



INDIANA & MICHIGAN ELECTRIC COMPANY

DONALD C. COOK NUCLEAR PLANT
P.O. Box 458, Bridgman, Michigan 49106
(616) 465-6901

March 11, 1982

Donald C. Cook Nuclear Plant Unit Nos. 1 and 2
Docket Nos. 50-315 and 50-316
License Nos. DPR-58 and DPR-74
IE INSPECTION REPORT 50-315/81-29; 50-316/81-33

Mr. J. G. Keppler, Regional Administrator
U.S. Nuclear Regulatory Commission
Region III
799 Roosevelt Road
Glen Ellyn, IL 60137

Dear Mr. Keppler:

This is to acknowledge receipt of and to respond to your letter of February 23, 1982 forwarding IE Inspection Report 50-315/81-29; 50-316/81-33.

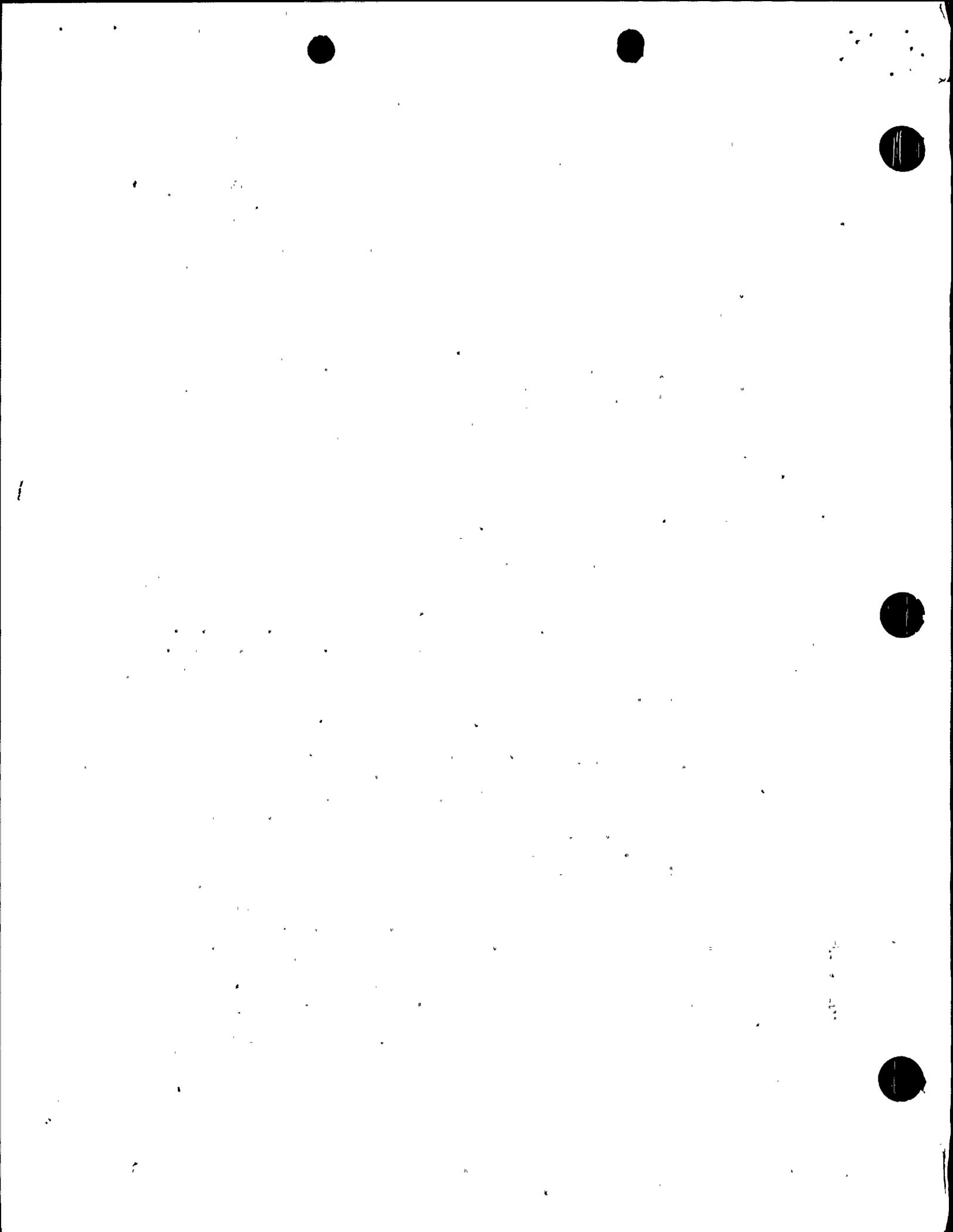
In your letter you note that there were no items of noncompliance with NRC requirements identified during the course of the inspection. However, you note, further, that certain of our activities, discussed in paragraphs 12.b and 12.c of the report, are cause for continued concern as giving the appearance of being symptomatic of certain management weaknesses you previously discussed with us during the August 4/November 2, 1981 enforcement meetings. Your letter requests we provide a written discussion of the prescribed events and the actions we have taken to improve our management systems in order to prevent recurrence of similar events.

