



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 15, 2021

Mr. Joel P. Gebbie
Senior Vice President and
Chief Nuclear Officer
Indiana Michigan Power Company
Nuclear Generation Group
One Cook Place
Bridgman, MI 49106

SUBJECT: DONALD C. COOK NUCLEAR PLANT, UNIT NOS. 1 AND 2 - ISSUANCE OF
AMENDMENT NOS. 357 AND 336 REGARDING REVISION TO TECHNICAL
SPECIFICATIONS BASES CONTROL PROGRAM (EPID L-2020-LLA-0100)

Dear Mr. Gebbie:

The U.S. Nuclear Regulatory Commission (the Commission) has issued the enclosed Amendment Nos. 357 and 336 to Renewed Facility Operating License Nos. DPR-58 and DPR-74 for the Donald C. Cook Nuclear Plant, Unit Nos. 1 and 2 (CNP), respectively. These amendments consist of changes to the licenses and Technical Specifications (TSs) in response to your application dated April 7, 2020.

The amendments revise TS 5.5.12, "Technical Specifications (TS) Bases Control Program," to align it with the CNP Updated Final Safety Analysis Report update frequency and schedule.

In Enclosures 4 and 5 of the April 7, 2020, application, the licensee requested exemption from certain requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 54.37, "Additional records and recordkeeping requirements," and 10 CFR 50.54, "Conditions of licenses," specifically with respect to their references to 10 CFR 50.71, "Maintenance of records, making of reports," paragraph (e), for CNP. The NRC approved these exemptions by letter dated October 1, 2020 (ADAMS Accession No. ML20191A009).

A copy of the related Safety Evaluation is also enclosed. A Notice of Issuance will be included in the Commission's monthly *Federal Register* notice.

Sincerely,

/RA/

Scott P. Wall, Senior Project Manager
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-315 and 50-316

Enclosures:

1. Amendment No. 357 to DPR-58
2. Amendment No. 336 to DPR-74
3. Safety Evaluation

cc: Listserv



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NUCLEAR REGULATORY COMMISSION
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INDIANA MICHIGAN POWER COMPANY

DOCKET NO. 50-315

DONALD C. COOK NUCLEAR PLANT, UNIT NO. 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 357
License No. DPR-58

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Indiana Michigan Power Company dated April 7, 2020, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Renewed Facility Operating License No. DPR-58 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 357, are hereby incorporated in this license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Nancy L. Salgado, Chief
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Renewed Facility
Operating License and Technical
Specifications

Date of Issuance: January 15, 2021

ATTACHMENT TO LICENSE AMENDMENT NO. 357

DONALD C. COOK NUCLEAR PLANT, UNIT NO. 1

RENEWED FACILITY OPERATING LICENSE NO. DPR-58

DOCKET NO. 50-315

Renewed Facility Operating License No. DPR-58

Replace the following page of Renewed Facility Operating License No. DPR-58 with the attached revised page. The revised page is identified by amendment number and contains a marginal line indicating the area of change.

REMOVE

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Technical Specifications

Replace the following page of the Appendix A, Technical Specifications, with the attached revised page. The revised page is identified by amendment number and contains a marginal line indicating the area of change.

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and radiation monitoring equipment calibration, and as fission detectors in amounts as required;

- (4) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components; and
- (5) Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.

C. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

The licensee is authorized to operate the facility at steady state reactor core power levels not to exceed 3304 megawatts thermal in accordance with the conditions specified herein.

(2) Technical Specifications

The Technical Specifications contained in Appendix A, and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 357, are hereby incorporated in this license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Less than Four Loop Operation

The licensee shall not operate the reactor at power levels above P-7 (as defined in Table 3.3.1-1 of Specification 3.3.1 of Appendix A to this renewed operating license) with less than four reactor coolant loops in operation until (a) safety analyses for less than four loop operation have been submitted, and (b) approval for less than four loop operation at power levels above P-7 has been granted by the Commission by amendment of this license.

(4) Fire Protection Program

Indiana Michigan Power Company shall implement and maintain in effect all provisions of the approved fire protection program that comply with 10 CFR 50.48(a) and 10 CFR 50.48(c), as specified in the licensee's amendment request dated July 1, 2011, as supplemented by letters dated September 2, 2011, April 27, 2012, June 29, 2012, August 9, 2012, October 15, 2012, November 9, 2012, January 14, 2013, February 1, 2013,

5.5 Programs and Manuals

5.5.11 Diesel Fuel Oil Testing Program (continued)

2. A flash point within limits and, if the gravity was not determined by comparison with the supplier's certification, a kinematic or saybolt viscosity within limits; and
 3. A clear and bright appearance with proper color;
- b. Within 31 days following addition of the new fuel oil to storage tanks, verify that the properties of the new fuel oil, other than those addressed in Specification 5.5.11.a above, are within limits; and
 - c. Total particulate concentration of the fuel oil is ≤ 10 mg/l when tested every 31 days in accordance with ASTM D-2276, Method A.

