

August 4, 1987

Docket No. 50-409

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Mr. James W. Taylor
General Manager
Dairyland Power Cooperative
2615 East Avenue South
La Crosse, Wisconsin 54601

Dear Mr. Taylor:

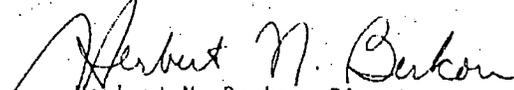
SUBJECT: ISSUANCE OF AMENDMENT NO. 56 TO LICENSE NO. DPR-45 TO POSSESS-BUT-NOT-OPERATE STATUS, LA CROSSE BOILING WATER REACTOR (TAC-65198)

The Commission has issued the enclosed Amendment No. 56 to Provisional Operating License No. DPR-45 for the La Crosse Boiling Water Reactor. This amendment modifies License No. DPR-45 to possess-but-not-operate status in response to your application of May 22, 1987 (LAC-12234).

A Notice of Consideration of Issuance of Amendment to License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing related to the requested action was published in the FEDERAL REGISTER on July 1, 1987 (52 FR 24546). No comments or requests for hearing were received.

A copy of the related Safety Evaluation supporting Amendment No. 56 is also enclosed.

Sincerely,



Herbert N. Berkow, Director
Standardization and Non-Power
Reactor Project Directorate
Division of Reactor Projects III, IV,
V and Special Projects
Office of Nuclear Reactor Regulation

Enclosures:

- 1. Amendment No. 56 to Licensing No. DPR-45
- 2. Safety Evaluation

cc: w/enclosures:

See next page

*See Previous Concurrence

PDSNP*	PDSNP*	OGC*	PDSNP
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

August 4, 1987

Docket No. 50-409

Mr. James W. Taylor
General Manager
Dairyland Power Cooperative
2615 East Avenue South
La Crosse, Wisconsin 54601

Dear Mr. Taylor:

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Sincerely,

A handwritten signature in cursive script that reads "Herbert N. Berkow".

Herbert N. Berkow, Director
Standardization and Non-Power
Reactor Project Directorate
Division of Reactor Projects III, IV,
V and Special Projects
Office of Nuclear Reactor Regulation

Enclosures:

1. Amendment No. 56 to Licensing No. DPR-45
2. Safety Evaluation

cc: w/enclosures:
See next page

Mr. James W. Taylor
Dairyland Power Cooperative

Docket No. 50-409
La Crosse Boiling Water Reactor

cc:

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Staff Attorney
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Town Chairman
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Chairman, Public Service Commission
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Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
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Glen Ellyn, Illinois 60137



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

DAIRYLAND POWER COOPERATIVE

DOCKET NO. 50-409

LA CROSSE BOILING WATER REACTOR

AMENDMENT TO PROVISIONAL OPERATING LICENSE

Amendment No. 56
License No. DPR-45

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment filed by Dairyland Power Cooperative (the licensee) dated May 22, 1987, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in Title 10 CFR Chapter I;
 - B. The facility will be maintained in conformity with the application, the provisions of the Act, and the regulations of the Commission;
 - C. There is reasonable assurance: (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public; and (ii) such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, Provisional Operating License No. DPR-45 is hereby amended by revising the indicated paragraphs as follows:

Revise Paragraph 2.B. to read:

- B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses the Dairyland Power Cooperative:
 - (1) Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities" to possess but not operate the facility at the location designated in the application in accordance with the procedures and limitations described in the application and in this license;

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- (2) Pursuant to the Act and 10 CFR Part 70, to possess at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts previously received for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended;
- (3) Pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use at any time any byproduct, source, and special nuclear material as sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
- (4) Pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess at any time any byproduct, source, and special nuclear material as sealed neutron sources previously received for reactor start-up in amounts as required;
- (5) Pursuant to the Act and 10 CFR Parts, 30, 40, and 70, to receive, possess, and use in amounts as required any byproduct, source, or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
- (6) Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as were produced by the prior operation of the facility.

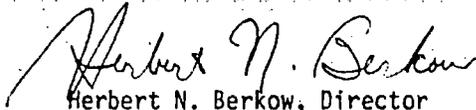
Delete paragraph 2.C.(1) Maximum Power Level in its entirety.

Revise paragraph 2.C.(2) Technical Specifications to read:

2.C.(2) The Technical Specifications contained in Appendix A, as revised through Amendment No. 56, are hereby incorporated in the license. The licensee shall maintain the facility in accordance with the Technical Specifications.

3. This license amendment is effective upon its date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Herbert N. Berkow, Director
Standardization and Non-Power
Reactor Project Directorate
Division of Reactor Projects III, IV,
V and Special Projects
Office of Nuclear Reactor Regulation

Date of Issuance: August 4, 1987



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
SUPPORTING AMENDMENT NO. 56 TO PROVISIONAL OPERATING LICENSE NO. DPR-45

DAIRYLAND POWER COOPERATIVE

LA CROSSE BOILING WATER REACTOR

DOCKET NO. 50-409

1.0 INTRODUCTION

By letter dated May 22, 1987, Dairyland Power Cooperative (the licensee) proposed to amend License No. DPR-45 to possess-but-not-operate status. The La Crosse Boiling Water Reactor (LACBWR) was permanently shut down on April 30, 1987 and the licensee stated that it will submit a decommissioning plan to the NRC. All fuel has been removed from the reactor and transferred to the spent fuel storage pool.

A Notice of Consideration of Issuance of Amendment to License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing related to the requested possess-but-not-operate status was published in the FEDERAL REGISTER on July 1, 1987 (52 FR 24546). No public comments or requests for hearing were received.

2.0 DISCUSSION AND EVALUATION

The proposed amendment to possess-but-not-operate status is implemented by changing paragraph 2.B(1) of License No. DPR-45 from "possess, use and operate the facility" to "possess but not operate the facility." License No. DPR-45 is also changed by revising paragraphs 2.B(2) through 2.B(6) to: (1) delete authority to receive or use reactor fuel but to allow previously used fuel to be retained at LACBWR; (2) allow continued possession of byproduct, source, and special nuclear material in sealed sources for instrumentation and monitoring equipment calibration but not for reactor startup or operation; and (3) allow continued possession but not separation of such byproduct and special nuclear materials which were produced in the prior operation of LACBWR. In addition, paragraph 2.C.(1) entitled "Maximum Power Level" is deleted in its entirety and paragraph 2.C.(2) is revised from "The licensee shall operate the facility in accordance with the Technical Specifications" to "The licensee shall maintain the facility in accordance with the Technical Specifications."

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All of the above revisions to license No. DPR-45 constitute additional limitations not presently included in the license in that all of the revisions constitute the deletion of authority to operate the reactor. All current monitoring requirements remain in effect. Therefore, since the effect of each of the revisions is to place more limitations on the licensee, the amendment does not result in significant risk to the public health and safety.

3.0 ENVIRONMENTAL CONSIDERATION

This amendment involves a change in the installation or use of facility components located within the restricted area as defined in 10 CFR Part 20. The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that this amendment involves no significant hazards consideration and there has been no public comment on such finding. Accordingly, this amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of this amendment.

4.0 CONCLUSION

The Commission made a proposed determination that the amendment involves no significant hazards consideration which was published in the FEDERAL REGISTER (52 FR 24546) on July 1, 1987. No public comments were received.

The staff has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by maintenance of the facility in the proposed manner; and (2) such activities will be conducted in compliance with the Commission's regulations and the issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public.

5.0 ACKNOWLEDGEMENT

This evaluation was prepared by Peter B. Erickson.

Dated: August 4, 1987