

April 26, 1999

Mr. Roger O. Anderson, Director  
Nuclear Energy Engineering  
Northern States Power Company  
414 Nicollet Mall  
Minneapolis, MN 55401

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO FACILITY OPERATING LICENSES, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION AND OPPORTUNITY FOR HEARING - PRAIRIE ISLAND NUCLEAR GENERATING PLANT, UNIT 1 AND UNIT 2 (TAC NOS. MA5261 AND MA5262)

Dear Mr. Anderson:

Enclosed is a copy of the subject notice that relates to Northern States Power Company's application for amendments for Prairie Island Nuclear Generating Plant, Units 1 and 2, dated April 20, 1999.

The proposed amendments would change the implementation date for the relocation of the requirements specified in Technical Specification Sections 3.1.E and 5.1 to the Updated Final Safety Analysis Report. On December 7, 1998, the NRC had previously issued license amendments 141 and 132 for Units 1 and 2, respectively, approving the relocation of aforementioned requirements by June 1, 1999. The proposed amendments would postpone the implementation date to September 1, 1999.

The notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by:

Tae Kim, Senior Project Manager, Section 1  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-282  
and 50-306

Enclosure: Notice

cc w/encl: See next page

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Docket File                      RLanksbury, DRP, RIII  
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NAME	TJKim <i>TJK</i>		THarris <i>JLH</i>		GDick <i>GD</i>	
DATE	4/ 22 199		4/ 22 199		4/ 22 199	

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Northern States Power Company  
414 Nicollet Mall  
Minneapolis, MN 55401

**SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO FACILITY OPERATING LICENSES, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION AND OPPORTUNITY FOR HEARING - PRAIRIE ISLAND NUCLEAR GENERATING PLANT, UNIT 1 AND UNIT 2 (TAC NOS. MA5261 AND MA5262)**

Dear Mr. Anderson:

Enclosed is a copy of the subject notice that relates to Northern States Power Company's application for amendments for Prairie Island Nuclear Generating Plant, Units 1 and 2, dated April 20, 1999.

The proposed amendments would change the implementation date for the relocation of the requirements specified in Technical Specification Sections 3.1.E and 5.1 to the Updated Final Safety Analysis Report. On December 7, 1998, the NRC had previously issued license amendments 141 and 132 for Units 1 and 2, respectively, approving the relocation of aforementioned requirements by June 1, 1999. The proposed amendments would postpone the implementation date to September 1, 1999.

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Sincerely,

Original signed by:

Tae Kim, Senior Project Manager, Section 1  
Project Directorate III  
Division of Licensing Project Management  
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UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

April 26, 1999

Mr. Roger O. Anderson, Director  
Nuclear Energy Engineering  
Northern States Power Company  
414 Nicollet Mall  
Minneapolis, MN 55401

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO  
FACILITY OPERATING LICENSES, PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION AND OPPORTUNITY FOR HEARING - PRAIRIE ISLAND  
NUCLEAR GENERATING PLANT, UNIT 1 AND UNIT 2 (TAC NOS. MA5261  
AND MA5262)

Dear Mr. Anderson:

Enclosed is a copy of the subject notice that relates to Northern States Power Company's application for amendments for Prairie Island Nuclear Generating Plant, Units 1 and 2, dated April 20, 1999.

The proposed amendments would change the implementation date for the relocation of the requirements specified in Technical Specification Sections 3.1.E and 5.1 to the Updated Final Safety Analysis Report. On December 7, 1998, the NRC had previously issued license amendments 141 and 132 for Units 1 and 2, respectively, approving the relocation of aforementioned requirements by June 1, 1999. The proposed amendments would postpone the implementation date to September 1, 1999.

The notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tae Kim".

Tae Kim, Senior Project Manager, Section 1  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-282  
and 50-306

Enclosure: Notice

cc w/encl: See next page

Mr. Roger O. Anderson, Director  
Northern States Power Company

Prairie Island Nuclear Generating  
Plant

cc:

J. E. Silberg, Esquire  
Shaw, Pittman, Potts and Trowbridge  
2300 N Street, N. W.  
Washington DC 20037

Site Licensing  
Prairie Island Nuclear Generating  
Plant  
Northern States Power Company  
1717 Wakonade Drive East  
Welch, Minnesota 55089

Plant Manager  
Prairie Island Nuclear Generating  
Plant  
Northern States Power Company  
1717 Wakonade Drive East  
Welch, Minnesota 55089

Tribal Council  
Prairie Island Indian Community  
ATTN: Environmental Department  
5636 Sturgeon Lake Road  
Welch, Minnesota 55089

Adonis A. Neblett  
Assistant Attorney General  
Office of the Attorney General  
455 Minnesota Street  
Suite 900  
St. Paul, Minnesota 55101-2127

Site General Manager  
Prairie Island Nuclear Generating  
Plant  
Northern States Power Company  
1717 Wakonade Drive East  
Welch, Minnesota 55089

