May 6, 1985

Docket Nos. 50-316

MEMORANDUM FOR: Steven A. Varga, Chief
Operating Reactors Branch #1
Division of Licensing

FROM: David L. Wigginton, Project Manager
Operating Reactors Branch #1
Division of Licensing

SUBJECT: FORTHCOMING MEETING WITH INDIANA AND MIGHIGAN ELECTRIC COMPANY REGARDING CYCLE 6 RELOAD APPLICATION

DATE & TIME: Thursday, May 30, 1985
10:00 a.m. - 3:00 p.m.

LOCATION: Phillips Building, Room P-114
Bethesda, Maryland

PURPOSE: To discuss D. C. Cook Unit 2 reload application; ECCS and transients analyses.

PARTICIPANTS:

NRC: D. Wigginton, J. Guttman, R. Jones, N. Lauben

AEP: J. Feinstein, M. Cleveland, V. VanDerberg

ENC: R. Stout, W. Kaysa, G. Owsley

David L. Wigginton, Project Manager
Operating Reactors Branch #1
Division of Licensing

ORB#1:DL DW
DWigginton/ts
05/6/85

MEETING NOTICE DISTRIBUTION

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Receptionist
ACRS (10)
Resident Inspector
Regional Administrator
M. Schaaf
C. Parrish
P. Morriette

NRC Participants

D. Wigginton
J. Guttman
R. Jones
N. Lauben

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

April 4, 1986

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DOCKET No. 50-316

MEMORANDUM FOR: John Phillips, ADM

FROM: Office of Nuclear Reactor Regulation

SUBJECT: Donald C. Cook Nuclear Plant, Unit No. 2 (Indiana and Michigan Electric Company)

One signed original of the *Federal Register* Notice identified below is enclosed for your transmittal to the Office of the Federal Register for publication. Additional conformed copies (5) of the Notice are enclosed for your use.

- [ ] Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
- [ ] Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s): Time for Submission of Views on Antitrust Matters.
- [x] Notice of Consideration of Issuance of Amendment to Facility Operating License.
- [ ] Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
- [ ] Notice of Availability of NRC Draft/Final Environmental Statement.
- [ ] Notice of Limited Work Authorization.
- [ ] Notice of Availability of Safety Evaluation Report.
- [ ] Notice of Issuance of Construction Permit(s).
- [ ] Notice of Issuance of Facility Operating License(s) or Amendment(s).
- [ ] Order.
- [ ] Exemption.
- [ ] Notice of Granting of Relief.
- [ ] Other: _____

Office of Nuclear Reactor Regulation

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DOCKET No. 50-316

MEMORANDUM FOR: ~~Rules and Service Branch~~ John Phillips, ADM
Office of the Secretary of the Commission

FROM: Office of Nuclear Reactor Regulation

SUBJECT: Donald C. Cook Nuclear Plant, Unit 2 (INDIANA AND MICHIGAN ELECTRIC COMPANY)

One signed original of the *Federal Register* Notice identified below is enclosed for your transmittal to the Office of the Federal Register for publication. Additional conformed copies (6) of the Notice are enclosed for your use.

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- [ ] Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s): Time for Submission of Views on Antitrust Matters.
- [x] Notice of Consideration of Issuance of Amendment to Facility Operating License.
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- [ ] Notice of Granting of Relief.
- [ ] Other: _____

Office of Nuclear Reactor Regulation

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OFFICE	PWR-A:PAD4						
SURNAME	MDuncan						
DATE	1/7/86						

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a prior hearing will be published in the Federal Register and, if a hearing is granted, it will be held before any amendment is issued.

The Commission is seeking public comments on this proposed determination of no significant hazards consideration. Comments on the proposed determination may be telephoned to B. J. Youngblood, Project Director, PWR Project Directorate #4, Division of PWR Licensing-A, by collect call to 301-492-7000 or submitted in writing to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attn: Docketing and Service Branch. All comments received by January 24, 1986, will be considered in reaching a final determination. A copy of the application may be examined at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. and at the Maude Preston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085.

Dated at Bethesda, Maryland, this

FOR THE NUCLEAR REGULATORY COMMISSION

15

B. J. Youngblood, Director
PWR Project Directorate #4
Division of PWR Licensing-A

1/6/86

no fee note 1/2/85 memo

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12/23/85	12/23/85	12/27/85	1/6/86

JAN 0 6 1986

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

INITIAL

NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

AND NOTICING ACTION

Docket No. 50-316 Facility: Donald C. Cook Nuclear Plant, Unit 2

Licensee: Indiana & Michigan Electric Co. Date of application December 13 and 19, 1985

Request for: See attached Notice

(See attached notice or press release for more details.)

