MAR 2 5 1994

Mr. Dav. Sampsel Director of Legislative Relations and Federal Intervention Minnesota Department of Public Service 121 7th Place East - Suite 200 St. Paul, Minnesota 55101-2145

Dear Mr. Sampsel:

I am responding to your letter dated March 23, 1994, which requested information on whether the NRC requires that a plant be shut down if no spent fuel storage space is available at a plant site. In your letter, you stated that it is the Minnesota Department of Public Service's firm understanding that plant operation with no spent fuel storage space available would be prohibited under NRC rules. This is not necessarily so. The NRC does not directly require that storage space be available to operate a reactor. However, should a power plant have a spent fuel pool that is completely full, there would be no means to discharge additional spent fuel from the reactor. Thus, it is possible to operate a plant for an additional cycle and then shut down the plant with no storage space available for the used reactor fuel. If that were to happen, the reactor could not be restarted and there would be no place to store the fuel. The NRC would continue to monitor plant activities while the plant was shutdown until the point of decommissioning.

In addition, under the NRC's regulations, licensees must have the capability to perform as a minimum an inservice inspection of the reactor vessel at least every 10 years. This inspection requires offload of the entire core. Should the spent fuel pool be configured such that a full core offload could not be undertaken, the licensee would be bound to refrain from operation after this period because it could not meet the regulation. In the case of Prairie Island, this provision of the regulation would not seem to be germane because of when these inspections are due in relation to the current unused capacity of the spent fuel pools.

I trust this information is responsive to your request. It is, as you requested, a brief answer that does not provide all the details or exceptions that might be relevant. If I can be of any further assistance, do not hesitate to contact me or Tom Martin at (708-829-9601).

Sincerely,

John B. Martin

Regional Administrator As. See Attached Distribution mar mat with or Chyp-pl.E.m. concurrences: Portings/Zwolinski/Lickus/Moore/Greenman/Mitter/Martin Bangart RTII RIII NRR RIII OGC RIII RIAT OEDO OSP 3/24

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Distribution ss E. L. Watzl, Site Manager, Prairie Island Site M. Wadley, Plant Manager OC/LFDCB Resident Inspector Prairie Island Resident Inspector Monticello John W. Ferman, Ph.D., Nuclear Engineer, MPCA State Liaison Officer, State of Minnesota State Liaison Officer, State of Wisconsin Prairie Island, LPM, NRR

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