



INDIANA & MICHIGAN ELECTRIC COMPANY

DONALD C. COOK NUCLEAR PLANT
P.O. Box 458, Bridgman, Michigan 49106
(616) 465-5901

April 4, 1983

Mr. J. G. Keppler, Regional Administrator
United States Nuclear Regulatory Commission
Region III, 799 Roosevelt Road
Glen Ellyn, Illinois 60137

Operating License DPR-74
Docket No. 50-316

Dear Mr. Keppler:

The purpose of this letter is to request that Licensee Event Report 316/82-022/01T-C be rescinded. This request is based upon a conversation between Mr. D. Wigginton of the Nuclear Regulatory Commission and myself regarding definition of the term "effective date" assigned to Technical Specification amendments.

The Licensee Event Report in question identifies a situation where the implementation of several amended Technical Specification paragraphs appeared to have been compromised due to the method of issuance of the amendments. On March 27, 1982, Unit 2 Technical Specification Amendment No. 39 was received at the Plant with an effective date of March 11, 1982. At the time of receipt, the Plant staff believed that the effective date specified by the Nuclear Regulatory Commission was synonymous with the required/expected implementation date. Therefore, the Plant was in apparent, unavoidable violation of the Tech. Spec., as amended, upon receipt.

The referenced discussion with the Nuclear Regulatory Commission resulted in the understanding that the "effective date" of Technical Specification amendments represents the date that the amendment(s) may be placed into effect, but that actual implementation may allow a reasonable period of time following receipt of the amendment to provide for proper review, training and implementation. Further, it is understood that the NRC Resident Inspector should be kept apprised of planned implementation dates, if other than "immediate," in order to eliminate any confusion in regards to our intent versus the NRC's expectations. The Plant wishes to express appreciation for the NRC's efforts in clarifying this issue.

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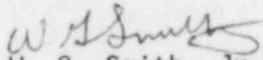
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A copy of the aforementioned Licensee Event Report is attached which fully describes the Plant conditions during the time period under discussion.

Sincerely,


W. G. Smith, Jr.
Plant Manager

WGS:frb

cc: J. E. Dolan
R. S. Hunter
M. P. Alexich
R. F. Kroeger
B. Germano
E. R. Swanson/N. E. DuBry, RO:III
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G. Charnoff, Esq.
J. M. Hennigan
R. O. Bruggee, EPRI
INPO
PNSRC
J. F. Stietzel
E. L. Townley
D. Wigginton
Dir., IE (40 copies)
Dir., MIPC (4 copies)

LICENSEE EVENT REPORT

CONTROL BLOCK:

(PLEASE PRINT OR TYPE ALL REQUIRED INFORMATION)

0 1 M I D C C 2 2 0 0 0 0 0 0 0 0 0 0 0 0 0 0 3 4 1 1 1 1 4 5
 8 9 14 15 25 26 57 CAT 53

REPORT SOURCE L 6 0 5 0 0 0 0 3 1 6 7 0 3 1 1 8 2 8 0 4 2 0 8 2 9
 7 8 60 61 68 69 74 75 80

EVENT DESCRIPTION AND PROBABLE CONSEQUENCES (10)

0 2 AMENDMENT 39 TO TECH. SPEC. WAS RECEIVED ON MARCH 27, 1982, WITH A RETROACTIVE
 0 3 EFFECTIVE DATE OF MARCH 11, 1982. AS A RESULT THE FOLLOWING NONCONFORMANCES TO
 0 4 THE AMENDED TECH. SPECS. OCCURRED: 3.1.2.3.b, 4.1.2.3.2, 3.5.3 - ACTION C,
 0 5 4.4.1.1.2a&b, 4.4.9.3.1a, c&e, AND 4.5.3.2. (SEE SUPPLEMENT)
 0 6
 0 7
 0 8
 0 9

