Docket Nos. 50-315
and 50-316

April 18, 1984

DISTRIBUTION
Docket File
NRC PDR
L PDR
ORB#1RDG
Gray File
DEisenhut
OELD
EJordan
JNGrace
CParrish
ACRS (10)
DWigginton
TWambach
VBenaroya
RFerguson
GLainas

Mr. John Dolan, Vice President
Indiana and Michigan Electric Company
c/o American Electric Power Service Corporation
1 Riverside Plaza
Columbus, Ohio 43216

Dear Mr. Dolan:

The staff has completed its review of the Indiana and Michigan Electric Company's (IMEC) submittals dated March 8, 1984, and March 16, 1984, regarding the schedule for completion of fire protection modifications at the D. C. Cook facility. The staff finds that the detailed schedule presented in your March 8 submittal is acceptable, and that adequate compensatory fire protection measures as detailed in your March 16, 1984 letter will be taken to ensure the public health and safety pending completion of this work. You will therefore be expected to meet this schedule, and to notify the NRC immediately if any slippage is expected.

A formal schedular exemption is not enclosed for the following reasons. By the time of the D. C. Cook inspection in April 1982, which gave rise to your later submittals, the deadline for taking advantage of the "tolling provision" of 10 CFR 50.48(c)(6), i.e., within 30 days after the effective date of the fire protection rule, had passed. Therefore, the schedules in Section 50.48(c) commenced for D. C. Cook on the effective date of the rule. (While the alternative safe shutdown schedule does not commence until NRC approval, Section 50.48(c)(5) required that the design for such a system be submitted within 30 days after the effective date of the rule.) In cases where the 50.48(c) deadlines have already expired for a facility, we believe a formal schedular exemption is inappropriate. However, NRC acceptance of your proposed schedule and interim actions constitutes our recongnition that IMEC is currently working toward meeting the intent of 10 CFR 50.48 and Appendix R. We would expect that the NRC inspection of your facility to verify compliance with the requirements of 10 CFR 50.48 and Appendix R, would be scheduled for a date after expiration of your approved schedule. This letter does not preclude any enforcement action the NRC may take regarding your compliance with 10 CFR 50.48 and Appendix R 10 CFR Part 50.

Sincerely,

ORIGINAL SIGNED BY

Darrell G. Eisenhut, Director
Division of Licensing

Telecon concurrence from Reg III on 4/9 with addition of last sentence. DW 4/18

cc:
See next page
*See other white for concurrences

ORB#1:DL*	ORB#1:DL	C-ORB#1:DL*	CHEB*	CHEB*	D/OIE*
CParrish	DWigginton;ps	SVarga	RFerguson	VBenaroya	DeYoung
4/3 /84	4/16/84	4/3 /84	4/3/84	4/3 /84	4/3/84
AD/MCET*	ORB#5*	WShields*	AD:OR:DL*	D:NRR	
WJohnston	TWambach	OELD	GLainas	DEisenhut	
4/3 /84	4/3/84	4/3 /84	4/4 /84	4/18/84	

Docket Nos. 50-315
and 50-316

DISTRIBUTION
Docket File
NRC PDR
L PDR
ORB#1RDG
Gray File
DEisenhut
OELD
EJordan
JNGrace
CParrish
ACRS (10)
DWigginton
TWambach
VBenaroya
RFerguson
GLainas

Mr. John Dolan, Vice President
Indiana and Michigan Electric Company
c/o American Electric Power Service Corporation
1 Riverside Plaza
Columbus, Ohio 43216

Dear Mr. Dolan:

The staff has completed its review of the Indiana and Michigan Electric Company's (IMEC) submittals dated March 8, 1984, and March 16, 1984, regarding the schedule for completion of fire protection modifications at the D. C. Cook facility. The staff finds that the detailed schedule presented in your March 8 submittal is acceptable, and that adequate compensatory fire protection measures as detailed in your March 16, 1984 letter will be taken to ensure the public health and safety pending completion of this work. You will therefore be expected to meet this schedule, and to notify the NRC immediately if any slippage is expected.

A formal schedular exemption is not enclosed for the following reasons. By the time of the D. C. Cook inspection in April 1982, which gave rise to your later submittals, the deadline for taking advantage of the "tolling provision" of 10 CFR 50.48(c)(6), i.e., within 30 days after the effective date of the fire protection rule, had passed. Therefore, the schedules in Section 50.48(c) commenced for D. C. Cook on the effective date of the rule. (While the alternative safe shutdown schedule does not commence until NRC approval, Section 50.48(c)(5) required that the design for such a system be submitted within 30 days after the effective date of the rule.) In cases where the 50.48(c) deadlines have already expired for a facility, we believe a formal schedular exemption is inappropriate. However, NRC acceptance of your proposed schedule and interim actions constitutes our recognition that IMEC is currently working toward meeting the intent of 10 CFR 50.48 and Appendix R. We would expect that the NRC inspection of your facilty to verify compliance with the requirements of 10 CFR 50.48 and Appendix R, would be scheduled for a date after expiration of your approved schedule.

Sincerely,

Darrell G. Eisenhut, Director
Division of Licensing

cc:
See next page

ORB#1:DL	ORB#1:DL	C-ORB#1:DL	CHEB	CHEB	D:DL
CParrish	DWigginton;ps	SVarga	RFerguson	VBenaroya	DEisenhut
4/3/84	4/3 /84	4/3/84	4/3 /84	4/ 3/84	4/3/84
					see marked original
ADL:MOET	ORB#5		AD:OR:DL	D:NRR	
WJohnston	TWambach	W. Shields OELD	GLainas	DEisenhut	
4/3 /84	4/3/84	4/3/84	4/4/84	4/ /84	