



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

February 10, 2012

Mr. Lawrence J. Weber  
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 (CNP), UNITS 1 AND 2 - APPROVAL OF  
EMERGENCY ACTION LEVEL SCHEME CHANGE (TAC NOS. ME5666 AND  
ME5667)

Dear Mr. Weber:

By letter dated February 8, 2011, as supplemented by letter dated November 8, 2011, Indiana Michigan Power Company requested approval of changes to the emergency action levels (EALs) for CNP, Units 1 and 2. The requested changes support a conversion from the current EAL scheme used at CNP to a scheme based on Nuclear Energy Institute 99-01, Revision 5, "Methodology for Development of Emergency Action Levels."

The Nuclear Regulatory Commission staff has completed its review as documented in the enclosed Safety Evaluation (SE). The SE concludes that the proposed changes meet the requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.47(b)(4) and Section IV.B of Appendix E to 10 CFR Part 50, and provide reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. Therefore, the NRC staff approves the proposed changes.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric J. Leeds".

Eric J. Leeds, Director  
Office of Nuclear Reactor Regulation

Docket Nos. 50-315 and 50-316

Enclosure:  
Safety Evaluation

cc: ListServ



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

UPGRADE TO EMERGENCY ACTION LEVEL SCHEME

INDIANA MICHIGAN POWER COMPANY

DONALD C. COOK NUCLEAR PLANT, UNITS 1 AND 2

DOCKET NOS. 50-315 AND 50-316

1.0 INTRODUCTION

By application dated February 8, 2011, and supplemented by letter dated November 8, 2011 (Accession Nos. ML110530352 and ML11320A206, respectively), Indiana Michigan Power Company (I&M, the licensee), requested prior U.S. Nuclear Regulatory Commission (NRC) approval for proposed changes to the emergency action level (EAL) scheme for the Donald C. Cook Nuclear Plant (CNP), Units 1 and 2.

The requested changes support a conversion from the licensee's current EAL scheme to a scheme based on the Nuclear Energy Institute (NEI) 99-01, "Methodology for Development of Emergency Action Levels," Revision 5, dated February 2008 (Reference 5). CNP currently utilizes an EAL scheme that is plant-specific, yet, was developed in accordance with the guidance provided in Nuclear Management and Resources Council/National Environmental Studies Project (NUMARC/NESP) – 007, "Methodology for Development of Emergency Action Levels," Revision 2, dated January 1992 (Reference 3).

2.0 REGULATORY EVALUATION

The NRC staff reviewed the proposed revision against the following regulations and guidance described below.

2.1 Regulations

Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.47, "Emergency plans," sets forth emergency plan requirements for nuclear power plant facilities. The regulations in 10 CFR 50.47(a)(1)(i) state, in part, that

... no initial operating license for a nuclear power reactor will be issued unless a finding is made by the NRC that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency.

Section 50.47(b) establishes the standards that the onsite and offsite emergency response plans must meet for the NRC staff to make a positive finding that there is reasonable assurance

Enclosure

that the licensee can and will take adequate protective measures in the event of a radiological emergency. Planning Standard (4) of this section requires that a licensee's emergency response plan contain: "A standard emergency classification and action level scheme, the bases of which include facility system and effluent parameters, is in use by the nuclear facility licensee, and State and local response plans call for reliance on information provided by facility licensees for determinations of minimum initial offsite response measures."

Section IV.B of Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities," to 10 CFR Part 50, states:

The means to be used for determining the magnitude of, and for continually assessing the impact of, the release of radioactive materials shall be described, including emergency action levels that are to be used as criteria for determining the need for notification and participation of local and State agencies, the Commission, and other Federal agencies, and the emergency action levels that are to be used for determining when and what type of protective measures should be considered within and outside the site boundary to protect health and safety. The emergency action levels shall be based on in-plant conditions and instrumentation in addition to onsite and offsite monitoring. The initial emergency action levels shall be discussed and agreed on by the applicant or licensee and state and local governmental authorities, and approved by the NRC. Thereafter, emergency action levels shall be reviewed with the State and local governmental authorities on an annual basis.

