

June 30, 2010

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

Administrative Judge
William J. Froehlich, Chair
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Thomas J. Hirons
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Gary S. Arnold
Atomic Safety and Licensing Board Panel
Mail Stop – T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

In the Matter of
NORTHERN STATES POWER CO.
(Prairie Island Nuclear Generating Plant, Units 1 and 2)
Docket Nos. 50-282-LR and 50-306-LR

Dear Administrative Judges:

Pursuant to the Atomic Safety and Licensing Board's ("Licensing Board") February 18, 2009, Memorandum and Order (Prehearing Conference Call Summary and Initial Scheduling Order), slip op. at 2-3, and the telephone conference call held on February 5, 2009, the Staff of the U.S. Nuclear Regulatory Commission ("Staff") herein notifies the Licensing Board and the parties that the hearing file has been updated for this proceeding. The hearing file includes materials required to be produced or disclosed pursuant to 10 C.F.R. § 2.1203, as well as the Staff's mandatory disclosures pursuant to 10 C.F.R. § 2.336(b)(1), (2), and (4), and § 2.336(c). Materials in the hearing file may be accessed through the Agencywide Documents Access and Management System ("ADAMS"). An index, containing the ADAMS accession number, date, and title or description of each item added to the hearing file, since the last update, is appended hereto as Attachment 1.

The hearing file is available via the Electronic Hearing Docket ("EHD"), which may be accessed at the following URL: http://ehd.nrc.gov/EHD_Proceeding/home.asp. The hearing file will be contained in a sub-folder entitled, "Prairie Island Hearing File" in the "Prairie Island_1&2_50-282& 50-306-LR" folder of the EHD.

Pursuant to 10 C.F.R. § 2.336(c), attached are the affidavits of Elaine M. Keegan and Richard A. Plasse, Jr., certifying that all relevant materials, identified by the Staff by June 16, 2010, and required by the regulation to be disclosed, have been disclosed and that the disclosures are accurate and complete. Ms. Keegan's and Mr. Plasse's affidavits are Attachments 3 and 4, respectively.

The staff of the U.S. Nuclear Regulatory Commission (the Staff) has identified the document described in Attachment 2 hereto in accordance with the schedule set out in the Atomic Safety and Licensing Board's April 20, 2010 Memorandum and Order (Summarizing Prehearing Conference Call and Amending Hearing Schedule) and the provisions in the May 13, 2010 Order (Defining Scope of Discovery) regarding mandatory disclosure in connection with the safety culture contention in this proceeding. The document is accessible through the Agency Wide Document Access Management System (ADAMS) and the Nuclear Regulatory Commission's (NRC) website. Attachment 2 consists of an index stating the date and title of the document and its ADAMS accession number. Since this document is accessible via ADAMS and the NRC website, the Staff will not produce it in paper form.

The Staff respectfully maintains that safety culture documents are not encompassed by the provisions of 10 C.F.R. §§ 2.336(b) or 1203(b) and thus are not subject to mandatory disclosure or production through the hearing file. Nevertheless, in order to comply with the Licensing Board's rulings in this proceeding, the Staff has identified documents that relate to the safety culture contention and its bases. By identifying the document in Attachments 2, the Staff does not concede its relevance to license renewal.

Earlier in this proceeding, the Board instructed the Staff to report, on a monthly basis, its best estimate of the date it expects to issue the Final Supplemental Environmental Impact Statement (FSEIS). During the April 13, 2010, telephone conference in this matter, the Staff stated that it expected that it would issue the FSEIS in June 2010. However, it now appears that the FSEIS will not issue until late August, at the earliest. Mindful of the Board's instruction, the Staff will update the Milestones page of the Commission's website regarding the Prairie Island License Renewal when it is able to specify a date for issuance of the FSEIS.

Respectfully,

/Signed (electronically) by/
Maxwell C. Smith
Counsel for NRC Staff
U.S. Nuclear Regulatory
Commission
Mail Stop O-15D21
Washington, DC 20555-0001
(301) 415-1246
maxwell.smith@nrc.gov

Attachments: June 2010 Hearing File Index
June 2010 Mandatory Disclosure Update
Affidavit of Elaine M. Keegan
Affidavit of Richard A. Plasse, Jr.

