



**DAIRYLAND POWER**  
COOPERATIVE

June 22, 2009

In reply, please refer to LAC-14069

DOCKET NO. 72-46

Document Control Desk  
Director, Division of Spent Fuel Storage and Transportation  
Office of Nuclear Safety and Safeguards  
US Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dear Sir:

**SUBJECT:** Dairyland Power Cooperative (DPC)  
La Crosse Boiling Water Reactor (LACBWR)  
Possession-Only License No. DPR-45  
Order of June 3, 2009, Modifying Licenses

**REFERENCE:** (1) Letter of June 3, 2009, NRC to Dairyland Power Cooperative, and attached  
Order for Additional Security Measures at the La Crosse Boiling Water  
Reactor Independent Spent Fuel Storage Installation, EA-09-118

This letter is in response to the letter and Order of Reference 1. Included in the Safeguards attachment to this letter is the schedule for completion of the requirements of the additional security measures. Many of the requirements are similar to requirements for our 10 CFR 50 Possession Only License and Interim Compensatory Measures already in place. DPC will modify and in some cases develop the programs and/or procedures to include the Independent Spent Fuel Storage Installation (ISFSI).

As you will see in the responses, the schedule for completion for most of the requirements is before the first day that spent fuel is initially placed in the ISFSI as stated in the NRC letter of June 3, 2009. DPC requests exemption from item III-A of the Order for implementation to be completed in 180 days (November 29, 2009) due to the fact that fuel will not be transferred to the ISFSI until July 2010 at the earliest. DPC will inform the NRC as the requirements are completed in order to allow time for inspection activities.

There are measures, however, for which further analysis is necessary in order to determine an appropriate course of action. DPC has contracted the services of a qualified vendor to perform these analyses, and the results are expected to be completed by November 29, 2009. Upon receipt of the analyses, DPC will promptly submit to the NRC the results of the analyses and the actions that we propose to address the remaining security measures, together with an implementation schedule. Depending upon the results of the analyses, DPC may propose implementation of alternative measures to provide the required reasonable assurance that the health and safety of the public are protected.

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DPC wishes to preserve its right to answer and request a hearing on those requirements for which additional analysis or other requirements specified in the Safeguards attachment are necessary. DPC, therefore, requests an extension of time to answer and request a hearing on those additional security measures requiring further analysis. DPC understands that this extension request also preserves for us the right to request a hearing on any requirement, contingent upon the analyses mentioned above. We request an extension to at least 20 days after the date that NRC staff informs DPC whether the actions we have proposed and the completion date for the requirements contingent upon analysis or other requirements are satisfactory.

If you have any questions, please call Michael Brasel of my staff at (608) 689-4220.

Sincerely,

DAIRYLAND POWER COOPERATIVE



Chuck Sans Crainte  
Vice President Generation

CVS:MAB:two

Attachment: DPC's Responses to Attachment 1 and 2 of the ISFSI Security Order

cc w/att: Secretary, Office of the Secretary of the Commission  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

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