

UNITED STATES ATOMIC ENERGY COMMISSION

DOCKET NO. 50-409

DAIRYLAND POWER COOPERATIVE

NOTICE OF CONVERSION OF PROVISIONAL OPERATING  
AUTHORIZATION TO PROVISIONAL OPERATING LICENSE

Notice is hereby given that the Atomic Energy Commission ("the Commission") has converted Provisional Operating Authorization (POA) No. DPRA-6, issued to the Dairyland Power Cooperative (DPC) pursuant to 10 CFR Part 115 of the Commission's regulations, to Provisional Operating License No. DPR-45 pursuant to 10 CFR Part 50 of the Commission's regulations. POA No. DPRA-6 was issued to DPC by the Commission on October 31, 1969 and authorized operation of the Commission's La Crosse Boiling Water Reactor (LACBWR) located in Vernon County, Wisconsin, at power levels up to 165 megawatts (thermal). DPC has purchased the LACBWR from the Commission and plans to continue to operate the facility at the same power level and in the same manner as previously authorized under POA No. DPRA-6.

Part 115 of the Commission's regulations applies to certain Commission-owned reactors exempt from the licensing requirements of the Atomic Energy Act of 1954, as amended (Act). Generally, the procedures established in Part 115 parallel those of 10 CFR Part 50, which applies to reactors subject to the licensing requirements of the Act. In accordance with the provisions

of Part 115, LACBWR was reviewed at the construction authorization stage, and again at the operating authorization stage, by the AEC regulatory staff and the Commission's Advisory Committee on Reactor Safeguards (ACRS). The public hearing procedures followed in the case of LACBWR also corresponded to the procedures followed by the Commission with respect to Part 50 facilities. At the construction authorization stage a public hearing was held before an atomic safety and licensing board; and at the operating authorization stage the Commission provided an opportunity for a further public hearing.

In correspondence with the Commission, DPC has referred to its forthcoming application for conversion of the LACBWR provisional operating license to a full-term operating license. No such license will be issued, however, prior to the completion of safety and environmental reviews by the AEC regulatory staff, the issuance of a report by the ACRS, and the publication of an appropriate notice of proposed action and opportunity for hearing.

Provisional Operating License No. DPR-45 is effective as of its date of issuance and shall expire eighteen months thereafter unless extended for good cause shown, or upon an earlier superseding licensing action. This license supersedes and terminates POA No. DPRA-6.

The Commission has found that DPC's Application dated May 22, 1972, and supplements thereto dated July 14 and 21, 1972, and July 25, 1973,

comply with the requirements of the Atomic Energy Act of 1954, as amended ("the Act"), and the Commission's regulations published in 10 CFR Chapter I. The Commission has made the remainder of the findings required by the Act and the Commission's regulations, which are set forth in the license, and has concluded that the issuance of the license will not be inimical to the common defense and security or to the health and safety of the public. DPC has satisfied the provisions of 10 CFR Part 140 for financial protection and, concurrent with the issuance of the license, DPC is being required to execute an indemnity agreement.

Since operation of the facility and the operating staff and procedures are as previously reviewed and approved by the Commission and are not altered by the conversion of this provisional operating authorization to a provisional operating license, the Commission's regulatory staff also has concluded that this action does not involve significant hazards considerations, and that, therefore, notice of the proposed conversion of POA No. DPRA-6 is not required.

For further details with respect to this action, see (1) DPC's Application dated May 22, 1972, and supplements thereto dated July 14 and 21, 1972, and July 25, 1973, (2) Provisional Operating License No. DPR-45 and Change No. 12, and (3) the public records in Docket No. 115-5 relating to the authorization and operation of LACBWR which are available for inspection at the

Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C., and at the Sparta Free Library, P. O. Box 347, Sparta, Wisconsin 54565. A copy of item (2) may be obtained upon request sent to the U. S. Atomic Energy Commission, Washington, D. C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Maryland, this      AUG 28 1973

FOR THE ATOMIC ENERGY COMMISSION

51  
Dennis L. Ziemann, Chief  
Operating Reactors Branch #2  
Directorate of Licensing

DAIRYLAND POWER COOPERATIVE

DOCKET NO. 50-409

LA CROSSE BOILING WATER REACTOR (LACBWR)