The provisions of SR 3.0.2 and SR 3.0.3 are applicable to the Diesel Fuel Oil Testing Program test Frequencies.

5.5.12 Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

- a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.
- b. Licensees may make changes to Bases without prior NRC approval provided the changes do not require either of the following:
 1. A change in the TS incorporated in the license; or
 2. A change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59.
- c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the UFSAR.
- d. Proposed changes that meet the criteria of Specification 5.5.12.b above shall be reviewed and approved by the NRC prior to implementation. Changes to the Bases implemented without prior NRC approval shall be provided to the NRC on a frequency consistent with required UFSAR updates submitted pursuant to 10 CFR 50.71.



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INDIANA MICHIGAN POWER COMPANY

DOCKET NO. 50-316

DONALD C. COOK NUCLEAR PLANT, UNIT NO. 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 336
License No. DPR-74

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Indiana Michigan Power Company dated April 7, 2020, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Renewed Facility Operating License No. DPR-74 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 336, are hereby incorporated in this license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Nancy L. Salgado, Chief
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Renewed Facility
Operating License and Technical
Specifications

Date of Issuance: January 15, 2021

ATTACHMENT TO LICENSE AMENDMENT NO. 336

DONALD C. COOK NUCLEAR PLANT, UNIT NO. 2

RENEWED FACILITY OPERATING LICENSE NO. DPR-74

DOCKET NO. 50-316

Renewed Facility Operating License No. DPR-74

Replace the following page of Renewed Facility Operating License No. DPR-74 with the attached revised page. The revised page is identified by amendment number and contain a marginal line indicating the area of change.

REMOVE

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Technical Specifications

Replace the following page of the Appendix A, Technical Specifications, with the attached revised page. The revised page is identified by amendment number and contain a marginal line indicating the area of change.

REMOVE

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and radiation monitoring equipment calibration, and as fission detectors in amounts as required;

- (4) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components; and
- (5) Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.

C. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

The licensee is authorized to operate the facility at steady state reactor core power levels not to exceed 3468 megawatts thermal in accordance with the conditions specified herein and in Attachment 1 to the renewed operating license. The preoperational tests, startup tests and other items identified in Attachment 1 to this renewed operating license shall be completed. Attachment 1 is an integral part of this renewed operating license.

(2) Technical Specifications

The Technical Specifications contained in Appendix A, and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 336, are hereby incorporated in this license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Additional Conditions

(a) Deleted by Amendment No. 76

(b) Deleted by Amendment No. 2

(c) Leak Testing of Emergency Core Cooling System Valves

Indiana Michigan Power Company shall prior to completion of the first inservice testing interval leak test each of the two valves in series in the

5.5 Programs and Manuals

5.5.11 Diesel Fuel Oil Testing Program (continued)

2. A flash point within limits and, if the gravity was not determined by comparison with the supplier's certification, a kinematic or saybolt viscosity within limits; and
3. A clear and bright appearance with proper color;
- b. Within 31 days following addition of the new fuel oil to storage tanks, verify that the properties of the new fuel oil, other than those addressed in Specification 5.5.11.a above, are within limits; and
- c. Total particulate concentration of the fuel oil is ≤ 10 mg/l when tested every 31 days in accordance with ASTM D-2276, Method A.

The provisions of SR 3.0.2 and SR 3.0.3 are applicable to the Diesel Fuel Oil Testing Program test Frequencies.

5.5.12 Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

- a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.
- b. Licensees may make changes to Bases without prior NRC approval provided the changes do not require either of the following:
 1. A change in the TS incorporated in the license; or
 2. A change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59.
- c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the UFSAR.
- d. Proposed changes that meet the criteria of Specification 5.5.12.b above shall be reviewed and approved by the NRC prior to implementation. Changes to the Bases implemented without prior NRC approval shall be provided to the NRC on a frequency consistent with required UFSAR updates submitted pursuant to 10 CFR 50.71.



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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NOS. 357 AND 336 TO
RENEWED FACILITY OPERATING LICENSE NOS. DPR-58 AND DPR-74
INDIANA MICHIGAN POWER COMPANY
DONALD C. COOK NUCLEAR PLANT, UNIT NOS. 1 AND 2
DOCKET NOS. 50-315 AND 50-316

1.0 INTRODUCTION

By application dated April 7, 2020 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20126G456), Indiana Michigan Power Company (I&M, the licensee) submitted a license amendment request (LAR) for the Donald C. Cook Nuclear Plant, Unit Nos. 1 and 2 (CNP) to the U.S. Nuclear Regulatory Commission (NRC, the Commission).

The amendments would revise Technical Specification (TS) 5.5.12, "Technical Specifications (TS) Bases Control Program," to align it with the CNP Updated Final Safety Analysis Report (UFSAR) update frequency and schedule.

In Enclosures 4 and 5 of the April 7, 2020, application, the licensee requested exemption from certain requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 54.37, "Additional records and recordkeeping requirements," and 10 CFR 50.54, "Conditions of licenses," specifically with respect to their references to 10 CFR 50.71, "Maintenance of records, making of reports," paragraph (e), for CNP. The NRC approved these exemptions by letter dated October 1, 2020 (ADAMS Accession No. ML20191A009).