A revision to an emergency action level must be approved by the NRC before implementation if:

- (1) The licensee is changing from one emergency action level scheme to another emergency action level scheme (e.g., a change from an emergency action level scheme based on NUREG-0654 to a scheme based upon NUMARC/NESP-007 or NEI 99-01);
- (2) The licensee is proposing an alternate method for complying with the regulations; or
- (3) The emergency action level revision decreases the effectiveness of the emergency plan.

Section 50.47(b)(4) to 10 CFR specifies a standard emergency classification and action level scheme, and as such, the NRC staff will ensure that implementation methods are relatively consistent throughout the industry for a given reactor and containment design while simultaneously providing an opportunity for a licensee to modify its EAL scheme as necessary to address plant-specific design considerations or preferences.

The licensee's proposed changes were submitted to the NRC for a technical and regulatory review prior to implementation by the licensee, as required under Section IV.B of Appendix E to 10 CFR Part 50. This review is based upon a revision to the CNP EAL scheme provided in the licensee's application letter and supplemented by the licensee's responses to the NRC's request for additional information. Enclosure 3 of the licensee's letter dated November 8, 2011

(Reference 13), contains the final version of the licensee's proposed plant-specific EAL scheme for CNP and is therefore, the final version reviewed by the NRC for acceptability.

## 2.2 Guidance

EAL development guidance was initially established via Generic Letter (GL) 79-50 (Reference 1) and subsequently established in NUREG-0654/FEMA-REP-1 (Reference 2), which was endorsed as an approach for the development of an EAL scheme via NRC Regulatory Guide (RG) 1.101, Revision 2. As industry and regulatory experience was gained with the implementation and use of the EAL scheme, the industry developed revised EAL scheme development guidance documents to gain the benefit of lessons learned. To date, NUMARC/NESP-007 (Reference 3), NEI 99-01 Revision 4 (Reference 4), and NEI 99-01 Revision 5 were provided to the NRC for review and endorsement as generic (non plant-specific) EAL development guidance. RG 1.101, Revisions 3 and 4 (Reference 6) endorsed NUMARC/NESP-007 and NEI 99-01 Revision 4 as acceptable alternatives for licensees to consider in the development of their plant-specific EAL schemes, as well as allowing licensees to develop plant-specific EALs based upon an alternative approach not endorsed by the NRC. NEI 99-01 Revision 5 was endorsed as generic (non plant-specific) EAL development guidance via letter dated February 22, 2008 (Reference 7), and will be further endorsed in the next revision of RG 1.101.

GL 79-50, NUREG-0654/FEMA-REP-1, NUMARC/NESP-007, NEI 99-01 Revision 4, and NEI 99-01 Revision 5 are all considered generic EAL development guidance documents, as they are not plant-specific and may not be entirely applicable for some reactor designs. However, the guidance contained in these documents bounds the most typical accident/event scenarios for which emergency response is necessary in a format that allows for industry standardization and consistent regulatory oversight. Most licensees choose to develop their plant-specific EAL schemes using the latest endorsed EAL development guidance with appropriate plant-specific alterations as applicable. Pursuant to 10 CFR Part 50, Appendix E, Section IV.B (1), a revision to an EAL must be approved by the NRC before implementation, if the licensee is changing from one EAL scheme to another EAL scheme.

The NRC considers the following methods acceptable for use in developing plant-specific EALs that meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), with the understanding that licensees may want to develop EALs that differ from the applicable guidance document as allowed in RG 1.101 and in the letter dated February 22, 2008:

- Appendix 1, "Emergency Action Level Guidelines for Nuclear Power Plants," to NUREG-0654/FEMA-REP-1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," dated November 1980;
- NUMARC/NESP-007, Revision 2, "Methodology for Development of Emergency Action Levels," dated January 1992;
- NEI 99-01, Revision 4, "Methodology for Development of Emergency Action Levels," dated January 2003; and

- NEI 99-01, Revision 5, "Methodology for Development of Emergency Action Levels," dated February 2008.

NRC Regulatory Issue Summary (RIS) 2003-18, with Supplements 1 and 2, "Use of NEI 99-01, Methodology for Development of Emergency Action Levels" (Reference 9), also provide guidance for developing or changing a standard emergency classification and action level scheme. In addition, this RIS and its Supplements provide recommendations to assist licensees, consistent with Section IV.B of Appendix E to Part 50, in determining whether to seek prior NRC approval of deviations from the guidance.

