

August 25, 1999

503

Mr. Robert P. Powers, Vice President
Indiana Michigan Power Company
Nuclear Generation Group
500 Circle Drive
Buchanan, MI 49107

SUBJECT: THE DONALD C. COOK NUCLEAR PLANT, UNITS 1 AND 2 - NOTICE OF
CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING
LICENSE, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION ~~4922~~
DETERMINATION, AND OPPORTUNITY FOR A HEARING (TAC NOS. MA5894-
AND MA~~5895~~)

Dear Mr. Powers:

Enclosed is a copy of a "Notice of Consideration of Issuance of Amendment to Facility
Operating License, Proposed No Significant Hazards Consideration Determination, and
Opportunity for a Hearing," related to your request for a license amendment dated May 21,
1999. These amendments would would make administrative changes to several Technical
Specifications to remove obsolete information, provide consistency between Unit 1 and Unit 2,
provide consistency with the Standard Technical Specifications, provide clarification, and correct
typographical errors.

This notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by Claudia M. Craig for:
John F. Stang, Sr. Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-315 and 50-316

Enclosure: Notice

cc w/encl: See next page

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OFFICE	PM:LPD3	E	PMI:PD3	E	LA:LPD3	E	SC:LPD3	E
NAME	F Lyon	for	J Stang	for	E Barnhill		C Craig	
DATE	8/25/99		8/25/99		1/99		8/25/99	

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August 25, 1999

Mr. Robert P. Powers, Vice President
Indiana Michigan Power Company
Nuclear Generation Group
500 Circle Drive
Buchanan, MI 49107

SUBJECT: THE DONALD C. COOK NUCLEAR PLANT, UNITS 1 AND 2 - NOTICE OF
CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING
LICENSE, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION ~~4922~~
DETERMINATION, AND OPPORTUNITY FOR A HEARING (TAC NOS. MA5894-
AND MA~~5895~~)

Dear Mr. Powers:

Enclosed is a copy of a "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing," related to your request for a license amendment dated May 21, 1999. These amendments would make administrative changes to several Technical Specifications to remove obsolete information, provide consistency between Unit 1 and Unit 2, provide consistency with the Standard Technical Specifications, provide clarification, and correct typographical errors.

This notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by Claudia M. Craig for:
John F. Stang, Sr. Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-315 and 50-316

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OFFICE	PM:LPD3	E	PM:LPD3	E	LA:LPD3	E	SC:LPD3	E
NAME	FLyon		JStang		EBarnhill		CCraig	
DATE	8/25/99		8/25/99		1/99		8/25/99	

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 25, 1999

Mr. Robert P. Powers, Vice President
Indiana Michigan Power Company
Nuclear Generation Group
500 Circle Drive
Buchanan, MI 49107

SUBJECT: THE DONALD C. COOK NUCLEAR PLANT, UNITS 1 AND 2 - NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING (TAC NOS. MA4922 AND MA4923)

Dear Mr. Powers:

Enclosed is a copy of a "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing," related to your request for a license amendment dated December 3, 1998. These amendments would make administrative changes to several Technical Specifications to remove obsolete information, provide consistency between Unit 1 and Unit 2, provide consistency with the Standard Technical Specifications, provide clarification, and correct typographical errors.

This notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in cursive script that reads "Claudia M. Craig for".

John F. Stang, Sr. Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Dockets Nos. 50-315, 50-316

Enclosure: Notice

cc w/encl: See next page

Robert P. Powers
Indiana Michigan Power Company

Donald C. Cook Nuclear Plant
Units 1 and 2

cc:

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, IL 60532-4351

Drinking Water and Radiological
Protection Division
Michigan Department of
Environmental Quality
3423 N. Martin Luther King Jr Blvd
P.O. Box 30630 CPH Mailroom
Lansing, MI 48909-8130

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

Gordon Arent
Director, Regulatory Affairs
Indiana Michigan Power Company
Nuclear Generation Group
500 Circle Drive
Buchanan, MI 49107

Township Supervisor
Lake Township Hall
P.O. Box 818
Bridgman, MI 49106

U.S. Nuclear Regulatory Commission
Resident Inspector's Office
7700 Red Arrow Highway
Stevensville, MI 49127

David A. Lochbaum
Union of Concerned Scientists
1616 P Street NW, Suite 310
Washington, DC 20036-1495

Jeremy J. Euto, Esquire
Indiana Michigan Power Company
Nuclear Generation Group
500 Circle Drive
Buchanan, MI 49107

A. Christopher Bakken, Site Vice President
Indiana Michigan Power Company
Nuclear Generation Group
One Cook Place
Bridgman, MI 49106

Mayor, City of Bridgman
P.O. Box 366
Bridgman, MI 49106

Michael W. Rencheck
Vice President, Nuclear Engineering
Indiana Michigan Power Company
Nuclear Generation Group
500 Circle Drive
Buchanan, MI 49107

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

UNITED STATES NUCLEAR REGULATORY COMMISSIONINDIANA MICHIGAN POWER COMPANYDOCKET NOS. 50-315 AND 50-316NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING

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

The proposed amendments would make administrative changes to several Technical Specifications to remove obsolete information, provide consistency between Unit 1 and Unit 2, provide consistency with the Standard Technical Specifications, provide clarification, and correct typographical errors.

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

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As

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required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the change involve a significant increase in the probability of occurrence or consequences of an accident previously evaluated?

