

**Indiana Michigan  
Power Company**  
500 Circle Drive  
Buchanan, MI 49107 1395



July 25, 2003

AEP:NRC:2073-09  
10 CFR 2.202

Docket Nos. 50-315  
50-316

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

**SUBJECT:** Donald C. Cook Nuclear Plant Unit 1 and Unit 2  
Supplemental Answer to April 29, 2003, Order for  
Compensatory Measures Related to Fitness-For-Duty  
Enhancements Applicable to Nuclear Facility Security  
Force Personnel (EA-03-038)

Dear Sir or Madam:

By letter dated July 10, 2003, Relaxation of the Order, Exercising Enforcement Discretion, and Extension of the Time to Submit an Answer or Request a Hearing Regarding Order EA-03-038, Fitness-For-Duty Enhancements Applicable to Nuclear Facility Security Force Personnel, for Donald C Cook Nuclear Plant, Unit Nos. 1 and 2 ("NRC letter"), the NRC responded to the June 3, 2003, submittal of Indiana Michigan Power Company (I&M), the licensee for Donald C. Cook Nuclear Plant Units 1 and 2, Facility Operating Licenses DPR-58 and DPR-74, to the NRC's April 29, 2003, Order for Compensatory Measures Related to Fitness-For-Duty Enhancements Applicable to Nuclear Facility Security Force Personnel (EA-03-038) ("Order").

Pursuant to the NRC Letter, this letter constitutes I&M's supplemental answer (pursuant to 10 CFR 2.202 and Section IV of the Order) and response (pursuant to 10 CFR 50.4 and Sections III.A, B.1 and 2, and C.1 of the Order). This letter also contains I&M's understanding with respect to the Commission's intent to exercise enforcement discretion associated with the implementation of the Order.

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I&M hereby consents to the Order and does not request a hearing. I&M has started implementing the requirements of Attachment 2 to the Order and will complete implementation by October 29, 2003, as required by Section III.A of the Order. At this time, I&M knows of no matters about which the Commission must be notified pursuant to Section III.B.1 or B.2 of the Order, but will promptly notify the Commission if any such matters arise in the course of I&M's further implementation of the Order. The attachment to this letter provides I&M's schedule for achieving compliance with the requirements described in Attachment 2 to the Order as required by Section III.C of the Order.

I&M hereby confirms its understanding that the Commission intends to exercise enforcement discretion to accommodate issues which may arise as licensees, in good faith, take reasonable actions to implement the specific requirements of this Order. We further understand that the Commission will exercise enforcement discretion for the period necessary to resolve such issues and to integrate the requirements of the Order with the other Orders issued April 29, 2003, and February 25, 2002, as well as with other pertinent regulatory requirements, and our safeguards contingency plans, security plans and security officer training and qualification plans.

There are no new commitments included in this submittal.

Should you have any questions, please contact Mr. Brian A. McIntyre, Manager of Regulatory Affairs, at (269) 697-5806.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. C. Bakken, III', with a large, stylized circular flourish at the end.

A. C. Bakken, III  
Senior Vice President, Nuclear Operations

HLE/jen

Enclosure:  
Notarized Affirmation

Attachment 1:  
Schedule for Achieving Compliance with Requirements of the Order


c: K. D. Curry – AEP Ft. Wayne  
J. E. Dyer – NRC Region III  
J. T. King - MPSC  
MDEQ – Waste & Hazardous Materials Division  
NRC Resident Inspector  
M. A. Shuaibi – NRC Washington DC

ENCLOSURE TO AEP:NRC:2073-09

**AFFIRMATION**

I, A. Christopher Bakken, III, being duly sworn, state that I am Senior Vice President, Nuclear Operations, of American Electric Power Service Corporation and Vice President of Indiana Michigan Power Company (I&M), that I am authorized to sign and file this request with the Nuclear Regulatory Commission on behalf of I&M, and that the statements made and the matters set forth herein pertaining to I&M are true and correct to the best of my knowledge, information, and belief.

American Electric Power Service Corporation



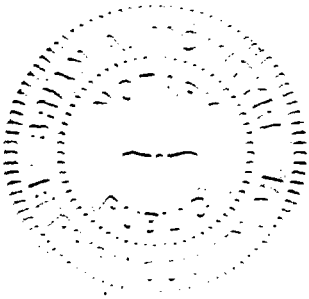
A. C. Bakken, III  
Senior Vice President, Nuclear Operations

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 25<sup>th</sup> DAY OF JULY, 2003

  
\_\_\_\_\_  
Notary Public

My Commission Expires APRIL 25, 2007



**ATTACHMENT TO AEP:NRC:2073-09**

**SCHEDULE FOR ACHIEVING COMPLIANCE WITH THE  
REQUIREMENTS OF THE ORDER**

<b>Order EA-03-038, Attachment 2 Requirement</b>	<b>Scheduled Date for Compliance</b>
Paragraph C.1	October 29, 2003
Paragraph C.2	October 29, 2003
Paragraph C.3	October 29, 2003
Paragraph C.4	October 29, 2003