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UNITED STATES NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

February 4, 1997

Mr. E. E. Fitzpatrick, Vice President Indiana Michigan Power Nuclear Generation Group 500 Circle Drive Buchanan, MI 49107

SUBJECT: REQUEST FOR ASME CODE RELIEF FROM REQUIRED LEAKAGE TESTS FOR DONALD C. COOK NUCLEAR PLANT, UNIT 1 (TAC NO. M96356)

Dear Mr. Fitzpatrick:

9702040325 970204 PDR ADDCK 05000315;

I & PDR

By letter dated June 28, 1996, you requested relief from the requirements of section XI of the ASME Code for the in-service inspection of the Unit 1 boron injection line downstream of the centrifugal charging pumps and the Unit 1 safety injection line downstream of the safety injection pumps. Based on our review, however, we find that relief would be inapplicable. Your request for relief resulted from an incorrect implementation of ASME Code Case N-498-1. The Code Case is itself a relief from ASME Code Requirements and does not require additional relief, and after the fact relief from a test that was performed incorrectly is not appropriate.

Your request does raise an issue of compensatory actions for non-conformance with Code requirements. The tests as required by ASME Code and Code Case N-498-1 were not performed at sufficient pressures. However, with regard to your intended performance of the required tests during the next refueling outage, currently scheduled to begin on February 28, 1997, we find this to be a reasonable compensatory action based on the following.

- 1. Shutting the plant down to perform the required tests immediately is not justified by adequate safety concerns, especially considering the unit will be shut down and the test will be performed in 2 to 3 months.
- 2. As indicated in your submittal, the welds on the components have been examined during the first and second 10-year ISI intervals, using NDE in accordance with Section XI, and no indications were found. In addition, system leakage and pressure tests were performed at some pressure levels during the 1995 refueling outage, and no leakage was observed.
- 3. Safety Injection Systems and Boron Injection Systems experience extremely low occurrences of piping and component integrity failures. Should a severe failure occur, it would be detected by the flow monitoring devices.

Therefore, reasonable assurance is provided that the delayed performance of the tests would not pose an unacceptable threat to the public.

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Mr. E. E. Fitzpatrick Indiana Michigan Power Company

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cc:

Regional Administrator, Region III U.S. Nuclear Regulatory Commission 801 Warrenville Road Lisle, Illinois 60532-4351

Attorney General Department of Attorney General 525 West Ottawa Street Lansing, Michigan 48913

Township Supervisor Lake Township Hall P.O. Box 818 Bridgman, Michigan 49106

Al Blind, Site Vice President Donald C. Cook Nuclear Plant 1 Cook Place Bridgman, Michigan 49106

U.S. Nuclear Regulatory Commission Resident Inspector's Office 7700 Red Arrow Highway Stevensville, Michigan 49127

Gerald Charnoff, Esquire Shaw, Pittman, Potts and Trowbridge 2300 N Street, N. W. Washington, DC 20037

Mayor, City of Bridgman Post Office Box 366 Bridgman, Michigan 49106

Special Assistant to the Governor Room 1 - State Capitol Lansing, Michigan 48909

Drinking Water and Radiological Protection Division Michigan Department of Environmental Quality 3423 N. Martin Luther King Jr Blvd P. O. Box 30630 CPH Mailroom Lansing, Michigan 48909-8130 Donald C. Cook Nuclear Plant

Mr. Steve J. Brewer Indiana Michigan Power Nuclear Generation Group 500 Circle Drive Buchanan, Michigan 49107

August 1996

Please contact me at (301) 415-3017 if you have any questions regarding the above.

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Sincerely,

Original signed by:

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John B. Hickman, Project Manager Project Directorate III-3 Division of Reactor Projects - III/IV Office of Nuclear Reactor Regulation

Docket No. 50-315

cc: See Next Page

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Please contact me at (301) 415-3017 if you have any questions regarding the above.

Sincerely,

Original signed by:

John B. Hickman, Project Manager Project Directorate III-3 Division of Reactor Projects - III/IV Office of Nuclear Reactor Regulation

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