In the Matter of
NORTHERN STATES POWER CO.
(Prairie Island Nuclear Generating Plant, Units 1 and 2)
Docket Nos. 50-282-LR and 50-306-LR

NRC Staff Transmittal Letter dated June 30, 2010

Attachment 1
Hearing File Index June 2010 Update

Attachment 1 - Prairie Island License Renewal Hearing File and Mandatory Disclosures
Updated Hearing File Index -- June 2010

ID No.	ADAMS Accession Number	Document Date	ADAMS Package Nos. (if applicable)	Title
15-001	ML090930026	4/6/2009		03/02/2009 Meeting Summary, Meeting Between NRC Staff and Northern States Power Company, Minnesota (NSPM).
15-002	ML101670330	6/10/2010		2010/06/10 PINGP LR - Prairie Island contention
15-003	ML101670326	6/16/2010		2010/06/16 PINGP LR - RE: Prairie Island contention
15-011	ML100840641	6/11/2009	ML100840646	EPRI Presentation to the Nuclear Waste Technical Review Board, Las Vegas, NV, June 11, 2009. Submitted by Kristen Eide Toffeson with Comments on Draft Generic Environmental Impact Statement for Prairie Island Nuclear Generating Plant, Units 1 and 2.....
15-013	ML090860804	3/27/2009		IR 05000282-09-006, 05000306-09-006 on 01/06/2009 - 02/18/2009 for Prairie Island, Units 1 and 2, License Renewal Scoping, Screening and Aging Management.
15-015	ML090850009	4/21/2009		Prairie Island Nuclear Generating Plant, Units 1 and 2, License Renewal Application, Safety Audit Report (TAC MD8513 and MD8514).
15-016	ML092360408	8/7/2009	ML101460251	Prairie Island, Units 1 & 2, Responses to Follow-Up Questions Related to NSPM Letter of June 24, 2009.
15-017	ML091540412	6/10/2009		Request for Additional Information for the Review of the Prairie Island Nuclear Generating Plant, Units 1 and 2, License Renewal Application.
15-019	ML092180127	7/7/2009		Transcripts of Advisory Committee on Reactor Safeguards Plant License Renewal Subcommittee, Prairie Island, July 07, 2009, Pages 1-138.

In the Matter of
NORTHERN STATES POWER CO.
(Prairie Island Nuclear Generating Plant, Units 1 and 2)
Docket Nos. 50-282-LR and 50-306-LR

NRC Staff Transmittal Letter dated June 30, 2010

Attachment 2
Mandatory Disclosure Update Index

**ATTACHMENT 2 -
MANDATORY DISCLOSURE INDEX
June 2010 Update**

ID #	Accession Number/ Federal Register	Report Number (if applicable)	Document Date	Title/Description:
00-200	ML0906202932		03/02/2009	Notice of Significant License Meeting

In the Matter of
NORTHERN STATES POWER CO.
(Prairie Island Nuclear Generating Plant, Units 1 and 2)
Docket Nos. 50-282-LR and 50-306-LR

NRC Staff Transmittal Letter dated June 30, 2010

Attachment 3
Affidavit of Elaine M. Keegan

June 30, 2010

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
NORTHERN STATES POWER CO.) Docket Nos. 50-282-LR/ 50-306-LR
)
(Prairie Island Nuclear Generating Plant)
Units 1 and 2)

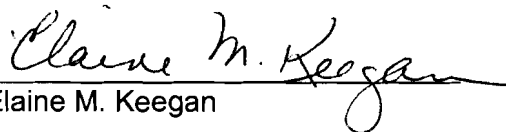
AFFIDAVIT OF ELAINE M. KEEGAN CONCERNING
MANDATORY DISCLOSURE REQUIREMENT OF 10 C.F.R. § 2.336(b)

I, Elaine M. Keegan, do hereby state as follows:

1. I am employed as a Project Manager in the Division of License Renewal in the U.S. Nuclear Regulatory Commission's ("NRC") Office of Nuclear Reactor Regulation. I serve as a project manager for the Prairie Island Nuclear Generating Plant, Units 1 and 2 license renewal application ("LRA"). Among other things, I am managing the preparation of the hearing file and mandatory disclosures for environmental issues in connection with the LRA at issue in this proceeding.

