

March 13, 2003

Mr. A. C. Bakken III
Senior Vice President
Nuclear Generation Group
American Electric Power Company
500 Circle Drive
Buchanan, MI 49107

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR INDIANA MICHIGAN
POWER COMPANY REGARDING D.C. COOK, UNIT 2 (NOED 03-3-003)

Dear Mr. Bakken:

By letter dated March 11, 2003, and supplemented by a letter dated March 13, 2003, you requested that the NRC exercise discretion not to enforce compliance with the actions required in Technical Specification (TS) 3.7.1.2, "Auxiliary Feedwater System," regarding Unit 2 West motor-driven auxiliary feedwater pump operability. Your letter documented information previously discussed with the NRC in a telephone conference which occurred on March 7 and 8, 2003. At the time of the telephone conference, both units were operating in Mode 1 at 100 percent power and stable.

The principal NRC staff members who participated in the telephone conference included: Steve Reynolds, Deputy Director, Division of Reactor Projects (DRP), RIII; Anton Vogel, Branch Chief, Reactor Projects Branch 6, DRP, RIII; Sonia Burgess, Senior Reactor Analyst, Division of Reactor Safety (DRS), RIII; Brian Kemker, Senior Resident Inspector, D.C. Cook; Ivy Netzel, Resident Inspector, D.C. Cook; Bill Ruland, Director, Project Directorate-III, Division of Licensing Project Management (DLPM), Office of Nuclear Reactor Regulation (NRR); John Stang, Senior Project Manager, DLPM, NRR; L. Raghavan, Section Chief, Section I of Project Directorate-III, DLPM, NRR; and Sunil Weerakkody, Section Chief, Balance of Plant and Containment Systems, Division of System Safety and Analysis, NRR.

Your staff requested enforcement discretion to preclude a required entry into Mode 3 (Hot Standby) for Unit 2 by 10:00 a.m. on March 8, 2003 (all times discussed in this letter refer to Eastern Standard Time). Your staff requested that the 72-hour allowed outage time for TS 3.7.1.2.a be extended by 36 hours based on your evaluation indicating no increase in risk for continued operation versus a plant shutdown. With this extended allowed outage time, Unit 2 would have been required to enter Mode 3 (Hot Standby) by 10:00 p.m. on March 9, 2003, if the Unit 2 West motor-driven auxiliary feedwater pump had not been restored to an operable status.

Technical Specification 3.7.1.2.a states that, "At least three independent steam generator auxiliary feedwater pumps and associated flow paths shall be OPERABLE with: (1) Two motor-driven auxiliary feedwater pumps, each capable of being powered from separate emergency busses and; (2) One steam turbine driven auxiliary feedwater pump capable of being powered from an OPERABLE steam supply system." This Specification is applicable in

MODES 1, 2, and 3. Technical Specification 3.7.1.2.a further states that, "With one auxiliary feedwater pump inoperable, restore the required auxiliary feedwater pumps to OPERABLE status within 72 hours or be in at least HOT STANDBY within the next 6 hours and in HOT SHUTDOWN within the following 6 hours."

At 4:00 a.m. on March 5, 2003, TS 3.7.1.2.a was entered to perform scheduled maintenance on the Unit 2 West motor-driven auxiliary feedwater pump. On March 6, 2003, while starting the motor for post maintenance testing of the pump, the operators noted a loud buzzing sound emanating from the Unit 2 West motor-driven auxiliary feedwater pump. Subsequent trouble shooting efforts determined that the source of the noise was the motor and the decision was made to replace the motor. Motor replacement activities were commenced on the evening of March 6, 2003, but problems were encountered with the spare motor configuration. This delayed the installation of the new motor until approximately noon on March 7, 2003. On the evening of March 7, further problems were encountered which required additional time for installation and testing and resulted in the need for enforcement discretion.

