OCT 13 2004

U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

DOT-E 13401
(SECOND REVISION)

EXPIRATION DATE: April 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Northern States Power Company
dba XCEL Energy Services, Inc.
Welch, MN

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of two steam generator lower assemblies (SGLAs), containing Class 7 radioactive material, to be classed as surface contaminated objects, class II, and transported as non-specification packages from the Prairie Island Nuclear Generating Plant in Welch, MN to the Envirocare disposal facility in Clive, Utah. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED:

a. 49 CFR § 173.403 in so far as the fixed and non-fixed contamination levels for surface contaminated objects, class II, (SCO-II) are waived for the components specified in the exemption application.

b. 49 CFR § 173.427(b)(1) in so far as the requirement that SCO-II, must be transported in authorized packaging is waived.

c. 49 CFR § 173.465(c) and (d) in that modified mechanical testing is acceptable.

5. BASIS: This exemption is based on the application of Northern States Power Company dba XCEL Energy Services, Inc. dated December 18, 2003 and the technical information submitted March 16, 2004, and April 2, 2004, in accordance with § 107.105, and additional information dated August 27, 2004, October 8, 2004 and October 11, 2004.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Radioactive material, surface contaminated objects (SCO-II) *non fissile or fissile excepted*	Class 7	UN2913	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) The SGLAs must be as described in Northern States Power Company dba XCEL Energy Services, Inc. (XCEL Energy Services, Inc.) application for exemption on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

(2) The contamination levels and radionuclides present on each component must be consistent with the levels identified in XCEL Energy Services, Inc. application.

(3) To maximize radiation protection, each SGLA must be prepared for shipment by welding or bolting shut all nozzles, instrument penetrations and mechanical enclosures using closure plates. Prior to shipment, the external surface of the SGLAs will be treated with fixative and/or paint.

b. OPERATIONAL CONTROLS -

(1) The SGLAs shall be consigned as exclusive use under the provisions of 49 CFR 173.427(a)(6)(i)-(v).

(2) All controls, provisions and routes specified in the Transportation and Emergency Response Plan for PINGP Original SGLAs attached to the application for exemption must be followed.

c. COMMMUNICATIONS -

(1) The Office of Hazardous Materials Exemptions and Approvals shall be notified prior to commencement of transportation and upon completion of transit.

(2) The outside of the SGLAs shall be plainly and durably marked "DOT-E 13401". Letters and numerals shall be at least 0.25 inches wide and 4.0 inches high.

8. SPECIAL PROVISION: A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: None, other than as required by the HMR.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

Robert A. McGuire
Associates Administrator for
Hazardous Materials Safety

OCT 13 2004
Date

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemptions Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: JWILLIAMS:DL