

NSP

NORTHERN STATES POWER COMPANY

MINNEAPOLIS, MINNESOTA 55401

September 13, 1977

REGULATORY DOCKET FILE COPY



Mr D K Davis, Acting Chief
Operating Reactors Branch No. 2
Division of Operating Reactors
c/o Distribution Services Branch, DDC, ADM
U S Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr Davis:

MONTICELLO NUCLEAR GENERATING PLANT
Docket No. 50-263 License No. DPR-22

Deletion of Respiratory
Protection Technical Specifications

Your letter dated August 12, 1977 stated that amended Section 20.103 of 10 CFR 20 requires respiratory protection equipment to be used as stipulated in Regulatory Guide 8.15 in order to receive credit for limiting the inhalation of airborne radioactive material. Your letter also advised us that, based on the revocation provisions of subsection 6.5.B.4 of the Monticello Technical Specifications, it is the NRC intent to delete Sections 6.5.B.2, 3 and 4 and Table 6.5.1 from this facility's Technical Specifications in an amendment of the operating license approved after December 28, 1977.

We intend to conform to the Regulatory Position of Regulatory Guide 8.15, October, 1976, and have no objection to the issuance of an amendment to our Technical Specifications deleting the respiratory protection requirements, but we do object to the manner in which Section 20.103 of 10 CFR 20 was amended on December 29, 1976. The regulation references a Regulatory Guide without being specific as to the particular Regulatory Guide revision number or date. We also object to the establishment of a precedent which incorporates references to Regulatory Guides in regulations; Regulatory Guide 8.15 further invokes the provisions of the document NUREG-0041, which then becomes part of the regulation. We shall appreciate it if you would communicate our comments on the inclusion of guidance documents, particularly undated documents, in the regulations to the appropriate groups who are responsible for sponsoring amended regulations.

When you reach a point later this year where you are preparing the License Amendment and the Technical Specification changes to delete the respiratory protection requirements from this facility's license, please have the NRC Project Manager contact us for coordination of the mechanics of the technical specification page revisions and renumbering. We request that the letter of transmittal,

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NORTHERN STATES POWER COMPANY

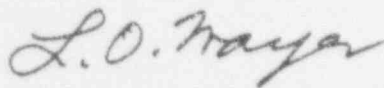
Mr D K Davis

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or the safety evaluation accompanying the license amendment, clearly state that the Regulatory Guide 8.15 that is referenced in 10 CFR 20, Section 20.103, refers to the October, 1976 version. We also ask that the letter of transmittal reference the section of the Statement of Consideration that accompanied the revised regulation in the Federal Register dated November 29, 1976, which states "Changes to the guide would result in a redating or renumbering of the guide with appropriate changes to Section 20.103(c) including prior public notice and procedures thereof in the Federal Register." It would be most appropriate and clear-cut if the NRC would make a minor clarifying amendment to the regulation to add the October, 1976 issuance date to the Regulatory Guide 8.15 reference.

Yours very truly,



L O Mayer, PE
Manager of Nuclear Support Services

LOM/ak

cc: J G Keppler
G Charnoff
MPCA - Attn: J W Ferman

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U.S. NUCLEAR REGULATORY COMMISSION

DOCKET NUMBER

NRC FORM 195
(2-76)

50-263

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DESCRIPTION

Ltr re our 8-12-77 ltr....requesting deletion
of Respiratory Protection Tech Specs & advising
that they have no objections to the issuance
of an amdt to the OL to delete said tech
specs.....

2p

ENCLOSURE

PLANT NAME: Monticello

9-16-77, ehf

SAFETY

FOR ACTION/INFORMATION

BRANCH CHIEF: (7)

Davis

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