Initial Determination

(XX) Proposed determination - amendment request involves no significant hazards considerations (NSHC).

( ) Final determination - amendment request involves significant hazards considerations (SHC).

Basis for Determination:

(XX) Licensee's NSHC discussion has been reviewed and is accepted. See attached amendment request.

( ) Basis for this determination is presented in the attached notice.

(XX) Other (state): See attached Notice

(Attach additional sheets as needed)

Initial Noticing Action: (Attach appropriate notice or input for biweekly FRN)

1. ( ) Biweekly FRN. Notice of opportunity for hearing (30 days) and request for comments on proposed NSHC determination -- biweekly FRN input is attached (Attachment 8).

2. ( ) Individual FRN (30 days). Same notice matter as above. Time does not allow waiting for next biweekly FRN (Attachments 9a and 9b).

3. ( ) Local media notice FRN. Valid exigent circumstances exist (evaluated below). Local media notice requesting public comments on proposed NSHC determination is attached (Attachment 10).

4. ( ) No notice. A valid emergency situation exists (evaluated below) and there is no time for public notice on proposed NSHC determination (No attachment).

5. ( ) Individual FRN (30 days). Licensee's claim of exigent or emergency circumstances is invalid (evaluated below). Notice of opportunity for hearing (30 days) and request for comments on proposed NSHC determination is attached (Attachments 9a and 9b). Letter of explanation to licensee is also attached.

6. ( ) Individual FRN (30 days). The amendment request involves SHC. Notice of opportunity for prior hearing is attached (Attachment 5). Letter to licensee also attached.

7. (XX) Individual Short FRN. Valid emergency circumstances exist (evaluated below). There is no time for the usual 30-day FRN (Attachment 16).

Evaluation of exigent or emergency circumstances (if applicable): Licensee has provided information on December 13 and 19, 1985. Licensee does not need until January 29, 1986. However, with the holidays and strong possibilities thath FR will not make schedules, a short notice is prepared and comments requested by Jan. 24, 1986. Will have 2 days to resolve.

Approvals: Date

1. D. Wigginton (Project Manager) 12/23/85

2. B. J. Youngblood 1/6/86

3. (OELD) 12/20/85

Additional approval (for noticing action types 3, 4, 5, 6 and 7)

4. (Assistant Director)

Additional approval (for noticing action types 4 and 5)

5. (Director, Division of Licensing)

Attachment: As indicated

cc: Original - Docket File
PM
LA

UNITED STATES NUCLEAR REGULATORY COMMISSION 7590-01

INDIANA AND MICHIGAN ELECTRIC COMPANY

DOCKET NO. 50-316

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

The U. S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-74 issued to Indiana and Michigan Electric Company (the licensee) for operation of the Donald C. Cook Nuclear Plant, Unit No. 2 located in Berrien County, Michigan.

The amendment would extend the 18 month surveillance frequency by 2 months for testing the reactor trip system instrumentation, the engineered safety feature actuation system instrumentation, the containment sump level and flow monitoring instrumentation, the reactor coolant system relief and block valve instrumentation, the reactor coolant pump spray headers, the electrical power systems including: the alternate source, diesel generator and batteries, the energy core cooling system subsystem, some snubbers, and inspection of the divider barrier seal. These revisions to the technical specifications would be made in response to the licensee's application for amendment dated December 13, 1985 as supplemented by letter dated December 19, 1985.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant

increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The 18 month surveillance requirements are part of the periodic tests to assure operability of safety systems and components. The Technical Specifications provide additional margin in the frequency of these tests; however, D. C. Cook Unit 2 will begin to exceed the margin by the end of January 1986. The request to extend the 18 month limit until the end of March 1986 is supported by the licensee's justification that operation has been demonstrated on a less frequent basis or that a visual inspection of passive components will be performed to the extent practical. The extension requested by the licensee would, for the most part, allow the plant to finish operation on the current fuel cycle and defer for up to two months the detailed operability surveillance requirements with all the proper procedures. There are no proposed changes to the equipment, instrumentation, setpoints, or operation which would further question the safety significance or alter previous hazards analyses for the D. C. Cook Unit 2.

