



Monticello Nuclear Generating Plant
2807 W County Road 76
Monticello, MN 55362

July 16, 2010

L-MT-10-031
10 CFR 50.48

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Monticello Nuclear Generating Plant
Docket 50-263
Renewed License No. DPR-22

Notice of Withdrawal of Letter of Intent to Transition to 10 CFR 50.48(c)

References:

- 1) Letter from NMC to NRC, "Letter of Intent to Transition to 10 CFR 50.48(c) – National Fire Protection Association Standard NFPA-805, Performance-based Standards for Fire Protection for Light Water Reactor Electric Generating Plants, 2001 Edition," dated November 30, 2005 (ADAMS Accession ML053460342)
- 2) Letter from NMC to NRC, "Request for Extension of Enforcement Discretion for a Revised Date for 10 CFR 50.48(c) License Amendment Request Submittal," dated August 26, 2008 (ADAMS Accession ML082400208)
- 3) Letter from NRC to NMC, "Evaluation of the Request for an Extension of Enforcement Discretion in Accordance with the Interim Enforcement Policy for Fire Protection Issues During Transition to National Fire Protection Standard NFPA-805," dated November 21, 2008 (ADAMS Accession ML083110707)

In Reference 1, Nuclear Management Company (NMC), LLC, a predecessor license holder to the Northern States Power Company, a Minnesota corporation (NSPM), submitted a letter of intent to transition the fire protection licensing basis for Prairie Island Nuclear Generating Plant (PINGP) and Monticello Nuclear Generating Plant (MNGP) to the voluntary alternative in 10 CFR 50.48(c) to adopt NFPA 805.

In Reference 2, NMC submitted a request to extend enforcement discretion for a revised date for 10 CFR 50.48(c) license amendment request submittal. In Reference 3, the NRC staff granted the additional enforcement discretion period requested for MNGP and PINGP.

Subsequent to this letter, NSPM has proceeded with NFPA-805 transition activities for both MNGP and PINGP. Upon issuance of Regulatory Guide (RG) 1.189, "Fire Protection for Nuclear Power Plants," Revision 2, NSPM reconsidered the decision to transition MNGP to NFPA-805. NSPM plans to address circuit issues related to multiple spurious operations in accordance with the guidance contained in RG 1.189, Revision 2 at MNGP. NSPM will comply with the guidance provided in Enforcement Guidance Memorandum (EGM) 09-002, "Enforcement Discretion for Fire Induced Circuit Faults." Also, NSPM will complete a Fire PRA in conformance with RG 1.200 Rev.

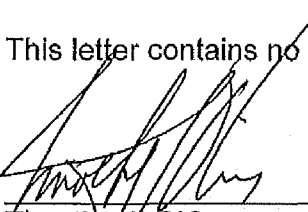
2, "An Approach for Determining the Technical Adequacy of Probabilistic Risk Assessment Results for Risk-Informed Activities."

In comparison to peer plants, MNGP has a high degree of train separation by design. In addition, an Alternate Shutdown System (ASDS) was designed and installed at MNGP shortly after the issuance of 10 CFR 50, Appendix R. Therefore, considering the high degree of train separation and the ASDS, NSPM has determined that it is appropriate for MNGP to retain the existing licensing basis of compliance with 10 CFR 50.48(a) and 10 CFR 50.48(b).

Therefore, by this letter NSPM is notifying the NRC that transition to 10 CFR 50.48(c) for the MNGP will not be completed. NSPM intends to retain the existing licensing basis and hereby withdraws the letter of intent to voluntarily implement 10 CFR 50.48(c) for the MNGP. PINGP is continuing efforts to transition the licensing basis to 10 CFR 50.48(c).

Summary of Commitments

This letter contains no new commitments and no revisions to existing commitments.

 7-16-10

Timothy J. O'Connor
Site Vice-President
Monticello Nuclear Generating Plant
Northern States Power Company-Minnesota

cc: Regional Administrator, Region III, USNRC
Project Manager, Monticello Nuclear Generating Plant, USNRC
Resident Inspector, Monticello Nuclear Generating Plant, USNRC