



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

March 17, 2016

Ms. Barbara A. Nick  
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 – REQUEST FOR ADDITIONAL INFORMATION REGARDING THE REQUEST FOR REVIEW AND APPROVAL OF REVISION 29 TO THE QUALITY ASSURANCE PROGRAM DESCRIPTION (CAC NO. L53102)

Dear Ms. Nick:

By letter dated October 29, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16020A004), as supplemented by letter dated November 17, 2015 (ADAMS Accession No. ML16015A018), Dairyland Power Cooperative (Dairyland) submitted an application seeking the NRC review and approval of Revision 29 of the Quality Assurance Program Description (QAPD) for the decommissioning of La Crosse Boiling Water Reactor (LACBWR) prior to implementation of the revised QAPD.

These changes to the QAPD support a license transfer application submitted by Dairyland on October 8, 2015 (ADAMS Accession No. ML15307A309), as well as the impending submittal of the LACBWR License Termination Plan, and will not be implemented until these documents are also approved by the NRC.

In order to complete its review, the NRC staff requests additional information as specified in the Enclosure. The requested information was discussed in part with your staff during a conference call with NRC staff on December 15, 2015. Additional administrative documents were submitted to the NRC as a result of the conference call in support of the on-going review; however, the staff has determined that additional information is needed to support completion of the QAPD review. In order to continue an expedited review of the subject request, please respond to this request for additional information by April 22, 2016.

B. Nick

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If you have any questions, please contact me at (301) 415-3178 or via e-mail at [Marlayna.Vaaler@nrc.gov](mailto:Marlayna.Vaaler@nrc.gov).

Sincerely,

*/RA/*

Marlayna Vaaler, Project Manager  
Reactor Decommissioning Branch  
Division of Decommissioning, Uranium Recovery,  
and Waste Programs  
Office of Nuclear Material Safety  
and Safeguards

Docket Nos.: 50-409 and 72-046

License No.: DPR-45

Enclosure:  
Request for Additional Information

cc w/ enclosure: La Crosse Boiling Water  
Reactor Service List

B. Nick

- 2 -

If you have any questions, please contact me at (301) 415-3178 or via e-mail at [Marlayna.Vaaler@nrc.gov](mailto:Marlayna.Vaaler@nrc.gov).

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**DISTRIBUTION:** RDB R/F K. Kavanagh, NRO L. Micewski, NRO

**ADAMS Accession No.:** **ML16069A202** **\*by memo**

<b>OFFICE</b>	NMSS/RDB/PM	NMSS/DUWP/LA	NRO/DCIP/QVIB	NMSS/RDB/BC
<b>NAME</b>	M. Vaaler	C. Holston	K. Kavanagh*	B. Watson
<b>DATE</b>	3/8/2016	3/10/2016	2/26/2016	3/17/2016

**OFFICIAL RECORD COPY**

## **La Crosse Boiling Water Reactor Service List**

Mr. Thomas Zaremba  
Wheeler, Van Sickle and Anderson, S.C.  
44 East Mifflin Street, Suite 1000  
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

Ms. Cheryl Olson, ISFSI Supervisor  
La Crosse Boiling Water Reactor  
Dairyland Power Cooperative  
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Genoa, WI 54632-8846

Mr. Lane Peters  
La Crosse Boiling Water Reactor  
Dairyland Power Cooperative  
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Regional Administrator  
Region III  
U.S. Nuclear Regulatory Commission  
2443 Warrenville Road, Suite 210  
Lisle, IL 60532-4352

**REQUEST FOR ADDITIONAL INFORMATION**

**PROPOSED REVISION TO QUALITY ASSURANCE PROGRAM DESCRIPTION**

**LA CROSSE BOILING WATER REACTOR**

**DAIRYLAND POWER COOPERATIVE**

**DOCKET NOS. 50-409 AND 72-046**

By letter dated October 29, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16020A004), as supplemented by letter dated November 17, 2015 (ADAMS Accession No. ML16015A018), Dairyland Power Cooperative (Dairyland) submitted an application seeking the NRC review and approval of Revision 29 of the Quality Assurance Program Description (QAPD) for the decommissioning of La Crosse Boiling Water Reactor (LACBWR) prior to implementation of the revised QAPD. These changes to the QAPD support a license transfer application submitted by Dairyland on October 8, 2015 (ADAMS Accession No. ML15307A309), as well as the impending submittal of the LACBWR License Termination Plan.

