

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

ORDER CONFIRMING LICENSEE COMMITMENTS
ON POST-TMI RELATED ISSUES

I.

Dairyland Power Cooperative (the licensee) is the holder of Provisional Operating License No. DPR-45 which authorizes the operation of the La Crosse Boiling Water Reactor (the facility) at steady-state power level not in excess of 165 megawatts thermal. The facility is a boiling water reactor (BWR) located at the licensee's site in Genoa, Vernon County, Wisconsin.

II.

Following the accident at Three Mile Island Unit No. 2 (TMI-2) on March 28, 1979, the Nuclear Regulatory Commission (NRC) staff developed a number of proposed requirements to be implemented on operating reactors and on plants under construction. These requirements include Operational Safety, Siting and Design, and Emergency Preparedness and are intended to provide substantial additional protection in the operation of nuclear facilities based on the experience from the accident at TMI-2 and the official studies and investigations of the accident. The staff's proposed requirements and schedule for implementation are set forth in NUREG-0737, "Clarification

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of TMI Action Plan Requirements." Among these requirements are a number of items, consisting of hardware modifications, administrative procedure implementation and specific information to be submitted by the licensee, scheduled to be completed on or after July 1, 1981. On March 17, 1982, a letter (Generic Letter 82-05) was sent to all licensees of operating power reactors for those items that were scheduled to be implemented from July 1, 1981 through March 1, 1982. Subsequently, on May 5, 1982, a letter (Generic Letter 82-10) was also sent to all licensees of operating power reactors for those items that were scheduled for implementation after March 1, 1982. These letters are hereby incorporated by reference. In these letters each licensee was requested to furnish within 30 days pursuant to 10 CFR 50.54(f) the following information for items which the staff had proposed for completion on or after July 1, 1981:

- (1) For applicable items that have been completed, confirmation of completion and the date of completion,
- (2) For items that have not been completed, a specific schedule for implementation, which the licensee committed to meet, and
- (3) Justification for delay, demonstration of need for the proposed schedule, and a description of the interim compensatory measures being taken.

III.

Dairyland Power Cooperative responded to the Generic Letter 82-05 by letters dated May 7, 1982 and October 20, 1982; Dairyland Power Cooperative responded to the Generic Letter 82-10 by letters dated June 9, 1982 and October 20, 1982.

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In these submittals, Dairyland Power Cooperative confirmed that most of the items identified in the Generic Letters had been completed and made firm commitments to complete the remainder, except for technical deviations requested for items II.F.1.3 and II.K.3.27. The attached Tables summarizing the licensee's schedular commitments or status were developed by the staff from the Generic Letters and the licensee-provided information.

There are several items in Generic Letter 82-10 that as noted in Attachment 2 have licensee schedules which are yet to be determined. These items are, therefore, not included in this Order. The licensee considers some of the items addressed in this Order to be completed or to require no modifications. These items are so noted in Attachments 1 and 2. The staff's evaluation of the licensee's technical deviations and delays for implementation of the remaining items is provided herein.

Generic Letter 82-18 and SECY 82-232 revised the NRC position on Item I.A.3.1, Simulator Exams, by removing the requirement for plants which do not have a plant specific simulator. Therefore, this item is considered resolved for La Crosse.

Item III.D.3.4, Control Room Habitability, is scheduled for completion by March 1, 1983. This schedule represents a 2 month delay from the licensee's originally proposed schedule of January 1, 1983 and is necessary since the original supplier of the monitoring equipment was unable to provide adequate equipment as previously claimed. No compensatory measures are necessary since the schedule for implementation of this item was to be determined by the licensee.

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Item II.K.3.27, Common Reference Level, will be reviewed in the upcoming control room design review after which appropriate modifications will be implemented. Interim modifications to mark a common zero on operating scales have been reviewed and approved by the NRC on March 31, 1982.

A minor technical deviation in the calibration of item II.F.1.3, Radiation Level Monitors, resulted when La Crosse installed this equipment prior to the final NUREG-0737 guidance. Since the licensee complied with the NRC guidance at the time of installation, this deviation was reviewed and approved by the NRC on June 22, 1982.

We find, based on the above evaluation, that: (1) the licensee has made a responsible effort to implement the NUREG-0737 requirements noted; (2) there is good cause for the delay (unexpected design complexity, interface problems, and equipment delays); and (3) as noted above, interim compensatory measures have been provided.

In view of the foregoing, I have determined that these modifications and actions are required in the interest of public health and safety and, therefore the licensee's commitments should be confirmed by Order.

IV.

Accordingly, pursuant to Sections 103, 161i, and 161o of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2 and 50, IT IS HEREBY ORDERED EFFECTIVE IMMEDIATELY THAT the licensee shall:

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Implement and maintain the specific items described in the Attachment to this Order in the manner described in the licensee's submittals noted in Section III herein no later than the dates in the Attachments.

V.

