



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

PDR

DOCKET NO. 50-409

JUN 22 1979

Dairyland Power Cooperative  
ATTN: Mr. Frank Linder  
General Manager  
2615 East Avenue South  
La Crosse, Wisconsin 54601

Gentlemen:

This office has received a copy of your May 11, 1979 application for license amendment (LAC-6280) which you filed with the Division of Operating Reactors for review and approval. The application relates to inservice inspection requirements for the La Crosse Boiling Water Reactor, License No. DPR-45. Your request was not accompanied by a fee as prescribed by 10 CFR 170.22 because you determined that it is to add a section and simplify a section of the Technical Specifications which resulted from a written request from the Commission and, as such, is not subject to fees.

Footnote 2 of §170.22 exempts certain types of license amendments from fees, i.e. (1) those in fee Classes I, II, and III which result from written Commission request provided that they have only minor safety significance, are to simplify or clarify the license or Technical Specifications, and are being issued for the convenience of the Commission, and (2) orders issued by the Commission pursuant to 10 CFR 2.204 or amendments directly resulting therefrom. Compliance with the requirements of the regulations and facility licenses to assure that nuclear plants are constructed and operated in a safe manner is not considered a written request of the type referred to in items (1) and (2) above. From a preliminary review of your May 11 application and based on guidance from the Nuclear Reactor Regulation (NRR) review staff, it is our understanding that the application involves consideration of a single safety issue which requires a Class III fee of \$4,000. This amount should be promptly forwarded to this office.

If after the final evaluation of your application is completed it is determined that it was incorrectly classified, you will be refunded any overpayment or billed for any additional amount due. If we can be of assistance, call 301/492-7225.

Sincerely,

Reba M. Diggs  
Facilities Program Coordinator  
License Fee Management Branch  
Office of Administration

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