Before responding directly to your request, there are several matters that have emerged, from participating in some of the exit interviews related to this report and seeing their translation into final form, on which I feel comment is necessary. Resolution of these matters, to a degree, has been achieved as discussed below.

In a January 22, 1982 exit interview NRC Senior Resident Inspector Mr. E. Swanson discussed the two events described ultimately in paragraphs 12.b and 12.c of the report, identifying them as noncompliances in the category of intentional disregard of Technical Specifications required actions. (His discussion included the observation that the "red phone" could possibly be used to gain emergency relief from Tech. Spec. requirements in future situations similar to the 85# header problem. Immediate action was taken to publish this observation for the use of operating personnel).

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In a related exit interview, conducted February 16, 1982, which Messrs. Knop and Hayes attended, these two events were again brought up by Mr. Swanson, referring to his January 22, 1982, introduction of them as items of noncompliance. Mr. Swanson stated that one of the reasons for Messrs. Knop and Hayes to be in attendance was to address these two events. (Another was to meet me and possibly exchange philosophies which I think, although my remarks were taken positively by NRC personnel present, caused some of the resulting confusion).

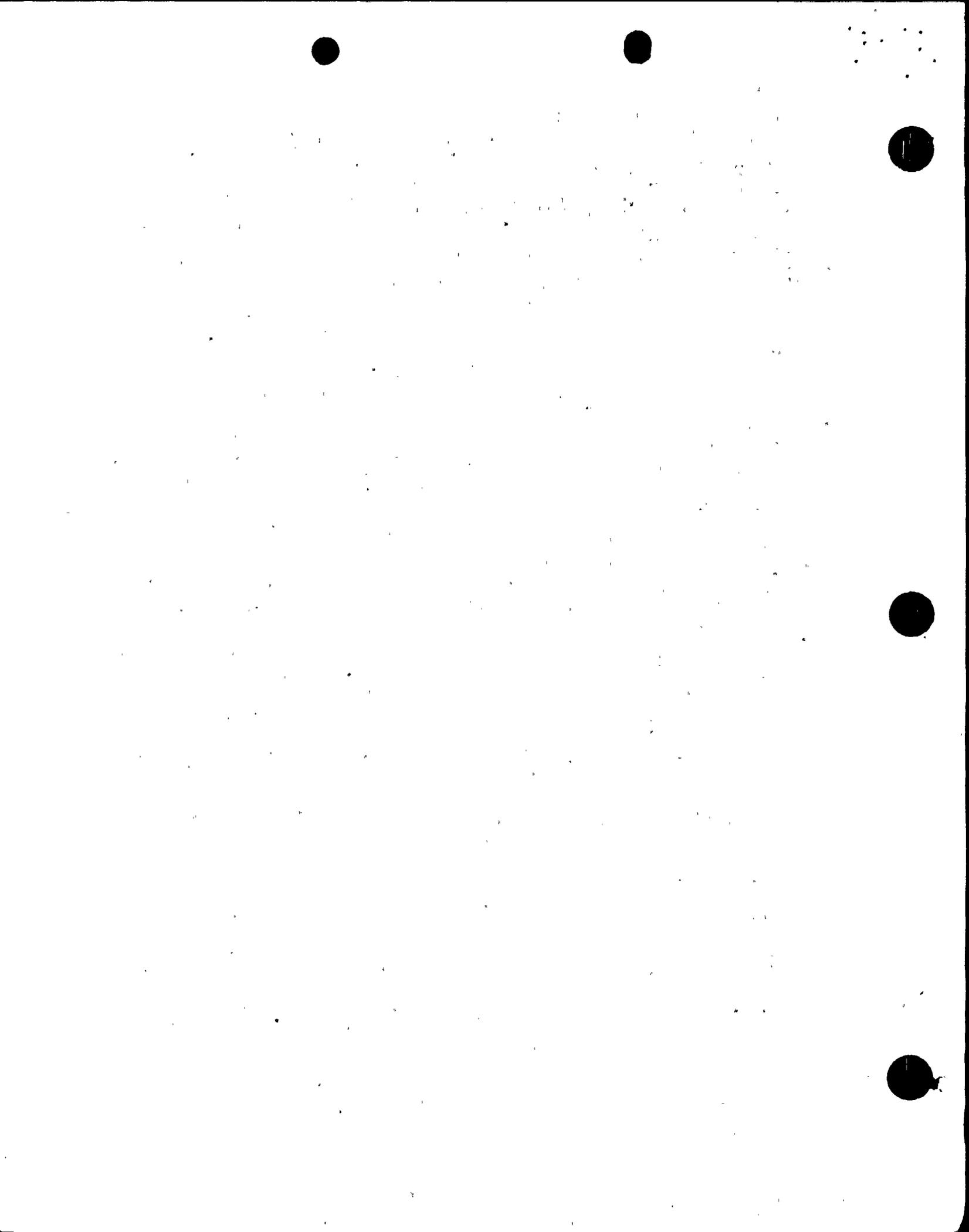
Mr. Hayes began what appeared at the time to be and, in retrospect, clearly appears to have been, an orchestrated statement by saying that while these two events were, of themselves, insignificant, one of his concerns always was that a series of minor occurrences could be setting the stage for a major problem. Thinking that to be a statement of or a question on philosophy (Mr. Swanson and I have used the exit interview forum to relate our philosophies for mutual benefit and the benefit of my staff in attendance) I agreed with his observation, relaying that this had always been a corollary in my nuclear experience - "pay attention to small things to avert big problems." Mr. Knop then spoke briefly on the necessity for escalated enforcement action with "some plants" to bring their attention to bear on details. I clearly misread his intent (obviously, now, directed to Cook Plant) and took the opportunity to express, primarily for the benefit of my staff in attendance, my past practice of and intention to operate sufficiently "above the line" that the inevitable dips would not be cause for concern regarding attention to detail, determination to correct underlying causes, etc. I acknowledged that the NRC always has the option of escalated enforcement action, but that that is not what drives me (i.e., I don't run "looking behind me" - it slows me down in the quest for excellence). There was little or no further discussion of these two events in the remainder of the exit interview.

