

OCT 25 1974

Docket No. 50-315

Indiana and Michigan Electric Company
Indiana and Michigan Power Company
Attn: John A. Tillinghast
Vice President
P. O. Box 18
Bowling Green Station
New York, New York 10004

Gentlemen:

The Commission has issued Facility Operating License DPR-58 (enclosed) to Indiana and Michigan Electric Company and Indiana and Michigan Power Company for the Donald C. Cook Nuclear Plant, Unit 1. The facility is designed for operation at 3250 megawatts thermal, but is restricted to fuel loading and subcritical testing in accordance with the provisions of the license and Technical Specifications. A copy of a related notice which has been forwarded to the Office of the Federal Register for filing and publication is also enclosed.

Two signed copies of Amendment 2 to Indemnity Agreement B-61 are enclosed for your review and acceptance. Please sign and return one copy of the Agreement to the Directorate of Licensing.

Sincerely,

Original signed by
K. Kniel

Karl Kniel, Chief
Light Water Reactors Branch 2-2
Directorate of Licensing

Enclosures:

1. DPR-58
2. Federal Register Notice
3. Amend. 2 to B-61

ccs: See page 2

OFFICE	LWR 2-2	LWR 2-2	OGC	EP	AD: LWR	DD
SURNAME	MSERVICE	KKniel	J.S. COHEN	DMuller	V Moore	AGiambusso
DATE	10/23/74	10/23/74	10/25/74	10/22/74	10/25/74	10/26/74

CCS:

Mr. Robert Hunter
Assistant Vice President
American Electric Power Service Corporation
2 Broadway
New York, New York 10004

Mr. Gary Williams
Federal Activities Branch
Environmental Protection
Agency
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Businessmen for the Public Interest
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Chicago, Illinois 60603

Peter W. Steketee, Esq.
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Mr. D. John Beck
Division of Intergovernmental Relations
Executive Office of the Governor
Lewis Cass Building
Lansing, Michigan 48913

Mr. Oral H. Hurt, Director
Bureau of Engineering
State Board of Health
1330 West Michigan Street
Indianapolis, Indiana 46206

Mr. Wade Schuler, Supervisor
Lake Township
Baroda, Michigan 49101

Mr. W. Mabry, Mayor
City of Bridgman, Michigan 49106

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D. Foster, F&M
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S. Kari
W. Miller, DR:AO
C. Domeck, EP
M. Slater, EP-1
D. Muller, EP
E. Brown, F&M
R. Benedict
M. Service
ACRS (16)
B. Scharf

bcc: J. R. Buchana, ORNL
T. B. Abernathy, DTIE
A. Rosenthal, ASLAB
N. Goodrich, ASLBP

Mr. Bruce Blanchard, Interior
Mr. William Holmberg, EPA
Col. William Barnes, CE

OFFICE➤						
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DATE➤						

UNITED STATES ATOMIC ENERGY COMMISSION

DOCKET NO. 50-315

INDIANA AND MICHIGAN ELECTRIC COMPANY

INDIANA AND MICHIGAN POWER COMPANY

Donald C. Cook Nuclear Plant, Unit 1

NOTICE OF ISSUANCE OF A FACILITY OPERATING LICENSE

Notice is hereby given that the Atomic Energy Commission (the Commission) has issued Facility Operating License No. DPR-58 to Indiana and Michigan Electric Company and Indiana and Michigan Power Company authorizing fuel loading and sub-critical testing of the Donald C. Cook Nuclear Plant, Unit 1, in accordance with the provisions of the license and the Technical Specifications. The Donald C. Cook Nuclear Plant, Unit 1, is a pressurized water nuclear reactor, designed for operation at 3250 megawatts thermal, and located at the licensee's site in Berrien County, Michigan.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license. The application for the license complies with the standards and requirements of the Act and the Commission's rules and regulations.

The license is effective as of its date of issuance and shall expire one year from date of issuance.

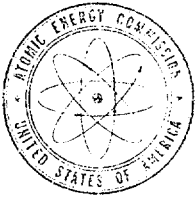
A copy of (1) Facility Operating License No. DPR-58, complete with Technical Specifications (Appendices "A" and "B"); (2) the report of the Advisory Committee on Reactor Safeguards, dated October 17, 1973; (3) the Directorate of Licensing's Safety Evaluation dated September 20, 1973, and supplements thereto; (4) the Final Safety Analysis Report and amendments thereto; (5) the applicant's Environmental Report dated February 1971, and supplements thereto; (6) the Draft Environmental Statement dated December 1972; and (7) the Final Environmental Statement dated August 1973, are available for public inspection at the Commission's Public Document Room at 1717 H Street, N. W., Washington, D. C., and the St. Joseph Public Library, 500 Market Street, St. Joseph, Michigan 49085. A copy of the license and the Safety Evaluation may be obtained upon request addressed to the United States Atomic Energy Commission, Washington, D. C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Maryland, this ~~25th~~ day of October 1974.

