

Indiana Michigan  
Power Company  
Cook Nuclear Plant  
One Cook Place  
Bridgman, MI 49106  
616-465-5901



December 28, 1999

C1299-15  
10 CFR 50.71  
10 CFR 50.59

Docket Nos.: 50-315  
50-316

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Mail Stop O-P1-17  
Washington, DC 20555-0001

Donald C. Cook Nuclear Plant Units 1 and 2  
APPLICATION OF THE GRANTED EXEMPTION TO THE 50.71(e)(4)  
OBLIGATION FOR ONGOING UPDATED FINAL SAFETY ANALYSIS  
REPORT (UFSAR) SUBMITTALS

The purpose of this letter is to withdraw prior commitments to submit UFSAR updates, and to give notice of the intent of Indiana Michigan Power Company (I&M), the Licensee for Donald C. Cook Nuclear Plant (CNP) Units 1 and 2, to restore compliance with the current 10 CFR 50.71(e)(4) obligation exemption (see Reference 5). This exemption is to schedule updates to the single unified UFSAR for the CNP, 6 months after the Unit 1 refueling outage, not to exceed 24 months between successive revisions.

I&M previously committed to submit UFSAR updates within 30 days after reaching mode 2 for each unit. This commitment was made in References 1, 2, and 3. Based on the relatively short period between the last UFSAR update provided by Reference 3, and the expected dates for the restart of the units, this commitment is no longer considered necessary.

Additionally, SECY 95-300 contains information on an acceptable method for licensees to follow for managing and changing their Nuclear Regulatory Commission (NRC) commitments. In keeping with that information, I&M will return to the 10 CFR 50.71 (e)(4) obligation exemption granted to the licensee. I&M originally requested the NRC to grant the exemption in Reference 4.

The NRC documented by Reference 5 the issue of the exemption requested in Reference 4. The commission provided an exemption from certain requirements of 10 CFR 50.71(e)(4) regarding submission of revisions to the final safety

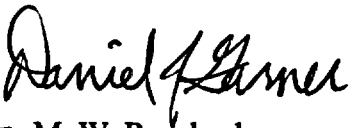
ADD1

analysis and design change reports for facility changes made under 10 CFR 50.59. The commission required in the exemption that "The licensee will be required to submit updates to the Donald C. Cook Nuclear Plant FSAR once every Unit 1 fuel cycle, but not to exceed 24 months from the last submittal." The Safety Evaluation Report contained in Reference 5 further stated that the exemption "...would not exceed the 24-month interval for submission of the 10 CFR 50.59 design change report for either unit."

The return to the current obligation for submittal of the UFSAR and 10 CFR 50.59 design change report will allow for the application of logical methods for evaluating changes, resolving issues, and performing required safety evaluations. The return to the current obligation will also reduce the unnecessary regulatory burden on both the licensee and the NRC staff of reviewing rapid sequential revisions to the UFSAR.

Should you have any questions, please contact Mr. Robert C. Godley, Director of Regulatory Affairs, at (616) 466-2698.

Sincerely,

  
for M. W. Rencheck  
Vice President Nuclear Engineering

\dms

c: J. E. Dyer  
MDEQ - DW & RPD  
NRC Resident Inspector  
R. Whale

### References

1. I&M to NRC letter AEP:NRC: 1260GH, "Enforcement Actions 98-150, 98-151, 98-152 and 98-186 Reply to Notice of Violation Dated October 13, 1998," dated March 19, 1999.
2. I&M to NRC letter AEP:NRC:1260GE, "Modification of Commitments Related to the UFSAR Revalidation Effort," dated May 4, 1999.
3. I&M to NRC letter C0799-08, "Update in Accordance with 10 CFR 50.71(e) and Report of Changes, Tests, and Experiments in Accordance with 10 CFR 50.59 (b)(2)," dated July 22, 1999.
4. I&M to NRC letter AEP:NRC:1266, "Request for Exemption from 10 CFR 50.71 (e), Regulatory Burden Reduction, 10 CFR 50.12," dated August 5, 1997.
5. NRC to I&M letter, "Donald C. Cook Nuclear Plant, Units 1 and 2 - Exemption to 10 CFR 50.71(e)(4) (TAC Nos M99494 and M99495)," dated March 3, 1998.