The staff has completed its review of Revision 29 of the QAPD, as well as administrative documents Administrative Control Procedure (ACP) 20-2.02, "QA Program – Qualified Technical Review (TR) Process," Issue 0, dated January 12, 2016, and ACP-20-02.04, "Independent Management Assessment," Issue 0 (undated), provided by Dairyland following a clarification teleconference held on December 15, 2015.

The following additional information is necessary to complete the staff's review:

**RAI-LACBWR-01: Qualification Requirements for Qualified Technical Reviewers**

As a part of the review of Revision 29 to the LACBWR QAPD, the NRC staff examined the regulations that relate to implementation of a quality assurance program at both power reactors and Independent Spent Fuel Storage Installations (ISFSIs). These regulations are summarized below:

The requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50.54 (a)(1) specify, in part, that "each nuclear power plant or fuel reprocessing plant licensee subject to the quality assurance criteria in appendix B of this part shall implement the quality assurance program described or referenced in the Safety Analysis Report, including changes to that report."

The requirements of 10 CFR 50.54 (a)(3) specify, in part, that "each licensee described in paragraph (a)(1) of this section may make a change to a previously accepted quality assurance program description included or referenced in the Safety Analysis Report without prior NRC approval, provided the change does not reduce the commitments in the program description as accepted by the NRC."

**Enclosure**

The requirements of 10 CFR 71.101 (b) specify, in part, that “each licensee, certificate holder, and applicant for a [Certificate of Compliance] (CoC) shall establish, maintain, and execute a quality assurance program satisfying each of the applicable criteria of §§ 71.101 through 71.137 and satisfying any specific provisions that are applicable to the licensee’s activities including procurement of packaging.”

The requirements of 10 CFR 71.101 (f) specify, in part, that “a Commission-approved quality assurance program that satisfies the applicable criteria of subpart H of this part, appendix B of part 50 of this chapter, or subpart G of part 72 of this chapter, and that is established, maintained, and executed regarding transport packages, will be accepted as satisfying the requirements of paragraph (b) of this section.”

Finally, the requirements of 10 CFR 71.106(a) specify, in part, that “each quality assurance program approval holder shall submit, in accordance with § 71.1(a), a description of a proposed change to its NRC-approved quality assurance program that will reduce commitments in the program description as approved by the NRC. The quality assurance program approval holder shall not implement the change before receiving NRC approval.”

Following its review of Revision 29 to the LACBWR QAPD against the above requirements, the staff has concluded that the proposed revision contains a reduction in commitments in the licensee’s quality assurance program. Revision 28 of the QAPD, Section II, “Quality Assurance Program,” Subsection F, “Personnel Training and Qualification,” specified minimum qualification requirements for an Operations Review Committee member, including a stipulation that equivalent qualifications shall be in accordance with American National Standards Institute (ANSI) standard 18.1-1971, “Selection and Training of Nuclear Power Plant Personnel.” The proposed revision to the LACBWR QAPD includes minimum qualification requirements for the position of Qualified Technical Reviewer, which will functionally replace the Operations Review Committee. The proposed minimum qualification allows for equivalent qualifications to be “evaluated on a case by case basis.”

Subsequent to the December 15, 2015, teleconference, the staff noted that the qualification requirements previously detailed in Revision 28 of the LACBWR QAPD were shifted to Administrative Control Procedure 20-2.02, “QA Program – Qualified Technical Review (TR) Process”; however, this document is not considered part of a Commission-approved quality assurance program. Therefore, Dairyland’s proposed change to the qualification requirements specified for a Qualified Technical Reviewer represents a reduction in commitment in the licensee’s quality assurance program.

Accordingly, please either restore the minimum qualification requirements applicable to a Qualified Technical Reviewer to Revision 29 of the LACBWR QAPD, or provide a justification for how these requirements will continue to be met in Dairyland administrative procedures whose future revisions are not subject to NRC review and approval.