

August 18, 1988

Docket No. 50-409

Mr. James W. Taylor
General Manager
Dairyland Power Cooperative
2615 East Avenue South
La Crosse, Wisconsin 54602-0817

Dear Mr. Taylor:

SUBJECT: ISSUANCE OF AMENDMENT NO. 63 TO PROVISIONAL LICENSE
NO. DPR-45 FOR LA CROSSE BOILING WATER REACTOR (TAC-68888)

The Commission has issued the enclosed Amendment No. 63 to Provisional License No. DPR-45 for the La Crosse Boiling Water Reactor (LACBWR) in response to your application of October 9, 1974, as revised February 10, 1988, and order dated May 13, 1988 from Atomic Safety and Licensing Board Panel No. 78-368-05-0L. This amendment revised Provisional License No. DPR-45 to full term possession-only license that expires on March 29, 2003.

A copy of the related Safety Evaluation supporting Amendment No. 63 is also enclosed, along with a copy of the notice of issuance pertaining to this action which will be published in the FEDERAL REGISTER.

Sincerely,

/s/

Peter B. Erickson, Project Manager
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. 63 to License No. DPR-45
2. Safety Evaluation
3. Notice of Issuance

cc w/enclosures:
See next page

DISTRIBUTION:

Docket File	OGC-Rock	EButcher
NRC & Local PDRs	DHagan	ACRS (10)
PDSNP Reading	EJordan	GPA/PA
DCrutchfield	BGrimes	ARM/LFMB
EHylton	TBarnhart (4)	
PERickson	Wanda Jones	

PDSNP*	PDSNP*	PDSNP
EHylton	PERickson:ls	CMiller
08/01/88	08/01/88	08/18/88

*See previous concurrence

DF01
1/1

w/changes noted
OGC ROCKVILLE
08/18/88

8808240330 880818
PDR ADICK 05000409
FDC

Docket No. 50-409

Mr. James W. Taylor
General Manager
Dairyland Power Cooperative
2615 East Avenue South
La Crosse, Wisconsin 54602-0817

Dear Mr. Taylor:

SUBJECT: ISSUANCE OF AMENDMENT NO. 63 TO PROVISIONAL LICENSE
NO. DPR-45 FOR LA CROSSE BOILING WATER REACTOR (TAC-)

The Commission has issued the enclosed Amendment No. 63 to Provisional License No. DPR-45 for the La Crosse Boiling Water Reactor (LACBWR) in response to your application of October 9, 1974, as revised February 10, 1988, and order dated May 13, 1988 from Atomic Safety and Licensing Board Panel (ASLBP) No. 78-368-05-OL. This amendment revised Provisional License No. DPR-45 to full term possession-only license that expires on March 29, 2003.

A copy of the related Safety Evaluation supporting Amendment No. 63 is also enclosed, along with a copy of the notice of issuance pertaining to this action which will be published in the FEDERAL REGISTER.

Sincerely,

Peter B. Erickson, Project Manager
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. 63 to License No. DPR-45
2. Safety Evaluation
3. Notice of Issuance

cc w/enclosures:
See next page

DISTRIBUTION:

Docket File
NRC & Local PDRs
PDSNP Reading
DCrutchfield
EHylton
PErickson

OGC-Rock
DHagan
EJordan
BGrimes
TBarnhart (4)
Wanda Jones

EButcher
ACRS (10)
GPA/PA
ARM/LFMB

PDSNP
EKydon
08/ /88

PDSNP
PErickson:ls
08/ /88

PDSNP
CMiller
08/ /88

OGC-ROCKVILLE
08/ /88



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

August 18, 1988

Docket No. 50-409

Mr. James W. Taylor
General Manager
Dairyland Power Cooperative
2615 East Avenue South
La Crosse, Wisconsin 54602-0817

Dear Mr. Taylor:

SUBJECT: ISSUANCE OF AMENDMENT NO. 63 TO PROVISIONAL LICENSE
NO. DRP-45 FOR LA CROSSE BOILING WATER REACTOR (TAC-68888)

The Commission has issued the enclosed Amendment No. 63 to Provisional License No. DPR-45 for the La Crosse Boiling Water Reactor (LACBWR) in response to your application of October 9, 1974, as revised February 10, 1988, and order dated May 13, 1988 from Atomic Safety and Licensing Board Panel No. 78-368-05-OL. This amendment revised Provisional License No. DPR-45 to full term possession-only license that expires on March 29, 2003.

