



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 19, 2009

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

SUBJECT: PRAIRIE ISLAND NUCLEAR GENERATING PLANT, UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS RE: ADOPTION OF TSTF-511 REV. 0 (TAC NOS. ME1089 AND ME1090)

Dear Mr. Wadley:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 193 to Facility Operating License No. DPR-42 and Amendment No. 182 to Facility Operating License No. DPR-60 for the Prairie Island Nuclear Generating Plant, Units 1 and 2 (PINGP), respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated April 15, 2009.

The amendments delete those portions of the TSs superseded by Title 10 of the *Code of Federal Regulations* Part 26, Subpart I.

A copy of our related safety evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Wengert".

Thomas J. Wengert, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-282 and 50-306

Enclosures:

1. Amendment No. 193 to DPR-42
2. Amendment No. 182 to DPR-60
3. Safety Evaluation

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

NORTHERN STATES POWER COMPANY - MINNESOTA

DOCKET NO. 50-282

PRAIRIE ISLAND NUCLEAR GENERATING PLANT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 193
License No. DPR-42

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Northern States Power Company, a Minnesota Corporation (NSPM, the licensee), dated April 15, 2009, 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-42 is hereby amended to read as follows:

Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 193 , are hereby incorporated in the license. NSPM shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance and shall be implemented by October 1, 2009.

FOR THE NUCLEAR REGULATORY COMMISSION



Lois M. James, Chief
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Facility Operating License
and Technical Specifications

Date of Issuance: August 19, 2009



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

NORTHERN STATES POWER COMPANY - MINNESOTA

DOCKET NO. 50-306

PRAIRIE ISLAND NUCLEAR GENERATING PLANT, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 182
License No. DPR-60

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Northern States Power Company, a Minnesota Corporation (NSPM, the licensee), dated April 15, 2009, 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-60 is hereby amended to read as follows:

Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 182 , are hereby incorporated in the license. NSPM shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance and shall be implemented by October 1, 2009.

FOR THE NUCLEAR REGULATORY COMMISSION



Lois M. James, Chief
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Facility Operating License
and Technical Specifications

Date of Issuance: August 19, 2009

ATTACHMENT TO LICENSE AMENDMENT NOS. 193 AND 182

FACILITY OPERATING LICENSE NOS. DPR-42 AND DPR-60

DOCKET NOS. 50-282 AND 50-306

Replace the following pages of the Facility Operating License No. DPR-42 and DPR-60 with the attached revised pages. The changed areas are identified by a marginal line.

REMOVE

DPR-42, License Page 3
DPR-60, License Page 3

INSERT

DPR-42, License Page 3
DPR-60, License Page 3

Replace the following pages of the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

REMOVE

5.0-3
5.0-4

INSERT

5.0-3
5.0-4

5.2 Organization (continued)

5.2.2 Plant Staff

The plant staff organization shall include the following:

- a. An operator to perform non-licensed duties shall be assigned to each reactor containing fuel and one additional operator to perform non-licensed duties shall be assigned when either or both reactors are operating in MODES 1, 2, 3, or 4.
- b. Shift crew composition may be less than the minimum requirement of 10 CFR 50.54(m)(2)(i) and 5.2.2.a and 5.2.2.f for a period of time not to exceed 2 hours in order to accommodate unexpected absence of on-duty shift crew members provided immediate action is taken to restore the shift crew composition to within the minimum requirements.
- c. An individual qualified in radiation protection procedures shall be on site when fuel is in a reactor. The position may be vacant for not more than 2 hours, in order to provide for unexpected absence, provided immediate action is taken to fill the required position.
- d. Not Used.

5.2 Organization

5.2.2 Plant Staff (continued)

- e. The operations manager or assistant operations manager shall hold an SRO license. In addition, the duty shift manager shall hold an SRO license.
 - f. In MODES 1, 2, 3, and 4, the shift technical advisor shall provide advisory technical support to the unit operations shift crew in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operation of the unit. This individual shall meet the qualifications specified by the Commission Policy Statement on Engineering Expertise on Shift.
-

- (4) Pursuant to the Act and 10 CFR Parts 30, 40, and 70, NSPM to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components;
- (5) Pursuant to the Act and 10 CFR Parts 30 and 70, NSPM to possess but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility;
- (6) Pursuant to the Act and 10 CFR Parts 30 and 70, NSPM to transfer byproduct materials from other job sites owned by NSPM for the purpose of volume reduction and decontamination.

C. This amended license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

NSPM is authorized to operate the facility at steady state reactor core power levels not in excess of 1650 megawatts thermal.

