

→ Suppl. Docket File
50-263
//Record

JUN 22 1972

PDR

50-263

Note to J. Gallo (OGC)

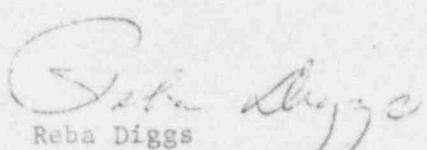
RE: EARLY NOTICE ON NORTHERN STATES POWER'S FULL-TERM OPERATING LICENSE

The enclosed draft is my attempt at a combined early notice and Appendix D hearing opportunity relating to NSP's application dated 6/15/72 (copy enclosed) for conversion of POL to OL (Monticello Unit 1).

Aside from other comments, your assistance also is solicited on the following items:

1. Is the conversion subject to antitrust review (2.102(d)(1) and (2)) - construction permit was issued under 104.b on 6/19/67, full-power license on 1/19/71?
2. Is the advertising (in local papers) referred to in Management Memo Code 102 dated 4/7/71 applicable to this conversion? I'm not sure since it is not initial license issuance.
3. Because of MECCA and State of Minnesota, should my early notice (before the last paragraph on page 3) say anything about the promised definite hearing under Section E of Appendix D if no hearing is requested on this notice action?
4. Past practice on conversion of POLs to OLs has been to carry the same license number as issued at POL stages just dropping "provisional" and thereafter starting numbers over on amendments to the OL. Is this OK, or should we give new license numbers?

Note that I also have question marks (page 2, paragraph 2) regarding Section B vs. Section E, and (at the top of page 3) regarding consideration on POL being continued, modified, etc., to protect environmental values.


Reba Diggs
Directorate of Licensing

Enclosures and cc: See attached sheet

H. m. 3

J. Gallo

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Enclosures:

1. Draft of Federal Register Notice
2. Draft of letter to NSP
3. NSP Application dtd. 6/15/72
4. Copy of 4/7/71 Management Memo

cc w/enclosure 1:
Clare Miles, OIS

cc w/o enclosures:
D. J. Skovholt, DL
D. L. Ziemann, DL
J. J. Shea, DL

"Licensing of Production and Utilization Facilities", that the Commission is providing an opportunity for hearing with respect to whether, considering those matters covered by Appendix D to 10 CFR Part 50, the provisional operating license in the captioned proceeding should be continued, modified, terminated or appropriately conditioned to protect environmental values.

Within thirty days from the date of publication of this notice in the Federal Register, NSP may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene (1) with respect to whether, considering those matters covered by 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) with respect to the issuance of a full-term facility operating license. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's "Rules of Practice" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order. In accordance with 10 CFR Section 2.714, a petition for leave to intervene which is not timely filed will be dismissed unless the petitioner shows good cause for failure to file it on time.

For further details with respect to the matters under consideration, see the application for the full-term facility operating license dated June 15, 1972,

and the licensee's Environmental Report dated November 3, 1971, and Supplement and Errata thereto dated April 14, 1972 and May 2, 1972, respectively, and the Commission's Draft Environmental Statement dated May 1972 which are already 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 S.E. 4th Street, Minneapolis, Minnesota 55414. As they become available, the following documents also will be available for public inspection at the above locations: (1) the report of the Advisory Committee on Reactor Safeguards on the application for a full-term facility operating license for the Monticello Nuclear Generating Plant, (2) the Commission's Final Environmental Statement on environmental considerations pursuant to 10 CFR Part 50, Appendix D, (3) the Safety Evaluation prepared by the Directorate of Licensing, and (4) the proposed full-term operating license. A copy of each of items (1) through (4) above may be obtained, when available and as or supply last, by request to the Deputy Director for Reactor Projects, Directorate of Licensing, U. S. Atomic Energy Commission, Washington, D. C. 20545.

