



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

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

May 26, 2011

EA-11-073

Mr. Mark A. Schimmel
Site Vice President
Prairie Island Nuclear Generating Plant
Northern States Power Company, Minnesota
1717 Wakonade Drive East
Welch, MN 55089

**SUBJECT: PRAIRIE ISLAND NUCLEAR GENERATING PLANT, UNITS 1 AND 2
NRC FOLLOW-UP REPORT 05000282/2011502(DRS);
05000306/2011502(DRS)**

Dear Mr. Schimmel:

This letter refers to the follow-up inspection conducted from March 15 to April 7, 2011, for your Prairie Island Nuclear Generating Plant, Units 1 and 2. The purpose of the inspection was to evaluate the facts and circumstances with regard to the completeness and accuracy of your submittal to the U. S. Nuclear Regulatory Commission (NRC), entitled, "Revision to Emergency Action Levels," dated October 22, 2004. The enclosed report documents the inspection results, which were discussed on April 29, 2011, with you and other members of your staff.

The inspection examined activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel.

Based on the results of this inspection, one NRC-identified Severity Level IV violation was identified. This finding was reviewed using the NRC Enforcement Policy and involved a violation of NRC requirements. Because of your actions of entering this issue into your Corrective Action Program and completion of actions to restore the effectiveness of the Emergency Action Level (EAL) change process, the NRC is treating this issue as a Non-Cited Violation (NCV) in accordance with Section 2.3.2 of the NRC Enforcement Policy. As this was a traditional enforcement action, no cross cutting aspect was screened.

If you contest the subject or severity of any NCV, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the U. S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, U. S. Nuclear Regulatory Commission - Region III, 2443 Warrenville Road, Suite 210, Lisle, IL 60532-4352; the Director, Office of Enforcement, U. S. Nuclear Regulatory Commission, Washington, DC 20555-0001; and the Resident Inspector Office at the Prairie Island Nuclear Generating Plant.

M. Schimmel

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In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response (if any), will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System (PARS) component of NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Hironori Peterson, Chief
Operations Branch
Division of Reactor Safety

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

Enclosure: Inspection Report 05000282/2011502(DRS);
05000306/2011502(DRS)
w/Attachment: Supplemental Information

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U. S. NUCLEAR REGULATORY COMMISSION

REGION III

Docket Nos: 50-282; 50-306

License Nos: DPR-42; DPR-60

Report No: 05000282/2011502(DRS); 05000306/2011502(DRS)

Licensee: Northern States Power Company, Minnesota

Facility: Prairie Island Nuclear Generating Plant, Units 1 and 2

Location: Welch, MN

Dates: March 15 through April 7, 2011

Inspectors: Robert Jickling, Sr. Emergency Preparedness Inspector
James L. Beavers, Emergency Preparedness Inspector

Approved by: Hironori Peterson, Chief
Operations Branch
Division of Reactor Safety

Enclosure

SUMMARY OF FINDINGS

IR 05000282/2011502(DRS), 05000306/2011502(DRS); 03/15/2011 – 04/07/2011;
Prairie Island Nuclear Generating Plan, Units 1 and 2; Follow-up Inspection of NRC Submittal
entitled, "Revision to Emergency Action Levels," dated October 22, 2004.

This report covers a three-week period of inspection by two regional emergency preparedness inspectors. One Severity Level IV Non-Cited Violation was identified. The significance of most findings is indicated by their color (Green, White, Yellow, Red) using Inspection Manual Chapter 0609, "Significance Determination Process" (SDP). Findings for which the SDP does not apply may be Green or be assigned a severity level after NRC management review. The U. S. Nuclear Regulatory Commission's (NRC) program for overseeing the safe operation of commercial nuclear power reactors is described in NUREG-1649, "Reactor Oversight Process," Revision 4, dated December 2006.

A. NRC-Identified and Self-Revealed Findings

Cornerstone: Emergency Preparedness

Severity Level IV. The NRC identified a Severity Level IV Non-Cited Violation of 10 CFR 50.9 for failing to provide complete and accurate information for prior approval of a new Emergency Action Level (EAL) scheme. The licensee's submittal to the NRC, entitled, "Revision to Emergency Action Levels," dated October 22, 2004, was not complete and accurate in all material respects. The submitted EAL scheme specified instrument threshold values for Alert classifications, EALs RA1.1 and RA1.2, which were beyond the indicated ranges of the effluent radiation monitors R-18, R-25, and R-31. The NRC accepted and approved the proposed EALs not realizing the information was incomplete and inaccurate.

