



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

May 20, 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: ORDER APPROVING TRANSFER OF THE LICENSE FOR THE LA CROSSE BOILING WATER REACTOR FROM THE DAIRYLAND POWER COOPERATIVE TO LACROSSE SOLUTIONS, LLC AND CONFORMING ADMINISTRATIVE LICENSE AMENDMENT (CAC NO. L53096)

Dear Ms. Nick:

By letter dated October 8, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15307A310), as supplemented by letter dated December 15, 2015 (ADAMS Accession No. ML16004A147), the Dairyland Power Cooperative (DPC) and LaCrosseSolutions, LLC (LS) (collectively, the applicants) submitted an application, pursuant to Section 184 of the Atomic Energy Act of 1954, as amended, and Section 50.80, "Transfer of Licenses," of Title 10 of the *Code of Federal Regulations* (10 CFR), requesting U.S. Nuclear Regulatory Commission (NRC) consent for the direct transfer of DPC's Possession Only License No. DPR-45 for the La Crosse Boiling Water Reactor (LACBWR) to LS.

The applicants requested that the NRC consent to the transfer of DPC's licensed possession, maintenance and decommissioning authorities to LS in order to implement expedited decommissioning at LACBWR. The applicants also requested approval of a conforming amendment to the license pursuant to 10 CFR 50.80 and 10 CFR 50.90, "Application for amendment of license, construction permit, or early site permit." Notice of the application was published in the *Federal Register* (FR) on March 18, 2016 (81 FR 14898). The December 15, 2015, letter contained clarifying information, did not expand the application beyond the scope of the original notice, and did not affect the applicability of the NRC's generic no significant hazards consideration determination.

DPC will remain the licensed owner of LACBWR and hold title to and ownership of the real estate encompassing most of the LACBWR site, as well as lease hold interests for the remaining portions of the site; title to and ownership of the spent nuclear fuel; and title to and ownership of all improvements at the LACBWR site. LS will lease the above-ground LACBWR structures (other than the LACBWR independent spent fuel storage installation (ISFSI)) and will assume responsibility for all licensed activities at LACBWR, including responsibility under the license to complete decommissioning in accordance with NRC requirements. LS will assume

B. Nick

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responsibility for the maintenance and security of the ISFSI site, while DPC will provide for operation, maintenance, and security of the ISFSI site under a Company Services Agreement with LS. DPC will retain financial responsibility for operation, maintenance, and security of the ISFSI and other related costs. LS was expressly created for the purpose of decommissioning LACBWR and releasing the site for unrestricted use, except for the ISFSI. After the transfer, LS will complete the decommissioning of the LACBWR facility.

The NRC staff has completed its review of the LACBWR license transfer application. Enclosure 1 is the Order, which provides consent to the proposed license transfer, subject to the conditions described therein, and approves the conforming license amendment. Enclosure 2 provides the conforming amendment for LACBWR, which will be issued and become effective at the time the transfer is enacted. Enclosure 3 provides the NRC staff's safety evaluation (SE) related to the preceding actions. The SE will be placed in the NRC public document room and added to the ADAMS Publicly Available Records System Library.

A copy of the Order has been forwarded to the Office of the *Federal Register* for publication.

Should you have any questions concerning this action, please contact me at (301) 415-3178 or via e-mail at 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

Enclosures:

1. Order
2. Conforming Amendment to DPR-45
3. Safety Evaluation

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

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Sincerely,
/RA/
 Marlayna Vaaler, Project Manager
 Reactor Decommissioning Branch
 Division of Decommissioning, Uranium Recovery,
 and Waste Programs
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***by memo / e-mail SE: ML16123A074 FRN: ML16123A094**

OFFICE	NMSS/RDB/PM	NMSS/DUWP/LA	NRR/IFIB/BC	NMSS/RDB/BC
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