

NUCLEAR REGULATORY COMMISSION

[Docket No. 72-10; NRC-2023-0155]

Northern States Power Company;

Prairie Island Independent Spent Fuel Storage Installation;

License Amendment Application

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) reviewed an application by Northern States Power Company (NSPM) for amendment of Special Nuclear Materials License No. SNM-2506 which authorizes NSPM to receive, possess, store, and transfer spent nuclear fuel and associated radioactive materials. The amendment request sought to revise the technical specifications (TS) for the Prairie Island Independent Spent Fuel Storage Installation (PI ISFSI) to allow use of a Code alternative as an option to the requirements of the 2004 Edition through 2006 Addenda of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel (B&PV) Code, Section III, Division 1, Subsection NB, Paragraph NB-5130, by revising the TS to add the Code alternative to TS section 4.4, table 4.4-1, TN-40HT ASME Code Exceptions.

DATES: The license amendment was issued March 5, 2024.

ADDRESSES: Please refer to Docket ID **NRC-2023-0155** when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov> and search for Docket ID **NRC-2023-0155**. Address questions about Docket IDs in Regulations.gov to Stacy Schumann; telephone: 301-415-0624; email: Stacy.Schumann@nrc.gov. For technical questions, contact the individual listed in the “For Further Information Contact” section of this document.

- **NRC’s Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin Web-based ADAMS Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to PDR.Resource@nrc.gov. The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- **NRC’s PDR:** The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: John-Chau Nguyen, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-0262; email: John-Chau.Nguyen@nrc.gov.

SUPPLEMENTARY INFORMATION:

The NRC received, by letter dated July 14, 2023 (ADAMS Accession No. ML23195A187), a license amendment application from NSPM, to amend Special Nuclear Materials License No. SNM-2506, which authorizes the storage of spent fuel at

the PI ISFSI located in Welch, Minnesota. Specifically, the amendment sought to revise the TS to allow use of a Code alternative as an option to the requirements of the 2004 Edition through 2006 Addenda of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel (B&PV) Code, Section III, Division 1, Subsection NB, Paragraph NB-5130, by revising the TS to add the Code alternative to TS section 4.4, table 4.4-1, TN-40HT ASME Code Exceptions.

An NRC administrative completeness review, documented in a letter to NSPM dated August 24, 2023 (ADAMS Accession No. ML23234A135), found the application acceptable to begin a technical review. In accordance with section 72.16 of title 10 of the *Code of Federal Regulations* (10 CFR), a notice of docketing was published in the *Federal Register* on September 8, 2023 (88 FR 62108). The notice of docketing included an opportunity to request a hearing and to petition for leave to intervene. No requests for a hearing or petitions for leave to intervene were submitted.

The NRC prepared a safety evaluation report (SER) (ADAMS Accession No. ML24008A131) to document its review and evaluation of the amendment request. In addition, the NRC evaluated an assertion by NSPM that the amendment request satisfied the categorical exclusion criteria specified in 10 CFR 51.22(c)(11). Under 10 CFR 51.22(c)(11), a categorical exclusion is allowed for amendments to materials licenses which are administrative, organizational, or procedural in nature, or which result in a change to process operations or equipment, provided that (i) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite, (ii) there is no significant increase in individual or cumulative occupational radiation exposure, (iii) there is no significant construction impact, and (iv) there is no significant increase in the potential for or consequences from radiological accidents. As explained in the SER, the NRC determined that the license amendment

satisfied the 10 CFR 51.22(c)(11) categorical exclusion criteria. Consequently, an environmental assessment and finding of no significant impact are not required.

Upon completing its review, the NRC staff determined that the request complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), as well as the NRC's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment. The NRC approved and issued Amendment No. 12 to Special Nuclear Materials License No. SNM-2506 (ML24008A130), held by NSPM for the receipt, possession, transfer, and storage of spent fuel and associated radioactive materials at the PI ISFSI. Pursuant to 10 CFR 72.46(d), the NRC is providing notice of the action taken. Amendment No. 12 was effective as of the date of issuance, March 5, 2024.

Dated: March 11, 2024.

For the Nuclear Regulatory Commission.

/RA/

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