

Docket No. 50-315 ✓

FEB 22 1978

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

Gentlemen:

The Commission has filed the enclosed "Notice of Proposed Issuance of Amendment to Facility Operating License" with the Office of the Federal Register for publication. The notice relates to your request dated February 3, 1978, for amendment to License No. DPR-58 for the Donald C. Cook Nuclear Plant Unit No. 1. The amendment would incorporate Technical Specification changes associated with extending reactor core power distribution limits to fuel exposure greater than that currently defined in the Technical Specifications. Approval of the Technical Specification changes is contingent upon our acceptance of Exxon Nuclear Company emergency core cooling system model changes associated with fuel pin internal pressure for the Exxon supplied fuel for D. C. Cook Unit No. 1.

Sincerely,
original signed by

A. Schwencer

A. Schwencer, Chief
Operating Reactors Branch #1
Division of Operating Reactors

Enclosure:
Notice

cc w/enclosure:
See next page

2/22/78

subject to
3 items
2/22/78
memo to KRG
being added.
GP
Comet

OFFICE ➤	DOR:ORB #1	DOR:ORB #2	DOR:ORB #1	DOR:ORB #1	OELD	DOR:ORB #2
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DATE ➤	2/15/78	2/15/78	2/15/78	2/15/78	2/22/78	2/17/78

Indiana & Michigan Electric Company
Indiana & Michigan Power Company

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February 22, 1978

cc w/enclosures:
Mr. Robert Hunter
Vice President
American Electric Power Service
Corporation
2 Broadway
New York, New York 10004

Gerald Charnoff, Esquire
Shaw, Pittman, Potts & Trowbridge
1800 M Street, N. W.
Washington, D. C. 20036

Donald Cook Nuclear Plant
ATTN: Mr. D. Shaller
Plant Manager
P. O. Box 458
Bridgman, Michigan 49106

Mr. David Dinsmore Comey
Executive Director
Citizens for a Better Environment
59 East Van Buren Street
Chicago, Illinois 60605

Maude Reston Palenske Memorial Library
500 Market Street
St. Joseph, Michigan 49085

Mr. William R. Rustem (2)
Office of the Governor
Room 1 - Capitol Building
Lansing, Michigan 48913

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

Honorable James Bembenek
Mayor of City of Bridgman
Bridgman, Michigan 49106

Chief, Energy Systems Analyses
Branch (AW-459)
Office of Radiation Programs
U. S. Environmental Protection Agency
Room 645, East Tower
401 M Street, S. W.
Washington, D. C. 20460

U. S. Environmental Protection Agency
Federal Activities Branch
Region V Office
ATTN: EIS COORDINATOR
230 Dearborn Street
Chicago, Illinois 60604

UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NO. 50-315INDIANA AND MICHIGAN ELECTRIC COMPANYINDIANA AND MICHIGAN POWER COMPANYNOTICE OF PROPOSED ISSUANCE OF AMENDMENT
TO FACILITY OPERATING LICENSE

The U. S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-58 issued to the Indiana and Michigan Electric Company and Indiana and Michigan Power Company (the licensees) for operation of the Donald C. Cook Nuclear Plant, Unit No. 1 (the facility), a pressurized water reactor, located in Berrien County, Michigan, and currently authorized for operation at power levels up to 3250 MWt.

The amendment would incorporate Technical Specification changes associated with extending reactor core power distribution limits to fuel exposure greater than that currently defined in the Technical Specifications. The changes are based on Exxon Nuclear Company emergency core cooling system model changes associated with fuel pin internal pressure for Exxon supplied fuel.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

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By March 27, 1978, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of Section 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and Section 2.714, and must be filed with the Secretary of the Commission, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, and to Gerald Charnoff, Esquire of Shaw, Pittman, Potts and Trowbridge, 1800 M Street, N. W., Washington, D. C. 20036, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both

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his interest and his contentions with regard to each aspect on which intervention is requested. Contentions shall be limited to the matters within the scope of the amendment under consideration. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or Licensing board, designed by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. A petition for leave to intervene which is not timely will not be entertained absent a determination by the Commission or designated licensing board that the petitioner, in addition to the matters specified in 10 CFR §2.714(d), has made a substantial showing of good cause for failure to file on time. The reasons for the tardiness in filing a petition for leave to intervene, as well as the factors specified in 10 CFR §2.714(a)(1) - (4), shall be considered in making a determination whether there has been a substantial showing of good cause by the petitioner. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions. In the event that no request for a hearing or petition to intervene is filed by the above date, the Commission may issue the amendment to the operating license upon satisfactory completion of all evaluations and without further prior notice.

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In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see (1) the licensee's application for amendment dated February 3, 1978, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. and at the Maude Preston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085.

Dated at Bethesda, Maryland, this 22nd day of February, 1978.

FOR THE NUCLEAR REGULATORY COMMISSION



A. Schwencer, Chief
Operating Reactors Branch #1
Division of Operating Reactors