

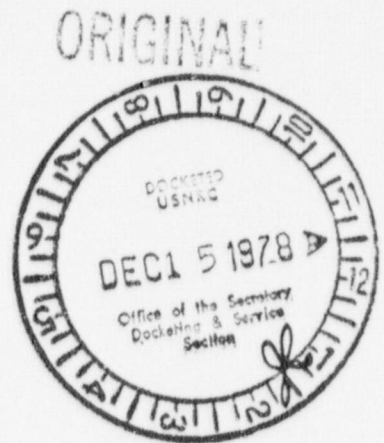


NRC PUBLIC DOCUMENT ROOM

STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL

Address Reply To
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MINNESOTA POLLUTION CONTROL AGENCY
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December 13, 1978



Joseph Hendrie, Chairman
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Richard Kennedy, Commissioner
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Victor Gilinsky, Commissioner
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Peter Bradford, Commissioner
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

John Ahearne, Commissioner
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Re: In the Matter of Northern States Power Company
(Monticello Nuclear Generating Plant, Unit 1)
(Modification and Installation of Defective Spent Fuel
Storage Racks) Docket No. 50-263

Gentlemen:

On December 8, 1978, the Minnesota Pollution Control Agency (MPCA) served on the Commission and various parties a pleading concerning the modification and installation of defective spent fuel storage racks at the Monticello Nuclear Generating Facility. That pleading expressed the MPCA's belief that the safety and reliability of the modifications measures presented unreviewed questions, and therefore could not be undertaken without a license amendment.

The MPCA subsequently received a letter from Mr. Thomas A. Ippolito of the Commission Staff, dated December 4, 1978, which states in part:

While we [the Commission Staff] have determined that venting of the Monticello racks is a safe and effective measure for the present, we have not yet determined whether the measure affords adequate assurance against rack swelling for the expected life of the racks. . . .

This candid and commendable admission by the Commission Staff is directly relevant to the pending requests, petition, and motion and supports the claims of the MPCA.

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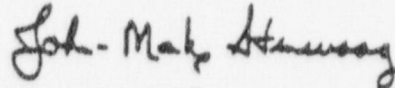


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Commissioners of the NRC
Page 2
December 13, 1978

A copy of Mr. Ippolito's letter is attached hereto and is being served on all individuals and offices indicated on the attached service list. The MPCA respectfully requests that it be added to its pending pleading as Exhibit 2.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John-Mark Stensvaag". The signature is written in a cursive, slightly slanted style.

John-Mark Stensvaag
Special Assistant
Attorney General

JMS:dlm

Enclosures

cc w/enclosure: Attached Service List