



**Indiana Michigan
Power Company**
Nuclear Generation Group
One Cook Place
Bridgman, MI 49106
aep.com

December 19, 2005

AEP:NRC:2201-05
10 CFR 2.205
EA-05-171

Docket No.: 50-315
50-316

U. S. Nuclear Regulatory Commission
ATTN: Michael R. Johnson, Director
Office of Enforcement
One White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738

Donald C. Cook Nuclear Plant Units 1 and 2
RESPONSE TO NOTICE OF VIOLATION EA-05-171
AND STATEMENT OF PAYMENT OF CIVIL PENALTY

By letter dated November 23, 2005, to Indiana Michigan Power Company (I&M), the Nuclear Regulatory Commission (NRC) identified that a Severity Level III Problem occurred at Donald C. Cook Nuclear Plant (CNP) from November 1998 to August 2004, and imposed a civil penalty of \$60,000. In particular, the NRC identified several apparent violations of NRC requirements associated with I&M's failure to: (1) provide complete and accurate information regarding corrective actions for a previous Severity Level III violation (EA-04-109); (2) notify the NRC within 30 days of NRC-licensed operators experiencing a permanent disability or illness; and (3) provide complete and accurate information concerning the medical condition of individuals on new, renewed, or amended NRC reactor operator license applications.

I&M, the licensee for CNP Units 1 and 2, has previously responded to the NRC concerning the violations of NRC requirements in a letter from I&M to the NRC dated October 10, 2005. The NRC has concluded that the information regarding the reasons for the violations, the corrective actions taken and planned to correct the violations and prevent recurrence, and the date when full compliance was achieved is already adequately addressed on the docket in NRC Inspection Report No. 05000315/2005006(DRS); 05000316/2005006(DRS) and in I&M's October 10, 2005, letter. Therefore, I&M is not required to respond to the provisions of 10 CFR 2.201 unless the Severity Level III Problem described in the NRC's November 23, 2005, letter does not accurately reflect I&M's corrective actions or position.

I&M acknowledges that violation EA-05-171 occurred, and has elected to pay the civil penalty in the amount of \$60,000 in accordance with 10 CFR 2.205, as described in the attachment to this letter.

There are no new commitments in this letter.

If you have any questions or desire additional information, please contact Mr. Michael K. Scarpello, Regulatory Affairs Supervisor, at (269) 466-2649.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Jensen', with a large, stylized circular flourish extending from the end of the signature.

Joseph N. Jensen
Site Vice President

HLE/jen


Attachment

- c: J. L. Caldwell – NRC Region III
K. D. Curry – AEP Ft. Wayne, w/o attachment
J. T. King – MPSC, w/o attachment
MDEQ – WHMD/RPMWS, w/o attachment
NRC Resident Inspector
K. G. O'Brien – NRC Region III
P. S. Tam – NRC Washington DC

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 correspondence 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.

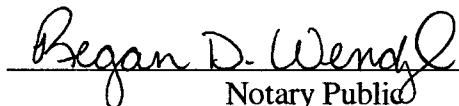
Indiana Michigan Power Company



Joseph N. Jensen
Site Vice President

SWORN TO AND SUBSCRIBED BEFORE ME

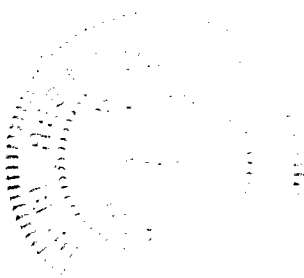
THIS 19th DAY OF December, 2005



Notary Public

REGAN D. WENZEL

My Commission Expires Notary Public, Berrien County, MI
My Commission Expires Jan. 21, 2009



ATTACHMENT TO AEP:NRC:2201-05

STATEMENT INDICATING CIVIL PENALTY PAYMENT METHOD
DOCKET NOS. 50-315 AND 50-316
FACILITY OPERATING LICENSES DPR-58 AND DPR-74
EA-05-171

On Friday, December 9, 2005, a payment of \$60,000 for the civil penalty associated with NRC Notice of Violation EA 05-171 was paid to the NRC by check #3000035584 which specifies invoice #EA05171 and is dated December 9, 2005, specified as payment method 4 in NUREG/BR-0254, Revision 2.