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 193, are hereby incorporated in the license. NSPM shall operate the facility in accordance with the Technical Specifications.

(3) Physical Protection

NSPM shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Prairie Island Nuclear Generating Plant Security Plan, Training and Qualification Plan, Safeguards Contingency Plan, and Independent Spent Fuel Storage Installation Security Program," Revision 1, submitted by letters dated October 18, 2006, and January 10, 2007.

- (5) Pursuant to the Act and 10 CFR Parts 30 and 70, NSPM to possess but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility;
- (6) Pursuant to the Act and 10 CFR Parts 30 and 70, NSPM to transfer byproduct materials from other job sites owned by NSPM for the purposes of volume reduction and decontamination.

C. This amended license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

NSPM is authorized to operate the facility at steady state reactor core power levels not in excess of 1650 megawatts thermal.

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 182 , are hereby incorporated in the license. NSPM shall operate the facility in accordance with the Technical Specifications.

(3) Physical Protection

NSPM shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Prairie Island Nuclear Generating Plant Security Plan, Training and Qualification Plan, Safeguards Contingency Plan, and Independent Spent Fuel Storage Installation Security Program," Revision 1, submitted by letters dated October 18, 2006, and January 10, 2007.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 193 TO FACILITY OPERATING LICENSE NO. DPR-42
AND AMENDMENT NO. 182 TO FACILITY OPERATION LICENSE NO. DPR-60
NORTHERN STATES POWER COMPANY - MINNESOTA
PRAIRIE ISLAND NUCLEAR GENERATING PLANT, UNITS 1 AND 2
DOCKET NOS. 50-282 AND 50-306

1.0 INTRODUCTION

By application dated April 15, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML091050619), Northern States Power Company, a Minnesota Corporation (the licensee), requested changes to the Technical Specifications (TSs) for the Prairie Island Nuclear Generating Plant, Units 1 and 2 (PINGP). The proposed changes would delete paragraph d of TS 5.2.2, "Plant Staff."

The licensee stated that the application is consistent with the U.S. Nuclear Regulatory Commission (NRC) approved Revision 0 to Technical Specification Task Force (TSTF) Improved Standard Technical Specification Change Traveler, TSTF-511, "Eliminate Working Hour Restrictions from TS 5.2.2 to Support Compliance with 10 CFR [Title 10 of the *Code of Federal Regulations*] Part 26."

The availability of this TS improvement was announced in the *Federal Register* on December 30, 2008 (73 FR 79923) as part of the consolidated line item improvement process.

2.0 REGULATORY EVALUATION

The history of NRC regulations pertaining to prevention of worker impairment is summarized in the *Federal Register* notice containing the final rule that amended 10 CFR Part 26 (73 FR 16966, March 31, 2008). Title 10 CFR Part 26, Subpart I provides the regulatory requirements for managing worker fatigue at nuclear power plants.

The NRC's regulatory requirements related to the content of the TS are contained in 10 CFR Part 50.36. Title 10 CFR 50.36 requires that the TS include items in the following categories: (1) Safety limits, limiting safety systems settings, and limiting control settings; (2) limiting conditions for operation; (3) Surveillance Requirements; (4) design features; and (5) administrative controls. The administrative controls are the provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner.

The NRC's guidance for the format and content of licensee technical specifications can be found in NUREG-1430, Revision 3.0, "Standard Technical Specifications Babcock and Wilcox Plants," NUREG-1431, Revision 3.0, "Standard Technical Specifications Westinghouse Plants," NUREG-1432, Revision 3.0, "Standard Technical Specifications Combustion Engineering Plants," NUREG-1433, Revision 3.0, "Standard Technical Specifications General Electric Plants, BWR/4," and NUREG-1434, Revision 3.0, "Standard Technical Specifications General Electric Plants, BWR/6," referred to as Standard Technical Specifications (STS). Section 5 of STS contains administrative controls. Paragraph d of Section 5.2.2 of STS contains requirements for administrative procedures to limit the working hours of personnel who perform safety related functions. This paragraph represents NRC's guidance on how licensee TS requirements should address work hour controls. Licensees adhere to the guidance to varying degrees due to minor administrative differences and differences in each licensee's current licensing basis. The inconsistent level of adherence to NRC guidance has led to inconsistent TS interpretation and implementation. This has also made it difficult for NRC to enforce the requirements.