2. I hereby certify that all relevant materials related to the environmental issues in connection with the LRA that are required to be disclosed pursuant to 10 C.F.R. § 2.336 (b) and (c) in the captioned proceeding have been disclosed, and that the disclosures are accurate and complete for documents identified by the Staff as of June 16, 2010.

3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.


Elaine M. Keegan

Executed in Rockville, Maryland
this 30th day of June, 2010

In the Matter of
NORTHERN STATES POWER CO.
(Prairie Island Nuclear Generating Plant, Units 1 and 2)
Docket Nos. 50-282-LR and 50-306-LR

NRC Staff Transmittal Letter dated June 30, 2010

Attachment 4
Affidavit of Richard A. Plasse, Jr.

June 30, 2010

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
NORTHERN STATES POWER CO.) Docket Nos. 50-282-LR/ 50-306-LR
)
(Prairie Island Nuclear Generating Plant)
Units 1 and 2)


AFFIDAVIT OF RICHARD A. PLASSE, JR. CONCERNING
MANDATORY DISCLOSURE REQUIREMENT OF 10 C.F.R. § 2.336(b)

I, Richard A. Plasse, Jr., do hereby state as follows:

1. I am employed as a Project Manager in the Division of License Renewal in the U.S. Nuclear Regulatory Commission's ("NRC") Office of Nuclear Reactor Regulation. I serve as a project manager for the Prairie Island Nuclear Generating Plant, Units 1 and 2 license renewal application ("LRA"). Among other things, I am managing the preparation of the hearing file and mandatory disclosures for safety issues in connection with the LRA at issue in this proceeding.

2. I hereby certify that all relevant materials related to the safety issues in connection with the LRA that are required to be disclosed pursuant to 10 C.F.R. § 2.336 (b) and (c) in the captioned proceeding have been disclosed, and that the disclosures are accurate and complete for documents identified by the Staff as of June 16, 2010.

3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.



Richard A. Plasse, Jr.

Executed in Rockville, Maryland
this 30th day of June, 2010

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
NORTHERN STATES POWER CO.) Docket Nos. 50-282-LR/ 50-306-LR
)
(Prairie Island Nuclear Generating Plant)
Units 1 and 2)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing NRC Staff's Letter, Attachment 1 (Hearing File Index), Attachment 2 (June 2010 Mandatory Disclosures Update), Attachment 3 (Affidavit of Elaine M. Keegan), and Attachment 4 (Affidavit of Richard A. Plasse, Jr.), dated June 30, 2010, have been served upon the following by the Electronic Information Exchange, this 30th day of June, 2010:

Administrative Judge
William J. Froehlich, Chair
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: wjf1@nrc.gov

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Mail Stop – O-16G4
Washington, DC 20555-0001
E-mail: ocaamail@nrc.gov

Administrative Judge
Gary S. Arnold
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: gxa1@nrc.gov

Office of the Secretary
Attn: Rulemakings and Adjudications Staff
Mail Stop: O-16G4
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: HEARINGDOCKET@nrc.gov

Administrative Judge
Thomas J. Hirons
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: thomas.hirons@nrc.gov

David R. Lewis, Esq.
Pillsbury, Winthrop, Shaw, Pittman, LLP
2300 N Street, N.W.
Washington, D.C. 20037-1122
david.lewis@pillsburylaw.com

Phillip R. Mahowald, Esq.
General Counsel
Prairie Island Indian Community
Legal Department
5636 Sturgeon Lake Road
Welch, MN 55089
E-mail: pmahowald@piic.org

Peter M. Glass, Esq.
Xcel Energy Services, Inc.
414 Nicollet Mall
Minneapolis, Minnesota 55401
peter.m.glass@xcelenergy.com

/Signed (electronically) by/
Maxwell C. Smith
Counsel for NRC Staff
U.S. Nuclear Regulatory
Commission
Mail Stop O-15D21
Washington, DC 20555-0001
(301) 415-1246
maxwell.smith@nrc.gov