

April 3, 2006

Mr. W. L. Berg  
President and Chief Executive Officer  
Dairyland Power Cooperative  
3200 East Avenue South  
P.O. Box 817  
La Crosse, WI 54602-0817

SUBJECT: ISSUANCE OF AMENDMENT NO. 70 TO POSSESSION ONLY LICENSE  
NO. DPR-45 - DAIRYLAND POWER COOPERATIVE, LA CROSSE BOILING  
WATER REACTOR

Dear Mr. Berg:

The Commission has issued the enclosed Amendment No. 70 to Possession Only License No. DPR-45 for the Dairyland Power Cooperative, La Crosse Boiling Water Reactor (LACBWR). This amendment is in response to your application dated December 13, 2005, as supplemented by letters dated January 12, 2006, and March 17, 2006.

The amendment revises the LACBWR Technical Specifications to allow waste processing components or fixtures to be handled over the Fuel Element Storage Well (FESW), limiting the weight of such items to 50 tons (the weight of the heavy load drop found acceptable in the cask drop analyses performed for the LACBWR FESW).

A copy of the related Safety Evaluation Report is also enclosed. The Notice of Issuance will be included in the Commission's next biweekly *Federal Register* notice.

Sincerely,

**/RA/**

Kristina L. Banovac, Project Manager  
Decommissioning Directorate  
Division of Waste Management  
and Environmental Protection  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 50-409

Enclosures:

1. Amendment No. 70 to DPR-45
2. Safety Evaluation Report

cc: See next page

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Dairyland Power Cooperative, La Crosse Boiling Water Reactor

cc:

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DAIRYLAND POWER COOPERATIVE

DOCKET NO. 50-409

LA CROSSE BOILING WATER REACTOR

AMENDMENT TO POSSESSION ONLY LICENSE

Amendment No. 70  
License No. DPR-45

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Dairyland Power Cooperative (the licensee) dated December 13, 2005, and supplemented by letters dated January 12, 2006, and March 17, 2006, complies with the standards and requirements of the Atomic Energy Act of 1954, (the Act) as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will be maintained in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance: (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public; and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment. Paragraph 2.C.(2) of Possession Only License No. DPR-45 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 70, are hereby incorporated in the license. The licensee shall possess and maintain the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

**/RA/**

Daniel M. Gillen, Deputy Director  
Decommissioning Directorate  
Division of Waste Management  
and Environmental Protection  
Office of Nuclear Material Safety  
and Safeguards

Attachment:  
Changes to the Technical Specifications

Date of Issuance: April   3  , 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 70

POSSESSION ONLY LICENSE NO. DPR-45

DOCKET NO. 50-409

Replace the current page of the Appendix A, "Technical Specifications," with the enclosed revised Amendment No. 70 page. The revised page is identified by the amendment number and contains marginal lines indicating the area of change.

REMOVE

4/5-1

INSERT

4/5-1