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John P. Badalich, P.E., Executive Director
Minnesota Pollution Control Agency
717 Delaware Street, S.E.
Minneapolis, Minnesota 55440

Dear Mr. Badalich:

This is in reply to your letter of February 6, 1970, regarding the application of Northern States Power Company to operate the Monticello Nuclear Facility.

In your letter you refer to the pending litigation between NSP and the State of Minnesota Pollution Control Agency as a basis for deferring any further action by AEC affecting the Monticello Facility. The central issue in that litigation is, of course, whether the Control Agency has the legal authority to impose restrictions, from the standpoint of radiological health and safety, on the operation of the Monticello Facility. The AEC's authority to carry out its own statutory responsibilities to protect the public health and safety is not at issue in the litigation. We do not see, therefore, how we can defer carrying out our responsibilities in the Monticello proceeding.

Please be assured of our continuing cooperation. We will continue to keep you apprised of future significant developments in the Monticello proceeding.

Sincerely,

(signed) Harold L. Price

Harold L. Price
Director of Regulation

cc: Robert C. Tuveson, Chairman
Minnesota Pollution Control Agency

Sidney P. Gislason, Esq.
G. Robert Johnson, Special Assistant Attorney General

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