



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 20, 2018

Mr. Timothy J. O'Connor
Senior Vice President
and Chief Nuclear Officer
Northern States Power Company
- Minnesota
414 Nicollet Mall 7th floor
Minneapolis, MN 55401

SUBJECT: EXEMPTION FROM CERTAIN PROVISIONS OF 10 CFR 72.212 AND 72.214 -
STORAGE OF STANDARDIZED NUHOMS[®] DRY SHIELDED CANISTERS 11
THROUGH 15 AT MONTICELLO NUCLEAR GENERATING PLANT
INDEPENDENT SPENT FUEL STORAGE INSTALLATION (CAC NO. 001028,
DOCKETS 72-58 AND 50-263, EPID: L-2017-LLE-0029)

Dear Mr. O'Connor:

This is in response to your letter dated October 18, 2017, supplemented April 5, 2018, and May 31, 2018, requesting an exemption from Title 10 of the *Code of Federal Regulations* (CFR) 10 CFR 72.212(a)(2), 10 CFR 72.212(b)(3), 10 CFR 72.212(b)(5)(i), 10 CFR 72.212(b)(11), and 10 CFR 72.214, pursuant to 10 CFR 72.7, from meeting Technical Specification (TS) 1.2.5 of Attachment A of Certificate of Compliance (CoC) No. 1004, Amendment No. 10, for five loaded Transnuclear, Inc. (TN) Standardized NUHOMS[®] 61BTH Dry Shielded Canisters (DSCs) 11 through 15 at the Monticello Nuclear Generating Plant (MNGP) Independent Spent Fuel Storage Installation (ISFSI). These regulations specifically require storage in casks approved under the provisions of 10 CFR Part 72, and compliance with the conditions set forth in the CoC for each dry spent fuel storage cask used by an ISFSI general licensee.

Xcel Energy has been loading spent fuel in TN Standardized NUHOMS[®] DSCs for storage in the ISFSI at MNGP under CoC No. 1004, Amendments No. 9 and No. 10, as authorized by the general license provisions of 10 CFR Part 72. Technical Specification 1.2.5 of Attachment A of CoC No. 1004, Amendment No. 10, requires that all DSC closure welds, except those subjected to full volumetric inspection be dye penetrant tested in accordance with the requirements of American Society of Mechanical Engineers Boiler and Pressure Vessel Code Section III, Division 1, Article NB-5000. Xcel Energy requested exemption from meeting TS 1.2.5 of Attachment A of CoC No. 1004, Amendment No. 10, for DSCs 11 through 15.

The U.S. Nuclear Regulatory Commission (NRC) staff reviewed Xcel Energy's exemption request, the response to a request for additional information (RAI), and the supplemental response to the RAI. The details of the NRC staff's review are included in the *Federal Register Notice* (ML18248A121). Based on the NRC staff's evaluation of your exemption request and responses to the RAI, the NRC staff has determined that, pursuant to 10 CFR 72.7, the exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the NRC has granted Northern States Power Company-Minnesota doing business as Xcel Energy, an exemption from the

requirements in 10 CFR 72.212(a)(2), 72.212(b)(3), 72.212(b)(5)(i), 72.212(b)(11), and 72.214, only with regard to meeting TS 1.2.5 of Attachment A of CoC No. 1004, Amendment No. 10, for DSCs 11 through 15. This exemption permits continued storage of DSCs 11 through 15 at the MNGP ISFSI for the service life of the canister. This exemption is effective as of September 13, 2018, as indicated in the *Federal Register Notice* (ML18248A121).

In accordance with 10 CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding," of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me at (301) 415-5722, or Christian Jacobs of my staff, at (301) 415-6825. Any future correspondence related to this action should reference CAC No. 001028, Docket Nos. 72-58 and 50-263, and EPID L-2017-LLE-0029.

Sincerely,

/RA/

John McKirgan, Chief
Spent Fuel Licensing Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

CAC No. 001028
Docket Nos.: 72-58 and 50-263
EPID: L-2017-LLE-0029

EXEMPTION FROM CERTAIN PROVISIONS OF 10 CFR 72.212 AND 72.214 - STORAGE OF STANDARDIZED NUHOMS® DRY SHIELDED CANISTERS 11 THROUGH 15 AT MONTICELLO NUCLEAR GENERATING PLANT INDEPENDENT SPENT FUEL STORAGE INSTALLATION (CAC NO. 001028, DOCKETS 72-58 AND 50-263, EPID L-2017-LLE-0029), DOCUMENT DATE: September 20, 2018

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Note: This letter closes out EPID L-2017-LLE-0029.

Letter: G:/SFST/Jacobs/Monticello Exemption DSCs 11-15/Letter to Xcel/ 2018-09-18_Letter_Xcel.doc

ADAMS No.: ML18262A378

*via email

OFFICE:	DSFM		*DSFM		DSFM			
NAME:	CJacobs		WWheatley		JMcKirgan			
DATE:	9/18/18		9/18/18		9/20/18			

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