



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Charles Bechhoefer, Chairman
Dr. George C. Anderson
Ralph S. Decker

In the Matter of)
)
DAIRYLAND POWER COOPERATIVE) Docket No. 50-409
) (FTOL Proceeding)
(La Crosse Boiling Water Reactor))

MEMORANDUM
(June 10, 1980)

1. On June 9, 1980, the Commission approved for publication in the Federal Register a new policy statement concerning the treatment in environmental reports and statements, and presumably in adjudicatory hearings, of the probabilities and consequences of serious (formerly 'Class 9') accidents. A copy of this policy statement is attached. The policy is to be effective upon publication in the Federal Register, which should take place within a week.

The parties are invited to comment at the prehearing conference on June 19, 1980, on the effect, if any, which this new policy statement will or should have on this operating license proceeding. In that connection, see the Appeal Board's Memorandum and Order in Potomac Electric Power Co. (Douglas Point Nuclear Generating Station, Units 1 and 2), ALAB-218, 8 AEC 79, 82-88 (1974).

2. On June 6, 1980, the NRC Staff filed a motion for summary disposition, pursuant to 10 CFR §2.749, of all of CREC's contentions.

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Under 10 CFR §2.749(a), answers opposing the motion must be filed by July 1, 1980. CREC and the Applicants are invited to advise us at the prehearing conference of their plans with regard to the filing of such a response.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

Charles Bechhoefer
Charles Bechhoefer, Chairman

Dated at Bethesda, Maryland
this 10th day of June 1980.