



David M. Sparby
CEO and President
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February 6, 2009

L-XE-09-001

Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
ATTN: Rulemakings and Adjudications Staff

Re: Docket NRC-2008-0482 - Waste Confidence Decision Update

Xcel Energy appreciates the opportunity to comment on the Nuclear Regulatory Commission's (NRC) reaffirmation of the first, third and fifth findings and proposed revisions to the second and fourth findings of the NRC's Waste Confidence Decision (WCD), and revision to 10 CFR §51.23, as proposed in Volume 73, No. 197 of the Federal Register dated October 9, 2008. Xcel Energy supports the proposed reaffirmations and revisions.

Xcel Energy considered a number of factors in arriving at a decision to support these changes, including:

- Submission by the U.S. Department of Energy (DOE) of the Application to Construct the Yucca Mountain Repository to the Nuclear Regulatory Commission on June 3, 2008;
- The NRC's determination that DOE's application is sufficiently complete to docket for the NRC staff to begin its full technical review;
- The NRC staff's recommendation that the Commission adopt, with further supplementation, DOE's Environmental Impact Statement for the repository project; and,
- The continued safe operation of Independent Spent Fuel Storage Installations (ISFSI) in the United States, including the Prairie Island Nuclear Generating Plant and the Monticello Nuclear Generating Plant ISFSIs, as well as the successful renewal of licenses for a number of ISFSIs for an additional forty years.

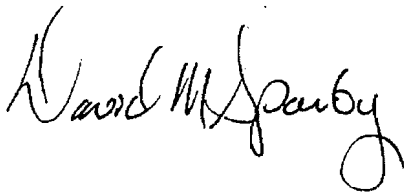
These considerations reinforce the conclusion that the federal government is making progress toward permanently managing used fuel from commercial

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reactors and that, in the interim, used fuel from commercial nuclear reactors can safely be stored on-site for extended periods.

Xcel Energy would like to point out that the proposed WCD Update might be viewed by various stakeholders as implying that, because on-site temporary storage is safe for extended periods, the federal government does not need to move expeditiously to remove fuel from on-site storage at commercial nuclear reactors. On-site temporary storage of spent fuel, while safe for extended periods of time, is not an alternative to permanent storage and disposal of spent nuclear fuel. Xcel Energy urges the Commission during its interactions with Congress to emphasize that the federal government must fulfill its contractual obligation by centralizing storage, either in an interim or permanent facility.

Sincerely,

A handwritten signature in black ink that reads "David M. Sparby". The signature is written in a cursive style with a large, looped "D" and "S".

David M. Sparby
CEO and President
NSP - Minnesota

Cc: Ronald Johnson
Tribal Council President
Prairie Island Indian Community

Rulemaking Comments

From: Johnson, Pamela J. [Pamela.Johnson@xenuclear.com]
Sent: Monday, February 09, 2009 9:51 AM
To: Rulemaking Comments
Subject: Comments from Xcel Energy - Waste Confidence Letter
Attachments: 020609 Waste Confidence Letter to.pdf

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From: "Johnson, Pamela J." <Pamela.Johnson@xenuclear.com>
To: <Rulemaking.Comments@nrc.gov>
Return-Path: Pamela.Johnson@xenuclear.com