Dated at Bethesda, Maryland, this

FOR THE ATOMIC ENERGY COMMISSION

Donald J. Skovholt
Assistant Director
for Operating Reactors
Directorate of Licensing

DRAFT
RMDiggs:pd1
6/20/72

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of)

NORTHERN STATES POWER COMPANY)

(Monticello Nuclear Generating Plant,)
Unit No. 1))

Docket No. 50-263

NOTICE OF CONSIDERATION OF CONVERSION OF PROVISIONAL OPERATING LICENSE
TO A FULL-TERM OPERATING LICENSE AND NOTICE OF OPPORTUNITY FOR HEARING
PURSUANT TO 10 CFR PART 50, APPENDIX D, SECTION (B) vs. (E)

The Atomic Energy Commission is considering the conversion of Provisional Operating License No. DPR-22 to a full-term operating license. Provisional Operating License No. DPR-22 (issued September 8, 1970, as amended) authorizes the Northern States Power Company (NSP) to possess, use and operate the Monticello Nuclear Generating Plant Unit 1, located in Wright and Sherburne Counties, Minnesota, at steady-state power levels up to full power (1670 megawatts (thermal)). The Monticello facility is a single cycle, forced circulation, boiling water reactor.

Conversion of the subject provisional operating license to a full-term operating license would authorize NSP to possess, use and operate the facility (at its presently licensed operating power level of 1670 MWt) for a period of 40 years from the June 19, 1967 issuance date of the construction permit (CPR-31), in accordance with the provisions of the license and Technical Specifications appended thereto.

The full-term operating license will not be issued until a favorable report on the application by the Advisory Committee on Reactor Safeguards has been received, the issuance of a favorable Safety Evaluation by the Commission's Directorate of Licensing, completion of the environmental review required by Appendix D of 10 CFR Part 50 (which will be in the form of a Final Detailed Environmental Statement), and a finding by the Commission that the application for the full-term operating license complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations in 10 CFR Chapter I. In addition, the full-term operating license will not be issued until the Commission has made the remainder of the findings reflecting its review of the application under the Act, which will be set forth in the proposed license, and has concluded that the issuance of this license will not be inimical to the common defense and security or to the health and safety of the public. NSP has satisfied its obligation regarding indemnification required by Section 170 of the Act and 10 CFR Part 140 of the Commission's regulations.

Sect. B ?

10. E.

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The facility is subject to the provisions of Section B of Appendix D, 10 CFR Part 50, which sets forth the procedures applicable to review of environmental considerations for certain licenses issued during January 1, 1970, and September 9, 1971, for construction or operation of production or utilization facilities. Consequently, notice is hereby given, pursuant to 10 CFR Part 2, "Rules of Practice", and Appendix D of 10 CFR Part 50,

"Licensing of Production and Utilization Facilities", that the Commission is providing an opportunity for hearing with respect to whether, considering those matters covered by Appendix D to 10 CFR Part 50, the provisional operating license in the captioned proceeding should be continued, modified, terminated or appropriately conditioned to protect environmental values.

Within thirty days from the date of publication of this notice in the Federal Register, NSP may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene (1) with respect to whether, considering those matters covered by 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) with respect to the issuance of a full-term facility operating license. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's "Rules of Practice" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order. In accordance with 10 CFR Section 2.714, a petition for leave to intervene which is not timely filed will be dismissed unless the petitioner shows good cause for failure to file it on time.

For further details with respect to the matters under consideration, see the application for the full-term facility operating license dated June 15, 1972,

and the licensee's Environmental Report dated November 3, 1971, and Supplement and Errata thereto dated April 14, 1972 and May 2, 1972, respectively, and the Commission's Draft Environmental Statement dated May 1972 which are already 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 S.E. 4th Street, Minneapolis, Minnesota 55414. As they become available, the following documents also will be available for public inspection at the above locations: (1) the report of the Advisory Committee on Reactor Safeguards on the application for a full-term facility operating license for the Monticello Nuclear Generating Plant, (2) the Commission's Final Environmental Statement on environmental considerations pursuant to 10 CFR Part 50, Appendix D, (3) the Safety Evaluation prepared by the Directorate of Licensing, and (4) the proposed full-term operating license. A copy of each of items (1) through (4) above may be obtained, when available and as or supply last, by request to the Deputy Director for Reactor Projects, Directorate of Licensing, U. S. Atomic Energy Commission, Washington, D. C. 20545.

Dated at Bethesda, Maryland, this

FOR THE ATOMIC ENERGY COMMISSION

Donald J. Skovholt
Assistant Director
for Operating Reactors
Directorate of Licensing