The inspectors determined that the licensee's failure to provide complete and accurate information to the NRC, a violation of 10 CFR 50.9, was a performance deficiency and within the licensee's ability to foresee and prevent. The deficiency was determined to be more than minor because it was associated with the Emergency Preparedness Cornerstone attribute of Procedure Quality. As a violation that potentially impedes or impacts the regulator process, it was dispositioned using the traditional enforcement process as described in NRC Inspection Manual Chapter 0612, Revision 04/30/10. Using Section 6.9 of the Enforcement Policy and after consultation with the Director of the Office of Enforcement, this issue was determined to be a Severity Level IV violation. Specifically, though the NRC would have questioned the issue with additional and correct information, the EAL ultimately would have been acceptable with an adjustment in the indicator range or EAL entry criteria value. In either case, it would not have resulted in substantial further inquiry. Additionally, the associated technical violation was determined to be of very low safety significance. As this was a traditional enforcement action, no cross cutting aspect was screened.

B. Licensee-Identified Violations

No violations were identified.

REPORT DETAILS

1. REACTOR SAFETY

Cornerstones: Initiating Events, Mitigating Systems, and Barrier Integrity

1EP4 Emergency Action Level and Emergency Plan Changes (71114.04)

.1 Emergency Action Level and Emergency Plan Changes

a. Inspection Scope

The inspectors conducted a follow-up inspection from March 15 to April 7, 2011, to evaluate the completeness and accuracy of the licensee's submittal to the U. S. Nuclear Regulatory Commission (NRC), entitled, "Revision to Emergency Action Levels," dated October 22, 2004. Inspection Procedure 71114.04 guidance to perform an evaluation of the licensee's 10 CFR 50.54(q) change process, and Plan change documentation, to ensure proper implementation for Maintaining Emergency Plan integrity was referenced. This inspection did not represent an inspection sample.

b. Findings

Introduction: The NRC identified a Severity Level IV Non-Cited Violation (NCV) of 10 CFR 50.9 for failing to provide complete and accurate information for prior approval of a new Emergency Action Level (EAL) scheme. The licensee's submittal to the NRC, entitled, "Revision to Emergency Action Levels," dated October 22, 2004, was not complete and accurate in all material respects.

Description: On May 11, 2010, the NRC held a Regulatory Conference with Prairie Island Nuclear Generating Plant to discuss the Preliminary White Finding identified in NRC IR 05000282/2010503 and 05000306/2010503. During the licensee's presentation, the licensee acknowledged that some of the effluent radiation monitors did not have the capability to indicate some of the new EAL threshold values in the licensee's submittal to the NRC, entitled, "Revision to Emergency Action Levels," dated October 22, 2004. The submitted EAL scheme specified instrument threshold values for Alert classifications, EALs RA1.1 and RA1.2, which were beyond the indicated ranges of the effluent radiation monitors R-18, R-25, and R-31. The NRC accepted and approved the proposed EALs not realizing the information was incomplete and inaccurate.

The licensee issued action request Action Request (AR) 01221036, March 3, 2010, stating, "Eplan EALs may not have been in compliance with Regulatory requirements." As a result of AR 01236134, June 4, 2010, and AR 01238229, June 22, 2010, FP-R-EP-05, Revision and Control of EALs, Revision 2 and QF-0744, EAL Verification and Validation (C001), Revision 1 were written and revised respectively; thus, specifically addressing and resolving the completeness and accuracy issues identified by the inspectors.

The final significance determination of the technical issue for the two Alert EALs instrument threshold values that were beyond the indicated ranges of effluent radiation monitors R-18, R-25, and R-31 were documented in IR 05000282/2010504 and 05000306/2010504.

The NRC evaluated the failure to provide complete and accurate information issue to determine if there were any unresolved issues. After consultation with the Office of Investigations, the Office of Enforcement, Nuclear Security and Incident Response and Nuclear Reactor Regulation, the inspectors determined that the incomplete and inaccurate information in the license submittal was material to the NRC because, had it known, the NRC would have required the license to modify either the indicator or EAL limit.

The inspectors determined the corrective actions taken to restore the effectiveness of the license EAL change process to be appropriate and timely.

