

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

William J. Froehlich, Chairman  
Dr. Gary S. Arnold  
Dr. Thomas J. Hirons

In the Matter of

Northern States Power Co. (formerly Nuclear  
Management Company, LLC)

(Prairie Island Nuclear Generating Plant, Units  
1 and 2)

Docket Nos. 50-282-LR and 50-306-LR

ASLBP No. 08-871-01-LR-BD01

September 13, 2010

**NOTICE OF EVIDENTIARY HEARING**

An evidentiary hearing, pursuant to 10 C.F.R. Part 2, Subpart L, will be held on Northern States Power Company's (NSP or the Applicant) application for renewal of Facility Operating License Nos. DPR-42 and DPR-60 for an additional 20 years of operation at the Prairie Island Nuclear Generating Plant, Units 1 and 2 (PINGP).<sup>1</sup> At this hearing, the Board will question the Applicant, the NRC Staff, and Intervenor Prairie Island Indian Community (PIIC) about the sole remaining contention in this matter. That contention concerns whether the safety culture at PINGP can adequately provide reasonable assurance that the company can manage the effects of plant aging during the period of extended operation.<sup>2</sup> Section 54.29(a) of the NRC regulations<sup>3</sup> states that before granting a license renewal application, the Commission must find "reasonable assurance" that PIIC will adequately "manag[e] the effects of aging during the

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<sup>1</sup> Prairie Island Nuclear Generating Plant Units 1 and 2 Application for Renewed Operating Licenses (Apr. 11, 2008) (ADAMS Accession No. ML081130673).

<sup>2</sup> Licensing Board Order (Narrowing and Admitting PIIC's Safety Culture Contention) (Jan. 28, 2010) (ADAMS Accession No. ML100280537) (unpublished).

<sup>3</sup> 10 C.F.R. § 54.29(a).

period of extended operation on the functionality of structure and components.” PIIC challenges the notion that this “reasonable assurance” exists because of material in the Safety Evaluation Report about the leakage of borated water from PINGP Units 1 and 2 refueling cavities since 1998 and the Applicant’s alleged “significant non compliances with NRC regulations.”<sup>4</sup> Both the Applicant and the NRC Staff oppose PIIC’s assertion that reasonable assurance is lacking. The evidentiary hearing, which is open to the public, will occur as follows:

**Date:** Tuesday, October 12, 2010

**Time:** 9:00 a.m. Central Daylight Time (CDT)

**Location:** Dakota County Judicial Center - Courtroom 2E

1560 Highway 55

Hastings, MN 55033

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>5</sup>

*/RA/*

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William J. Froehlich, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
September 13, 2010

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<sup>4</sup> Prairie Island Indian Community’s Submission of a New Contention on the NRC Safety Evaluation Report (Nov. 23, 2009) at 4.

<sup>5</sup> Copies of this memorandum and order were sent this date by the agency’s E-Filing system to counsel for (1) Applicant NSP, (2) Intervenor PIIC, and (3) NRC Staff.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB NOTICE OF EVIDENTIARY HEARING have been served upon the following persons by Electronic Information Exchange.

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DOCKET NOS. 50-282 AND 50-306-LR  
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[Original signed by Evangeline S. Ngbea]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 13<sup>th</sup> day of September 2010.