



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

February 9, 2017

Mr. John Sauger
Executive Vice President
Chief Nuclear Officer Reactor D & D
EnergySolutions
2701 Deborah Avenue
Zion, IL 60099

SUBJECT: LA CROSSE BOILING WATER REACTOR – ACCEPTANCE REVIEW OF THE REQUEST FOR EXEMPTION FROM THE INVESTIGATION REQUIREMENTS OF 10 CFR PART 20, APPENDIX G, SECTION III.E (CAC NO. L53168)

Dear Mr. Sauger:

By letter dated January 16, 2017, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17018A136), LaCrosseSolutions, LLC (LS, the licensee) requested U.S. Nuclear Regulatory Commission (NRC) approval of an exemption from certain requirements of Appendix G, "Requirements for Transfers of Low-Level Radioactive Waste Intended for Disposal at Licensed Land Disposal Facilities and Manifests," to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 20, "Standards for Protection Against Radiation," for the La Crosse Boiling Water Reactor (LACBWR).

Specifically, LS requested exemption from the portion of Section III.E of 10 CFR Part 20, Appendix G, that requires the licensee to investigate and report to the NRC when LS does not receive notification of receipt of a shipment, or part of a shipment, of low-level radioactive waste within 20 days after transfer off the site. The licensee requested that the time period for LS to receive acknowledgement that the shipment has been received by the intended recipient be extended from 20 days to 45 days for shipments from the LACBWR facility. The requested exemption would be applicable to LACBWR truck and rail shipments.

The purpose of this letter is to provide the results of the NRC staff's initial administrative and acceptance review of the submittal. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

The NRC has reviewed your application and concluded that it does provide technical information in sufficient detail to enable the NRC to complete its detailed technical review and make an independent assessment regarding the acceptability of this request in terms of regulatory requirements and the protection of public health and safety and the environment.

Given the lesser scope and depth of the acceptance review as compared to the detailed technical review, there may be instances in which issues that impact the NRC's ability to complete the detailed technical review are identified despite completion of an adequate

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acceptance review. If additional information is needed to address these areas, you will be advised by separate correspondence.

If you have any questions, please contact Marlayna Vaaler, the LACBWR Project Manager, at (301) 415-3178 or via e-mail at marlayna.vaaler@nrc.gov.

Sincerely,

/RA/

Bruce A. Watson, CHP, Chief
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

cc: La Crosse Boiling Water
Reactor Service List

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Reactor Service List

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OFFICIAL RECORD COPY

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