U.S. Nuclear Regulatory Commission  
Resident Inspector's Office  
1719 Wakonade Drive East  
Welch, Minnesota 55089-9642

Regional Administrator, Region III  
U.S. Nuclear Regulatory Commission  
801 Warrenville Road  
Lisle, Illinois 60532-4351

Mr. Stephen Bloom, Administrator  
Goodhue County Courthouse  
Box 408  
Red Wing, Minnesota 55066-0408

Commissioner  
Department of Public Service  
121 Seventh Place East  
Suite 200  
St. Paul, Minnesota 55101-2145

UNITED STATES NUCLEAR REGULATORY COMMISSIONNORTHERN STATES POWER COMPANYDOCKET NOS. 50-282 AND 50-306NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TOFACILITY OPERATING LICENSES DPR-42 AND DPR-60PROPOSED NO SIGNIFICANT HAZARDSCONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating Licenses DPR-42 and DPR-60 issued to Northern States Power Company (the licensee) for operation of the Prairie Island Nuclear Generating Plant, Units 1 and 2, located in Goodhue County, Minnesota.

The proposed amendments would change the implementation date for the relocation of the requirements specified in Technical Specification Sections 3.1.E and 5.1 to the Updated Final Safety Analysis Report. On December 7, 1998, the NRC had previously issued license amendments 141 and 132 for Units 1 and 2, respectively, approving the relocation of aforementioned requirements by June 1, 1999. The proposed amendments would postpone the implementation date to September 1, 1999.

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

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendments

would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does operation of the facility with the proposed amendment[s] involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed change is administrative in nature and does not significantly affect any system that is a contributor to initiating events for previously evaluated accidents. Neither does the change significantly affect any system that is used to mitigate any previously evaluated accidents. Therefore, the proposed change does not involve any significant increase in the probability or consequence of an accident previously evaluated. Current Technical Specification requirements will remain in place.

2. Does operation of the facility with the proposed amendment[s] create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed change is administrative in nature and does not alter the design, function, or operation of any plant component and does not install any new or different equipment, therefore a possibility of a new or different kind of accident from those previously analyzed has not be created.

3. Does operation of the facility with the proposed amendment[s] involve a significant reduction in a margin of safety?

The proposed change is administrative in nature and does not involve a significant reduction in the margin of safety associated with the fuel cladding, reactor coolant boundary, containment, or any safety limit. Current Technical Specification requirements will remain in place.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the FEDERAL REGISTER a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By May 26, 1999, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility 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 request for a hearing and a petition for leave to intervene.

Requests for a hearing and a petition 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. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Minneapolis Public Library, Technology and Science Department, 300 Nicollet Mall, Minneapolis, Minnesota 55401. 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 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 the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. 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.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective,

notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

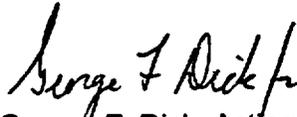
A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by close of business on the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Jay Silberg, Esq., Shaw, Pittman, Potts, and Trowbridge, 2300 N Street, NW, Washington, DC 20037, 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 presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated April 20, 1999, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Minneapolis Public Library, Technology and Science Department, 300 Nicollet Mall, Minneapolis, Minnesota 55401.

Dated at Rockville, Maryland, this 22nd day of April 1999.

FOR THE NUCLEAR REGULATORY COMMISSION



George F. Dick, Acting Chief, Section 1  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

4/22/99

MEMORANDUM TO: Rules and Directives Branch  
Division of Administrative Services  
Office of Administration  
FROM: Office of Nuclear Reactor Regulation  
SUBJECT: Prairie Island

One signed original of the *Federal Register* Notice identified below is attached for your transmittal to the Office of the Federal Register for publication. Additional conformed copies ( ) of the Notice are enclosed for your use.

- Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
- Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s): Time for submission of Views on Antitrust matters.
- Notice of Consideration of Issuance of Amendment to Facility Operating License. (Call with 30-day insert date).
- Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
- Notice of Availability of NRC Draft/Final Environmental Statement.
- Notice of Limited Work Authorization.
- Notice of Availability of Safety Evaluation Report.
- Notice of Issuance of Construction Permit(s).
- Notice of Issuance of Facility Operating License(s) or Amendment(s).
- Order.
- Exemption.
- Notice of Granting Exemption.
- Environmental Assessment.
- Notice of Preparation of Environmental Assessment.
- Receipt of Petition for Director's Decision Under 10 CFR 2.206.
- Issuance of Final Director's Decision Under 10 CFR 2.206.
- Other: \_\_\_\_\_

DOCKET NO. 50-282 + 50-306

Attachment(s): As stated

Contact: Kleene  
Telephone: X1389

DOCUMENT NAME:

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	PD31																		
NAME	Kleene																		
DATE	4/22/99																		