For the reactor trip system instrumentation, the engineered safety feature actuation system instrumentation, and the reactor coolant system pressure relief and block valve instrumentation, the monthly functional tests are more stringent than required. These tests demonstrate functionality and verify calibration of trip setpoints, actuation, and alarms. The response times for the systems were demonstrated as late as November and mid December except for the pressure relief valves which were cycled during September 1985. The containment sump level and flow monitoring instrumentation has also shown no indication of problems during surveillance required by the current Technical Specifications. The diesel

generators were run and paralleled to their busses on November 17 and December 2, 1985 which demonstrated their operability and the licensee has visually inspected the batteries to insure there is no significant physical deterioration. On November 11, 1984, a safety injection actuation occurred and all systems operated properly and all valves were correctly aligned. The emergency core cooling system throttle valves used for flow balancing had been locked in place since the last surveillance assuring that the flow balance has not changed. Therefore, the operability of the above systems including valve line-ups has been demonstrated during the current fuel cycle on a less frequent basis than 18 months and it is unlikely that the 2 month extension will contribute to or result in inoperability of the systems.

There are three passive systems involved in the 2 month extension. The spray header for the reactor coolant pumps area is inside containment and is not expected to be subject to deterioration for the extension period. The divider seal barrier was last inspected in March 1984 and showed the seal in good condition; no degradation is expected. Some snubber tests will be affected by the extension and the licensee has committed to visually inspect the accessible snubbers for any sign of physical deterioration such as loss of fluid, rust, etc, that may affect operation. Inaccessible snubbers, due to ALARA considerations, will not be inspected.

The Commission has considered the licensee's proposed changes in light of the three criteria for amendment requests involving no significant hazards consideration. First, there are no changes to equipment, setpoints or operation of active systems for which operability has been sufficiently demonstrated less frequently than 18 months, and therefore, the proposed amendment would not involve a significant increase in the probability or consequences of an accident previously

evaluated. For the passive systems, we agree that any additional deterioration of spray headers or the barrier seal penetration for 2 months will be insignificant and the licensee will visually inspect the batteries and most of the snubbers involved. There may be some increase in the probability of non-inspected snubbers to fail but this increase is not significant and the consequences of previously evaluated accidents are unaffected by the proposed extension.

Second, since accidents which might be caused by inoperability or the possible failure of a few snubbers during the extended inspection interval are the same as those previously evaluated, the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Third, since operability has been sufficiently demonstrated and the licensee will inspect most of the affected snubbers during the remainder of the interval, the reduction in safety margin is considered to be insignificant. Therefore, based on these considerations and the three criteria given above, the Commission has made a proposed determination that the amendment request involves no significant hazards consideration.

The Commission has determined that failure to act in a timely way would result in shutdown of Unit 2. Therefore, the Commission has insufficient time to issue its usual 30-day notice of the proposed action for public comment.

If the proposed determination becomes final, an opportunity for a hearing will be published in the Federal Register at a later date and any hearing request will not delay the effective date of the amendment.

If the Commission decides in its final determination that the amendment does involve a significant hazards consideration, a notice of opportunity for

a prior hearing will be published in the Federal Register and, if a hearing is granted, it will be held before any amendment is issued.

The Commission is seeking public comments on this proposed determination of no significant hazards consideration. Comments on the proposed determination may be telephoned to B. J. Youngblood, Project Director, PWR Project Directorate #4, Division of PWR Licensing-A, by collect call to 301-492-7000 or submitted in writing to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attn: Docketing and Service Branch. All comments received by January 24, 1986, will be considered in reaching a final determination. A copy of the application may be examined at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. and at the Maude Preston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085.

Dated at Bethesda, Maryland, this 7th day of January 1986.

FOR THE NUCLEAR REGULATORY COMMISSION

B. J. Youngblood, Director
PWR Project Directorate #4
Division of PWR Licensing-A

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

January 6, 1986

Docket No.: 50-316

MEMORANDUM FOR: Thomas M. Novak, Acting Director
Division of PWR Licensing-A, NRR

THRU: B. J. Youngblood, Director
PWR Project Directorate #4
Division of PWR Licensing-A, NRR

FROM: D. L. Wigginton, Project Manager
PWR Project Directorate #4
Division of PWR Licensing-A, NRR

