



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 15, 2016

Mr. Peter Gardner  
Site Vice President  
Monticello Nuclear Generating Plant  
2807 W County Road 75  
Monticello, MN 55362

SUBJECT: EXEMPTION FROM CERTAIN PROVISIONS OF 10 CFR 72.212 AND 72.214 - STORAGE OF STANDARDIZED NUHOMS® DRY SHIELDED CANISTER 16 AT MONTICELLO NUCLEAR GENERATING PLANT INDEPENDENT SPENT FUEL STORAGE INSTALLATION (CAC NO. L25058)

Dear Mr. Gardner:

This is in response to your letter dated September 29, 2015, supplemented January 29, 2016 and March 29, 2016, requesting an exemption from Title 10 *Code of Federal Regulations* (CFR) 72.212(b)(3) and 10 CFR 72.212(b)(11), pursuant to 10 CFR 72.7, from meeting Technical Specification (TS) 1.2.5 of Attachment A of Certificate of Compliance (CoC) No. 1004, Amendment No. 10, for one loaded Transnuclear, Inc. (TN) Standardized NUHOMS® 61BTH Dry Shielded Canister 16 (DSC 16) at the Monticello Nuclear Generating Plant (MNGP) Independent Spent Fuel Storage Installation (ISFSI). These regulations specifically require storage in casks approved under the provisions of 10 CFR Part 72, and compliance with the conditions set forth in the CoC for each dry spent fuel storage cask used by an ISFSI general licensee. As described in the attached exemption, the U.S. Nuclear Regulatory Commission (NRC) has identified and analyzed additional requirements for which an exemption would be required for the proposed action, under 10 CFR 72.212(a)(2), 10 CFR 72.212(b)(5)(i) and 10 CFR 72.214.

Xcel Energy has been loading spent fuel in TN Standardized NUHOMS® DSCs for storage in the ISFSI at MNGP under CoC No. 1004, Amendments No. 9 and No. 10, as authorized by the general license provisions of 10 CFR Part 72. Technical Specification 1.2.5 of Attachment A of CoC No. 1004, Amendment No. 10, requires that all DSC closure welds, except those subjected to full volumetric inspection, shall be dye penetrant tested in accordance with the requirements of American Society of Mechanical Engineers Boiler and Pressure Vessel Code Section III, Division 1, Article NB-5000. Xcel Energy requested exemption from meeting TS 1.2.5 of Attachment A of CoC No. 1004, Amendment No. 10, for DSC 16.

The NRC staff reviewed Xcel Energy's exemption request, and details of the review are included in the enclosed exemption, which will be published in the *Federal Register*. Based on the NRC staff's evaluation of your exemption request, the NRC staff has determined that, pursuant to 10 CFR 72.7, the exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the NRC is granting Northern States Power Company-Minnesota doing business as Xcel Energy, an exemption from the requirements in 10 CFR 72.212(a)(2), 72.212(b)(3), 72.212(b)(5)(i), 72.214, and 72.212(b)(11), only with regard to meeting TS 1.2.5 of Attachment A of CoC No. 1004, Amendment No. 10, for DSC 16. This exemption allows Xcel Energy to transfer DSC 16 into a Horizontal Storage Module and permits continued storage of DSC 16 at the MNGP ISFSI for the service life of the canister. This exemption is effective upon issuance.

In accordance with 10 CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding," of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me at (301) 415-5722, or Christian Jacobs of my staff, at (301) 415-6825. Any future correspondence related to this action should reference Docket Nos. 72-58 and 50-263, and CAC No. L25058.

Sincerely,

**/RA/**

John McKirgan, Chief  
Spent Fuel Licensing Branch  
Division of Spent Fuel Management  
Office of Nuclear Material Safety  
and Safeguards

Docket Nos. 72-58 and 50-263  
CAC No. L25058

Enclosure: Federal Register Notice

cc w/encl: See attached list

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**/RA/**  
 John McKirgan, Chief  
 Spent Fuel Licensing Branch  
 Division of Spent Fuel Management  
 Office of Nuclear Material Safety  
 and Safeguards

Docket Nos. 72-58 and 50-263  
 CAC No. L25058

Enclosure: Federal Register Notice  
 cc w/encl: See attached list

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Note: This letter closes out TAC No. L25058.

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LETTER FOR MONTICELLO EXEMPTION

Mr. Donis Shaw  
AREVA, Inc.  
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Columbia, MD 21045