

JANUARY 2 1980

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Docket Nos. 50-315  
and 50-316

Mr. John Dolan, Vice President  
Indiana and Michigan Electric Company  
Post Office Box 18  
Bowling Green Station  
New York, New York 10004

Dear Mr. Dolan:

The Commission has issued the enclosed Show Cause Order for D. C. Cook Nuclear Plant, Unit Nos. 1 and 2. Your submittals of October 24, 1979, November 26, 1979 and December 19, 1979, (D. C. Cook, Unit No. 1 only on December 26, 1979) regarding implementation of the short-term lessons learned requirements indicate that you do not intend to implement some of the "Category A" requirements until after January 31, 1980. We have determined that implementation of the "Category A" requirements by January 31, 1980, is necessary to provide continued assurance of public health and safety.

The Show Cause Order requires that you implement, by January 31, 1980, the "Category A" requirements of NUREG-0578 regarding short-term lessons learned, as supplemented by our letters of September 13, and October 30, 1979; or show cause why you should not. Because this Order is immediately effective it also requires that the "Category A" requirements be implemented by January 31, 1980, or the plant be shut down. A provision regarding equipment availability problems is included.

In your submittals, you did indicate that many of the "Category A" requirements would be implemented by January 1, 1980. It is not the Commission's intent, in issuing this Order, to encourage delays in implementation of those "Category A" items you currently have scheduled to complete by January 1, 1980. Therefore, you should still submit, on or shortly after January 1, 1980, a description of the methods used to implement the "Category A" requirements completed by that time.

"Category B" lessons learned requirements, those scheduled for implementation by January 1, 1981, will be the subject of future correspondence.

A copy of this Order is being filed with the Office of the Federal Register for Publication.

Sincerely,

Original Signed By

Harold R. Denton, Director

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GD

DOR: *AS*  
 DGEisenhut  
 01/2/80  
 OELD  
*Streker*  
 01/2/80

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OFFICE SURNAME	DATE	DOR:ORB1	DOR:ORB1	Office of Nuclear Reactor Regulation	DOR:AD/GRP	ORR
Enclosure: Order to Show Cause	01/2/80	DWigginton:jb	ASchwencer	J01shinski	WPGammill	HRDenton
			01/ /80	01/2/80	01/2/80	01/2/80

Docket Nos. 50-315  
and 50-316

Mr. John Dolan, Vice President  
Indiana and Michigan Electric Company  
Post Office Box 18  
Bowling Green Station  
New York, New York 10004

Dear Mr. Dolan:

The Commission has issued the enclosed Show Cause Order for D. C. Cook Nuclear Plant, Units Nos. 1 and 2. Your submittals of October 24, 1979, November 26, 1979 and December 19, 1979, (D. C. Cook, Unit No. 1 only December 26, 1979) regarding implementation of the short-term lessons learned requirements indicate that you do not intend to implement some of the "Category A" requirements until after January 31, 1980. We have determined that implementation of the "Category A" requirements by February 15, 1980, is necessary to provide continued assurance of public health and safety.

The Show Cause Order requires that you implement, by February 15, 1980, the "Category A" requirements of NUREG-0578 regarding short-term lessons learned, as supplemented by our letters of September 13, and October 30, 1979; or show cause why you should not. Because this Order is immediately effective it also requires that the "Category A" requirements be implemented by February 15, 1980, or the plant be shut down. A provision regarding equipment availability and power reliability problems is included.

In your submittals, you did indicate that many of the "Category A" requirements would be implemented by January 1, 1980. It is not the Commission's intent, in issuing this Order, to encourage delays in implementation of those "Category A" items you currently have scheduled to complete by January 1, 1980. Therefore, you should still submit, on or shortly after January 1, 1980, a description of the methods used to implement the "Category A" requirements completed by that time.

"Category B" lessons learned requirements, those scheduled for implementation by January 1, 1981, will be the subject of future correspondence.

A copy of this Order is being filed with the Office of the Federal Register for Publication.

Sincerely,

OELD

Harold R. Denton, Director

1/ /80

Office of Nuclear Reactor Regulation

OFFICE	DOR:ORBI	DOR:ORBI	NRR	DOR:AD:ORP	DOR	NRR
Enclosure						
SURNAME	DWigginton	ASchwencer	JOlshinski	WGammill	Deisenhut	HDenton
ORDER	to Show Cause					
DATE	1/ /80	12/3/79	1/ /80	1/ /80	1/ /80	1/ /80



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

January 2, 1980

Docket Nos. 50-315  
and 50-316

Mr. John Dolan, Vice President  
Indiana and Michigan Electric Company  
Post Office Box 18  
Bowling Green Station  
New York, New York 10004

Dear Mr. Dolan:

The Commission has issued the enclosed Show Cause Order for D. C. Cook Nuclear Plant, Unit Nos. 1 and 2. Your submittals of October 24, 1979, November 26, 1979 and December 19, 1979, (D. C. Cook, Unit No. 1 only on December 26, 1979) regarding implementation of the short-term lessons learned requirements indicate that you do not intend to implement some of the "Category A" requirements until after January 31, 1980. We have determined that implementation of the "Category A" requirements by January 31, 1980, is necessary to provide continued assurance of public health and safety.

