

November 8, 2012

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

SUBJECT: DAIRYLAND POWER COOPERATIVE, LA CROSSE BOILING WATER
REACTOR - TERMINATION OF ORDER FOR INTERIM SAFEGUARDS AND
SECURITY COMPENSATORY MEASURES (EA-02-077)

Dear Mr. Berg:

On May 23, 2002, the U.S. Nuclear Regulatory Commission issued an immediately effective Order, EA-02-077 (Order) that modified all decommissioning nuclear power reactor licenses, including Dairyland Power Cooperative's La Crosse Boiling Water Reactor license by imposing certain interim safeguards and security compensatory measures relating to spent fuel in spent fuel pools. The measures imposed were in addition to those identified in Commission regulations. The stated purpose of the Order was to provide "reasonable assurance that the public health and safety and common defense and security continue to be adequately protected in the current threat environment."

By correspondence dated September 19, 2012, you reported that all fuel has been removed from the spent fuel pool and requested that Order EA-02-077 be rescinded. The measures imposed by Order EA-02-077 related to spent fuel in the spent fuel pool. Since there is no longer any fuel in the La Crosse spent fuel pool, I find that compliance with Order EA-02-077 is unnecessary and that the current threat environment is addressed by your Independent Spent Fuel Storage Installation (ISFSI) security plan. Therefore, I find good cause to grant your request and I hereby rescind Order EA-02-077 with respect to Dairyland Power Cooperative's La Crosse Boiling Water Reactor license.

As a consequence of this action, DPC is no longer authorized to use the La Crosse spent fuel pool to store spent fuel. In all other respects, DPC shall continue to adhere to the terms and conditions of the La Crosse Boiling Water license and the Commission's regulations.

Sincerely,

/RA/

Eric J. Leeds, Director
Office of Nuclear Reactor Regulation

Docket No.: 50-409

cc: LaCrosse Service List

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President and Chief Executive Officer
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Eric J. Leeds, Director
Office of Nuclear Reactor Regulation

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cc w/encls: LaCrosse Service List

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La Crosse Boiling Water Reactor Service List

cc:

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