

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
NORTHERN STATES POWER COMPANY ) Docket Nos. 50-282  
 ) 50-306  
(Prairie Island Nuclear Generating )  
Plant, Unit Nos. 1 and 2 ) (Spent Fuel Pool Modification)

NRC STAFF RESPONSE TO MOTION OF STATE OF  
MINNESOTA TO DEFER LICENSING BOARD ACTION  
UNTIL SEPTEMBER 23, 1980

The State of Minnesota has moved the Licensing Board to defer all action in this proceeding until September 23, 1980 when a settlement agreed to by the NRC Staff, Applicant, and Staff of the Minnesota Pollution Control Agency (MPCA), will be presented to MPCA. The Staff supports the State's motion.

The State's motion asserts that the MPCA did not take final action of acceptance or rejection of the proposed settlement at its last meeting held on August 26, 1980, and that such settlement will again be considered at the MPCA's next meeting, September 23, 1980. The Staff of the MPCA supports the settlement, which, if accepted, would obviate this proceeding. Delay in Licensing Board action until September 23, 1980 will not delay the Staff's review of the requested amendment to the facility's technical specifications. Settlement, in the Staff's view, is preferable to administrative litigation. Therefore, the NRC Staff supports deferring any action in this administrative proceeding until September 23, 1980.

Respectfully submitted,

*Charles A. Barth*

Charles A. Barth  
Counsel for NRC Staff

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Dated at Bethesda, Maryland  
this 8th day of September, 1980

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO MOTION OF STATE OF MINNESOTA TO DEFER LICENSING BOARD ACTION UNTIL SEPTEMBER 23, 1980" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 8th day of September, 1980:

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