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October 30, 2009

AEP-NRC-2009-69
10 CFR 50.90

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555-0001

Subject: Donald C. Cook Nuclear Plant Units 1 and 2
Docket No. 50-315 and 50-316
Response to Request for Additional Information Regarding License Amendment
Request to Revise Operating Licenses DPR-58 and DPR-74, Appendix B,
Environmental Technical Specifications, Part II, Non-Radiological Environmental
Protection Plan

- References:
1. Letter from L. J. Weber, Indiana Michigan Power Company (I&M), to Nuclear Regulatory Commission (NRC) Document Control Desk, "License Amendment Request to Revise Operating Licenses DPR-58 and DPR-74, Appendix B, Environmental Technical Specifications, Part II, Non-Radiological Environmental Protection Plan," AEP-NRC-2008-01, dated January 14, 2009 (ML090350210).
 2. Letter from T. A. Beltz, NRC, to J. N. Jensen, I&M, "Donald C. Cook Nuclear Plant, Units 1 and 2 – Requests for Additional Information Re: License Amendment Request to Revise Operating Licenses DPR-58 and DPR-74, Appendix B, Environmental Technical Specifications, Part II, Non-Radiological Environmental Protection Plan (TAC Nos. ME0483 and ME0484)," dated September 2, 2009 (ML092400026).

Dear Sir or Madam:

In Reference 1, Indiana Michigan Power Company (I&M) submitted a license amendment request to revise Operating Licenses DPR-58 and DPR-74, Appendix B, Environmental Technical Specifications, Part II, Non-Radiological Environmental Protection Plan. The amendment request is administrative in nature and is intended to delete obsolete program information and relieve I&M of the burden of preparing and submitting unnecessary environmental reports. Reference 2 transmitted the Nuclear Regulatory Commission's request for additional information (RAI) regarding the license amendment request.

Enclosure 1 provides an affirmation statement pertaining to this letter. Enclosure 2 provides I&M's response to the RAI.

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There are no new or revised commitments in this letter. Should you have any questions, please contact Mr. James M. Petro, Jr., Regulatory Affairs Manager, at (269) 466-2489.

Sincerely,



Lawrence J. Weber
Site Vice President

RSP/rdw

Enclosures:

1. Affirmation
 2. Response to Request for Additional Information Regarding License Amendment Request to Revise Operating Licenses DPR-58 and DPR-74, Appendix B, Environmental Technical Specifications, Part II, Non-Radiological Environmental Protection Plan
- c: T. A. Beltz – NRC Washington, DC
J. T. King – MPSC
S. M. Krawec, Ft. Wayne AEP, w/o enclosures
MDEQ – WHMD/RPS
NRC Resident Inspector
M. A. Satorius – NRC Region III

AFFIRMATION

I, Lawrence J. Weber, 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.

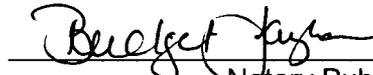
Indiana Michigan Power Company



Lawrence J. Weber
Site Vice President

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 30th DAY OF October, 2009



Notary Public

My Commission Expires 10/10/2013



Enclosure 2 to AEP-NRC-2009-69

Response to Request for Additional Information Regarding License Amendment Request to Revise Operating Licenses DPR-58 and DPR-74, Appendix B, Environmental Technical Specifications, Part II, Non-Radiological Environmental Protection Plan

In Reference 1, Indiana Michigan Power Company (I&M) submitted a license amendment request to revise Operating Licenses DPR-58 and DPR-74, Appendix B, Environmental Technical Specifications, Part II, Non-Radiological Environmental Protection Plan. The amendment request is administrative in nature and is intended to delete obsolete program information and relieve I&M of the burden of preparing and submitting unnecessary environmental reports. Reference 2 transmitted the Nuclear Regulatory Commission's (NRC) request for additional information (RAI) regarding the license amendment request. The requested additional information is provided below.

NRC RAI 1

Please clarify the meaning of the word "significantly" in Section 3.1, "Plant Design and Operation," as it pertains to effects on the environment. Specifically, how does the licensee distinguish between activities that are "significant" versus "not significant"?

I&M Response to NRC RAI 1

I&M distinguishes between an activity that is "significant" versus "not significant," as it pertains to effects on the environment, based on the nature of the activity, including its impact, size, and location, when compared to limits established within the plant's environmental plans and permits. An activity is "significant" if it has the potential to exceed the limits established by the plant's environmental plans and permits.

The reviews to determine significance are performed by personnel that are subject matter experts on the plant's environmental plans and permits. The review process is controlled through plant procedures.

Examples of activities that could have a significant impact on the environment include:

- Design changes, projects, or site improvements that impact the environment (e.g., grading, paving, excavating, new building, etc.).
- Changes in plant processes or operations that change the physical, thermal, or chemical composition of outflows and waste streams.
- Changes that impact connections to the sewage system, or change influent or effluent sewage flow or concentration.
- Excavation within 500 feet of water or greater than one acre in size.
- Changes to dunes, lake bottom, or the wetlands.

NRC RAI 2

Please provide a more detailed basis for the addition of the sentence, "Activities are excluded from this requirement if all measurable non-radiological effects are confined to the on-site areas previously disturbed during site preparation and plant construction," in Section 3.1, "Plant

Design and Operation,” and include any relevant examples of activities that would not be excluded from the requirement to prepare an environmental evaluation.

I&M Response to NRC RAI 2

The sentence was added to reduce the administrative burden associated with performance of an environmental evaluation of activities within a previously disturbed on-site area because these areas were previously evaluated for environmental impacts. Such activities do not extend beyond property lines, do not affect the public, and do not represent an environmental impact that significantly differs from those previously evaluated.

For example, the State of Michigan recently issued a blanket permit to I&M relative to Part 353, Sand Dune Protection and Management, and Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act. The purpose of this blanket permit is to allow certain types of work activities to be performed without further permitting requirements. The blanket permit was issued to reduce the administrative burden for both the State and CNP staffs for routine activities that would not significantly impact the environment. Examples of the type of work done under the blanket permit include:

- Post holes for signs,
- Soil sampling,
- Tree trimming and vegetation removal up to 3-inch trunk diameter, such as right of way maintenance,
- Grading and minor parking lot maintenance,
- Trenching in previously developed areas such as roadways or lawns,
- Clean-up of vehicle fluid spills,
- Blow sand removal,
- Temporary equipment staging,
- Small buildings (<1000 ft²) on previously developed areas,
- Monitoring well construction, and
- Any minor project that can be restored within 24 hours to the original condition.

The above activities would be reviewed by environmental personnel for environmental plan and permit compliance; however, they would not be considered “significant” activities.

The following are relevant examples of “significant” activities that would not be excluded from the requirement to prepare an environmental evaluation:

- Changes to the plant discharge, such as additional heat load, new chemical treatments, different way of operating a system,
- New buildings, such as offices or warehouses,
- Any digging/construction on greater than or equal to 25 percent slopes, including operation of machinery on such slopes,
- Paving or developing of areas that are of natural conditions and vegetation, or in areas outside of those previously developed as delineated on the application’s map, and
- Any vegetation removal project greater than one acre in size.

REFERENCES

1. Letter from L. J. Weber, I&M, to NRC Document Control Desk, "License Amendment Request to Revise Operating Licenses DPR-58 and DPR-74, Appendix B, Environmental Technical Specifications, Part II, Non-Radiological Environmental Protection Plan," AEP-NRC-2008-01, dated January 14, 2009 (ML090350210).
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