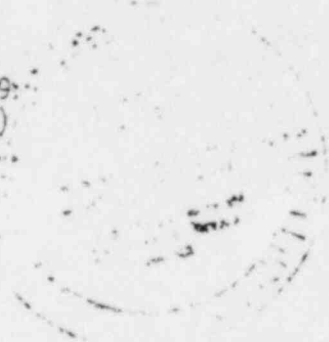


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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



NRC STAFF RESPONSE TO AMENDED CONTENTIONS

Introduction

As a result of negotiations among the parties, three environmental contentions (Nos. 9, 19, and 22) were amended and accepted for litigation by the parties. Two contentions were withdrawn. (Nos. 11A and 20). Three of the environmental contentions remain to be decided. By agreement of the parties, the Intervenor CREC have submitted revised contentions Nos. 2 and 3.^{1/} Contention No. 6 was not amended.

Staff Response

The Staff supports amended Contentions 2(A and B) and 3 as appropriate for litigation in the environmental full term license hearing but opposes Contention No. 6.

^{1/} Although the CREC representative stated on the certificate of service that the revised contentions were served September 19, the postmark on the envelope is September 21.

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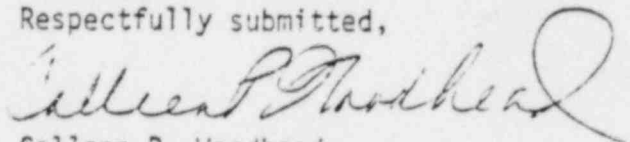
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Contention No. 6 remains the same as originally presented by CREC in its petition to intervene. Staff continues to oppose this contention as outside the scope of this proceeding. Neither the licenses nor the conditions at the two waste disposal sites mentioned are the subject of this proceeding. Staff submits that this contention must be dismissed because it is beyond the jurisdiction of this Board.

Conclusion

Staff recommends that revised Contentions No. 2 (A and B) and No. 8 be admitted and Contention No. 6 be dismissed.

Respectfully submitted,



Colleen P. Woodhead
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 29th day of September, 1978

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO AMENDED CONTENTIONS" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 29th day of September, 1978:

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A handwritten signature in cursive script, reading "Colleen P. Woodhead". The signature is written in dark ink and is positioned above a horizontal line.

Colleen P. Woodhead
Counsel for NRC Staff