

# CATEGORY 1

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AUTH.NAME AUTHOR AFFILIATION  
 FITZPATRICK,E. American Electric Power Co., Inc.  
 RECIP.NAME RECIPIENT AFFILIATION  
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SUBJECT: Forwards response to violations noted in Insp Repts  
 50-315/96-14 & 50-316/96-14. Corrective actions: safety  
 screening & SE for DCP 49 revised on 961206, to document  
 potential implicit impact on SAR.

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Indiana Michigan  
Power Company  
500 Circle Drive  
Buchanan, MI 49107 1395



February 20, 1997

AEP:NRC:1238J  
10 CFR 2.201

Docket Nos.: 50-315  
50-316

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D. C. 20555

Gentlemen:

Donald C. Cook Nuclear Plant Units 1 and 2  
NRC INSPECTION REPORTS NO. 50-315/96014 (DRP)  
AND 50-316/96014 (DRP) REPLY TO NOTICE OF VIOLATION

This letter is in response to a letter from J. L. Caldwell, dated January 22, 1997, that forwarded a notice of violation to Indiana Michigan Power Company. The notice of violation contained one violation of NRC requirements identified during an NRC inspection conducted from October 13 through November 23, 1996. The violation is associated with the quality of safety screenings and evaluations.

Our reply to the violation is provided in attachment 1 to this letter. Attachment 2 provides minor corrections to the text in the inspection report and notice of violation.

Sincerely,

  
E. E. Fitzpatrick  
Vice President

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 20<sup>th</sup> DAY OF February, 1997

  
Notary Public

My Commission Expires: \_\_\_\_\_

jen

JAN WATSON  
NOTARY PUBLIC, BERRIEN COUNTY, MI  
MY COMMISSION EXPIRES FEB. 10, 1999

Attachment

cc: A. A. Blind  
A. B. Beach  
MDEQ - DW & RPD  
NRC Resident Inspector  
J. R. Padgett

9702280185 970220  
PDR ADOCK 05000315  
PDR

00048



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ATTACHMENT 1 TO AEP:NRC:1238J

REPLY TO NOTICE OF VIOLATION:  
NRC INSPECTION REPORT NOS. 50-315/96014 (DRP)  
AND 50-316/96014 (DRP)

During an NRC inspection conducted from October 13 through November 23, 1996, one violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions" (60 FR 34381; June 30, 1995), the violation and our response are listed below.

#### NRC Violation

"10 CFR 50.59, "Changes, tests and experiments," section (b)(1), requires, in part, 'The licensee shall maintain records of changes in the facility ... These records must include a written safety evaluation which provides the bases for the determination that the change ... does not represent an unreviewed safety question (USQ).'

Contrary to the above, the licensee failed to include in the written safety evaluation for Design Change Package 56 an adequate bases for the determination that the change to new models of isolation dampers in the spent fuel pool ventilation system did not represent a USQ.

This is a Severity Level IV violation (Supplement I)."

#### Response to NRC Violation

##### 1. Admission or Denial of the Alleged Violation

Indiana Michigan Power Company admits to the violation as cited in the NRC notice of violation.

##### 2. Reasons for the Violation

We believe the notice of violation incorrectly referred to design change package (DCP) 56. The body of the inspection report correctly refers to DCP 49.

During a review of 12-DCP-49, revision 0, "Spent Fuel Pool (AFX) Filtration System Bypass Damper Replacement," the inspectors identified that the safety evaluation was inadequate. Personnel had performed both a safety screening and a USQ determination as required by procedures.

The UFSAR did not contain specific design and operation information for the dampers, but did discuss the function of charcoal filter bypass. The documented basis for determining that the damper replacement did not represent a USQ relied upon the lack of specific design and operation information for the dampers in the UFSAR, and did not adequately discuss the functional and performance characteristics of the original and proposed replacement dampers.

