

September 10, 2009

MEMORANDUM TO: Biweekly Notice Coordinator

FROM: Kristina L. Banovac, Project Manager */RA/*
Reactor Decommissioning Branch
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

SUBJECT: REQUEST FOR PUBLICATION IN BIWEEKLY *FEDERAL REGISTER*
NOTICE - NOTICE OF CONSIDERATION OF ISSUANCE OF
AMENDMENT TO FACILITY POSSESSION-ONLY LICENSE,
PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION
DETERMINATION, AND OPPORTUNITY FOR A HEARING

Dairyland Power Cooperative, Docket No. 50-409, La Crosse Boiling Water Reactor,
Genoa, Wisconsin

Date of amendment request: July 28, 2009

Description of amendment requests:

The amendment application proposes changes to Technical Specifications, in support of the dry cask storage project at La Crosse Boiling Water Reactor. The application specifically proposes lower Fuel Element Storage Well water level limits and proposes changes to the definition of "fuel handling."

Basis for proposed no significant hazards consideration determination:

As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated? No

The proposed change to the definition of FUEL HANDLING is an administrative clarification and does not affect the operation of the plant or the postulated accidents in any way. The proposed changes to allow lower Fuel Element Storage Well (FESW) water level limits do not alter the manner in which individual fuel assemblies are moved or alter the design function of the FESW or any other structures, systems, and components used to ensure safe fuel storage. The total number of fuel assembly moves to the Dry Cask Storage System is exactly the same as that contemplated during original plant design when fuel was assumed to be transported from the plant directly to a disposal site. All of the accidents previously evaluated in the La Crosse Boiling Water Reactor (LACBWR) Decommissioning Plan have been reviewed for impact as a result of

the proposed water level changes. The proposed changes do not affect the plant in such a manner that the likelihood or consequences of any previously evaluated accident is increased.

Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated? No

The proposed change to the definition of FUEL HANDLING is an administrative clarification and does not affect the operation of the plant in any way. The proposed changes to allow lower FESW water level limits do not alter the manner in which individual fuel assemblies are moved; or alter the design function of the FESW or any other structures, systems, and components used to ensure safe fuel storage. All of the accidents previously evaluated in the LACBWR Decommissioning Plan have been reviewed for impact as a result of the proposed water level changes. The existing accidents remain applicable and bounding for the LACBWR facility with the proposed changes in place and do not affect the plant in such a manner that a new accident has been created.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety? No

The proposed change to the definition of FUEL HANDLING is an administrative clarification and does not affect plant operation or safety margins in any way. The proposed changes to allow lower FESW water level limits do not alter the manner in which individual fuel assemblies are moved; or alter the design function of the FESW or any other structures, systems, and components used to ensure safe fuel storage. All of the accidents previously evaluated in the LACBWR Decommissioning Plan have been reviewed for impact as a result of the proposed water level changes. The likelihood and consequences of previously evaluated accidents remain applicable and bounding with the proposed changes in place; thus, safety margins remain the same.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

NRC Branch Chief: Andrew Persinko

the proposed water level changes. The proposed changes do not affect the plant in such a manner that the likelihood or consequences of any previously evaluated accident is increased.

Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated? No

The proposed change to the definition of FUEL HANDLING is an administrative clarification and does not affect the operation of the plant in any way. The proposed changes to allow lower FESW water level limits do not alter the manner in which individual fuel assemblies are moved; or alter the design function of the FESW or any other structures, systems, and components used to ensure safe fuel storage. All of the accidents previously evaluated in the LACBWR Decommissioning Plan have been reviewed for impact as a result of the proposed water level changes. The existing accidents remain applicable and bounding for the LACBWR facility with the proposed changes in place and do not affect the plant in such a manner that a new accident has been created.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety? No

The proposed change to the definition of FUEL HANDLING is an administrative clarification and does not affect plant operation or safety margins in any way. The proposed changes to allow lower FESW water level limits do not alter the manner in which individual fuel assemblies are moved; or alter the design function of the FESW or any other structures, systems, and components used to ensure safe fuel storage. All of the accidents previously evaluated in the LACBWR Decommissioning Plan have been reviewed for impact as a result of the proposed water level changes. The likelihood and consequences of previously evaluated accidents remain applicable and bounding with the proposed changes in place; thus, safety margins remain the same.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

NRC Branch Chief: Andrew Persinko

DISTRIBUTION: WSnell/RIII PLee/RIII JTappp/RIII CLipa/RIII DOrlando
 TYoungblood JHickman RTaylor JParillo GCasto EDavidson
 GCranston KWood

ML092470508

OFFICE	DWMEP:PM	DWMEP:LA	DWMEP:BC	DWMEP:PM
NAME	KBanovac	BGarrett for SMichonski	APersinko	KBanovac
DATE	9/ 8 /09	9/ 8 /09	9/ 9 /09	9/ 10 /09

OFFICIAL RECORD COPY