SUBJECT: REQUEST FOR EMERGENCY NOTIFICATION OF LICENSE AMENDMENT FOR D. C. COOK UNIT 2 - ASSESSMENT OF TIMELY SUBMITTAL

On December 13, 1985, the Indiana and Michigan Electric Company requested an amendment to the Technical Specifications to extend the 18 month surveillance requirements for some systems that could only be accomplished during a long outage; usually a refueling outage. The licensee did not ask for an emergency Technical Specification change because it was believed that it could be noticed for the full 30 day comment period prior to the issuance of an amendment. The licensee's submittal was inadequate with regards to the justification of the no significant hazards consideration and a request was made for docketed information to support a notice. On December 19, 1985, the licensee submitted the additional information, however, this soon proved to be insufficient time to process the application as an individual notice for the full 30 day comment period. Under normal circumstances a notice might have been issued for a 30 day period but this would have required expeditious action by the NRC and the Federal Register. While we were preparing the notice we learned that the Federal Register would have problems in publishing the notice during the Christmas and New Year holiday due to reduced staff. On January 3, 1986, these problems were discussed with the licensee who was unaware that the notice had not yet been published. On January 6, 1986 in a letter to the NRC, the licensee requested that the notice be published as an emergency since a plant shutdown would be required on January 29, 1986 without the license amendment. The licensee has also stated that his submittals and attempts to provide supplemental information were expedited and made in good faith to not take advantage of the provision of 10 CFR 50.91(a)(5) in creating a need for an emergency technical specification change. Our assessment of the licensee's position is as follows.

The basis for the licensee's late initial submittal appears to be tied to the licensee's uncertainty on approval by the Commission for extension of the environmental qualification deadline beyond November 30, 1985. The licensee had made a good effort to complete the outstanding efforts for environmental

qualification but the only Commission action at that time on extensions was the denial of an extension for Brunswick. The licensee was hesitant to expect favorable Commission action and saw no need to submit a technical specification change if they too were to be shutdown by November 30, 1985. However, upon approval by the Commission of the extension, the licensee was then faced with several changes to licensing requirements; this amendment request was one. The next delay, until December 13th, was the result of the licensee's review process. The licensee has attempted to write completely defensible technical specifications to avoid continuing compliance action and, as in the past, this has resulted in delays of submittals. On December 13th, the application was made with reasonably good technical specifications but without a complete justification for no significant hazards consideration. Our request for a complete submittal and the response on December 19th did not adequately consider the holiday weeks to follow and the possibility of other than usual delays.

The compliance dilemma and the effect it is having on timely licensing submittals has been brought to the licensee's attention and while we agree that there was uncertainty on extension of the environmental qualification deadline, the delay in submittal of the surveillance extension until after Commission approval did not leave sufficient time to process the notice. This too has been discussed with the licensee. In taking all of the above into consideration, we do not believe that the licensee intentionally delayed their submittals to create an emergency situation and take advantage of a shortened comment period. It is recommended that the notice be approved and issued immediately as an emergency notice. This assessment will be sent to the local public document room with the notice and the state will be informed of our actions.

Your concurrence in the short notice approach is requested.

D. L. Wigginton, Project Manager
PWR Project Directorate #4
Division of PWR Licensing-A, NRR

Thomas M. Novak, Acting Director (Approved)

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

May 22, 1984

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DOCKET No. 50-316

MEMORANDUM FOR: Docketing and Service Branch
Office of the Secretary of the Commission

FROM: Office of Nuclear Reactor Regulation

SUBJECT: INDIANA AND MICHIGAN ELECTRIC COMPANY
DONALD C. COOK NUCLEAR PLANT, UNIT NO. 2

One signed original of the *Federal Register* Notice identified below is enclosed for your transmittal to the Office of the Federal Register for publication. Additional conformed copies (6) of the Notice are enclosed for your use.

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- [ ] Notice of Availability of Safety Evaluation Report.
- [ ] Notice of Issuance of Construction Permit(s).
- [X] Notice of Issuance of Facility Operating License(s) or Amendment(s).
- [ ] Order.
- [ ] Exemption.
- [ ] Notice of Granting of Relief.
- [ ] Other: Dated May 22, 1984. RE: TS on nuclear enthalpy rise hot channel factor and power level as a result of emergency core cooling system/loss of coolant accident analysis with up to 5% of the steam generator tubes plugged.

Division of Licensing, ORB#1
Office of Nuclear Reactor Regulation

Enclosure:
As stated

OFFICE	ORB#1:DL					
SURNAME	CParrish					
DATE	5/22/83					

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