In the discussion following paragraph 12.c of the report, these two events, rather than being described as "noncompliances of intentional disregard of Technical Specifications required actions", are addressed as follows:

"Although the two plant events discussed in (b) and (c) above did not violate Technical Specifications, since action statements were met, they do appear to be contrary to the intent of the T/S and raise concerns as to the effectiveness of plant corrective actions"

While not germane to the issues raised in this letter, this description appears to be a reduction in the classification of the two events. However, my concern is over the statements which follow the above excerpt from the report and the implications of one sentence in paragraph 14 of the report:

"..... and to the knowledge or understanding of the Technical Specifications requirements by plant personnel. These events are among the topics to be discussed at future management meetings, and since they appear to be symptomatic of management weaknesses discussed in previous enforcement meetings, the licensee is being requested to respond to these concerns."



Paragraph 14 (Exit Interview) contains the following sentence:

".... The licensee acknowledged the concerns expressed in Paragraph 12 of this report and the discussions relative to these events"

The latter two concerns were neither specifically stated nor discussed in the exit interviews in which these two events were brought up by the NRC representatives. (For that matter, the first "concern" was not specifically stated, only as discussed above). NRC representatives Messrs. Knop and Hayes, to my observance, were neither reading from a prepared text nor taking notes. Neither my personal notes of the exit interviews nor the "official" minutes prepared by the plant include these statements. They appear to represent pre-exit conclusions or post-exit editorializing. In either event, they were in no manner "acknowledged by the licensee" - since they weren't presented for acknowledgement - and the statement to this effect in paragraph 14 of the report, quoted above, is incorrect.

I reviewed this observation in some detail, with your Messrs. Swanson and Hayes, within 10 days of the date of your letter, requesting that this report not be made public until the matter was resolved. My two proposals were to either recall the Inspection Report and reconduct the exit interview - since there were several involved during the course of this inspection, with different licensee management in attendance - or simply delete the one sentence from Paragraph 14 prior to making the report a matter of public record. Failing either of those pursuits, I explained, I would feel compelled to take formal exception to that statement.