SYSTEM CODE C J 11 CAUSE CODE X 12 CAUSE SUBCODE Z 13 COMPONENT CODE Z Z Z Z Z Z Z 14
 9 10 11 12 13 18 19 20
 17 LER/RO REPORT NUMBER 8 2 23 0 2 2 27 0 1 30 T 31 0 32
 21 22 23 24 26 27 28 29 30 31 32
 ACTION TAKEN X 18 FUTURE ACTION Z 19 EFFECT ON PLANT Z 20 SHUTDOWN METHOD Z 21 HOURS 0 0 0 0 22
 33 34 35 36 37 40 41 42 43 44 47
 ATTACHMENT SUBMITTED Y 23 NPD-4 FORM SUB. N 24 PRIME COMP. SUPPLIER Z 25 COMPONENT MANUFACTURER Z 9 9 9 9 26

CAUSE DESCRIPTION AND CORRECTIVE ACTIONS (27)

1 0 RECEIPT OF RETROACTIVE TECH. SPEC. CHANGES OCCURRED IN A MODE WHERE THEY WERE
 1 1 APPLICABLE. DIFFERENCES IN THE ISSUED TECH. SPEC. FROM THE ORIGINAL REQUEST ALSO
 1 2 CONTRIBUTED TO THE NONCONFORMANCES. AN "OPERATIONS STANDING ORDER" WAS ISSUED FOR
 1 3 BOTH UNITS TO PREVENT ENTRY INTO CONDITIONS WHERE THE SPECS. ARE APPLICABLE UNTIL
 1 4 PROCEDURES CAN BE REVISED TO REFLECT THE NEW REQUIREMENTS.

FACILITY STATUS C 28 % POWER 0 0 0 29 OTHER STATUS NA 30 METHOD OF DISCOVERY A 31 DISCOVERY DESCRIPTION 32
 7 8 9 10 11 12 13 44 45 46 80
 ACTIVITY CONTENT Z 33 Z 34 AMOUNT OF ACTIVITY NA 35 LOCATION OF RELEASE 36
 7 8 9 10 11 12 13 44 45 80
 PERSONNEL EXPOSURES NUMBER 0 0 0 37 TYPE Z 38 DESCRIPTION NA 39
 7 8 9 10 11 12 13 44 45 80
 PERSONNEL INJURIES NUMBER 0 0 0 40 DESCRIPTION NA 41
 7 8 9 10 11 12 13 44 45 80
 LOSS OF OR DAMAGE TO FACILITY TYPE Z 42 DESCRIPTION NA 43
 7 8 9 10 11 12 13 44 45 80
 PUBLICITY ISSUED N 44 DESCRIPTION NA 45
 7 8 9 10 11 12 13 44 45 80

NRC USE ONLY

2 0 N 44 NA 45 68 69 80

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PREPARED BY K. R. BAKER

PHONE: (616) 465-5901 X 1313

EVENT DESCRIPTION AND PROBABLE CONSEQUENCES (10)

AMENDMENT 39 OF TECH. SPECS. WAS ISSUED ON MARCH 11, 1982. THIS AMENDMENT WAS RECEIVED AT THE PLANT MARCH 27, 1982, AT WHICH TIME UNIT 2 HAD BEEN IN THE MODE 5 COLD SHUTDOWN CONDITION FOR ABOUT 16 DAYS AND 20 HOURS. THE OPERATING PROCEDURES AND SURVEILLANCES IN USE FOR OPERATING IN MODE 5 DID NOT REFLECT THE CHANGES OF AMENDMENT 39 AS WE WERE UNAWARE IT HAD BEEN APPROVED AND ISSUED WITH AN EFFECTIVE DATE OF MARCH 11, 1982 UNTIL IT WAS RECEIVED ON SITE. ADDITIONALLY, AMENDMENT 39 CONTAINED MODIFICATIONS TO THE ORIGINAL SUBMITTAL REQUEST FOR TECHNICAL SPECIFICATION CHANGE ON WHICH WE HAD NOT RECEIVED PRIOR NOTIFICATION AND WERE NOT PREPARED TO IMPLEMENT INSTANTANEOUSLY. AS A RESULT OF THIS SITUATION THE FOLLOWING NONCONFORMANCES TO THE LATEST AMENDED TECHNICAL SPECIFICATIONS OCCURRED DURING THE PERIOD OF MARCH 12, 1982 TO MARCH 27, 1982: 3.1.2.3.b, 4.1.2.3.2, 3.5.3 - ACTION C, 4.4.1.1.2a & b, 4.4.9.3.1a, c & e, AND 4.5.3.2.

