

**Indiana Michigan
Power Company**
500 Circle Drive
Buchanan, MI 49107 1395



May 30, 2003

AEP:NRC:2073-06
10 CFR 2.202

Docket Nos. 50-315
50-316

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Mail Stop O-P1-17
Washington, DC 20555-0001

SUBJECT: Donald C. Cook Nuclear Plant Unit 1 and Unit 2
Response to Nuclear Regulatory Commission Order
Regarding Compensatory Measures Related to
Fitness-For-Duty Enhancements Applicable to Nuclear
Facility Security Force Personnel

REFERENCES: U. S. Nuclear Regulatory Commission Order EA-03-038,
"Issuance of Order for Compensatory Measures Related
to Fitness-For-Duty Enhancements Applicable to Nuclear
Facility Security Force Personnel," dated April 29, 2003

Dear Sir or Madam:

By this letter Indiana Michigan Power Company (I&M), the licensee for Donald C. Cook Nuclear Plant (CNP) Units 1 and 2, Facility Operating Licenses DPR-58 and DPR-74, hereby answers the Nuclear Regulatory Commission's (NRC's) April 29, 2003, Order for Compensatory Measures Related to Fitness-For-Duty Enhancements Applicable to Nuclear Facility Security Force Personnel (EA-03-038) ("Order"). Pursuant to Section IV of the Order and 10 CFR 2.202, I&M requests an extension of time in which to submit information in response to the Order. In addition, I&M requests the NRC provide certain information to ensure I&M fully understands the underlying bases of the Order and, therefore, can most effectively implement its individual requirements.

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Section II of the Order states that, “[t]he Commission has determined that the security measures addressed by the enclosed compensatory measures are required to be implemented by licensees as prudent measures to address issues that may arise from work-hour related fatigue of nuclear facility security force personnel.” The Order does not explain the bases for the specific limits and other requirements described in the Order in sufficient detail for I&M to understand the rationale for the requirements. I&M therefore requests that the NRC provide: the bases for the specific limits prescribed in the Order; the bases upon which it relied to establish a linkage between the specific limits chosen and any causal relationship to fatigue that would otherwise occur if those individual or group work hour limits were to be exceeded; and information pertaining to any events or incidents where the NRC has determined that fatigue was the cause or a major contributing factor in those events or incidents.

As provided for in Section IV of the Order, good cause for granting an extension of time to respond to the Order is shown in that no basis or rationale for provision III.B.1 of the Order has been demonstrated. Thus, I&M requests that the Director, Nuclear Reactor Regulation extend the time period for responding to the Order (including, specifically, Sections B.1 and 2) from the time period specified in the Order until 35 days after the date that the NRC provides the bases for the work hour limits in the Order. Section III. C. of the Order requires that “[a]ll licensees shall within thirty-five (35) days of the date of this Order, submit to the Commission a schedule for achieving compliance with each requirement described in Attachment 2”. Subject to the foregoing request for information concerning the bases for the Order and the request for an extension of time in accordance with Section IV, I&M will achieve compliance with all applicable requirements not later than October 29, 2003.

I&M also hereby confirms its understanding that the NRC intends to exercise enforcement discretion to accommodate issues which may arise as licensees, in good faith, take reasonable actions to implement the specific requirements of this Order. We further understand that the NRC will exercise enforcement discretion for the period necessary to resolve such issues, and to integrate the requirements of this Order with the orders issued February 25, 2002, as well as with other pertinent regulatory requirements, and our safeguards contingency plans, security plans, and security officer training and qualification plans.

Should you have any questions, please contact Mr. Brian A. McIntyre, Manager of Regulatory Affairs, at (269) 697-5806.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. C. Bakken, III', written in a cursive style.

A. C. Bakken, III
Senior Vice President, Nuclear Operations

HLE/jen

Enclosure:
Notarized Affirmation

Attachment:
Summary of Regulatory Commitment

- c: H. K. Chernoff – NRC Washington DC
- K. D. Curry – AEP Ft. Wayne
- J. E. Dyer – NRC Region III
- J. T. King - MPSC
- MDEQ - DW & RPD
- NRC Resident Inspector
- J. F. Stang, Jr. – NRC Washington DC

AFFIRMATION

I, A. Christopher Bakken, III, being duly sworn, state that I am Senior Vice President, Nuclear Operations, of American Electric Power Service Corporation and Vice President of Indiana Michigan Power Company (I&M), that I am authorized to sign and file this request with the Nuclear Regulatory Commission on behalf of I&M, and that the statements made and the matters set forth herein pertaining to I&M are true and correct to the best of my knowledge, information, and belief.

American Electric Power Service Corporation



A. C. Bakken, III
Senior Vice President, Nuclear Operations

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 30th DAY OF May, 2003



Notary Public

BRIAN A. McINTYRE
Notary Public, Berrien County, MI
My Commission Expires Apr. 25, 2007

My Commission Expires 4-25-2007



Attachment to AEP:NRC:2073-06

REGULATORY COMMITMENTS

The following table identifies those actions committed to by Indiana Michigan Power Company (I&M) in this document. Any other actions discussed in this submittal represent intended or planned actions by I&M. They are described to the Nuclear Regulatory Commission (NRC) for the NRC's information and are not regulatory commitments.

Commitment	Date
I&M will achieve compliance with all applicable requirements. (Attachment 2 of Order EA-03-038)	October 29, 2003