



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

FEB 22 1994

Docket No. 50-267
License No. DPR-34

Mr. A. Clegg Crawford
Vice President, Electric Production
Public Service Company of Colorado
P. O. Box 840
Denver, CO 80201-0840

Dear Mr. Crawford:

SUBJECT: EXEMPTION FROM THE REQUIREMENTS OF 10 CFR 140.11(a)(4) FOR THE
FORT ST. VRAIN NUCLEAR GENERATING STATION

In your letter dated February 25, 1993, you requested a revision to Indemnity Agreement No. B-50 between Public Service Company of Colorado (PSC) and the U.S. Nuclear Regulatory Commission to reduce the primary financial protection requirement and to delete the secondary financial protection requirement. In response to your request, the NRC has issued the exemption (Enclosure 1) from the requirements of 10 CFR 140.11(a)(4) to the extent that primary financial protection in the amount of \$100,000,000 shall be maintained. An exemption from participation in the industry retrospective rating plan (secondary level financial protection) is also granted for the Fort St. Vrain Nuclear Generating Station. The Indemnity Agreement No. B-50, Amendment No. 11, has been revised (Enclosure 2).

This exemption is based upon the Staff Requirements Memorandum dated July 13, 1993, from the Commission on SECY-93-127, that instructed the staff to allow a reduction in the amount of financial protection required of licensees of large nuclear plants that have been prematurely shut down. The reduction in financial protection includes withdrawal from participation in the industry retrospective rating plan and a reduction of primary level coverage to \$100,000,000.

The NRC has determined, pursuant to 10 CFR 140.8, that this exemption is authorized by law. The exemption is being forwarded to the Office of the Federal Register for publication. A copy of the Environmental Assessment

NRC FILE CENTER COPY

010072

9403070324 940222
PDR ADDOCK 05000267
W PDR

*2/27/94
Delete ACW*

and Finding of No Significant Impact (Enclosure 3) has been published in the Federal Register.

Sincerely,
[Original signed by]
Clayton L. Pittiglio, Jr., Project Manager
Decommissioning and Regulatory
Issues Branch
Division of Low-Level Waste Management
and Decommissioning
Office of Nuclear Material Safety and
Safeguards

Enclosures:

1. Exemption
2. Amendment No. 11 to Indemnity Agreement No. B-50
3. Environmental Assessment and Finding of No Significant Impact

cc w/enclosures:
see next page

TAC#L50886 *SEE PREVIOUS CONCURRENCE
 DISTRIBUTION: Central File NMSS r/f MWeber IDinitz/NRR
 OC/LFMB TCJohnson LLWM r/f RegionIV JCopeland
 Mark Small Boxes in Concurrence Block to Define Distribution Copy Preference.
 In small Box on "OFC:" line enter: C = Cover E = Cover & Enclosure N = No Copy

OFC	LLDR*		LLDR*						
NAME	LPittiglio		LBell						
DATE	1/6/94		1/6/94						

Path & File Name:G:PRICEFSV OFFICIAL RECORD COPY
 In small Box on "DATE:" line place a: M = E-Mail Distribution Copy H = Hard Copy

PDR : YES NO
 ACNW: YES NO
 IG: YES NO

Category: Proprietary or CF Only
 Delete file after distribution Yes No

Fort St. Vrain
Docket No. 50-267
License No. DPR-34

Letter dated: FEB 22 1994

cc:

Mr. David Alberstein, Manager
Fort St. Vrain Services
GA International Services Corporation
P.O. Box 85608
San Diego, CA 92138

Mr. D. D. Hock
Chairman, President, and
Chief Executive Office
Public Service Company
of Colorado
P.O. Box 840
Denver, CO 80201-0840

Mr. Ramon E. Hall
U.S. Nuclear Regulatory Commission
Uranium Recovery Field Office
P.O. Box 25325
Denver, CO 80225

Salie B. O'Malley, Esq.
O'Malley & Associates, P.C.
950 South Cherry Street, Suite 520
Denver, CO 80222

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011

Chairman, Board of County Commissioners
of Weld County, Colorado
Greeley, CO 80631

Regional Representative
Radiation Programs
Environmental Protection Agency
1 - Denver Place
999 18th Street, Suite 1300
Denver, CO 80202-2413

Radiation Control Division (RCD-DO-B1)
Colorado Department of Health
4300 Cherry Creek Drive South
Denver, CO 80222-1530

Commitment Control Program
Coordinator
Public Service Company of Colorado
16805 Weld County Road 19-1/2
Platteville, CO 80651

Mr. M. H. Holmes
Nuclear Licensing Manager
Public Service Company
of Colorado
16805 Weld County Road 19-1/2
Platteville, CO 80651

ENCLOSURE 1