



A unit of American Electric Power

Indiana Michigan Power
Cook Nuclear Plant
One Cook Place
Bridgman, MI 49106
IndianaMichiganPower.com

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AEP-NRC-2020-68
10 CFR Part 26.205(d)

Docket Nos.: 50-315
50-316

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555-0001

Donald C. Cook Nuclear Plant Unit 1 and Unit 2
Request for a One-Time Exemption from 10 CFR 26.205(d), Due to COVID 19 Pandemic

Reference:

NRC Letter from H. Nieh to NEI, "U.S. Nuclear Regulatory Commission Planned Actions Related to the Requirements for Work Hour Controls During the Coronavirus Disease 2019 Public Health Emergency," March 28, 2020.

As a result of the Coronavirus Disease 2019 (COVID-19) public health emergency (PHE), Indiana Michigan Power Company (I&M), the licensee for Donald C. Cook Nuclear Plant (CNP) Unit 1 and Unit 2 is requesting Nuclear Regulatory Commission (NRC) approval to proactively enter into the alternative work hour controls delineated in the referenced letter for CNP workers described below. The basis for the request is that I&M is anticipating conditions where the station could no longer meet the work-hour controls of 10 CFR 26.205(d) for the covered workers noted below. By implementing the alternative work hour controls, I&M is proactively taking steps to complete necessary work, testing, and inspections in a manner that supports both worker and neighboring community safety to limit the spread of the COVID-19 virus. This request is being made to support the CNP efforts to maintain Centers for Disease Control and Prevention recommendations related to social distancing, worker screening, and limiting close-proximity work. Particularly given the COVID-19 challenge in the immediate community of CNP, leveraging the alternative work hour controls will facilitate further worker and community protection as we perform the current U1C30 refueling outage and subsequent operation of CNP Unit 1 and Unit 2 safely and efficiently

As the U.S. Departments of Homeland Security and Energy have stated in their guidance, the electric grid and nuclear plant operation make up the nation's critical infrastructure similar to the medical, food, communications, and other critical industries. CNP Unit 1 and Unit 2 operation and the current U1C30 outage must be conducted such that the plant is available when needed.

In accordance with the Reference letter, the following information is provided in the table below:

- Positions (as described in § 26.4(a)(1) – (5)) for which either current work-hour controls will be maintained, or for which alternative controls will be required as a preventive measure.

- The date and time for which alternative controls (if necessary) will be implemented for the listed positions.

	Positions	Compliance	Begin Implementation
26.4(a)(1)	Operators	Will maintain compliance with 26.205(d)	Not applicable
26.4(a)(2)	Health Physics and Chemistry	Will maintain compliance with 26.205(d)	Not applicable
26.4(a)(3)	Fire Brigade	Will maintain compliance with 26.205(d)	Not applicable
26.4(a)(4)	Maintenance	Will apply alternative work hour controls defined in referenced letter as necessary to minimize covered worker transition issues.	Upon NRC Approval
26.4(a)(5)	Security	Will maintain compliance with 26.205(d)	Not applicable

CNP site-specific COVID-19 PHE fatigue-management controls are consistent with the constraints outlined in the Reference letter and its attachment. I&M will continue to follow the fatigue management controls, behavioral observation requirements, and self-declaration allowances currently delineated within the CNP work hour control program and procedures (PMP-2060-WHL-001, "Work Hour Limitation and Fatigue Management," PMP-2060-FFD-001, "Fitness For Duty Program," and PMP-2060-FFD-002, "Performance of Fatigue Assessments").

Upon NRC approval, I&M will implement as necessary, the alternative controls described below, consistent with the Reference letter for the management of fatigue during the period of the exemption. These controls ensure that covered workers are subjected to the following minimum controls:

- (1) not more than 16 work-hours in any 24-hour period and not more than 86 work-hours in any 7-day period, excluding shift turnover;
- (2) a minimum 10-hour break is provided between successive work periods;
- (3) 12-hour shifts are limited to not more than 14 consecutive days;
- (4) a minimum of 6-days off are provided in any 30-day period; and
- (5) requirements are established for behavioral observation and self-declaration during the period of the exemption

The requirements of 10 CFR 26.33, "Behavioral observation," 10 CFR 26.209, "Self-declarations," and 26.211, "Fatigue assessments," remain in effect during the period of the exemption. These requirements provide reasonable assurance that should personnel become impaired due to fatigue, requirements and processes are in place to identify the impairment through observation

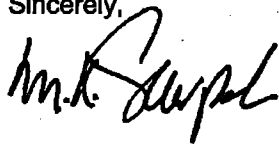
by plant staff or by worker self-declaration, and to assess and address instances of impairment through fatigue assessments.

Upon NRC approval, I&M will implement, as necessary, the alternative controls described in the Reference letter for the management of fatigue during the initial period of 60 days. Near the end of the 60 day period, if COVID-19 pandemic conditions persist at the site affecting staffing requirements and the efforts to maintain Center for Disease Control, state and local recommendations related to social distancing, worker screening, and limiting close-proximity work, as well as of particular concern is the COVID-19 challenge in the immediate community of CNP, an additional email supplement request may be submitted to extend the 60-day implementation period exemption.

I&M requests approval of this request by no later than October 10, 2020.

This letter contains no new regulatory commitments. Should you have any questions, please contact me at (269) 466-2649.

Sincerely,



Michael K. Scarpello
Regulatory Affairs Director

JMT/kmh

c: R. J. Ancona, MPSC
EGLE - RMD/RPS
J. B. Giessner - NRC Region III
NRC Resident Inspector
S. P. Wall - NRC Washington, D.C.
A. J. Williamson - AEP Ft. Wayne