A copy of the related Safety Evaluation supporting Amendment No. 63 is also enclosed, along with a copy of the notice of issuance pertaining to this action which will be published in the FEDERAL REGISTER.

Sincerely,

A handwritten signature in cursive script that reads "Peter B. Erickson".

Peter B. Erickson, Project Manager
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. 63 to
License No. DPR-45
2. Safety Evaluation
3. Notice of Issuance

cc w/enclosures:
See next page

Mr. James W. Taylor
Dairyland Power Cooperative

Docket No. 50-409
La Crosse Boiling Water Reactor

cc:

Fritz Schubert, Esquire
Staff Attorney
Dairyland Power Cooperative
2615 East Avenue South
La Crosse, Wisconsin 54602

Mr. Kevin P. Gallen
Newman & Holtzinger, P. C.
1615 L Street, NW
Washington, D.C. 20036

Mr. John Parkyn, Plant Manager
La Crosse Boiling Water Reactor
Dairyland Power Cooperative
P. O. Box 275
Genoa, Wisconsin 54632

U.S. Nuclear Regulatory Commission
Resident Inspectors Office
Rural Route #1, Box 276
Genoa, Wisconsin 54632

Town Chairman
Town of Genoa
Route 1
Genoa, Wisconsin 54632

Chairman, Public Service Commission
of Wisconsin
Hill Farms State Office Building
P. O. Box 7854
Madison, Wisconsin 53707

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
799 Roosevelt Road
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 (LACBWR)

AMENDMENT TO POSSESSION-ONLY LICENSE

Amendment No. 63
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 October 9, 1974, as revised February 10, 1988, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations as set forth in 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) that 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; and

8808240337 880818
PDR ADDCK 05000409
P PIC

2. Accordingly, Provisional License No. DPR-45 is hereby amended by replacing the words "Provisional Operating" in the title and in paragraphs 1.D, 1.E, 1.G, 2, and 2.D, with the words "Possession-Only" and revising paragraph 2.E to read as follows:
 - E. This license shall expire at midnight March 29, 2003.
3. This license amendment is effective as of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Charles L. Miller

Charles L. Miller, Acting 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 18, 1988



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

SUPPORTING AMENDMENT NO. 63 TO POSSESSION-ONLY LICENSE NO. DPR-45

LA CROSE BOILING WATER REACTOR (LACBWR)

DOCKET NO. 50-409

1.0 INTRODUCTION

By application dated October 9, 1974, Dairyland Power Cooperative (the licensee) proposed to convert Provisional Operating License No. DPR-45 for the La Crosse Boiling Water Reactor (LACBWR) to a full term operating license. In 1978 the Atomic Safety and Licensing Board Panel No. 78-368-05-0L (the Board) granted a request for a hearing with respect to the application. The Provisional License No. DPR-45 has remained in effect pursuant to the provisions of 10 CFR 2.109 and the licensee's timely application for a full term operating license.

On April 29, 1987, the licensee advised the Commission of its intent to decommission LACBWR. By June 12, 1987, all fuel had been removed from the reactor vessel and transferred to the Fuel Element Storage Well. On August 4, 1987, in response to a request from the licensee, the Commission amended License No. DPR-45 to possession-only status. On December 21, 1978, as revised February 22, 1988, the licensee submitted a proposed decommissioning plan.

On February 10, 1988, the licensee amended its 1974 application for a full term operating license to delete operational considerations and to extend the existing possession-only license to the end of the SAFSTOR period as specified in the proposed decommissioning plan.

By motion to the Board dated February 19, 1988, the licensee requested that the full term operating license proceeding be terminated. By order dated May 13, 1988, the Board dismissed the full term operating license proceeding and directed the staff to issue an amendment to convert License No. DPR-45 to a full term possession-only license. This evaluation considers that amendment.

