

June 17, 2002

Gordon P. Arent  
Manager of Regulatory Affairs  
Indiana Michigan Power Company  
500 Circle Drive  
Buchanan, MI 49107-1395

SUBJECT: REVISED COMPUTER ACCESS AND OPERATING AGREEMENT  
DONALD C. COOK NUCLEAR PLANT  
DOCKET NO.: 50-346

Dear Mr. Arent:

As requested in Mr. J. E. Pollock's, Site Vice President, letter to James E. Dyer, Regional Administrator, Region III dated June 5, 2002 enclosed for your records is one copy of the signed Computer Access and Operating Agreement between Indiana Michigan Power Company and the Nuclear Regulatory Commission for the Donald C. Cook Nuclear Plant.

Please contact me at (630) 829-9653 if there are any questions.

Sincerely,

Bruce A. Berson  
Regional Counsel

Docket No.: 50-346

Enclosure: As stated

bcc w/encl: Branch Chief  
SRI, D. C. Cook

Distribution:  
Docket File w/encl.  
PUBLIC IE-01/E/encl.

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**  
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OFFICE	ORA/RIII	ORA				
NAME	Berson/pb	Dyer				
DATE	06/17/02	06/17/02				

OFFICIAL RECORD COPY



June 5, 2002

AEP:NRC:2002-01

James E. Dyer  
U. S. Nuclear Regulatory Commission  
RGN-III/ORA  
801 Warrenville Road  
Lisle, IL 60532-4351

Donald C. Cook Nuclear Plant  
REVISED COMPUTER ACCESS AND OPERATING AGREEMENT WITH  
U. S. NUCLEAR REGULATORY COMMISSION, REGION III

In submittal AEP:NRC:2002, dated February 21, 2002, Indiana Michigan Power Company (I&M) submitted a proposed computer access and operating agreement between I&M and the U. S. Nuclear Regulatory Commission, Region III. The purpose of the agreement is to allow Donald C. Cook Nuclear Plant (CNP) Resident Inspection Staff access to specific computer databases used at CNP. This agreement has been revised to delete the sentence "NRC will not have the capability to print above databases." This sentence was deleted at the request of the NRC. The revised agreement has been signed by the Plant Manager and requires the signature of the Region III administrator to become effective. Upon Region III Administrator's concurrence with the agreement, please return a signed copy of the agreement to Mr. Gordon P. Arent, Manager of Regulatory Affairs.

This letter contains no new commitments. Should you have any questions, please contact Mr. Gordon P. Arent, Manager of Regulatory Affairs, at (616) 697-5553.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. E. Pollock', written over a circular scribble.

J. E. Pollock  
Site Vice President

DB/dmb

Attachment

ATTACHMENT TO AEP:NRC:2002-01

COMPUTER ACCESS AND OPERATING AGREEMENT  
BETWEEN DONALD C. COOK NUCLEAR PLANT AND  
U. S. NUCLEAR REGULATORY COMMISSION, REGION III

## COMPUTER ACCESS AND OPERATING AGREEMENT

This agreement is made between the U. S. Nuclear Regulatory Commission (NRC) and Indiana Michigan Power Company (I&M), for the purpose of providing the NRC with access to certain I&M computer databases.

WHEREAS, I&M desires to enhance the NRC's ability to perform its regulatory functions with respect to Donald C. Cook Nuclear Plant (CNP) by providing the NRC with access to certain computer hardware, software, and databases owned by and under the control of CNP so that data needed for NRC inspection activities may be electronically accessed in a timely manner; and

WHEREAS, I&M is willing to make available to NRC certain computer hardware, software, and databases as appropriate or otherwise necessary for the NRC to continue to perform its regulatory responsibilities subject to the terms stated below:

NOW, THEREFORE, in consideration of the covenants and conditions set forth below, the parties mutually agree as follows:

1. At no charge, I&M will make available and maintain in the NRC resident inspectors' office for NRC's use at CNP a computer terminal and associated hardware and software necessary for the NRC to access CNP information that the NRC requires to fulfill its regulatory responsibilities. The actual information and databases to be made available will be identified by I&M on a periodic basis.

NRC acknowledges that access to the software and databases referred to above does not provide control over I&M's electronic data system and that interconnection between the above referred to I&M computer systems and NRC computer system will not be established.

2. The software and databases referred to above will be available to NRC through "view only" access with no data modification capability and no control over the associated software programs. The capability for electronic transfer to storage media or NRC computer systems is not provided. Modifications to I&M owned equipment to establish such capability are not to be made without the permission of I&M.
3. I&M acknowledges that all communications that are part of the formal licensing process will continue to be accomplished in a format consistent with the relevant NRC regulations contained in Title 10 of the Code of Federal Regulation.
4. NRC acknowledges that all data and any hard copy printouts of such data made available to NRC pursuant to this Agreement are owned by I&M and NRC will treat such information as proprietary to that company unless determined otherwise. However, any data which the NRC reduces to hard copy printout, in an NRC Resident Inspectors' office, is considered an

agency record under Federal law. In the event that a request is received by the NRC for any I&M information residing on NRC hard drives or in NRC's possession, in hard copy or electronic form, prior to any public release, NRC will provide I&M notice and reasonable opportunity to request that information be withheld from public disclosure based upon its proprietary nature by executing an affidavit in accordance with agency regulation, 10 CFR 2.790.

5. The term of this Agreement shall be for one year from its date of execution by both parties. Thereafter, this Agreement shall be extended on a year-to-year basis until terminated by either party giving ten days prior written notice of termination to the other party.

IN WITNESS WHEREOF, the undersigned have executed the Agreement.

Indiana Michigan Power Company  
Site Vice President, Donald C. Cook Nuclear Plant

By Donald C. Pollack

Date 6/5/02

U. S. Nuclear Regulatory Commission  
Regional Administrator, Region III

By Pradyen

Date 6/17/02

bc: G. P. Arent, w/o attachments  
A. C. Bakken  
P. B. Cowan, w/o attachments  
R. W. Gaston, w/o attachments  
S. A. Greenlee  
S. B. Haggerty, w/o attachments  
D. W. Jenkins, w/o attachments  
J. A. Kobyra, w/o attachments  
J. E. Pollock, w/o attachments  
J. F. Stang, Jr., NRC – Washington, DC  
T. R. Stephens, w/o attachments

- c: K. D. Curry, w/o attachments
- J. E. Dyer
- MDEQ – DW & RPD, w/o attachments
- NRC Resident Inspector
- R. Whale, w/o attachments