PROVISIONAL OPERATING LICENSE NO. DPR-45

1. The Atomic Energy Commission (the Commission) has found that:
  - A. The application filed by the Dairyland Power Cooperative (the licensee) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. Construction of the La Crosse Boiling Water Reactor has been substantially completed in conformity with Construction Authorization No. CAPR-5, the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
  - D. There is reasonable assurance: (i) that the activities authorized by this provisional operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
  - E. The licensee is technically and financially qualified to engage in the activities authorized by this provisional operating license in accordance with the rules and regulations of the Commission;
  - F. The licensee has satisfied the applicable provisions of 10 CFR Part 140 - "Financial Protection Requirements and Indemnity Agreements";

OFFICE ▶					
SURNAME ▶					
DATE ▶					

- G. The issuance of this provisional operating license will not be inimical to the common defense and security or to the health and safety of the public and does not involve a significant hazards consideration; and
  - H. The receipt, possession, and use of the byproduct and special nuclear materials as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30 and 70, including 10 CFR Sections 30.33, 70.23, and 70.31.
2. Provisional Operating License No. DPR-45 is hereby issued to the Dairyland Power Cooperative to read as follows:
- A. This license applies to the La Crosse Boiling Water Reactor (herein "the facility" or "LACBWR") which is owned by the Dairyland Power Cooperative and was formerly owned by the Commission and operated by Dairyland under the provisions of a Commission contract and Provisional Operating Authorization No. DPRA-6 issued on October 31, 1969 (Docket No. 115-5). The reactor is located in Vernon County, Wisconsin, at a site along the east bank of the Mississippi River, approximately one mile south of Genoa and nineteen miles south of La Crosse, and is described in the Safeguards Report for Operating Authorization (hereinafter Safety Analysis Report) filed by the Allis-Chalmers Manufacturing Company on August 19, 1965, and amendments thereto, and Dairyland Power Cooperative's application dated October 4, 1967, and amendments thereto dated November 22, 1967, February 21, 1968, and April 16, 1968, and the application by Dairyland dated May 22, 1972, as amended July 14 and 21, 1972, and July 25, 1973, for conversion of Provisional Operating Authorization No. DPRA-6 to a provisional operating license (herein collectively referred to as "the application").
  - 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, use, and 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;
- (2) Pursuant to the Act and 10 CFR Part 70 - "Special Nuclear Material", to receive, possess, and use at any one time up to (a) 1000 kilograms of contained uranium 235 and (b) 80 grams of plutonium in the form of a sealed Pu-Be neutron source, both in connection with operation of the facility;
- (3) Pursuant to the Act and 10 CFR Part 30 - "Rules of General Applicability to Licensing of Byproduct Material", to receive, possess, and use at any one time in connection with operation of the facility up to:
  - a. 14,400 curies of antimony 124 in the form of two sealed sources,
  - b. 10 curies of cesium 137 in the form of sealed source(s),
  - c. 10.1 millicuries of cobalt 60 in the form of two sealed sources with one source consisting of no more than 10 millicuries and the other 0.1 millicurie,
  - d. 0.2 millicurie of strontium 90 in the form of sealed source,
  - e. 1 millicurie each of cobalt 60, cobalt 58, iodine 131, strontium 90, chromium 51, zinc 65, and manganese 54, all in solution form as sealed sources, and
  - f. 1 millicurie each of isotopes with Atomic Numbers 3 through 83, inclusive, in any chemical or physical form.
- (4) Pursuant to the Act and 10 CFR Parts 30 and 70, to possess but not to separate such byproduct and special nuclear materials as may be produced by operation of the reactor.

OFFICE ▶						
SURNAME ▶						
DATE ▶						

C. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

The licensee is authorized to operate the LACBWR at steady state power levels not in excess of 165 megawatts (thermal).

(2) Technical Specifications

The Technical Specifications contained in Appendix "A" issued October 31, 1969, with Authorization No. DPRA-6, revised by subsequently issued Changes 1 through 11 thereto, and Change No. 12 issued herewith are hereby incorporated in this license as the Technical Specifications. The Dairyland Power Cooperative shall operate the reactor in accordance with these Technical Specifications. No changes shall be made in the Technical Specifications unless authorized by the Commission as provided in Section 50.59 of 10 CFR Part 50.

- D. This provisional operating license supersedes and terminates in its entirety Provisional Operating Authorization No. DPRA-6 issued to Dairyland on October 31, 1969.
- E. This license is effective as of its date of issuance and shall expire at midnight eighteen months thereafter unless extended for good cause shown, or upon an earlier superseding licensing action.

FOR THE ATOMIC ENERGY COMMISSION

12  
A. Giambusso, Deputy Director  
for Reactor Projects  
Directorate of Licensing

Attachment:  
Appendix A - Technical Specifications

Date of Issuance: AUG 28 1973