

JAN 24 1992

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Docket No. 50-316

Indiana Michigan Power Company
ATTN: Mr. E. E. Fitzpatrick
Vice President
Nuclear Operations Division
1 Riverside Plaza
Columbus, OH 43216

Dear Mr. Fitzpatrick:

We have reviewed your letter dated January 23, 1992, (AEP:NRC:1172) documenting your oral request for a one-time basis Waiver of Compliance from Donald C. Cook Plant Unit 2 Technical Specifications, Sections 3/4 1.2.8 and 3/4 5.5. These Technical Specifications require, among other things, that the Refueling Water Storage Tank (RWST) boron concentration must be between 2,400 ppm and 2,600 ppm. You requested relief from the upper limit. A copy of your letter is enclosed.

The circumstances leading to this request were that, following transfers of water among various storage tanks onsite, including a consequential increase in RWST contained volume, you discovered the RWST boron concentration was above 2,600 ppm. The highest sample had a concentration of 2,644 ppm. In compliance with applicable Technical Specifications referenced above, you declared the RWST inoperable at 6:30 a.m. (EST) on January 22, 1992. You initiated an orderly plant shutdown at 8:22 a.m. to ensure compliance to a time limit of 1:30 p.m. for achieving hot standby.

Concurrently, you performed an evaluation of the safety significance of the out-of-specification condition. The limit in question was established to control post-accident pH within analyzed bounds. In the current plant conditions, with reduced boric acid concentration in the primary coolant system, post-accident pH would remain within analyzed bounds with a RWST boron concentration up to 2,872 ppm. Therefore, the proposed waiver retains conformance to analyzed conditions and the margin of safety is not reduced. You contacted this office, and the Office of Nuclear Reactor Regulation (NRR), with a verbal request for a Waiver of Compliance. A joint conference call among your staff at both the plant and the corporate office, staff of NRC Region III, and NRR personnel, was conducted. We gave a verbal authorization at 11:15 a.m. (EST) temporarily waiving the subject boron limit, because there was no consequent safety risk.

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Indiana Michigan Power Company

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The verbal waiver was also premised on the following conditions:

1. RWST upper boron concentration was not to exceed 2,700 ppm.
2. With one containment spray (CS) pump in use for RWST recirculation, no work was to be permitted on the other CS train.
3. Procedures or instructions were to be put in place to restore the CS pump from recirculation to emergency mode if needed.
4. Any plant anomalies associated with RWST boron is to be immediately reported to the NRC Resident Inspector.
5. Duration was limited to six days or such earlier time as concentration is returned to specification.

We understand that you have determined that your request for a temporary Waiver of Compliance meets the eligibility criteria in 10 CFR 51.22(c)(9) and that pursuant to 10 CFR 51.22(b), no environmental impact statement need be prepared.

We granted the requested relief on January 22, 1992, based on the minimal increase in risk associated with delaying a plant shutdown to allow time to restore full compliance. Requiring an immediate plant shutdown could result in an unnecessary thermal cycle on the plant. This letter constitutes written Waiver of Compliance under the same terms and conditions specified above in the discussion of the verbal waiver. Specifically, Items 1. through 6. remain in effect. If these conditions cannot be met during the waiver period, or if other Technical Specification actions not covered by the waiver may so require, we understand that you will promptly initiate an orderly shutdown.

Sincerely,

Carl J. Paperjello for

A. Bert Davis
Regional Administrator

Enclosure: As Stated

See Attached Distribution

(YES)
RIII
(P)
Jorgensen/dp

RIII
WS
Shafer
1/23/92

*Per Telecon
w/ E. Leeds*
RIII
WS
Zwolinski
1/23/92

yes
RIII
CP
Pederson
1/23/92

RIII
AM
Miller
1/24

RIII *M for*
Greenman
1/24/92

RIII
CP
Paperjello
1/24/92

yes
CP
Davis
1/24/92

JAN 14 1982

Indiana Michigan Power Company

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Distribution

cc w/enclosure:

A. A. Blind, Plant Manager

DCD/DCB (RIDS)

OC/LFDCB

Resident Inspector, RIII

James R. Padgett, Michigan Public

Service Commission

EIS Coordinator, USEPA

Region 5 Office

Michigan Department of

Public Health

D. C. Cook, LPM, NRR

T. E. Murley, Director, NRR

J. Lieberman, Director, OE

M. Boyle, Technical Assistant,

DRP I/II, NRR

E. Leeds, Technical Assistant,

DRP III/IV/V, NRR

B. A. Boger, Director, DRP III/IV/V,

NRR

L. B. Marsh, Directorate III, NRR

PDR



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
799 ROOSEVELT ROAD
GLEN ELLYN, ILLINOIS 60137

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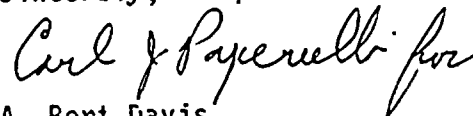
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Sincerely,



A. Bert Davis
Regional Administrator

Enclosure: As Stated

See Attached Distribution

Indiana Michigan Power Company

3

Distribution

cc w/enclosure:

A. A. Blind, Plant Manager

DCD/DCB (RIDS)

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Resident Inspector, RIII

James R. Padgett, Michigan Public
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NRRL. B. Marsh, Directorate III, NRR
PDR