

**Indiana Michigan
Power Company**
500 Circle Drive
Buchanan, MI 49107 1373



March 2, 2004

AEP:NRC:4520
10 CFR 50.90

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

SUBJECT: Donald C. Cook Nuclear Plant Units 1 and 2
Docket Nos. 50-315 and 50-316
Withdrawal of License Amendment Request to Use Yield
Strength Determined From Measured Material Properties for
Reinforcing Bar in Structural Calculations for Control Rod Drive
Missile Shield

Dear Sir or Madam:

In Reference 1, Indiana Michigan Power Company (I&M) proposed a change to Facility Operating Licenses DPR-58 and DPR-74 that would allow the use of measured reinforcing bar yield strength in lieu of code specified yield strength for the control rod drive missile shields (missile shields). The license amendment request (LAR) was submitted to resolve an issue identified during restart regarding the demonstration of the missile shields' ability to meet design basis requirements. This letter provides notification to the Nuclear Regulatory Commission (NRC) that I&M is withdrawing the subject LAR. The basis for the withdrawal is provided below.

Prior to submitting the subject LAR, I&M had demonstrated that the missile shields are capable of performing their intended safety function. However, meeting the Updated Final Safety Analysis Report, Section 5.2.2.3 design criteria required the use of material properties obtained from manufacturer certified material test reports (CMTR). In Reference 2, the NRC informed I&M that the NRC did not, in principle, agree with the use of CMTR data. The proposed license amendment transmitted on November 12, 2003, provided the details of the CMTR data, and I&M's basis for concluding that the use of CMTR data was acceptable.

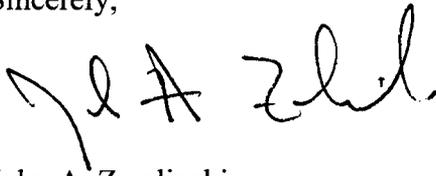
Subsequent to the Reference 1 submittal, I&M was made aware of Reference 3, which provided more detail about the NRC's concern with the use of CMTR

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data. Following a review of Reference 3, I&M concluded that additional data to support I&M's position should have been included in the Reference 1 submittal. Therefore, I&M is withdrawing the Reference 1 LAR and will submit a revised LAR by April 20, 2004.

The attachment to this letter provides I&M's commitment. Should you have any questions, please contact Mr. Michael K. Scarpello, Supervisor of Nuclear Licensing at (269) 697-5020.

Sincerely,



John A. Zwolinski
Director of Design Engineering and Regulatory Affairs

RV/rdw

- References:
1. Letter from M. K. Nazar, I&M, to NRC Document Control Desk, "Donald C. Cook Nuclear Plant, Units 1 and 2, License Amendment Request to Use Yield Strength Determined From Measured Material Properties for Reinforcing Bar in Structural Calculations for Control Rod Drive Missile Shield," AEP:NRC:3520-01, dated November 12, 2003.
 2. Letter from John F. Stang, NRC, to A. Christopher Bakken, III, I&M, "Donald C. Cook Nuclear Plant, Units 1 and 2 - Regarding Containment Structure Conformance to Design and Licensing Basis Requirements," dated March 21, 2003.
 3. Memorandum from L. B. Marsh, NRC, to G. E. Grant, NRC, "Donald C. Cook Nuclear Plant, Units 1 and 2 - Response to Task Interfaces Agreement (TIA 2001-15) Regarding Evaluation of Containment Structure Conformance to Design-Basis Requirements (TAC NOS. MB3603 and MB3604)," dated January 13, 2003.

Attachment: Regulatory Commitments

c: J. L. Caldwell, NRC Region III
K. D. Curry, FT. Wayne AEP
J. T. King, MPSC
MDEQ – WHMD/HWRPS
NRC Resident Inspector
J. F. Stang, Jr., NRC Washington DC

Attachment to AEP:NRC:4520

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 submit a revised license amendment request to resolve the missile-shield reinforcing bar yield strength issue by April 20, 2004.	April 20, 2004