AMENDMENT 39 TO THE TECHNICAL SPECIFICATIONS WAS RECEIVED AT THE PLANT ON SATURDAY, MARCH 27, 1982 AT ABOUT 1030 HOURS. AT THAT TIME THE UNIT WAS IN MODE 5 AT A TEMPERATURE SLIGHTLY LESS THAN 152°F. A FILL AND VENT OF THE REACTOR COOLANT SYSTEM WAS IN PROGRESS WITH A SUBSEQUENT HEAT-UP PLANNED. UPON RECEIPT OF AMENDMENT 39 AN EFFORT WAS MADE TO LOG THE APPLICABLE SURVEILLANCE REQUIREMENTS AND COMPLY WITH THE TECHNICAL SPECIFICATIONS. DUE TO THE COMPLEXITY OF THE AMENDMENT WE WERE UNSUCCESSFUL IN INSURING ALL ITEMS OF THE SPECIFICATION WERE COMPLIED WITH. EXCEPT AS NOTED BELOW THE REACTOR COOLANT SYSTEM WAS RAISED ABOVE 152°F REMOVING MOST OF THE REQUIREMENTS OF THIS AMENDMENT BY 1600 HOURS ON MARCH 27. FROM THAT PERIOD UNTIL WE ENTERED MODE 4 AT 2313 HOURS ON MARCH 28, THE SURVEILLANCE REQUIREMENT TO MONITOR REACTOR COOLANT SYSTEM TEMPERATURE TO CONFIRM IT TO BE ABOVE 152°F WAS NOT ACCOMPLISHED AT THE FREQUENCY SPECIFIED.

DUE TO THE RCS TEMPERATURE BRIEFLY DIPPING BELOW 152°F DURING FILL AND VENT OPERATIONS ON MARCH 27, THE CHANNEL FUNCTIONAL TEST OF THE PORV ACTUATION CHANNELS FOR TECHNICAL SPECIFICATION 4.4.9.3.1a WAS PERFORMED ON MARCH 28, 1982 AS WAS THE SURVEILLANCE REQUIREMENT OF 4.4.9.3.1e2 TO DETERMINE THE PORV AIR TANK PRESSURE INSTRUMENTATION OPERABLE. THE ALARM SETPOINT FOR ONE OF THE AIR TANKS WAS FOUND TO BE 897 PSIG INSTEAD OF 900 PSI AND WAS ADJUSTED TO THE CORRECT VALUE.

A DETAILED STUDY OF THE TECHNICAL SPECIFICATIONS WAS STARTED ON MONDAY, MARCH 29, TO DETERMINE THE NECESSARY PROCEDURAL CHANGES AND TO IDENTIFY NONCONFORMANCES WHICH HAD RESULTED. THIS REVIEW, ON APRIL 6, 1982, IDENTIFIED THE NONCONFORMANCES TO BE REPORTABLE. AN "OPERATIONS STANDING ORDER" HAS BEEN ISSUED FOR BOTH UNITS WHICH PREVENT EITHER UNIT FROM BEING OPERATED IN CONDITIONS WHERE THE SPECIFICATIONS ARE APPLICABLE UNTIL PROCEDURES CAN BE REVISED TO REFLECT THE REQUIREMENTS OF THIS TECHNICAL SPECIFICATION AMENDMENT.

THE EVENT DID NOT ENDANGER THE PUBLIC HEALTH AND SAFETY AS THERE WERE NO EVENTS THAT REQUIRED MITIGATION OF OVER-PRESSURIZATION EVENTS AT LOW TEMPERATURE DURING THIS PERIOD.