Regardless of the generic EAL scheme development guidance document used by a licensee to develop its EAL scheme, or if a licensee chose to develop its EAL scheme using an alternative approach not endorsed by the NRC, or a combination of the two (most typical), the NRC will review the EAL scheme to ensure it meets the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4).

### 3.0 TECHNICAL EVALUATION

In its application and supplemental letter, the licensee submitted the proposed EAL scheme for CNP, the associated technical basis, a comparison matrix, the EAL numbering scheme, and an explanation for any difference or deviation from NEI 99-01, Revision 5.

CNP currently utilizes an EAL scheme based on the generic EAL scheme development guidance from NUMARC/NESP-007, Revision 2 (Reference 3), with plant-specific modifications due to design issues and/or licensee preference. The licensee is converting to an EAL scheme using the development guidance from NEI 99-01, Revision 5, with plant-specific modifications due to design issues and/or licensee preference.

The proposed plant-specific EAL scheme is unique to CNP; however, to ensure consistency and regulatory stability, the NRC staff reviewed the proposed plant-specific EAL scheme to ensure the following key characteristics of an effective EAL scheme are in place:

- Consistency (i.e., the EALs would lead to similar decisions under similar circumstances at different plants), up to and including standardization in intent, if not in actual wording;
- Human engineering and user friendliness;
- Potential for classification upgrade only when there is an increasing threat to public health and safety;
- Ease of upgrading and downgrading;
- Thoroughness in addressing and disposing of the issues of completeness and accuracy raised regarding Appendix 1 to NUREG-0654;
- Technical completeness for each classification level;

- Logical progression in classification for multiple events; and
- Objective and observable values.

To aid in understanding the nomenclature used in this SE, for each category of EALs reviewed the following naming/numbering convention is used: the first letter signifies the category; the second letter signifies the classification level (G = General Emergency (GE), S = Site Area Emergency (SAE), A = Alert, U = Notification of Unusual Event (UE)); and the number is the applicable number from the plant-specific EAL scheme. For ease of use, this SE will use the numbering system from the plant-specific EAL scheme rather than from the generic EAL development guidance.

### 3.1 Categorical 'R' – Abnormal Radiological Release/Radiological Effluent

#### 3.1.1 EAL Set RG1/RS1/RA1/RU1

This EAL set is based upon plant-specific indications of a release of radioactivity (gaseous and/or liquid). The progression from UE to GE is appropriate and consistent with EAL scheme development guidance.

The licensee chose to modify this EAL set by using a site-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance, as well as using 'R' in lieu of 'A' to reference this category. The numbering, sequencing, and format of this EAL set is consistent with the overall EAL scheme development guidance and with the site-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The instrumentation and set points derived for this EAL set are consistent with the overall EAL scheme development guidance, address the plant-specific implementation strategies provided, and are considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL set is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

#### 3.1.2 EAL Set RA2/RU2

This EAL set is based upon plant-specific indications of fuel uncover. The progression from UE to Alert is appropriate and consistent with EAL scheme development guidance. The SAE and GE classification levels for this specific accident progression are bounded by indications available in the fission barrier matrix as well as EALs RS1 and RG1.

The licensee chose to modify this EAL set by using a site-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance, as well as using 'R' in lieu of 'A' to reference this category. The numbering, sequencing, and format of this EAL set is consistent with the overall EAL

scheme development guidance and with the site-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The instrumentation and set points derived for this EAL set are consistent with the overall EAL scheme development guidance, address the plant-specific implementation strategies provided, and are considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL set is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.1.3 EAL RA3

This EAL set is based upon indications of a rise in plant radiation levels that impedes normal access to the Control Room (CR) and Central Alarm Station (CAS).

The Alert EAL is primarily intended to ensure the plant emergency response organization is activated to support the CR in removing the impediment to normal access to the CR and CAS. Indications of increasing radiation levels in the plant are bounded by indication of fission barrier loss or potential loss, as well as RS1 and RG1.

The licensee chose to modify this EAL set by using a site-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance, as well as using 'R' in lieu of 'A' to reference this category. The numbering, sequencing, and format of this EAL set is consistent with the overall EAL scheme development guidance and with the site-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

## 3.2 Category 'C' – Cold Shutdown/Refueling System

### 3.2.1 EAL Set CA1/CU1

This EAL set is based upon a loss of available alternating current (AC) power sources to the emergency busses. The progression from UE to Alert is appropriate and consistent with EAL scheme development guidance. The SAE and GE classification levels for this specific accident progression are bounded by indications available in EALs RS1 and RG1.

