8NRC792). The change also provides for new reporting requirements on nonradiological, nonaquatic environmental events, which might occur on the plant site, to substitute for Environmental Technical Specifications.

2.0 EVALUATION

On December 16, 1974, the licensee proposed a license amendment to include reporting requirements (T/S 6.7.C.2) in the nonradiological water quality area in response to the then-current Regulatory Staff position that plants without Appendix B T/S should have "Appendix B reports." This request was granted in License Amendment No. 22 to the Provisional Operating License No. DPR-22 on July 23, 1976.

Water quality requirements, however, are addressed in the National Pollutant Discharge Elimination System (NPDES) Permit No. MN0000868 issued on August 26, 1977 and reissued on February 28, 1983 by the Minnesota Pollution Control Agency, the state permitting agency under the U.S. Environmental Protection Agency. The State of Minnesota thus regulates and protects the aquatic environment under the NPDES permit system. The NPDES permit contains nonradiological effluent limitations and monitoring requirements, ecological monitoring, together with reporting and administrative requirements.

The staff concurs in the deletion of the reporting requirement of nonradiological water quality monitoring and ecological studies as requested by the licensee inasmuch as this requirement is duplicative of requirements in the NPDES permit. On this basis, Section 6.7.C.2 serves no

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useful purpose and may be deleted from Appendix A of the license. This action is in accordance with the Yellow Creek ASLAB Decision and other Appeal Board Decisions (see Robinson, ASLAB-569, 10 NRC 557). The NRC staff has informed the State of Minnesota of our decision to delete this reporting requirement.

By deletion of Section 6.7.C.2, we also concur that Section 6.7.C.3 Special Reports can be renumbered to be Section 6.7.C.2.

The licensee further requested that reporting requirements to notify the NRC of significant nonradiological, nonaquatic events such as excessive bird impaction, onsite plant or unusual disease outbreaks, unusual mortality of any species protected by the Endangered Species Act of 1973, and excessive environmental impact caused by herbicide applications to transmission corridors associated with the plant should be incorporated into Appendix A as a new Section 6.7.C.3. The principal objectives of these reporting requirements are as follows:

1. Verify that the plant is operated in an environmentally acceptable manner, as established by the Final Environmental Statement (FES) and other NRC environmental impact assessments.
2. Coordinate NRC requirements and maintain consistency with other Federal, State, and local requirements for environmental protection.
3. Keep NRC informed of the environmental effects of facility construction and operation and of actions taken to control those effects.

The NRC staff concurs with the licensee to include these additional reporting requirements as a part of the Technical Specifications, Appendix A of the license.

3.0 ENVIRONMENTAL CONSIDERATION

This amendment relates to changes in recordkeeping, reporting, or administrative procedures or requirements and deletes water quality requirements subject to the provisions of the Federal Water Pollution Control Act. Accordingly, this amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10) and (17). Pursuant to 10 CFR 51.22(b) no environmental impact statement nor environmental assessment need be prepared in connection with the issuance of this amendment.

4.0 CONCLUSION

The staff has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (2) such activities will be conducted in compliance with the Commission's regulations and the issuance of this amendment will not be inimical to the common defense and security nor to the health and safety of the public.

Principal Contributors: M. J. Oestmann and M. C. Schumacher.

Dated: February 12, 1986