2.0 REGULATORY EVALUATION

2.1 Proposed TS Changes

The proposed changes would revise CNP TS 5.5.12.d to align it with the UFSAR update frequency and schedule.

Current TS 5.5.12.d states:

Proposed changes that meet the criteria of Specification 5.5.12.b above shall be reviewed and approved by the NRC prior to implementation. Changes to the Bases implemented without prior NRC approval shall be provided to the NRC on a frequency consistent with 10 CFR 50.71(e).

Revised TS 5.5.12.d would state (deletions in strikethrough; additions in italics):

Proposed changes that meet the criteria of Specification 5.5.12.b above shall be reviewed and approved by the NRC prior to implementation. Changes to the Bases implemented without prior NRC approval shall be provided to the NRC on

a frequency consistent with ~~40 CFR 50.71(e)~~ *required UFSAR updates submitted pursuant to 10 CFR 50.71*.

2.2 Applicable Regulatory Requirements

10 CFR 50.36(a)(1) requires each applicant for a license authorizing operation of a utilization facility to include in the application proposed TSs. That regulation also states, in part, that “[a] summary statement of the bases or reasons for such specifications, other than those covering administrative controls, shall also be included in the application, but shall not become part of the technical specifications.”

The regulation at 10 CFR 50.36(b) states that:

Each license authorizing operation of a ... utilization facility ... will include technical specifications. The technical specifications will be derived from the analyses and evaluation included in the safety analysis report, and amendments thereto, submitted pursuant to [10 CFR] 50.34 [“Contents of applications; technical information”]. The Commission may include such additional technical specifications as the Commission finds appropriate.

The categories of items required to be in the TSs are provided in 10 CFR 50.36(c). The regulation at 10 CFR 50.36(c)(5) requires TSs to include administrative controls, which “are the provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner.”

The regulation at 10 CFR 50.71(e) states that:

Each person licensed to operate a nuclear power reactor ... shall update periodically, as provided in paragraphs (e) (3) and (4) of this section, the final safety analysis report (FSAR) originally submitted as part of the application for the license, to assure that the information included in the report contains the latest information developed.

The regulation at 10 CFR 50.71(e)(4) states, in part, that:

Subsequent revisions must be filed annually or 6 months after each refueling outage provided the interval between successive updates does not exceed 24 months.

3.0 TECHNICAL EVALUATION

By letter dated March 3, 1998 (ADAMS Accession No. ML021090203), the NRC granted an exemption for CNP from 10 CFR 50.71(e)(4) such that, instead of requiring the licensee to update the same UFSAR within 6 months after a refueling outage for either unit, the licensee was required to provide periodic updates annually or once every fuel cycle (based on the unit

with the shortest interval between scheduled refueling outages), but not to exceed 24 months from the last submittal.

The language of the current CNP TS 5.5.12.d was added by Amendment Nos. 281 and 265 dated June 25, 2004 (ADAMS Accession No. ML041120202). The NRC staff found this addition to be acceptable because it was consistent with the staff's recommended approach defined in the standard technical specifications and numerous plant-specific amendments.

In its LAR, the licensee stated that the exemption from 10 CFR 50.71(e)(4) and the reference in TS 5.5.12.d to 10 CFR 50.71(e) results in an unintended disconnect between the CNP UFSAR update submittal frequency and schedule and the TS Bases Control Program change report frequency and schedule. To align these requirements, the licensee requested that TS 5.5.12.d be amended to specifically require TS Bases Control Program change reports at the same frequency and schedule required for CNP UFSAR updates.

The NRC staff finds that the proposed TS changes explicitly align the CNP TS Bases Control Program change reporting requirement with the CNP UFSAR update frequency and schedule. As revised, TS 5.5.12.d will continue to meet 10 CFR 50.36(c)(5) by providing reporting controls necessary to assure operation of the facility in a safe manner. Therefore, the NRC staff concludes that the proposed TS changes are acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the State of Michigan official was notified of the proposed issuance of the amendments on December 31, 2020. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendments relate to changes in recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: C. Tilton, NRR

Date of issuance: January 15, 2021

SUBJECT: DONALD C. COOK NUCLEAR PLANT, UNIT NOS. 1 AND 2 - ISSUANCE OF AMENDMENT NOS. 357 AND 336 REGARDING REVISION TO TECHNICAL SPECIFICATIONS BASES CONTROL PROGRAM (EPID L-2020-LLA-0100) DATED JANUARY 15, 2021

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CTilton, NRR

ADAMS Accession No. ML20366A155***via e-mail**

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NAME	SWall	SRohrer	VCusumano
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OFFICE	OGC – NLO*	NRR/DORL/LPL3/BC*	NRR/DORL/LPL3/PM*
NAME	JWachutka	NSalgado	SWall
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