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L-PI-13-069  
10 CFR 73.5

ATTN: Document Control Desk  
Director, Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Prairie Island Independent Spent Fuel Storage Installation  
Docket 72-10  
License No. SNM-2506

Request For Exemption From Physical Security Requirements

On May 16, 2013, Northern States Power Company, a Minnesota corporation, doing business as Xcel Energy (hereafter "NSPM"), requested the Nuclear Regulatory Commission (NRC) approve an exemption from specific requirements of 10 CFR Part 73.51, "Requirements for the physical protection of stored spent nuclear fuel and high-level radioactive waste." The original submittal was marked "Security-Related" and the enclosed exemption request was requested to be withheld from public disclosure in accordance with 10 CFR 2.390. Per the staff's request and in accordance with Regulatory Issue Summary 2005-31, "Control of Security-Related Sensitive Unclassified Nonsafeguards Information Handled by Individuals, Firms, and Entities Subject to NRC Regulation of the Use of Source, Byproduct, and Special Nuclear Material" a redacted version of the exemption request and environmental assessment are enclosed which may be made available for public disclosure.

Summary of Commitments

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

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 07/11/2013

James E. Lynch  
Site Vice President, Prairie Island Nuclear Generating Plant  
Northern States Power - Minnesota

Enclosures (2)

## ENCLOSURE 1 (Redacted)

### Request for Exemption from Physical Security Requirements

#### A. Background

The Prairie Island Nuclear Generating Plant (PINGP) is a dual unit plant located in Goodhue County, Minnesota, with a protected area (PA) that encompasses both units. The ISFSI PA is located outside of the PINGP PA but nearby, within the PINGP owner controlled area.

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On May 15, 1998, a Final Rule, "Physical Protection for Spent Nuclear Fuel and High-Level Radioactive Waste," was issued (63FR26955). The Final Rule created a new regulatory requirement, 10 CFR 73.51, "Requirements for the physical protection of stored spent nuclear fuel and high-level radioactive waste." In particular, 10 CFR 73.51(d)(3) states, "The perimeter of the protected area must be subject to continual surveillance and be protected by active intrusion alarm system which is capable of detecting penetrations through the isolation zone and that is monitored in a continually staffed primary alarm station and in one additional continually staffed location. The primary alarm station must be located within the protected area; have bullet-resisting walls, doors, ceiling and floor; and the interior of the station must not be visible from outside the protected area. A timely means for assessment of alarms must also be provided. Regarding alarm monitoring the redundant location need only provide a summary indication that an alarm has been generated."

The supplementary information for the final rule (Section II, Summary and Analysis of Public Comments, item 5) clarified that the intent of these measures is to ensure that a single act cannot destroy the capability of an onsite watchman to call for assistance.

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The Final Rule also reiterated that the backfit requirements of 10 CFR 72.62 did not apply because the Final Rule neither modified the procedures or organizations of ISFSIs licensed under Part 72.

## ENCLOSURE 1

### B. Discussion

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### C. Proposed Exemption

#### Regulation

10 CFR 73.51(d)(3) states:

*The perimeter of the protected area must be subject to continual surveillance and be protected by active intrusion alarm system which is capable of detecting penetrations through the isolation zone and that is monitored in a continually staffed primary alarm station and in one additional continually staffed location. The primary alarm station must be located within the protected area; have bullet-resisting walls, doors, ceiling and floor; and the interior of the station must not be visible from outside the protected area. A timely means for assessment of alarms must also be provided. Regarding alarm monitoring the redundant location need only provide a summary indication that an alarm has been generated.*

#### Issue

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## ENCLOSURE 1

### Basis for Proposed Exemption

The specific requirements for granting an exemption from 10 CFR 73 regulations are set forth in 10 CFR 73.5. Under 10 CFR 73.5, the Commission may, upon application of any interested person or upon its own initiative, grant such exemptions from the requirements of the regulations in this part as it determines are authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest.

#### A. The Exemption Request is Authorized By Law

Granting proposed exemption will not result in a violation of the Atomic Energy Act of 1954, as amended, or the Commission's regulations. Therefore, the exemption is authorized by law.

#### B. The Exemption Request Will Not Endanger Life or Property or the Common Defense and Security

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#### C. The Exemption is in the Public Interest

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This proposed exemption provides for uniformity and consistency in managing security activities at the power station and the ISFSI. Consequently, the exemption request is in the public interest.

## **ENCLOSURE 2 (Redacted)**

### **Environmental Assessment**

1. Describe any change to the types, characteristics, or quantities of non-radiological effluents discharged to the environment as a result of the proposed exemptions.

#### **NSPM Response**

There are no changes in the types, characteristics, or quantities of non-radiological effluents discharged to the environment associated with the proposed exemption. These security changes will not result in changes to the design basis requirements for the structures, systems, and components (SSCs) at the Prairie Island Nuclear Generating Plant (PINGP) that function to limit the release of non-radiological effluents during and following postulated accidents. All the SSCs associated with limiting the release of offsite non-radiological effluents will therefore continue to be able to perform their functions. As a result, there is no significant non-radiological effluent impact. There are no materials or chemicals introduced into the plant that could affect the characteristics or types of non-radiological effluents. In addition, the method of operation of non-radiological waste systems will not be affected by these proposed exemptions.

2. Describe any changes to liquid radioactive effluents discharged as a result, of the proposed exemptions.

#### **NSPM Response**

There are no expected changes to the liquid radioactive effluents discharged as a result of the proposed exemption. The proposed exemption will not interact to produce any different quantity or type of radioactive material in the reactor coolant system. The proposed exemption will not result in changes to the design basis requirements for the SSCs at the ISFSI that function to limit the release of liquid radiological effluents during and following postulated accidents. All SSCs associated with limiting the release of liquid radiological effluents will therefore continue to be able to perform their functions. As a result, there is no significant liquid radiological effluent impact.

3. Describe any changes to gaseous radioactive effluents discharged as a result of the proposed exemptions.

#### **NSPM Response**

For the same reasons as described in number 2 above, these proposed exemptions would have no affects on the characteristics of gaseous radioactive effluents.

## ENCLOSURE 2

4. Describe any change in the type or quantity of solid radioactive waste generated as a result of the proposed exemptions.

### **NSPM Response**

The proposed exemption will not result in changes to the design basis requirements for the structures, systems, and components (SSCs) at the ISFSI that function to limit the release of solid waste. This exemption will not result in the generation of additional radioactive waste. All existing SSCs associated with limiting the release of solid radioactive waste will therefore continue to be able to perform their function.

5. What is the expected change in occupational dose as a result of the proposed exemptions under normal and design basis accident conditions?

### **NSPM Response**

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Therefore there will be no change in occupational dose as a result of granting the proposed exemption under normal and design basis accident conditions.

6. What is the expected change in the public dose as a result of the proposed exemptions under normal and Design Basis Accident (DBA) conditions?

### **NSPM Response**

Dose to the public will not be changed by the proposed exemption under normal and DBA conditions. [

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7. What is the impact to land disturbance for the proposed exemptions?

### **NSPM Response**

Proposed exemption [ ] and  
would not result in the need for additional construction or land disturbance.

### **Conclusion:**

There is no significant radiological environmental impact associated with the proposed exemption at the Prairie Island ISFSI. The proposed exemption will not affect any historical sites nor will they affect non-radiological plant effluents.