2.0 SAFETY EVALUATION

LACBWR is permanently shutdown, the reactor has been defueled and all spent fuel has been transferred to the Fuel Element Storage Well. Technical Specifications (TS) continue with requirements for the spent fuel storage, maintenance and monitoring of the facility, fire protection, radiation procedures, containment integrity, recordkeeping, reporting, radioactive waste handling and administrative controls. Some TS associated with reactor operations have been deleted by amendments as they are no longer applicable.

8808240340 880818
PDR ADCK 05000409
PDC

The NRC is now evaluating the proposed decommissioning plan. During the interim period, however, we have determined that the existing TS, Emergency Plan and Physical Security Plan provide adequate assurance that LACBWR will be safely maintained in its possession-only status.

Relevant safety evaluations with respect to the shutdown LACBWR facility were accomplished for Amendments No. 56 through No. 62 (see referenced documents dated August 4, 1987 through May 31, 1988).

3.0 FINDING OF NO SIGNIFICANT IMPACT

A Final Environmental Statement (FES) was issued in April 1980 (NUREG-0191). Notice of availability of the FES was published in the FEDERAL REGISTER on April 29, 1980 (45 FR 28549). In the FES the staff concluded that issuance of a full term operating license would not involve a significant impact on the environment. Therefore, the issuance of a full term possession-only license would, also, have no significant environmental impact because with the reactor permanently shutdown the potential for environmental effects would be reduced.

4.0 CONCLUSION

A Notice of Consideration of Application for Conversion of Provisional Operating License to Full Term Operating License and Opportunity for Hearing was published in the FEDERAL REGISTER on April 10, 1978 (43 FR 15021). A hearing was requested and was granted and the proceeding was terminated as discussed in section 1 of this Safety Evaluation. The Board directed the staff to amend Provisional License No. DPR-45, as amended to a full-term "possession-only" license.

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 the health and safety of the public.

Principal Contributor: Peter B. Erickson

Dated: August 18, 1988

UNITED STATES NUCLEAR REGULATORY COMMISSIONDAIRYLAND POWER COOPERATIVEDOCKET NO. 50-409NOTICE OF ISSUANCE OF AMENDMENT TOPROVISIONAL LICENSE

The U. S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 63 to Provisional License No. DPR-45 to Dairyland Power Cooperative (the licensee) for the La Crosse Boiling Water Reactor (LACBWR). This amendment revises Provisional License No. DPR-45 to a full term possession-only license that expires on March 29, 2003.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

A Notice of Opportunity for Prior Hearing related to the licensee's application for a Full Term Operating License was published in the FEDERAL REGISTER on April 10, 1978 (43 FR 15021). Pursuant to that notice, members of the public petitioned for leave to intervene and requested a hearing. Their request was granted by the Atomic Safety and Licensing Board No. 78-366-05-0L (the Board).

The Commission issued a Final Environmental Statement (FES) in April 1980 (NUREG-0191). Notice of availability of the FES was published in the FEDERAL REGISTER on April 29, 1980 (45 FR 28549).

On April 29, 1987 the licensee advised the Commission of its intention to decommission LACBWR. By June 12, 1987 all fuel had been removed from the

8808240346 880813
PDR ADOCK 05000409
P PIC

reactor and placed in the Fuel Element Storage Well. On August 4, 1987, in response to the licensee's request, the Commission amended license No. DPR-45 to possession-only status.

On February 10, 1988, the licensee requested that its proposed full term operating license be amended to a possession-only license that extended through the SAFSTOR period specified in its decommissioning plan. On February 19, 1988, the licensee filed a motion with the Board to terminate the full term operating license proceeding.

On May 13, 1988, the Board issued an order which dismissed all contentions on the full term operating license application and terminated the proceeding. The Board also directed the issuance of a full term possession-only license to the year 2003. For further details with respect to this action, see (1) the application dated October 9, 1974, as revised February 10, 1988, (2) Amendment No. 63 to Possession-only License No. DPR-45, (3) the Final Environmental Statement (NUREG 0191), (4) the Licensee's February 19, 1988, motion to the Board, and (5) the Board's order dated May 13, 1988. All of these items are available for public inspections at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the La Crosse Public Library, 800 Main Street, La Crosse, Wisconsin 54601.