



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 14, 2008

Mr. Michael W. Rencheck
Senior Vice President and
Chief Nuclear Officer
Indiana Michigan Power Company
Nuclear Generation Group
One Cook Place
Bridgman, MI 49106

SUBJECT: DONALD C. COOK NUCLEAR PLANT, UNITS 1 AND 2 – ACCEPTANCE
REVIEW LETTER RE: A ONE-TIME EXEMPTION FROM 10 CFR 50.36a(a)(2)
(TAC NOS. ME0002 AND ME0003)

Dear Mr. Rencheck:

By letter dated October 21, 2008 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML082970187), Indiana Michigan Power Company (I&M) submitted a license amendment request for the Donald C. Cook Nuclear Plant, Units 1 and 2. The amendment proposes to change the Radioactive Effluent Release Report submittal date as specified in Technical Specification 5.6.3. The proposed amendment would change your current submittal date from "within 90 days of January 1" (i.e., prior to April 1) to "prior to May 1."

To support implementation of the proposed amendment, I&M requests a one-time exemption from Section 50.36a(a)(2) of Title 10 of the *Code of Federal Regulations* (10 CFR). This regulation states that the interval between Radioactive Effluent Release Report submittals must not exceed 12 months. An exemption is requested because the proposed amendment would result in the 2008 Radioactive Effluent Release Report submittal exceeding the 12-month requirement.

Pursuant to Section 50.12(a), the Commission may, either on its own initiative or upon application by any interested person (e.g., a licensee), grant an exemption from the requirements of Part 50, which is authorized by law, does not present an undue risk to the public health and safety, is consistent with the common defense and security, and special circumstances are present. Consistent with 10 CFR 50.12(a)(2)(v), special circumstances are present if the exemption would provide only temporary relief from the applicable regulation and the licensee has made good faith efforts to comply with the regulation.

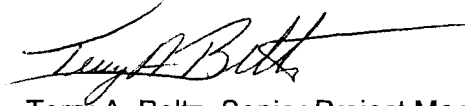
The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of this one-time exemption request. In the case of this one-time exemption request, the acceptance review is also intended to identify whether the application provides sufficient information to justify the request. The NRC staff has reviewed your application and concluded that it does provide sufficient detail to enable the staff to proceed with its review and make an independent assessment regarding the acceptability of the proposed exemption in terms of regulatory requirements and the protection of public health and safety and the environment. If additional information is needed for the staff to complete its technical review, you will be advised by separate correspondence.

M. Rencheck

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If you have any questions regarding this review, please contact me at (301) 415-3049.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry A. Beltz", with a long horizontal flourish extending to the right.

Terry A. Beltz, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-315 and 50-316

cc: Distribution via ListServ

November 14, 2008

M. Rencheck

-2-

If you have any questions regarding this review, please contact me at (301) 415-3049.

Sincerely,

/RA/

Terry A. Beltz, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-315 and 50-316

cc: Distribution via ListServ

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NRR-106

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DATE	11/14/08	11/13/08	11/14/08

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