The licensee chose to modify this EAL set by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL set is consistent with the overall EAL scheme development guidance and with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The instrumentation, values, and listing of applicable power sources derived for this EAL set are consistent with the overall EAL scheme development guidance, address the plant-specific implementation strategies provided, and are considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL set is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.2.2 EAL CU2

This EAL does not require an EAL set within the overall EAL scheme. The EAL's intent is to ensure an EAL is declared when a loss of direct current (DC) power event occurs as it compromises the ability of the licensee to monitor and control the removal of decay heat during Cold Shutdown or Refueling modes of operation.

The licensee chose to modify this EAL by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL are consistent with the overall EAL scheme development guidance and with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.2.3 EAL CU3

This EAL does not require an EAL set within the overall EAL scheme. The EAL's intent is to highlight the significance of inadvertent criticality events by ensuring an EAL is declared if unplanned positive and sustained period is observed on nuclear instrumentation.

The licensee chose to modify this EAL by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL are consistent with the overall EAL scheme development guidance and with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.2.4 EAL CU6

This EAL does not require an EAL set within the overall EAL scheme as the EAL's intent is to highlight the importance of emergency communications by ensuring an EAL is declared if



normal communication methods for onsite and offsite personnel, or for offsite response organizations including the NRC, are lost.

The licensee chose to modify this EAL by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL are consistent with the overall EAL scheme development guidance and with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The communication methods derived for this EAL are consistent with the overall EAL scheme development guidance, address the plant-specific implementation strategies provided, and are considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.2.5 EAL Set CG7/CS7/CA7/CU7

This EAL set is based upon a loss of reactor pressure vessel (RPV) inventory and/or reactor coolant system (RCS) leakage. The progression from UE to GE is appropriate and consistent with EAL scheme development guidance.

The licensee chose to modify this EAL set by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL set is consistent with the overall EAL scheme development guidance and with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The instrumentation and set points derived for this EAL set are consistent with the overall EAL scheme development guidance, address the plant-specific implementation strategies provided, and are considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL set is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.2.6 EAL CU8

This EAL does not require an EAL set within the overall EAL scheme. The EAL's intent is to ensure an EAL is declared when an unplanned loss of RPV inventory occurs.

The licensee chose to modify this EAL by using a site-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL are consistent with the overall EAL scheme development guidance and with the site-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The licensee-specific implementation method for this EAL is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.2.7 EAL Set CA10/CU10

This EAL set is based upon an inability to maintain control of decay heat removal. The progression from UE to Alert is appropriate and consistent with EAL scheme development guidance. The SAE and GE classification levels for this specific accident progression are bounded by indications available in EALs RS1 and RG1.

The licensee chose to modify this EAL set by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL set is consistent with the overall EAL scheme development guidance and with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The instrumentation and set points derived for this EAL set are consistent with the overall EAL scheme development guidance, address the plant-specific implementation strategies provided, and are considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL set is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

## 3.3 Category H - Hazards

### 3.3.1 EAL Set HG1/HS1/HA1/HU1

The licensee chose to modify this EAL set by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL set is consistent with the overall EAL scheme development guidance, is consistent with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

This EAL set is based upon security-related events originally developed via the guidance from NRC Bulletin 2005-02 (Reference 10) or RIS 2006-12 (Reference 11) for licensees to implement regardless of the specific version of the generic EAL scheme development guidance used, or if the particular licensee developed its EAL scheme using an alternative approach. Based upon lessons learned from implementation and use of this EAL set, particularly from when licensees performed combined security and emergency preparedness drills, the NRC staff and the industry worked to enhance the language of these EALs so as to eliminate any confusion without changing the intent of the EAL set as set forth in NRC Bulletin 2005-02 and RIS 2006-12. The NRC staff generated EAL Frequently Asked Question (EALFAQ) 2009-48 (Reference 8) to address the changes made to the generic EAL scheme development guidance document.

The development of this EAL set is consistent with the guidance provided in NRC Bulletin 2005-02 and RIS 2006-12, as further enhanced by the lessons learned from implementation and drills, and revised in NEI 99-01, Revision 5, and evaluated in EALFAQ 2009-48.

