



50-263
PDR

UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

December 20, 1972

Director
Office of the Federal Register
National Archives and Records Service
Washington, D. C. 20408

Dear Sir:

Attached for publication in the Federal Register are an original and two certified copies of a document entitled:

NORTHERN STATES POWER COMPANY
NOTICE OF HEARING ON A FACILITY OPERATING LICENSE

Please publish Saturday, December 22, 1972.

Publication of the above document at the earliest possible date would be appreciated.

Sincerely,

Paul C. Bender
Secretary of the Commission

Enclosures:
Original and 2
certified copies

cc: ✓ Docket Clerk (Dir. of Reg.)
Information Services
Legal Files (OGC)
Office of Congressional Relations
GT Files (SECY)
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UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of
NORTHERN STATES POWER COMPANY
(Monticello Nuclear Generating Plant,
Unit 1)

Docket No. 50-263

NOTICE OF HEARING ON A FACILITY OPERATING LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), the National Environmental Policy Act of 1969 (NEPA), and the regulations in Title 10, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities", and Part 2, "Rules of Practice", notice is hereby given that, subject to conditions set forth in a Commission Memorandum and Order dated December 19, 1972, a hearing will be held on the boiling water reactor identified as the Monticello Nuclear Generating Plant, Unit 1 (the facility) of the Northern States Power Company (applicant). The hearing will be held at a time and place to be set in the future by the Atomic Safety and Licensing Board (Licensing Board) designated herein, to begin in the vicinity of the facility in Wright and Sherburne Counties, Minnesota. Operation of the facility is presently authorized by Provisional Operating License No. DPR-22, issued by the Atomic Energy Commission on September 8, 1970. The hearing will consider (1) whether, considering those matters covered by

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Appendix D to 10 CFR Part 50, the provisional operating license should be continued, modified, terminated or appropriately conditioned to protect environmental values, and (2) whether, in accordance with the requirements in the Commission's regulations implementing NEPA in 10 CFR Part 50, Appendix D, a full-term operating license should issue.

The Licensing Board shall consist of Robert Lazo, Esq., (Chairman), Dr. John C. Geyer, and Dr. Warren E. Nyer. Dr. Walter H. Jordan has been designated as a technically qualified alternate, and Edward Luton, Esq., has been designated as an alternate qualified in the conduct of administrative proceedings.

A notice of opportunity for hearing on the conversion of the provisional operating license for the facility was published in the Federal Register on August 25, 1972 (37 F.R. 17231). The notice provided that, within 30 days from the date of publication, any person whose interest may be affected by the proceeding could file a petition for leave to intervene in accordance with the requirements of 10 CFR Part 2, "Rules of Practice". Petitions for leave to intervene were thereafter filed by the Minnesota Environmental Control Citizen's Association (including individual members), the Minnesota Pollution Control Agency, the City of Saint Paul, Minnesota, and Steve J. Gadler. The Commission has determined, as set out in its Memorandum and Order dated December 19, 1972, that all petitions to intervene will be granted and a public hearing held. This hearing will be consolidated with the hearing contemplated by 10 CFR Part 50, Section E, that was directed to be held by the Commission's

Memorandum and Order dated May 3, 1972.

A prehearing conference or conferences will be held by the Licensing Board, at a date and place to be set by it, to consider pertinent matters in accordance with the Commission's "Rules of Practice". The date and place of the consolidated hearing will be set by the Board at or after the prehearing conference. Notices as to the dates and places of the prehearing conference and the consolidated hearing will be published in the Federal Register.

The specific issues to be considered at the consolidated hearing will be determined by the Board in accordance with the cited Commission's Memorandum and Orders.

The instant facility is subject to the provisions of Section B of Appendix D to 10 CFR Part 50, which sets forth procedures for environmental review of certain licenses to construct or operate production or utilization facilities issued in the period January 1, 1970, to September 9, 1971; and to the provisions of Section E of said Appendix D.

For further details pertinent to the operating license under consideration, see the application for conversion of the provisional operating license dated June 15, 1972, as amended, the applicant's environmental report dated November 3, 1971, the supplement and errata thereto dated April 14, 1972, and May 2, 1972, respectively, the report of the Advisory Committee on Reactor Safeguards on the application for a full-term operating license for the Monticello Nuclear Generating Plant, dated October 19, 1972, and the Regulatory Staff's final detailed

statement on environmental considerations pursuant to 10 CFR Part 50, Appendix D, issued in November of 1972. These documents are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Environmental Resource Center, Minneapolis Public Library, 1222 Southeast Fourth Street, Minneapolis, Minnesota, 55414. The Safety Evaluation prepared by the Directorate of Licensing and the proposed full-term operating license will similarly be available for public inspection when they are issued.

Any person who wishes to make an oral or written statement in this proceeding but who has not filed a petition for leave to intervene as noted above, may request permission to make a limited appearance pursuant to the provisions of 10 CFR § 2.715 of the Commission's "Rules of Practice." Limited appearances will be permitted at the time of the hearing in the discretion of the Licensing Board, within such limits and on such conditions as may be fixed by it. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, United States Atomic Energy Commission, Washington, D.C., 20545, not later than thirty (30) days from the date of publication of this notice in the Federal Register. A person permitted to make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered to the extent

that the questions are within the scope of the hearing as specified in the issues set out above. A member of the public does not have the right to participate unless he has been granted the right to intervene as a party or the right of limited appearance.

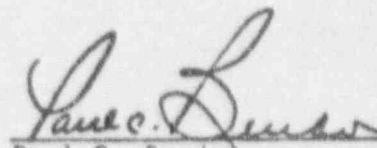
An answer to this notice, pursuant to the provisions of 10 CFR § 2.705 of the Commission's "Rules of Practice," must be filed by the parties to this proceeding (other than the regulatory staff) not later than twenty (20) days from the date of publication of this notice in the Federal Register.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary of the Commission, United States Atomic Energy Commission, Washington, D.C., 20545, ATTENTION: Chief, Public Proceedings Branch, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C.

Pending further order of the Licensing Board, parties are required to file pursuant to the provisions of 10 CFR § 2.708 of the Commission's "Rules of Practice," an original and twenty conformed copies of each such paper with the Commission.

UNITED STATES ATOMIC ENERGY COMMISSION

By:


Paul C. Bender
Secretary of the Commission

Dated at Germantown, Maryland,
this 19th day of December, 1972.