Both Messrs. Swanson and Hayes took the time to review the process of generating an IE Report from submission by the Resident to final approval and issue - a process that often involves changes to the original version. I fully understand and have no difficulty with that process so long as it does not expand the envelope of commitments or acknowledgements for which I will thereby be obligated. In my discussions with Messrs. Swanson and Hayes I repeatedly stressed this point and that my interest in informally correcting the erroneous impression was in order not to respond to the report in what could be construed as a negative manner. Mr. Swanson and I have discussed on several occasions and are in agreement that an adversary relationship between the Plant and the NRC Inspector/Office is counter-productive. I feel that we will both make every effort to avoid that situation and my request regarding this report was in order to avoid even the appearance of such a relationship.

Both Messrs. Swanson and Hayes have explained that, since the report had been issued to a wide distribution, post-issue correction/revision in the manner that I requested was not possible. The alternative extended was that a statement correcting the misunderstanding would be included in the next inspection report issued. I sincerely regret that the matter could not be handled informally, necessitating this inclusion in the Plant response to the inspection report and subsequent correction by the NRC.



I have reviewed the genesis, evolution, and intent of the preparation of exit interview minutes by the Plant, together with the conduct of the exit interview. Changes necessary to preclude similar misunderstandings and eliminate the potential for the Plant to be put in the position of having acknowledged concerns or statements to which they are not privy have been implemented. (None of these changes are contrary to the intent of or discussion on this topic contained on page 4, paragraph 7 of licensee letter AEP:NRC:0625A of January 25, 1982). There will be no further philosophizing on my part in the exits, in order to eliminate any possible confusion of my statement of philosophy or how I intend to operate as being an acknowledgement that an event was either caused by or contributed to as a result of prior absence of similar operating philosophy.

With regard to the inspection report and your specific request:

- a) Paragraph 2 Followup on Previous Inspection Findings (Open) Unresolved Item (315/80-01-03; 316/80-01-03) - a clarification of the licensee's position regarding qualification of Performance Engineering group engineers who perform leak rate tests will be provided to the resident inspector by March 31, 1982.
- b) Paragraph 7 Plant Trips - Unit 2 tripped at 1717 hours January 16, 1982. (The report indicates that this trip and return to operation occurred on the same date - January 17, 1982).
- c) Paragraph 12 Licensee Event Reports -
 1. Item 12.a - The licensee will make a submittal on this topic (FQZ) by March 31, 1982.
 2. Item 12.b & 12.c - revised LER's were submitted on these events (copies are attached for your convenience). Included in the revisions are discussions of the actions considered to be appropriate and taken to prevent recurrence of similar events. These actions are considered to be sufficient to correct the underlying causes of the events. In view of the NRC's stated intent to pursue these two (2) events at future management meetings, no further discussion appears appropriate at this time.
- d) Paragraph 13 Plant Organization - At the January 22, 1982, exit interview the Plant responded to an informal request from the NRC Inspector by agreeing to provide an update on AEPSC's August 17, 1979 (NRC:0236) submittal relative to staff qualifications, stating that such an update was in preparation at that time. At the February 16, 1982, exit, the NRC Inspector inquired as to the status of his informal request. He was advised that the update was being prepared and would be available by the end

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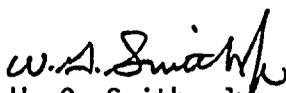
of February, 1982. Since that time, the inspector has been provided with updated Plant staff resumes and a schedule for submission of updated AEPSC resumes. He has also been advised that appropriate Technical Specification revisions would be submitted for consideration by April 30, 1982.

This section of the report includes a paragraph stating that numerous questions/concerns remain unresolved regarding qualification, responsibilities, licensee requirements and authority. On receipt of the report, I confirmed with the inspector that the licensee had neither been provided with a list of nor asked these questions. On learning that the statement was included as the background leading to the original, informal request for an update, I requested the inspector to present such information in future reports in a manner to avoid the implication that the licensee had been asked a series of questions to which they could not respond.

- e) Paragraph 14 Exit Interview - For reasons stated previously, the licensee takes exception to the statement that we acknowledged the concerns expressed in Paragraph 12 of the report and the discussions relative to these events.

If there are any questions on the content of this letter or if I can be of any further assistance, please do not hesitate to contact me.

Sincerely,


W. G. Smith, Jr.
Plant Manager

WGS:pmk

cc: J. E. Dolan - Columbus
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Joe Williams, Jr.
NRC Resident Inspector at Cook Plant - Bridgman



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