

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

PDR

In the Matter of)
Northern States Power Company)
(Monticello Nuclear Generating Plant,)
Unit 1))

Docket No. 50-263

ORDER AUTHORIZING AMENDMENT
TO
EXISTING PROVISIONAL OPERATING LICENSE

1. After consideration of the record of the hearing (closed on November 19, 1970) and the post hearing filings of proposed findings and conclusions, the Licensing Board has concluded that --

- a. The applicant has submitted to the Commission all technical information required by Provisional Construction Permit No. CPPR-31, the Atomic Energy Act of 1954, as amended (Act), and the rules and regulations of the Commission to complete the application for the provisional operating license;
- b. The construction of Monticello Nuclear Generating Plant, Unit 1, has proceeded, and there is reasonable assurance that it will be completed in conformity with Provisional Construction Permit No. CPPR-31, the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
- c. There is reasonable assurance (i) that the activities authorized by the provisional operating license can



be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;

- d. The applicant is technically and financially qualified to engage in the activities authorized by the provisional operating license in accordance with the rules and regulations of the Commission;
- e. The applicant has furnished to the Commission proof of financial protection in accordance with 10 CFR Part 140, "Financial Protection and Requirements and Indemnity Agreements" of the Commission's regulations; and
- f. The issuance of the provisional operating license under the terms and conditions proposed will not be inimical to the common defense and security or to the health and safety of the public.

The provisional operating license referenced in the above conclusions is a license, covering full power operation (i.e. up to steady state power levels not in excess of 1670 megawatts, thermal), in substantially the form of the proposed license at Staff Exhibit 1, as corrected and revised.

2. The Licensing Board has determined that it will issue an Initial Decision authorizing the Director of Regulation to issue to the applicant such a provisional operating license.

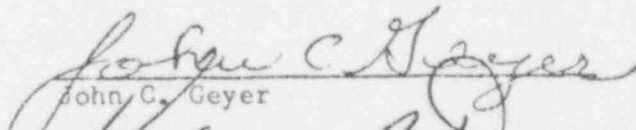
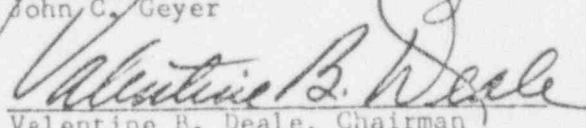
3. By motion dated September 24, 1970, the applicant sought an interim license authorizing start-up testing and ascension to power. In

its answer of October 1, the regulatory staff had no objection to the Licensing Board granting the applicant's motion provided that certain items identified by the AEC Division of Compliance are performed, completed and resolved by the applicant. In their joint answer of October 1, the Minnesota Environmental Control Citizen's Association and Messrs. Dzugan, Pepin, and Burnett opposed the applicant's motion. The Minnesota Pollution Control Agency, as a limited appearor under section 2.715(c) of the Commission's Rules of Practice, also filed an answer, dated September 28, opposing the motion.

4. Pending the preparation of its Initial Decision in final form and taking into account the foregoing considerations, the Licensing Board hereby orders that the Director of Regulation is authorized to amend the applicant's existing provisional operating license (authorized by this Licensing Board on August 24, 1970) to provide for the applicant's operation of its Monticello Nuclear Generating Plant, Unit 1, at power levels up to 500 megawatts (thermal) and with the reactor vessel head in place on condition that he is satisfied as to the readiness of the applicant to proceed with the operation of its plant at such power levels and that nothing in the provisional license as amended will be inconsistent with the later authorization of a full power license as herein provided.

5. Because of illness, Dr. Eugene Greuling did not participate in the preparation or issuance of this order.

ATOMIC SAFETY AND LICENSING BOARD


John C. Geyer

Valentine B. Deale, Chairman

Washington, D. C.
December 24, 1970