The plant-specific implementation method for this EAL set is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.3.2 EAL Set HS2/HA2

This EAL set is based upon CR evacuation. The progression from Alert to SAE is appropriate and consistent with EAL scheme development guidance. The GE classification level for this specific accident progression is bounded by indications available in the fission barrier matrix or EAL RG1.

The licensee chose to modify this EAL set by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL set is consistent with the overall EAL scheme development guidance, is consistent with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL set is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.3.3 EAL Set HA3/HU3

This EAL set is based upon the effect natural and destructive hazards may have on the licensee. The progression from UE to Alert is appropriate and consistent with EAL scheme development guidance. The SAE and GE classification levels for this specific accident progression are bounded by indications available in the fission barrier matrix and EALs RS1 and RG1.

The licensee chose to modify this EAL set by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL set is consistent with the overall EAL scheme development guidance and with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The instrumentation and set points derived for this EAL set are consistent with the overall EAL scheme development guidance, address the plant-specific implementation strategies provided, and are considered part of a standard EAL scheme.

The method of determining seismic events is consistent with the development strategies stated in the generic EAL development guidance. Seismic event classification criteria, for both the UE and Alert classification levels, are appropriate, considered part of a standard EAL scheme, and

meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, are acceptable for implementation.

High wind and tornado events, as well as the development of plant-specific areas considered in these EALs, are consistent with the development strategies stated in the generic EAL development guidance. These EALs are considered part of a standard EAL scheme and meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4). Therefore, these EALs are acceptable for implementation.

Rotating equipment failures from the main turbine are appropriately developed using the generic EAL development guidance with plant-specific terminology and plant-specific areas of consideration determined for these EALs. These EALs are considered part of a standard EAL scheme and meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4). Therefore, these EALs are acceptable for implementation.

Internal flooding events are appropriately developed using the generic EAL development guidance with plant-specific terminology and plant-specific areas of consideration determined for these EALs. While consistent with the development strategies stated in the generic EAL development guidance, the actual wording used is different. However, these EALs are considered part of a standard EAL scheme and meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4). Therefore, these EALs are acceptable for implementation.

Events based upon vehicle crashes within the protected area or vital area have typically been difficult to differentiate between the UE and Alert classification levels. GL 79-50, NUREG-0654/FEMA-REP-1, and NUMARC/NESP-007 used language equating vehicles to aircraft, trains, and barges. NEI 99-01, Revision 4, used language equating vehicles to that large enough to cause damage. With the issuance of NRC Bulletin 2005-02 (Reference 10), the need for EALs related to airborne, waterborne, or land-based security events have been resolved with the development of security-specific EALs. In addition, the intended basis for a UE EAL is, among other considerations, the resultant degradation in the level of safety of the plant. Eliminating the UE EAL due to vehicle crashes is consistent with the intent of the UE classification and removes any misunderstanding with the remaining Alert classification. The Alert classification is based upon indications of degraded performance or visible damage to a specific list of areas considered applicable to this EAL. Removing the UE EAL based upon vehicle crashes, and revising the wording of the remaining Alert EAL, continues to be considered part of a standard EAL scheme and meets the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4). Therefore, these EALs are acceptable for implementation.

The plant-specific implementation method for this EAL set is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

#### 3.3.4 EAL Set HA4/HU4

This EAL set is based upon the effect fire and explosions may have on the licensee. The progression from UE to Alert is appropriate and consistent with EAL scheme development

guidance. The SAE and GE classification levels for this specific accident progression are bounded by indications available in the fission barrier matrix, EALs RS1 and RG1, or applicable EALs from the Systems Malfunction Category.

The licensee chose to modify this EAL set by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL set is consistent with the overall EAL scheme development guidance and with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The development of plant-specific areas considered in these EALs is consistent with the development strategies stated in the generic EAL development guidance even though the actual wording used is different, and is considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL set is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.3.5 EAL Set HA5/HU5

This EAL set is based upon the effect toxic, corrosive, asphyxiant or flammable gases may have on the licensee. The progression from UE to Alert is appropriate and consistent with EAL scheme development guidance. The SAE and GE classification levels for this specific accident progression are bounded by indications available in the fission barrier matrix, EALs RS1 and RG1, or applicable EALs from the Systems Malfunction category.