The proposed change for boron sampling requirements in mode 6 does not affect the probability of a fuel handling accident. The unlikely event of a fuel assembly being misloaded is independent of the sampling frequency for fuel pool boron concentration. It has no impact on the event initiator, which is a human error while positioning a fuel assembly. The change has no impact on the assumptions for a fuel handling accident. The boron concentration requirement is not changed; there is sufficient boron in the fuel storage pool to maintain k_{eff} below 0.95 to preclude an inadvertent criticality. Therefore, the consequences of the accident will be mitigated as previously evaluated. The 72-hour maximum interval between samples is maintained. Operating experience has shown 72 hours to be adequate. Removing the additional limitation of sampling at least three times per week would allow the sample to be collected two or three times per week, consistent with the maximum 72-hour interval. This is acceptable because boron concentration changes occur slowly due to the large volume of water in the system and relatively small volumes of dilution sources. The consequences are not increased because there are no changes to the spent fuel, shielding (water), or systems used to mitigate the consequences of an accident. Additionally, there is no change in the types or significant increase in the amounts of any effluents released offsite.

Deleting the redundant figure for equivalent reactivity criteria for regions in the spent fuel storage racks does not impact the storage requirements because the equations provide equivalent requirements. The unlikely event of a fuel assembly being misloaded is independent of the characteristics of the spent fuel in the pool. It has no impact on the event initiator, which is a human error while positioning a fuel assembly. The change has no impact the assumptions for a fuel handling accident because the fuel storage requirements are not changed. The consequences of an accident are not increased because the fuel storage requirements are not changed and no other changes are made to systems that mitigate the consequences of an accident.

The proposed changes to correct a reference to another requirement, delete obsolete notes, revise the name of drumming room roll-up door, and correct typographical errors are considered administrative. The reference leads to a section that no longer exists; the proposed change corrects the error. The notes permitted exceptions to requirements, and they are no longer required. The normal requirements have applied since the provisions expired. Deleting them eliminates extraneous information. The revised description of the door reflects the current use of the installed door. Correcting the typographical errors improves readability. The corrections are not intended to change the meaning. These changes do not affect accidents described in the UFSAR.

Adding new surveillance requirements to test the Unit 2 pump performance pursuant to T/S 4.0.5 does not affect accident initiators or precursors. The change reflects ASME code requirements. Including the requirements in the corresponding section provides assurance that the pumps will operate as assumed in the accident analyses. As such, the probability and consequences of previously evaluated accidents is unchanged.

The proposed change to the description of instrumentation configuration is considered administrative because the configuration had been reviewed and approved by the NRC Staff, as documented in the Safety Evaluation Report for amendment 39 for DPR-58 and amendment 22 for DPR-74. There are no changes to the actual plant configuration. The change is intended to describe the installed equipment more clearly. The change does not affect the probability and consequences of previously evaluated accidents because the equipment is installed and operated as described in the correspondence related to the previous amendments.

Based on this review, it is concluded that the proposed changes do not involve a significant increase in the probability of occurrence or consequences of an accident previously evaluated.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed changes remove obsolete information, provide consistency between Unit 1 and Unit 2, provide consistency with the Standard Technical Specifications, provide clarification, and correct typographical errors. These changes are considered administrative because they do not affect the design or operation of any system, structure, or component in the plant. The accident analysis assumptions and results are unchanged. No new failures or interactions have been created. Based on this review, it is concluded that the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the change involve a significant reduction in a margin of safety?

The proposed changes are considered administrative in nature. They do not affect any safety limits or T/S parameter limits. The proposed changes do not introduce new equipment, equipment modifications, or new or different modes of plant operation. These changes do not affect the operational characteristics of any equipment or systems. Based on this review, it is concluded that no reduction in the margin of safety will occur as a result of the changes.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92 are satisfied. Therefore, the NRC staff

proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the FEDERAL REGISTER a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By September 30, 1999, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license 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 a hearing and a petition for leave to intervene. Requests for a hearing and a petition 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. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Maud Preston Palenske Memorial Library, 500 Market Street, St. Joseph, MI 49085. 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 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 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 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 which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. 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.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective,

notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

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 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Jeremy J. Euto, Esquire, 500 Circle Drive, Buchanan, MI 49107, attorney for the licensee.

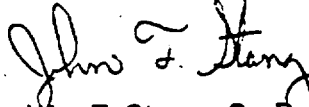
Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(I)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated May 21, 1999, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public

document room located at the Maud Preston Palenske Memorial Library, 500 Market Street,
St. Joseph, MI 49085.

Dated at Rockville, Maryland, this 25th day of August 1999.

FOR THE NUCLEAR REGULATORY COMMISSION



John F. Stang, Sr. Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

August 25, 1999

MEMORANDUM TO: Rules Review and Directives Branch
Division of Freedom of Information and Publications Services
Office of Administration
FROM: Office of Nuclear Reactor Regulation
SUBJECT: D. C. Cook

One signed original of the *Federal Register* Notice identified below is attached for your transmittal to the Office of the Federal Register for publication. Additional conformed copies (5) of the Notice are enclosed for your use.

- Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
- Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s): Time for submission of Views on Antitrust matters.
- Notice of Consideration of Issuance of Amendment to Facility Operating License. (Call with 30-day insert date).
- Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
- Notice of Availability of NRC Draft/Final Environmental Statement.
- Notice of Limited Work Authorization.
- Notice of Availability of Safety Evaluation Report.
- Notice of Issuance of Construction Permit(s).
- Notice of Issuance of Facility Operating License(s) or Amendment(s).
- Order.
- Exemption.
- Notice of Granting Exemption.
- Environmental Assessment.
- Notice of Preparation of Environmental Assessment.
- Receipt of Petition for Director's Decision Under 10 CFR 2.206.
- Issuance of Final Director's Decision Under 10 CFR 2.206.
- Other: _____

DOCKET NO. 50-315 and 50-316

Attachment(s): As stated

Contact: P. Kleene
Telephone: X1389

DOCUMENT NAME:

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	PD31													
NAME	Kleene P													
DATE	8/25/99													

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