The Show Cause Order requires that you implement, by January 31, 1980, the "Category A" requirements of NUREG-0578 regarding short-term lessons learned, as supplemented by our letters of September 13, and October 30, 1979; or show cause why you should not. Because this Order is immediately effective it also requires that the "Category A" requirements be implemented by January 31, 1980, or the plant be shut down. A provision regarding equipment availability problems is included.

In your submittals, you did indicate that many of the "Category A" requirements would be implemented by January 1, 1980. It is not the Commission's intent, in issuing this Order, to encourage delays in implementation of those "Category A" items you currently have scheduled to complete by January 1, 1980. Therefore, you should still submit, on or shortly after January 1, 1980, a description of the methods used to implement the "Category A" requirements completed by that time.

"Category B" lessons learned requirements, those scheduled for implementation by January 1, 1981, will be the subject of future correspondence.

A copy of this Order is being filed with the Office of the Federal Register for Publication.

Sincerely,

A handwritten signature in cursive script, appearing to read "Harold R. Denton".

Harold R. Denton, Director  
Office of Nuclear Reactor Regulation

Enclosure:  
Order to Show Cause

Mr. John Dolan  
Indiana and Michigan Electric Company - 2 - January 2, 1980

cc: Mr. Robert W. Jurgensen  
Chief Nuclear Engineer  
American Electric Power  
Service Corporation  
2 Broadway  
New York, New York 10004

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

Citizens for a Better Environment  
59 East Van Buren Street  
Chicago, Illinois 60605

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

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

Mr. Robert Masse  
Donald C. Cook Nuclear Plant  
P. O. Box 458  
Bridgman, Michigan 29160

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

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

Honorable James Bemnek, Mayor  
City of Bridgman, Michigan 49106

Director, Technical Assessment Division  
Office of Radiation Programs (AW-459)  
U. S. Environmental Protection Agency  
Crystal Mall #2  
Arlington, Virginia 20460

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

Maurice S. Reizen, M.D.  
Director  
Department of Public Health  
P. O. Box 30035  
Lansing, Michigan 48909



NRC has concluded that prompt implementation of the actions denominated "Category A" requirements at operating nuclear power plants is necessary to provide continued assurance of public health and safety. These "Category A" requirements were transmitted to all licensees operating nuclear power plants by letter dated September 13, 1979. By letter to affected licensees dated October 30, 1979, further clarification of these requirements was provided.

### III

The Licensee has committed to implementation of each "Category A" requirement albeit not in all cases prior to January 31, 1980. NUREG-0578 and my letters of September 13 and October 30, 1979, which are hereby incorporated into this Order by reference, describe in detail the basis for implementing "Category A" requirements. The majority of licensees have committed to implement the "Category A" requirements by January 31, 1980 or the reactor will shutdown until such implementation is complete. However, other licensees have indicated that additional necessary equipment, which is on order, will be delivered after this date. Thirty days after delivery of equipment is a practical time period during which the equipment can be installed. Based on available information, all equipment should be delivered and capable of being installed by June 1, 1980. Licensees are required to meet the January 31, 1980 schedule unless they adequately demonstrate, in accordance with this Order, that delay based on equipment availability is justified. For reasons discussed, timely

implementation of these requirements is necessary to provide continued assurance of public health and safety. Requirements should be satisfied as soon as practicable and in no instance shall a licensee with incomplete "Category A" actions continue operation beyond June 1, 1980.

IV

Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2 and 50, IT IS HEREBY ORDERED THAT the Licensee show cause, in the manner hereinafter provided, why it should not:

By January 31, 1980, implement all "Category A" requirements (except the requirement of 2.1.7.a of NUREG-0578) referred to in Part II of this Order, except those for which necessary equipment is shown, by appropriate and timely documentary justification to the Director, Office of NRR, to be unavailable, or in the alternative, place and maintain its facilities in a cold shutdown or refueling mode of operation. "Category A" requirements not implemented by January 31, 1980, owing to the unavailability of necessary equipment shall be implemented within 30 days of the date such equipment becomes available but no later than June 1, 1980.

In view of the importance of the prompt implementation of "Category A" requirements to the health and safety of the public, I have determined that the public health, safety or interest requires that this Order be temporarily effective as of this date, pending further Order of the Commission.

The Licensee may file a written answer to this Order under oath or affirmation within twenty (20) days of the date of the Order. The Licensee or any other person whose interest may be affected by this Order may request a hearing within twenty (20) days of the date of the Order. Any request for a hearing will not stay the temporary effectiveness of this Order. Any request for a hearing shall be addressed to the Director, Office of Nuclear Reactor Regulation, U. S. Nuclear Regulatory Commission, Washington, D. C., 20555. If a hearing is requested by a person whose interest may be affected by this Order, the Commission will issue an Order designating the time and place of any such hearing.

In light of the Licensee's expressed willingness to implement "Category A" requirements, except as indicated in Part III of this Order, in the event a hearing is requested, the issue to be considered at such hearing shall be: whether all "Category A" requirements (except the requirements of 2.1.7.a of NUREG-0578) should be implemented in accordance with the schedule prescribed by this Order.

Operation of the facility on terms consistent with this Order is not stayed by the pendency of any proceedings on the Order.

FOR THE NUCLEAR REGULATORY COMMISSION



Harold R. Denton, Director  
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland  
this 2nd day of January, 1980