The licensee chose to modify this EAL set by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL set is consistent with the overall EAL scheme development guidance and with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The development of plant-specific areas considered in these EALs, is consistent with the development strategies stated in the generic EAL development guidance even though the actual wording used is different, and is considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL set is in alignment with the key characteristics of an effective EAL scheme, and while different than that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.3.6 EAL Set HG7/HS7/HA7/HU7

This EAL set is based upon providing the EAL decision-maker EALs to consider when their judgment deems an emergency classification is warranted.

The licensee chose to modify this EAL set by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic

EAL scheme development guidance. The numbering, sequencing and format of this EAL set is consistent with the overall EAL scheme development guidance, is consistent with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL set is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.3.7 EAL HU8

This EAL does not require an EAL set within the overall EAL scheme. The EAL's intent is limited to radiological events at the ISFSI. While security-related events at the ISFSI are also of concern, they are bounded by the licensee's EAL HA1.

The licensee chose to modify this EAL by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL are consistent with the overall EAL scheme development guidance and with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

## 3.4 Category 'S' - System Malfunction

### 3.4.1 EAL Set SG1/SS1/SA1/SU1

This EAL set is based upon a loss of available AC power sources to the emergency busses. The progression from UE to GE is appropriate and consistent with EAL scheme development guidance.

The licensee chose to modify this EAL set by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL set is consistent with the overall EAL scheme development guidance and with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The instrumentation, values and listing of applicable power sources derived for this EAL set are consistent with the overall EAL scheme development guidance, address the plant-specific implementation strategies provided, and are considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL set is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.4.2 EAL SS2

This EAL does not require an EAL set within the overall EAL scheme. The EAL's intent is to ensure an EAL is declared when a loss of DC power event occurs as it compromises the ability of the licensee to monitor and control the removal of decay heat. The GE classification level for this event is bounded by fission barrier matrix indicators and EAL RG1.

The licensee chose to modify this EAL by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL is consistent with the overall EAL scheme development guidance, is consistent with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.4.3 EAL Set SG3/SS3/SA3/SU3

This EAL set is based upon the effect a failure of the reactor protection system may have on the plant, as well as inadvertent criticality for SU3. The progression from UE to GE is appropriate and consistent with EAL scheme development guidance.

The licensee chose to modify this EAL set by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL set is consistent with the overall EAL scheme development guidance and with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The instrumentation and set points derived for this EAL set are consistent with the overall EAL scheme development guidance, address the plant-specific implementation strategies provided, and are considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL set is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.4.4 EAL Set SS4/SA4/SU4

This EAL set is based upon the effect a loss of indication, control, and annunciation capabilities has on the plant. The progression from UE to SAE is appropriate and consistent with EAL scheme development guidance. The GE classification level for this specific accident progression is bounded by indications available in the fission barrier matrix or EAL RG1.

The numbering, sequencing, and format of this EAL set is consistent with the overall EAL scheme development guidance and with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The instrumentation and set points derived for this EAL set are consistent with the overall EAL scheme development guidance, address the plant-specific implementation strategies provided, and are considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

#### 3.4.5 EAL SU5

This EAL does not require an EAL set within the overall EAL scheme. The EAL's intent is to ensure an EAL is declared when the plant is not brought into the required operating mode within the time allowed via their Technical Specifications Limiting Condition of Operation (LCO) action statement completion time.

The numbering and format of this EAL is consistent with the overall EAL scheme development guidance and with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

#### 3.4.6 EAL SU6

This EAL does not require an EAL set within the overall EAL scheme. The EAL's intent is to highlight the importance of emergency communications by ensuring an EAL is declared if normal communication methods for onsite and offsite personnel, or for offsite response organizations including the NRC, are lost. No escalation path is necessary for this event progression.

The licensee chose to modify this EAL by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL is consistent with the overall EAL scheme development guidance, is consistent with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The communication methods derived for this EAL are consistent with the overall EAL scheme development guidance, address the plant-specific implementation strategies provided, and are considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic



EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

#### 3.4.7 EAL SU7

This EAL does not require an EAL set within the overall EAL scheme. The EAL's intent is to ensure an EAL is declared when the plant has indications of RCS leakage. By design, this EAL is redundant with corresponding indicators from a loss or potential loss of fission barriers, as well as radiation monitoring, to ensure reactor and/or fission barrier events are recognized regardless of the particular EAL table a licensee may be referring to. EAL escalation is bounded by fission barrier indicators and EALs RA1, RS1, and RG1.