FOR THE ATOMIC ENERGY COMMISSION



Karl Kniel, Chief
Light Water Reactors Branch 2-2
Directorate of Licensing



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

INDIANA AND MICHIGAN ELECTRIC COMPANY

INDIANA AND MICHIGAN POWER COMPANY

DOCKET NO. 50-315

DONALD C. COOK NUCLEAR PLANT, UNIT 1

FACILITY OPERATING LICENSE

License No. DPR-58

1. The Atomic Energy Commission (the Commission) having found that:
 - A. The application for license filed by Indiana and Michigan Electric Company and Indiana and Michigan Power Company (the licensees) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made;
 - B. Construction of the Donald C. Cook Nuclear Plant, Unit 1 (facility), has been substantially completed in conformity with Construction Permit No. CPPR-60 and the application, as amended, the provisions of the Act and the rules and regulations of the Commission;
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
 - D. There is reasonable assurance: (i) that the activities authorized by this operating license 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;
 - E. The licensee is technically and financially qualified to engage in the activities authorized by this operating license in accordance with the rules and regulations of the Commission;
 - F. The licensee has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;

- G. The issuance of this operating license will not be inimical to the common defense and security or to the health and safety of the public;
 - H. After weighing the environmental, economic, technical, and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of Facility Operating License No. DPR-58 is in accordance with 10 CFR Part 50, Appendix D, of the Commission's regulations and all applicable requirements have been satisfied; and
 - I. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Part 30, 40, and 70, including 10 CFR Section 30.33, 40.32, 70.23 and 70.31.
2. Facility Operating License No. DPR-58 is hereby issued to the Indiana and Michigan Electric Company and Indiana and Michigan Power Company to read as follows:
- A. This license applies to the Donald C. Cook Nuclear Plant, Unit 1, a pressurized water nuclear reactor and associated equipment (the facility), owned by the Indiana and Michigan Electric Company and the Indiana and Michigan Power Company. The facility is located in Berrien County, Michigan, and is described in the "Final Safety Analysis Report" as supplemented and amended (Amendments 12 through 59), and the Environmental Report as supplemented and amended (Supplements 1 through 3).
 - B. Subject to the conditions and requirements incorporated herein the Commission hereby licenses Indiana and Michigan Electric Company and Indiana and Michigan Power Company:
 - (1) Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility at the designated location in Berrien County, Michigan, in accordance with the procedures and limitations set forth in this license;
 - (2) Pursuant to the Act and 10 CFR Part 70, to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended;

- (3) Pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
 - (4) Pursuant to the Act and 10 CFR Part 30, to receive, possess and use at any time 100 millicuries each of any byproduct material without restriction to chemical or physical form, for sample analysis or instrument calibration;
 - (5) Pursuant to the Act and 10 CFR Parts 40 and 70, to receive, possess and use at any time 100 milligrams each of any source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration.
- C. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:
- (1) Maximum Power Level

The licensee is authorized to load fuel and perform subcritical tests, but at no time shall the reactor be made critical following fuel loading.
 - (2) Technical Specifications

The Technical Specifications contained in Appendices A and B attached hereto are hereby incorporated in this license. The licensees shall operate the facility in accordance with the Technical Specifications except as noted below:

 - (a) The reactor shall not be operated in any mode other than Mode 5 or Mode 6 as specified in technical specification Table 1.1 (Appendix A).
 - (b) During loading of ice into the ice condenser, containment penetrations required for the loading of ice need not be in compliance with technical specification 3.9.4c (Appendix A).

- D. This license is effective as of the date of issuance and shall expire one year from date of issuance.

FOR THE ATOMIC ENERGY COMMISSION

A Giambusso

A. Giambusso, Deputy Director
for Reactor Projects
Directorate of Licensing

Attachment:
Appendices A and B -
Technical Specifications

Date of Issuance:

OCT 25 1974

Docket No. 50-315
50-316

AMENDMENT TO INDEMNITY AGREEMENT NO. B-61

AMENDMENT NO. 2

Effective OCT 25 1974, Indemnity Agreement No. B-61, between Indiana & Michigan Power Company and the Atomic Energy Commission, dated May 26, 1972, as amended, is hereby further amended as follows:

Item 2a of the Attachment to the indemnity agreement is deleted in its entirety and the following substituted therefor:

Item 2 - Amount of financial protection

a. \$1,000,000 (From 12:01 a.m., May 26, 1972, to 12 midnight, OCT 24 1974, inclusive)
\$110,000,000 (From 12:01 a.m., OCT 25 1974)

Item 3 of the Attachment to the indemnity agreement is deleted in its entirety and the following substituted therefor:

Item 3 - License number or numbers

SNM-1301 (From 12:01 a.m., May 26, 1972, to 12 midnight, OCT 24 1974, inclusive)
DPR-58 (From 12:01 a.m., OCT 25 1974)

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Item 5 of the Attachment to the indemnity agreement is amended by adding the following:

Nuclear Energy Liability Policy (Facility Form) No. MF-79
issued by Mutual Atomic Energy Liability Underwriters.

FOR THE UNITED STATES ATOMIC ENERGY COMMISSION

Signed, Jerome D. Saltzman

Jerome Saltzman, Deputy Chief
Office of Antitrust & Indemnity
Directorate of Licensing

Accepted _____, 1974

By _____
INDIANA & MICHIGAN POWER COMPANY

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