

DMP

September 9, 1982

Docket No. 50-409

Dairyland Power Cooperative
ATTN: Mr. F. W. Linder
General Manager
2615 East Avenue - South
La Crosse, WI 54601

Gentlemen:

This refers to the investigation conducted by Messrs. G. A. Phillip and J. A. Pagliaro of this office on June 15-17, 1982, of activities at LaCrosse Boiling Water Reactor authorized by NRC Operating License No. DPR-45.

The investigation was conducted because of concerns relating to a potential deliberate material false statement in regard to the March 8, 1982 emergency plan.

No items of noncompliance with NRC requirements were identified during the course of this investigation.

We are concerned about your management control system which permitted the incomplete information to be transmitted in the March 8, 1982 emergency plan. The NRC staff relies on accurate and complete information contained in the emergency plan to determine the adequacy of emergency planning. In this regard, critical facts such as the competency of the health physics technicians in on-the-job trainee status to perform emergency health physics surveys and the imminent termination of the fully trained health physics technician should have been in the emergency plan or the transmittal letter.

In accordance with 10 CFR 2.790 of the Commission's regulations, a copy of this letter and the enclosed investigation report will be placed in the NRC's Public Document Room. If this report contains any information that you (or your contractors) believe to be exempt from disclosure under 10 CFR 9.5(a)(4), it is necessary that you (a) notify this office by telephone within ten (10) days from the date of this letter of your intention to file a request for withholding; and (b) submit within twenty-five (25) days from the date of this letter a written application to this office to withhold such information. If your receipt of this letter has been delayed

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such that less than seven (7) days are available for your review, please notify this office promptly so that a new due date may be established. Consistent with Section 2.790(b)(1), any such application must be accompanied by an affidavit executed by the owner of the information which identifies the document or part sought to be withheld, and which contains a full statement of the reasons which are the bases for the claim that the information should be withheld from public disclosure. This section further requires the statement to address with specificity the considerations listed in 10 CFR 2.790(b)(4). The information sought to be withheld shall be incorporated as far as possible into a separate part of the affidavit. If we do not hear from you in this regard within the specified periods noted above, a copy of this letter and the enclosed investigation report will be placed in the Public Document Room.

We will gladly discuss any questions you have concerning this investigation.

Sincerely,

for *CJ Paperullo*

J. A. Hind, Director
 Division of Emergency Preparedness
 and Operational Support

Enclosure: Investigation
 Report No. 50-409/82-09(EIS)

cc w/encl:
 J. Parkyn, Plant Superintendent
 DMB/Document Control Desk (RIDS)
 Resident Inspector, RIII
 John J. Duffy, Chief
 Boiler Section
 Stanley York, Chairman
 Public Service Commission

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