The licensee chose to modify this EAL by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL is consistent with the overall EAL scheme development guidance, is consistent with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

#### 3.4.8 EAL SU9

This EAL does not require an EAL set within the overall EAL scheme. The EAL's intent is to ensure an EAL is declared when the plant has indications of fuel clad degradation. By design, this EAL is redundant with corresponding indicators from a loss or potential loss of fission barriers, as well as radiation monitoring, to ensure reactor and/or fission barrier events are recognized regardless of the particular EAL table a licensee may be referring to. EAL escalation is bounded by fission barrier indicators and EALs RA1, RS1, and RG1.

The licensee chose to modify this EAL by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL is consistent with the overall EAL scheme development guidance, is consistent with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

### 3.5 Category 'F' – Fission Barrier Matrix

This category is unique in the overall EAL scheme as the thresholds are not intended to be stand alone indicators of a particular event occurring at the plant. Rather, they are to be used as triggers within the particular logic configuration needed to reflect a loss or potential loss of a

fission barrier. The licensee has three fission barriers: fuel cladding, the RCS, and the primary containment. Licensees are to develop thresholds that provide EAL decision-makers input into making an event declaration based upon degradation of one or more of these fission barrier barriers.

While there are only four EALs within this set (FG1/FS1/FA1/FU1), there are numerous triggers used as logic inputs to decide on the appropriate classification based upon the number of loss and/or potential loss indicators that are triggered for each barrier. By design, these indicators are redundant with other similar indicators in the Category 'R' and Category 'S' EAL sets due to importance of licensees being able to recognize reactor and/or fission barrier events as timely as possible using the best available indicators from several different perspectives.

The NRC staff verified that the logic used to determine the appropriate emergency classification is consistent with the generic EAL scheme development guidance.

The instrumentation and set points derived for this EAL category are consistent with the overall EAL scheme development guidance, address the plant-specific implementation strategies provided, and are considered part of a standard EAL scheme.

The licensee chose to modify this EAL category by using a plant-specific implementation method that uses a modified numbering format and EAL sequence other than that provided in the generic EAL scheme development guidance. The numbering, sequencing, and format of this EAL is consistent with the overall EAL scheme development guidance, is consistent with the plant-specific implementation strategies provided, and is considered part of a standard EAL scheme.

The plant-specific implementation method for this EAL category is in alignment with the key characteristics of an effective EAL scheme, and while different from that provided in the generic EAL development guidance, it continues to meet the requirements of Section IV of Appendix E to 10 CFR Part 50 and 10 CFR 50.47(b)(4), and therefore, is acceptable for implementation.

#### 4.0 CONCLUSION

The NRC staff has reviewed the technical basis for the proposed EAL scheme, the modifications from NEI 99-01, Revision 5, and the licensee's evaluation of the proposed changes. The licensee chose to modify its EAL scheme from the generic EAL scheme development guidance provided in NEI 99-01, Revision 5, in order to adopt a format more in alignment with how the licensee currently implements its EALs, as well as alignment with plant-specific writer's guides and preferences. The NRC staff determined that these modifications do not alter the intent of any specific EAL within an EAL set, EAL category, or within the entire EAL scheme as stated in NEI 99-01, Revision 5.

From the review, the NRC staff determined that the proposed EAL scheme uses objective and observable values, is worded in a manner that addresses human engineering and user friendliness concerns, follows logical progression for escalating events, and allows for event downgrading and upgrading based upon the potential risk to the public health and safety. Risk assessments were appropriately used to set the boundaries of the emergency classification levels and ensure that all EALs that trigger emergency classification are in the same range of

relative risk. In addition, the NRC staff found that the proposed EAL scheme was consistent with EAL schemes implemented at similarly designed plants.

Based on the above, the NRC staff has determined that the proposed changes meet the guidance in NEI 99-01, Revision 5, the requirements of 10 CFR 50.47(b)(4), and the standards in Appendix E to 10 CFR 50. Therefore, the NRC staff concludes that the proposed EAL scheme, as stated in Enclosure 3 of the licensee's letter dated November 8, 2011 (Reference 13), provides reasonable assurance that the licensee can and will take adequate protective measures in the event of a radiological emergency. The licensee should implement the approved changes in a reasonable amount of time, which should not exceed 6 months from the end of the Unit 2 Cycle 20 refueling outage.