At approximately 11:00 p.m. on March 7, 2003, your staff requested enforcement discretion to preclude a required entry into Mode 3 (Hot Standby) by 10:00 a.m. for Unit 2 on March 8, 2003. You requested that the 72-hour allowed outage time for TS 3.7.1.2.a for Unit 2 be extended by 36 hours. The 36-hour extension was based on the estimated time that would be needed to machine, install, and align the motor-to-pump coupling and then to conduct adequate post maintenance testing of the pump.

Your staff requested this NOED after consideration of the safety significance and potential consequences of such an action. Your staff performed a risk evaluation and compared the risk of plant operation with the Unit 2 West motor-driven auxiliary feedwater pump unavailable to the risk associated with a reactor trip that could occur during a controlled shutdown. The results of the evaluation indicated that there was no net increase in risk associated with extending the allowed outage time of the Unit 2 West motor-driven auxiliary feedwater pump by 36 hours. As for compensatory measures, during the time that the motor-driven auxiliary feedwater pump was inoperable, your staff committed to the following: (1) no Unit 2 safety-related equipment would be removed from service for maintenance; (2) no Unit 2 vital secondary equipment would be removed from service for maintenance; (3) no work would be performed on shared safety significant systems; (4) no work would be performed that could potentially jeopardize unit operation; (5) no switchyard work would be performed; (6) the system dispatcher was contacted to confirm that in the event system degradation or perturbations were to occur, the control room would be notified; and (7) any forecast of severe weather would be evaluated by the Shift Manager for the potential impact on offsite power sources and if an impact was identified, Unit 2 would be shutdown in an orderly fashion.

The NRC reviewed your written request for enforcement discretion dated March 11, 2003 to verify consistency between your oral and written requests. One inconsistency was noted. During the telephone conference of March 7 and 8, your staff committed to a compensatory measure that no surveillance testing that would increase risk would be performed. The written request did not include this specific compensatory measure. During a follow-up phone call between members of our staffs on March 12, your staff indicated that, in fact, no surveillance testing that would increase risk had been planned for the period that the NOED would be in

effect, and that none had been performed. Your staff further indicated that this specific commitment had been implemented under commitment (1) described above and that you would submit a revised request for enforcement discretion to clarify how this commitment was implemented. This information was received in a letter dated March 13, 2003.

The NRC's basis for this discretion considered: (1) the availability of the other trains of the auxiliary feedwater system; (2) the compensatory measures to reduce the probability of a plant transient while ensuring the availability of other safety-related equipment; and (3) the risk assessment of the condition indicated that the risk of continued operation while extending the allowed outage time by 36 hours was less than the risk associated with performing a plant shutdown.

Based on the above considerations, the NRC staff concluded that Criterion B.2.1.1.a and the applicable criteria in Section C.4 to NRC Manual Chapter 9900, "Technical Guidance, Operations - Notices of Enforcement Discretion" were met. Criterion B.2.1.1.a states that for an operating plant, the NOED is intended to avoid unnecessary transients as a result of compliance with the license condition and, thus, minimize potential safety consequences and operational risks.

On the basis of the NRC staff's evaluation of your request, we have concluded that issuance of this NOED is consistent with the Enforcement Policy and staff guidance, and had no adverse impact on public health and safety. Therefore, we exercised discretion at 1:27 a.m. on March 8, 2003, not to enforce compliance with Unit 2 TS 3.7.1.2.a for entry into Mode 3 by 10:00 a.m. on March 8, 2002, until 10:00 p.m. on March 9, 2003. We understand that on March 9, 2003, the Unit 2 West motor-driven auxiliary feedwater pump was repaired and declared operable at 2:46 a.m. At that time, Unit 2 exited TS 3.7.1.2.a and the NOED was no longer required.

As stated in the Enforcement Policy, action may be taken, to the extent that violations were involved, for the root cause that led to the noncompliance for which this NOED was necessary.

Sincerely,

/RA by Steven A. Reynolds Acting for/

Geoffrey E. Grant, Director
Division of Reactor Projects

Docket Nos. 50-315; 50-316
License Nos. DPR-58; DPR-74

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A. Bakken

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