As a result of the insufficient supporting information in the safety evaluation, it was difficult to determine whether any significant differences in the function or operating characteristics of the original and replacement dampers existed.

The person who performed the safety screening and evaluation was trained to conduct these evaluations under procedure 227400-STG-5400-04, "Safety Reviews." However, the safety screening and evaluation did not meet the standards described



in the subject procedure because consideration of implicit changes was not clearly documented. The screening criteria presented in attachment 1 to 227400-STG-5400-04 states the following:

"A change to the plant as described in the SAR should be interpreted as any change to plant systems, structures, components, or site features which is not in accordance with system or component configuration as shown by drawings and text descriptions (explicitly or implicitly referred to) in the SAR. This includes drawings, illustrations, schematic representations, safety analysis performance assumptions, as well as text descriptions."

The individual completing the evaluations apparently did not fully understand the instructions in the procedure or did not apply sufficient attention to the requirements. As a result, the individual concluded that the design change did not represent a change to the plant as described in the SAR because the component was not explicitly mentioned in Sections 9.9.3.2 or 14.2.1.1. The basis for concluding that the design change did not have an implicit impact on the system operation and component configuration, as described in the SAR, was not clearly documented.

Therefore, it can be concluded that the primary reason for the violation involved a failure to correctly follow instructions provided in the procedure. In addition, review of the procedure used to conduct the safety screening and evaluation shows the procedure did not clearly stress the importance of documenting consideration of potential implicit impact on the SAR. Thus, a contributing factor for the violation may have been inadequate documentation requirements in the procedure.

3. Corrective Actions Taken and Results Achieved

The safety screening and safety evaluation for DCP 49 were revised on December 6, 1996, to document the potential implicit impact on the SAR. In addition, we are currently conducting a re-review of modifications that had not been released for unrestricted operation prior to November 27, 1996. This is the date when the plant nuclear safety review committee was informed of the concern and the need to improve documentation standards. This represents an on-going effort that includes outage and non-outage related modifications.

4. Corrective Actions to Avoid Further Violations

Corrective actions to avoid further violations included a special training session held on December 19, 1996, at the Buchanan, Michigan, headquarters. Nuclear engineering personnel involved in the preparation of safety screenings and evaluations were informed of the need to consider both explicit and implicit impact on the SAR, and to clearly document such consideration in the safety screening and evaluation. In addition, a new safety screening and evaluation procedure is being prepared. The procedure will further highlight the importance of clearly documenting both





explicit and implicit impact on the SAR. The procedure will be completed by May 31, 1997.

The 1997 nuclear engineering initial and requalification training for safety screenings and evaluations held in February was expanded to include specific examples of design changes with implicit impact on the SAR and to illustrate the new procedural requirements and management expectations for documenting implicit impact on the SAR.

The nuclear safety and design review committee subcommittee on proposed changes will conduct a self-assessment of the 50.59 program to determine its effectiveness in eliminating the occurrence of inadequate bases in safety screenings and evaluations. The assessment will be completed by December 31, 1997.

5. Date When Full Compliance will be Achieved

The safety screening and safety evaluation for DCP 49 were revised on December 6, 1996, to document the potential implicit impact on the SAR, thereby achieving full compliance.



ATTACHMENT 2 TO AEP:NRC:1238J

CORRECTIONS TO TEXT OF INSPECTION REPORT  
AND NOTICE OF VIOLATION



This attachment contains minor corrections to the text of the inspection report and notice of violation.

1. Page 14 of the inspection report, first bullet, "Reviewing the safety evaluations for the minor modifications, preventive maintenance, ..." We believe the words "preventive maintenance" should be replaced with "plant modifications".
2. Page 14 of the inspection report, second bullet, "Reviewing the safety evaluations for modifications being implemented while on line, prior to the start of the modifications". We believe the words "prior to the start of the modifications" should be replaced with "prior to the release of the modification to operations".
3. In the notice of violation, third paragraph, we believe the reference to design change package 56 should be changed to design change package 49.