The new requirements of 10 CFR Part 26, Subpart I supersede TS requirements for limiting the working hours of personnel as described in Paragraph d of Section 5.2.2 of STS. Subpart I distinguishes between work hour controls and fatigue management and strengthens the requirements for both. Subpart I requires nuclear power plant licensees to ensure against worker fatigue adversely affecting public health and safety and the common defense and security by establishing clear and enforceable requirements for the management of worker fatigue. Licensees are required to implement Subpart I by October 1, 2009 as announced in the Final rule that revised 10 CFR Part 26 (73 FR 16966, March 31, 2008). TSTF-511 proposed a change to STS that would delete paragraph d of STS 5.2.2. This change was approved in *Federal Register* notice on December 30, 2008 (73 FR 79923).

2.1 Adoption of TSTF-511, Revision 0, by PINGP

Proper adoption of TSTF-511 and implementation of 10 CFR Part 26, Subpart I by PINGP will provide reasonable assurance that PINGP will maintain limits on the working hours of personnel who perform safety related functions. The PINGP licensee has committed to remove the plant-specific TS requirements concurrently with the implementation of the 10 CFR Part 26, Subpart I requirements.

3.0 TECHNICAL EVALUATION

Controls on work hours for personnel at nuclear power plants are necessary to prevent worker fatigue from adversely affecting public health and safety and the common defense and security. Work hour controls for PINGP are currently located in paragraph d of TS 5.2.2. When implemented, the regulatory requirements of 10 CFR 26, Subpart I replace the plant-specific TS requirements found in paragraph d of PINGP's TS.

One minor deviation between the PINGP TS and the TSTF 511 model is that TS Section 5.2.2 at PINGP is titled "Plant Staff" rather than "Unit Staff."

The licensee proposed deleting paragraph d of TS 5.2.2. The licensee committed to implement the new requirements of 10 CFR Part 26, Subpart I concurrently with the deletion of the TS requirements on work hour controls. The NRC staff finds that reasonable controls for the

implementation and for subsequent evaluation of proposed changes pertaining to the above regulatory commitment(s) are best provided by the licensee's administrative processes, including its commitment management program (see Regulatory Issue Summary 2000-017, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff"). The above regulatory commitments do not warrant the creation of regulatory requirements (items requiring prior NRC approval of subsequent changes).

The NRC staff evaluated the licensee's proposed change against the applicable regulatory requirements listed in section 2. The NRC staff also compared the proposed change to the change made to STS by TSTF-511. The NRC staff considered the licensee's commitment to implement 10 CFR Part 26, Subpart I concurrently with the deletion of TS work hour control requirements in its evaluation of the proposed change. Given the licensee's commitment, there is reasonable assurance that the licensee will comply with the regulations for work hour controls, either through TS requirements or through the requirements of 10 CFR Part 26, Subpart I, at all times at PINGP. Therefore, the licensee will continue to prevent worker fatigue from adversely affecting public health and safety and the common defense and security. Therefore, the NRC staff finds the proposed change acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Minnesota State official was notified of the proposed issuance of the amendment. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding issued on June 16, 2009 (74 FR 28578). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). In addition, the amendment changes recordkeeping, reporting, or administrative procedures. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 CONCLUSION

The Commission 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, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

7.0 REFERENCES

1. PINGP License Amendment Request to adopt TSTF-511, April 15, 2009 (ADAMS Accession No. ML091050619),
2. *Federal Register* Notice, Notice of Availability published on December 30, 2008 (73 FR 79923).
3. TSTF-511 Revision 0, "Eliminate Working Hour Restrictions from TS 5.2.2 to Support Compliance with 10 CFR Part 26."

Principal Contributors: V. Cusumano, NRR
A. Lewin, NRR

Date: August 19, 2009

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

SUBJECT: PRAIRIE ISLAND NUCLEAR GENERATING PLANT, UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS RE: ADOPTION OF TSTF-511 REV. 0 (TAC NOS. ME1089 AND ME1090)

Dear Mr. Wadley:

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The amendments delete those portions of the TSs superseded by Title 10 of the *Code of Federal Regulations* Part 26, Subpart I.

A copy of our related safety evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

/RA/

Thomas J. Wengert, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-282 and 50-306

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V. Cusumano, NRR		A. Lewin, NRR	

ADAMS Accession Number: ML091910152

*SE via memo dated 5/29/09

OFFICE	NRR/LPL3-1/ PM	NRR/LPL3-1/ LA	NRR/DIRS/ITSB/BC	OGC *NLO	NRR/LPL3-1/BC
NAME	TWengert	BTully	RElliott*	BMizuno	LJames
DATE	07/20/09	07/13/09	05/29/09	07/24/09	08/19/09

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