Analysis: The inspectors determined that the licensee's failure to provide complete and accurate information to the NRC, a violation of 10 CFR 50.9, was a performance deficiency and within the licensee's ability to foresee and prevent. The deficiency was determined to be more than minor because it was associated with the Emergency Preparedness Cornerstone attribute of Procedure Quality. As a violation that potentially impedes or impacts the regulator process, it was dispositioned using the traditional enforcement process as described in NRC Inspection Manual Chapter 0612, Revision 04/30/10.

Using Section 6.9 of the Enforcement Policy and after consultation with the Director of the Office of Enforcement, this issue was determined to be a Severity Level IV violation. Specifically, though the NRC would have questioned the issue had the licensee provided additional and correct information, the EAL ultimately would have been acceptable with an adjustment in the indicator range or EAL limit. In either case, it would not have resulted in substantial further inquiry. Additionally, the associated technical violation was determined to be of very low safety significance.

As this was a traditional enforcement action, no cross cutting aspect was screened.

Enforcement: Title 10 CFR 50.9 states, in part, that, information provided to the Commission by a licensee shall be complete and accurate in all material respects.

Contrary to the above, on October 22, 2004, information submitted by the licensee to the NRC, was not complete and accurate in all material respects. Specifically, the licensee submitted a revision to its EAL scheme which specified instrument threshold values for Alert classifications, EALs RA1.1 and RA1.2, beyond the indicated ranges of the effluent radiation monitors R-18, R025, and R-31. This information was material to the NRC as the NRC would not have accepted and approved the proposed EALs knowing the thresholds could not be read on the associated monitors.

Because this violation was not repetitive or willful, and was entered into the licensee's CAP, it is being treated as a Severity Level IV NCV, consistent with Section 2.3.2 of the NRC Enforcement Policy. (NCV 05000282/2011502-01 and NCV 05000306/2011502-01).

4OA6 Management Meetings

.1 Exit Meeting Summary

On April 29, 2011, the inspectors presented the inspection results to M. Schimmel, and other members of the licensee staff. The licensee acknowledged the issues presented. The inspectors confirmed that none of the potential report input discussed was considered proprietary.

ATTACHMENT: SUPPLEMENTAL INFORMATION

SUPPLEMENTAL INFORMATION

KEY POINTS OF CONTACT

Licensee

M. Schimmel, Site Vice President
J. Callahan, Fleet Emergency Preparedness Manager
M. Davis, Regulatory Affairs
K. DeFusco, Emergency Preparedness Manager
S. DiPasquale, Regulatory Affairs
S. Northland, Recovery Manager
K. Peterson, Business Support Manager

Nuclear Regulatory Commission

None

LIST OF ITEMS OPENED, CLOSED AND DISCUSSED

Opened

05000282/2011502-1	NCV	Incomplete and Inaccurate Emergency Action Level Change Submittal (1EP4.1.b)
05000306/2011502-1	NCV	Incomplete and Inaccurate Emergency Action Level Change Submittal (1EP4.1.b)

Closed

05000282/2011502-1	NCV	Incomplete and Inaccurate Emergency Action Level Change Submittal (1EP4.1.b)
05000306/2011502-1	NCV	Incomplete and Inaccurate Emergency Action Level Change Submittal (1EP4.1.b)

Discussed

None

LIST OF DOCUMENTS REVIEWED

The following is a partial list of documents reviewed during the inspection. Inclusion on this list does not imply that the NRC inspector reviewed the documents in their entirety, but rather that selected sections or portions of the documents were evaluated as part of the overall inspection effort. Inclusion of a document on this list does not imply NRC acceptance of the document or any part of it, unless this is stated in the body of the inspection report.

1EP4 Emergency Action Level and Emergency Plan Changes

FP-R-EP-02; 10 CFR 50.54(q) Review Process; Revision 6

FP-R-EP-05; Revision and Control of EALs; Revision 2

QF-0744; EAL Verification and Validation; Revision 1

AR 01221036; EAL Compliance Issue

AR 01224327; Review License Amendment Request Process

AR 01236134; Govern Process of Changing EALs

AR 01238229; Form for Changing EALs

LIST OF ACRONYMS USED

ADAMS	Agency-wide Document Access Management System
AR	Action Request
CFR	Code of Federal Regulations
EAL	Emergency Action Level
IR	Inspection Report
NCV	Non-Cite Violation
NRC	Nuclear Regulatory Commission
PARS	Public Availability Records System

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Hironori Peterson, Chief
Operations Branch
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