

August 11, 1989

Docket Nos. 50-315
and 50-316

Mr. Milton P. Alexich
Vice President
Indiana Michigan Power Company
c/o American Electric Power Service Corporation
1 Riverside Plaza
Columbus, Ohio 43216

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Dear Mr. Alexich:

SUBJECT: DONALD C. COOK NUCLEAR PLANT, UNITS NOS. 1 AND 2
(TACS NOS. 73280 AND 73281)

Enclosed is a "Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Opportunity for Hearing" concerning your application for amendments dated January 27, 1989. This Notice was forwarded to the Office of the Federal Register for publication.

Sincerely,

~~Original~~ signed by

Joseph Giitter, Project Manager
Project Directorate III-1
Division of Reactor Projects - III, IV, V
& Special Projects
Office of Nuclear Reactor Regulation

Enclosure:
Notice

cc w/enclosure:
See next page

LA/PD31:DRSP
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PM/PD31:DRSP
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8/10/89 *ey*

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555
August 11, 1989

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and 50-316

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Vice President
Indiana Michigan Power Company
c/o American Electric Power Service Corporation
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Sincerely,

Joseph Gitter

Joseph Gitter, Project Manager
Project Directorate III-1
Division of Reactor Projects - III, IV, V
& Special Projects
Office of Nuclear Reactor Regulation

Enclosure:
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cc w/enclosure:
See next page

Mr. Milton Alexich
Indiana Michigan Power Company

Donald C. Cook Nuclear Plant

CC:
Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
799 Roosevelt Road
Glen Ellyn, Illinois 60137

Mr. S. Brewer
American Electric Power
Service Corporation
1 Riverside Plaza
Columbus, Ohio 43216

Attorney General
Department of Attorney General
525 West Ottawa Street
Lansing, Michigan 48913

Township Supervisor
Lake Township Hall
Post Office Box 818
Bridgeman, Michigan 49106

W. G. Smith, Jr., Plant Manager
Donald C. Cook Nuclear Plant
Post Office Box 458
Bridgman, Michigan 49106

U.S. Nuclear Regulatory Commission
Resident Inspectors Office
7700 Red Arrow Highway
Stevensville, Michigan 49127

Gerald Charnoff, Esquire
Shaw, Pittman, Potts and Trowbridge
2300 N Street, N.W.
Washington, DC 20037

Mayor, City of Bridgeman
Post Office Box 366
Bridgeman, Michigan 49106

Special Assistant to the Governor
Room 1 - State Capitol
Lansing, Michigan 48909

Nuclear Facilities and Environmental
Monitoring Section Office
Division of Radiological Health
Department of Public Health
3500 N. Logan Street
Post Office Box 30035
Lansing, Michigan 48909

UNITED STATES NUCLEAR REGULATORY COMMISSION
INDIANA MICHIGAN POWER COMPANY
DOCKETS NOS. 50-315 AND 50-316
NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO
FACILITY OPERATING LICENSES AND
OPPORTUNITY FOR HEARING

The United States Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating Licenses Nos. DPR-58 and DPR-74 issued to the Indiana Michigan Power Company (the licensee), for operation of Donald C. Cook Nuclear Plant, Units Nos. 1 and 2, located in Berrien County, Michigan.

In accordance with the licensee's application for amendments dated January 27, 1989, footnotes would be added to Tables 3.3-13 and 4.3-9 for both Units 1 and 2 which would allow a portion of the Waste Gas Holdup System Explosive Monitoring System to be inoperable for 160 days on a one-time basis so that it may be replaced. This proposed amendment would also make some editorial changes

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

By September 18, 1989, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for hearing and a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with

the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition, and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene, which must include a list of the contentions that are sought to be litigated in the matter, and the bases for each contention set forth with reason-

able specificity. Contentions shall be limited to matters within the scope of the amendments under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-800-325-6000 (in Missouri 1-800-342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Lawrence A. Yandell: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this FEDERAL REGISTER notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Gerald Charnoff, Esq., Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding

Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

If a request for hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendments dated January 27, 1989 which is available for public inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington, DC 20555, and at the Maude Preston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085.

Dated at Rockville, Maryland, this 11th day of August.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, reading "Lawrence A. Yandell". The signature is written in a cursive, flowing style.

Lawrence A. Yandell, Acting Director
Project Directorate III-1
Division of Reactor Projects, III,
IV, V & Special Projects
Office of Nuclear Regulatory Commission