## 5.0 REFERENCES

1. Generic letter 79-50 dated October 10, 1979 (ADAMS Accession No. ML031320278).
2. U.S. Nuclear Regulatory Commission and Federal Emergency Management Agency, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," NUREG-0654/FEMA-REP-1, November 1980 (ADAMS Accession No. ML040420012).
3. Nuclear Management and Resources Council / National Environmental Studies Project (NUMARC/NESP) – 007, "Methodology for Development of Emergency Action Levels," Revision 2, dated January 1992 (ADAMS Accession No ML041120174).
4. NEI 99-01 Revision 4, "Methodology for Development of Emergency Action Levels," dated January 2003 (ADAMS Accession No. ML041470143).
5. Nuclear Energy Institute (NEI) 99-01, Revision 5, "Methodology for Development of Emergency Action Levels," February 2008 (ADAMS Accession No. ML080450149).
6. U.S. Nuclear Regulatory Commission, "Emergency Planning and Preparedness for Nuclear Power Reactors," Regulatory Guide 1.101, Revision 3, dated August 1992 (ADAMS Accession No. ML003740302) and Revision 4, dated July 2003 (ADAMS Accession No. ML032020276).
7. Miller, C. G., U.S. Nuclear Regulatory Commission, Letter to Alan Nelson, Nuclear Energy Institute, "U.S. Nuclear Regulatory Commission Review and Endorsement of NEI-99-01, Revision 5, dated February 2008," dated February 22, 2008 (ADAMS Accession No. ML080430535).
8. Emergency Action Level Frequently Asked Question, Proposed EALF FAQ 2009-48, (ADAMS Accession No. ML100710728).
9. U.S. Nuclear Regulatory Commission, Regulatory Issue Summary 2003-18, with Supplements 1 and 2 (ADAMS Accession Nos. ML032580518, ML041550395, and ML051450482), "Use of NEI-99-01, 'Methodology for Development of Emergency Action Levels,' dated January 2003."

10. NRC Bulletin 2005-02, "Emergency Preparedness and Response Actions for Security-Based Events," dated July 18, 2005 (ADAMS Accession No. ML051740058).
11. NRC Regulatory Issue Summary 2006-12, "Endorsement of Nuclear Energy Institute Guidance 'Enhancements to Emergency Preparedness Programs for Hostile Action'," (ADAMS Accession No. ML072670421).
12. Letter from I&M to U.S. Nuclear Regulatory Commission – "Proposed Changes to Emergency Action Levels," dated February 8, 2011 (ADAMS Accession No. ML110530352).
13. Letter from I&M to U.S. Nuclear Regulatory Commission – "Proposed Changes to Emergency Action Levels Response to Requests for Additional Information," dated November 8, 2011 (ADAMS Accession No. ML11320A206).

Mr. Lawrence J. Weber  
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One Cook Place  
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February 10, 2012

SUBJECT: DONALD C. COOK NUCLEAR PLANT (CNP), UNITS 1 AND 2 - APPROVAL OF EMERGENCY ACTION LEVEL SCHEME CHANGE (TAC NOS. ME5666 AND ME5667)

Dear Mr. Weber:

By letter dated February 8, 2011, as supplemented by letter dated November 8, 2011, Indiana Michigan Power Company requested approval of changes to the emergency action levels (EALs) for CNP, Units 1 and 2. The requested changes support a conversion from the current EAL scheme used at CNP to a scheme based on Nuclear Energy Institute 99-01, Revision 5, "Methodology for Development of Emergency Action Levels."

The Nuclear Regulatory Commission staff has completed its review as documented in the enclosed Safety Evaluation (SE). The SE concludes that the proposed changes meet the requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.47(b)(4) and Section IV.B of Appendix E to 10 CFR Part 50, and provide reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. Therefore, the NRC staff approves the proposed changes.

Sincerely, /RA/

Eric J. Leeds, Director  
Office of Nuclear Reactor Regulation

Docket Nos. 50-315 and 50-316

Enclosure:  
Safety Evaluation

cc: ListServ

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