

November 18, 2005

EA-05-175

Mr. J. Conway
Site Vice President
Monticello Nuclear Generating Plant
Nuclear Management Company, LLC
2807 West County Road 75
Monticello, MN 55362-9637

SUBJECT: NOTICE OF VIOLATION (INSPECTION REPORT 05000263/2005003);
MONTICELLO NUCLEAR GENERATING PLANT

Dear Mr. Conway:

The NRC acknowledges the receipt of your letter dated October 24, 2005. In your letter, you denied the revised Notice of Violation and documented your understanding that the partial primary containment group II isolation actuation that occurred following a loss of Bus 16 on April 2, 2005, was not a valid actuation as defined by NUREG-1022. Therefore, the actuation was not reportable under 10 CFR 50.72(b)(3)(iv)(A). You concluded that the partial primary containment group II isolation actuation was not the result of a "valid signal" because it was caused by a loss of power to radiation monitors, following the loss of Bus 16, and not for the radiation monitors sensing a high radiation signal. You also stated that the radiation monitors' response was not a valid safety system function because the loss of power response was not a function specified in the Technical Specifications. Based on your analysis, you did not make an 8-hour report to the NRC Operations Center.

The NRC is currently reviewing your basis for disputing this violation in accordance with the provisions in the Enforcement Policy. You will be advised by separate correspondence of the results of our deliberations in this matter.

If you have any questions regarding this letter, please contact Mr. Bruce L. Burgess, Chief, Reactor Projects Branch 2, at (630) 829-9629.

Sincerely,

/RA/

Mark A. Satorius, Director
Division of Reactor Projects

Docket No. 50-263
License No. DPR-22

See Attached Distribution

cc w/encl: J. Cowan, Executive Vice President
and Chief Nuclear Officer
Manager, Regulatory Affairs
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Nuclear Asset Manager, Xcel Energy, Inc.
Commissioner, Minnesota Department of Health
R. Nelson, President
Minnesota Environmental Control Citizens
Association (MECCA)
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