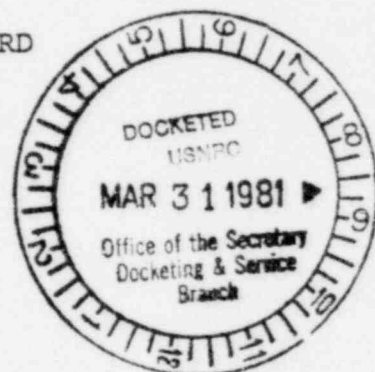


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING APPEAL BOARD

Administrative Judges:

Alan S. Rosenthal, Chairman
Dr. John H. Buck
Thomas S. Moore



In the Matter of

DAIRYLAND POWER COOPERATIVE

(LaCrosse Boiling Water Reactor)

Docket No. 50-409 SC

SERVED MAR 31 1981

ORDER

March 30, 1981

On February 24, 1981 the Licensing Board rendered a partial initial decision in this show-cause proceeding instituted to consider whether a site dewatering system should be installed at the LaCrosse nuclear facility to prevent liquefaction (i.e., the flow of soil under the site) were an earthquake to occur in the vicinity of the site. LBP-81-7, 13 NRC _____. In that decision, the Board below determined certain of the matters in controversy and concluded that reasonable assurance existed "that continued operation of [LaCrosse] without a dewatering system for the site will not endanger the health and safety of the public, pending a final determination by the Board on the merits of all remaining matters in controversy * * *". Id. at ____ (slip opinion, p. 36).

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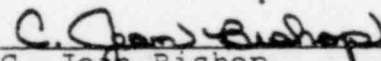
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No exceptions having been filed by any party, the partial initial decision is now before this Board for review sua sponte. A preliminary examination of the decision discloses no reason why our fuller scrutiny of the site dewatering question cannot await the Licensing Board's final ruling on that question. In this connection, we assume that the Board below will bring the proceeding to its ultimate conclusion with due dispatch.

It is so ORDERED.

FOR THE APPEAL BOARD


C. Jean Bishop
Secretary to the
Appeal Board