

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



January 11, 2005

AEP:NRC:2073-22  
10 CFR 2.202  
10 CFR 50.4

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:** Confirmation of Implementation of April 29, 2003, Orders to  
Donald C. Cook Nuclear Plant Units 1 and 2

The Nuclear Regulatory Commission (NRC) issued Orders dated April 29, 2003: EA-02-038, "Order for Compensatory Measures Related to Fitness-For-Duty Enhancements Applicable to Nuclear Facility Security Force Personnel;" EA-03-039, "Order for Compensatory Measures Related to Training Enhancements on Tactical and Firearms Proficiency and Physical Fitness Applicable to Armed Nuclear Power Plant Security Force Personnel;" and EA-03-086, "Order Requiring Compliance with Revised Design Basis Threat," (collectively referred to as "Orders") for Indiana Michigan Power Company (I&M), the Licensee for Donald C. Cook Nuclear Plant (CNP) Units 1 and 2. In addition to other requirements, the Orders required nuclear power plant licensees to revise their physical security plans, safeguards contingency plans, and security force training and qualifications plans; submit those plans to the NRC for approval by April 29, 2004; and complete implementation of those plans by October 29, 2004, unless a request for a schedule extension for one or more elements of those plans was approved by the NRC.

On April 29, 2004, July 8, 2004, July 13, 2004, July 26, 2004, August 12, 2004, August 31, 2004, September 9, 2004, September 30, 2004, and October 12, 2004, I&M filed supplemental responses to Order EA-03-086 that contained the Physical Security Plan, the Contingency Plan, and/or the Training

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and Qualification Plan as required by Order EA-03-086 for I&M. By letter dated October 28, 2004, the NRC issued a Safety Evaluation Report (SER) documenting the NRC's review and acceptance of those plans. By letter dated December 1, 2004, the NRC issued revised pages to the SER and the CNP Unit 2 Facility Operating License in order to correct and/or clarify minor inconsistencies. Section III.C. of Order EA-03-086 required I&M to advise the NRC when implementation of the NRC-approved physical security plans, safeguards contingency plans, and general training and qualification plans has been accomplished. Section III.C.2. of Order EA-03-039 required I&M to advise the NRC when full compliance with the requirements in Attachment 2 to that Order has been achieved.

I&M hereby certifies that those conditions have been met and the exercise of enforcement discretion pursuant to the Orders during the transition period will no longer be necessary.

There are no new commitments identified in this submittal. Should you have any questions, please contact Mr. John A. Zwolinski, Director of Safety Assurance, at (269) 466-2428.

Sincerely,



Joseph N. Jensen  
Site Vice President

HE/jen

c: J. L. Caldwell – NRC Region III  
K. D. Curry – AEP Ft. Wayne  
J. T. King – MPSC  
C. F. Lyon – NRC Washington DC  
MDEQ – WHMD/HWRPS  
NRC Resident Inspector  
Records Center – INPO

**AFFIRMATION**

I, Joseph N. Jensen, being duly sworn, state that I am Site 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.

Indiana Michigan Power Company



Joseph N. Jensen  
Site Vice President

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 11<sup>th</sup> DAY OF January, 2005

  
\_\_\_\_\_  
Notary Public

My Commission Expires 6/10/2007

