



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

REGION III  
2443 WARRENVILLE ROAD, SUITE 210  
LISLE, IL 60532-4352

March 20, 2009

EA-08-349

Mr. Michael D. Wadley  
Site Vice President  
Northern States Power – Minnesota  
Prairie Island Nuclear Power station  
1717 Wakonade Drive East  
Welch, MN 55089

**SUBJECT: MEETING SUMMARY FOR REGULATORY CONFERENCE WITH NORTHERN STATES POWER - MINNESOTA (EA-08-349)**

Dear Mr. Wadley:

This refers to the Regulatory Conference public meeting conducted at the Nuclear Regulatory Commission, Region III office on March 17, 2009. This conference related to the discussion of the significance of an inspection finding and an apparent violation associated with the shipment of radioactive materials above the applicable Department of Transportation (DOT) regulatory limits, as documented in NRC Inspection Report Number 05000282/2008009; 0500306/2008009. The regulatory conference was held at your request.

Specifically, you and your staff presented a summary of the causes for the apparent violation, the associated corrective actions, and your rationale for proposing that the significance determination process (SDP) be reclassified as a white outcome. You and your staff provided some additional clarifying information. Specifically:

- Upon further review, you determined that the actual number of individuals that were not trained and qualified in accordance with 49CFR172.704 "Training Requirements" were 5 out of a required population of 10, instead of 9 out of 13 as described in the inspection report.
- You and your staff determined through event reconstruction that there were elevated radiation levels on the underside of the package, as opposed to on the underside of the transport trailer as described in the inspection report. Additionally, it was confirmed that the radiation levels on the underside of the transport trailer were similar to the radiation levels when the shipment left Prairie Island Station.

Additionally, you and your staff agreed to provide four additional pieces of information to the NRC by Tuesday, March 24, 2009. Specifically:

- Were correction factors used for the 800 mRem/Hr RO2 (ion chamber) measurement?  
If not, what correction factors would be appropriate for measurements in a non-uniform radiation field based on the ANSI standard and the RO2 (ion chamber) technical manual? (The results should be provided in terms of radiation levels instead of effective dose equivalent.)
- What corrective actions or controls are in place to ensure that radioactive contamination is "essentially uniformly distributed" on the material and equipment that is being shipped as surface contaminated object (SCO) II?
- What is the basis for considering the energy compensated Telepole (Gieger-Mueller) measurement inaccurate, given that vendor information and test data demonstrate that the instrument is linear in its response to Co-60 energies in the activity range of interest?
- Supply any Instructor or College Professor data that relates to an adverse impact on Telepole (Gieger-Mueller) from an energy scatter effect when measuring radiation levels on the surface of the package.

The attendance list and your presentation are enclosed with this summary. Also, a copy of your slides presented during the meeting can be found in Agencywide Documents Access and Management System (ADAMS) ML090700306.

There were members of the public present at this meeting. In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this summary and its enclosures will be made available to the Public.

Sincerely,

/RA/

Steven K. Orth, Chief  
Plant Support Team  
Division of Reactor Safety

Docket Nos. 50-282; 50-306  
License Nos. DPR-42; DPR-60

Enclosures:

1. Attendance List Redacted
2. Licensee Presentation

DISTRIBUTION:

See next page

Letter to Mr. Michael D. Wadley from Mr. Steven K. Orth dated March 20, 2009.

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cc w/encl: D. Koehl, Chief Nuclear Officer  
J. Anderson, Regulatory Affairs Manager  
P. Glass, Assistant General Counsel  
Nuclear Asset Manager  
J. Stine, State Liaison Officer, Minnesota Department of Health  
Tribal Council, Prairie Island Indian Community  
Administrator, Goodhue County Courthouse  
Commissioner, Minnesota Department  
of Commerce  
Manager, Environmental Protection Division  
Office of the Attorney General of Minnesota  
Emergency Preparedness Coordinator, Dakota  
County Law Enforcement Center

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**See Previous Concurrences**

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