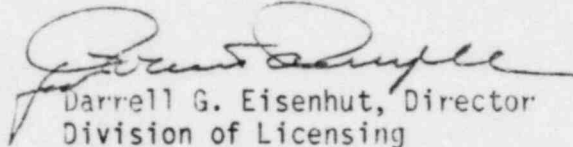
The licensee may request a hearing on this Order within 20 days of the date of publication of this Order in the Federal Register. A request for a hearing shall be addressed to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy shall also be sent to the Executive Legal Director at the same address. A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

If a hearing is requested by the licensee, the Commission will issue an Order designating the time and place of any such hearing.

If a hearing is held concerning this Order, the issue to be considered at the hearing shall be whether, the licensee should comply with the requirements set forth in Section IV of this Order.

This Order is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland,
this 14 day of March
1983.

Attachment:

1. Licensee's Commitments on Applicable
NUREG-0737 Requirements from Generic
Letter 82-05
2. Licensee's Commitments on Applicable
NUREG-0737 Requirements from Generic
Letter 82-10

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-05

Item	Title	NUREG-0737 Schedule	Requirement	Licensee's Completion Schedule (or status)*
I.A.3.1	Simulator Exams	10/01/81	Include simulator exams in licensing examinations	Complete, as superseded by Generic Letter 82-18
II.B.2	Plant Shielding	01/01/82	Modify facility to provide access to vital areas under accident conditions	Complete; no modif. needed; per LAC-6979; June 12, 1980
II.B.3	Post-Accident Sampling	01/01/82	Install upgrade post-accident sampling capability	Complete.
II.B.4	Training for Mitigating Core Damage	10/01/81	Complete training program	Complete 9/30/81
II.E.4.2	Containment Isolation Dependability	07/01/81	Part 5-lower containment pressure setpoint to level compatible w/normal operation.	Complete; NRC approved 7/28/81
		07/01/81	Part 7-isolate purge & vent valves on radiation signal	Complete; 7/7/81
II.F.1	Accident Monitoring	01/01/82	(1) Install noble gas effluent monitors.	Complete
		01/01/82	(2) Provide capability for effluent monitoring of iodine	Complete
		01/01/82	(3) Install incontainment radiation-level monitors	Completed; minor deviations as noted in 3/25/82 ltr., LAC-8178
		01/01/82	(4) Provide continuous indication of containment pressure	Completed
		01/01/82	(5) Provide continuous indication of containment water level.	Completed
		01/01/82	(6) Provide continuous indication of hydrogen concentration in containment.	Completed

12/23/81
Submittal
LAC-7990

*Where completion date refers to a refueling outage (the estimated date when the outage begins), the item will be completed prior to the restart of the facility

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-05

Item	Title	NUREG-0737 Schedule	Requirement	Licensee's Completion Schedule (or status)*
II.K.3.19	Interlock on Recirculation Pump	07/01/82	Install interlocks on recirc. pump loops	Complete; NRC Approval Ltr. dated 4/27/82
II.K.3.27	**Common Reference Level	07/01/82	Provide Common reference Level for vessel level instrumentation	Technical Deviation, request to evaluate during performance of I.D.1 Control Room Design Review.

*Where completion date refers to a refueling outage (the estimated date when the outage begins), the item will be completed prior to the restart of the facility
 **Part of Confirmatory Order.

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-10

Item	Title	NUREG-0737 Schedule	Requirement	Licensee's Completion Schedule (or status)*
I.A.1.3.1	Limit Overtime	10/01/82 per Gen Ltr 82-12 dtd. 6/15/82	Revise administrative proce- dures to limit overtime in accordance w/NRC Polity Statement issued by Generic Ltr. No. 82-12, dtd 6/15/82	Complete
I.A.1.3.2	** Minimum Shift Crew	Superseded by Proposed Rule dtd. 8/30/82	To be addressed in the Final Rule on Licensed Operator Staffing at Nuclear Power Units	To be addressed when Final Rule is issued.
I.C.1	** Revise Emergency Procedures	Superseded by SECY 82-111	Reference SECY 82-111, Requirements for Emergency Response Capability	To be determined
II.D.1.2	RV and SV Test Programs	07/01/82	Submit plant specific reports on relief valve and safety valve program.	Complete
II.K.3.18	ADS Actuation	09/30/82	Submit revised position on need for modifications.	Complete
II.K.3.30 & 31	** SBLOCA Analysis	1 year after staff approval of model	Submit plant specific analyses	To be determined following staff approval of model
III.A.1.2	** Staffing Levels for Emergency Situations	Superseded by 82-111	Reference SECY 82-111, Requirements for Emergency Response Capability	To be Determined
III.A.1.2	** Upgrade Emergency Support Facilities	" " " " " " " "	" " " " " " " "	" " "
III.A.2.2	** Meteorological Data	" " " " " " " "	" " " " " " " "	" " "
III.D.3.4	Control Room Habitability	To be deter- mined by licensee	Modify facility as identified by licensee study.	03/01/83

*Where completion date refers to a refueling outage (the estimated date when the outage begins), the item will be completed prior to the restart of the facility.

**Not Part of Confirmatory Order.