

SAFEGUARDS INFORMATION

June 20, 2012

Mr. W. L. Berg
President and Chief Executive Officer
Dairyland Power Cooperative
3200 East Avenue South
P.O. Box 817
La Crosse, WI 54602-0817

SUBJECT: LA CROSSE BOILING WATER REACTOR INDEPENDENT SPENT FUEL STORAGE INSTALLATION - APPROVAL OF REVISED PHYSICAL SECURITY PLAN AND ISSUANCE OF EXEMPTION FROM CERTAIN SECURITY REQUIREMENTS OF 10 CFR 73.55 (TAC NO. J00402 AND J00403)

Dear Mr. Berg:

By letter dated February 23, 2011, you submitted a revised LaCrosse Boiling Water Reactor (LACBWR) Physical Security Plan (PSP) that included changes to keep the plan current to comply with 10 CFR 73.55 and to implement the Independent Spent Fuel Storage Installation (ISFSI) requirements for the upcoming transfer of spent fuel to dry cask storage. Additionally, by letter dated February 23, 2011, you submitted a request for exemptions from certain requirements of 10 CFR 73.55 for the LACBWR ISFSI.

The U.S. Nuclear Regulatory Commission (NRC) has reviewed the LACBWR PSP and determined that the PSP meets the regulatory requirements in 10 CFR Part 73.

The NRC also has determined that, pursuant to 10 CFR 73.5, an exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the NRC hereby grants Dairyland Power Cooperative (DPC) an exemption from: 10 CFR 73.55(e)(10)- requirement for vehicle control measures to be consistent with the physical protection program design requirements in 10 CFR 73.55(b); 10 CFR 73.55(h)(2)(iii)- requirement to have two officers physically present during vehicle searches; 10 CFR 73.55(i)(2)- requirement to have intrusion detection equipment that annunciates and video assessment equipment that displays concurrently in at least two continuously staffed onsite alarm stations; 10 CFR(i)(4)(ii)(A)- requirement to maintain and locate the central alarm station inside a protected area; 10 CFR 73.55(i)(4)(ii); 10 CFR 73.55(k)(5)(i); 10 CFR 73.55(k)(5)(ii); 10 CFR 73.55(k)(5)(iii); and 10 CFR 73.55(k)(6)(i).

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A notice of the exemptions will be published in the *Federal Register*.

Other requirements from which you requested exemptions were determined not to be applicable to your facility or were determined as being met by your current program, therefore, your requests for exemption from 10 CFR 73.55(b)(6), 73.55(b)(7), 73.55(b)(9)(ii)(A), 73.55(c)(2), 73.55(c)(4), 73.55(d)(3)(i), 73.55(e)(1)(i), 73.55(g)(2)(iii), 73.55(g)(7)(ii), 73.55(g)(8)(iii), 73.55(i)(1), 73.55(b)(8), 73.55(b)(9)(ii)(B), 73.55(b)(9)(ii)(C), 73.55(c)(1)(i), and 73.55(c)(6) were denied. The enclosed NRC staff Safety Evaluation Report articulates the basis for granting and denying your specific exemption requests.

This licensing action meets the categorical exclusion provision in 10 CFR Part 51.22(c)(25), as this action is an exemption from the requirements of the Commission's regulations and (i) there is no significant hazards consideration; (ii) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite; (iii) there is no significant increase in individual or cumulative public or occupational radiation exposure; (iv) there is no significant construction impact; (v) there is no significant increase in the potential for or consequences from radiological accidents; and (vi) the requirements from which an exemption is sought involve safeguard plans. Therefore, this action does not require either an environmental assessment or an environmental impact statement.

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Sincerely,

/RA/

John B. Hickman, Project Manager
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

Docket Nos.: 50-409
72-046

License No.: DPR-45

Enclosures: 1) Exemption
2) Safety Evaluation (Safeguards Information)

cc (without Safety Evaluation):
LaCrosse BWR Service List

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Sincerely,

/RA/

John B. Hickman, Project Manager
Reactor Decommissioning Branch
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La Crosse Boiling Water Reactor Service List

cc:

Mr. William L. Berg
President and Chief Executive Officer
Dairyland Power Cooperative
3200 East Avenue South
P.O. Box 817
La Crosse, WI 54602-0817

Regional Administrator
Region III
U.S. Nuclear Regulatory Commission
2443 Warrenville Road
Lisle, IL 60532-4352

Mr. Thomas Zaremba
Wheeler, Van Sickle and Anderson
Suite 801
25 West Main Street
Madison, WI 53703-3398

Mr. George Kruck
Chairman, Town of Genoa
S5277 Mound Ridge Road
Genoa, WI 54632

Mr. Jeffery Kitsembel
Electric Division
Wisconsin Public Service Commission
P.O. Box 7854
Madison, WI 53707-7854

Mr. Paul Schmidt, Manager
Radiation Protection Section
Bureau of Environmental and Occupational
Health
Division of Public Health
Wisconsin Department of Health Services
P.O. Box 2659
Madison, WI 53701-2659

Mr. Don G. Egge, Plant Manager
La Crosse Boiling Water Reactor
Dairyland Power Cooperative
S4601 State Highway 35
Genoa, WI 54632-8846

Mr. Jeff McRill, Technical Support Engineer
La Crosse Boiling Water Reactor
Dairyland Power Cooperative
S4601 State Highway 35
Genoa, WI 54632-8846