



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

November 15, 2016

EA-16-242

Mr. Joel 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 POWER PLANT, UNITS 1 AND 2 – TEMPORARY INSTRUCTION 2800/041, "10 CFR PART 37, PHYSICAL PROTECTION OF CATEGORY 1 AND CATEGORY 2 QUANTITIES OF RADIOACTIVE MATERIAL AT FACILITIES WITH A 10 CFR PART 73, PHYSICAL PROTECTION PROGRAM"; INSPECTION REPORT AND EXERCISE OF ENFORCEMENT DISCRETION 05000315/2016404; 05000316/2016404

Dear Mr. Gebbie:

On October 14, 2016, the U.S. Nuclear Regulatory Commission (NRC) completed an inspection at your Donald C. Cook Nuclear Power Plant, Units 1 and 3, using Temporary Instruction 2800/041, "Title 10 of the *Code of Federal Regulations* (10 CFR) Part 37, Physical Protection of Category 1 and Category 2, Quantities of Radioactive Material at Facilities with a 10 CFR Part 73, Physical Protection Program." The enclosed inspection report documents the results of the inspection, which were discussed on October 14, 2016, with you and other members of your staff.

One licensee-identified violation, which was determined to be of very-low significance (Severity Level IV), is documented in this report. This violation met the criteria specified in NRC Enforcement Guidance Memorandum 14-001, "Interim Guidance for Dispositioning 10 CFR Part 37, Violations with Respect to Large Components or Robust Structures Containing Category 1 or Category 2 Quantities of Material at Power Reactor Facilities Licensed under 10 CFR Parts 50 and 52." Therefore, I have been authorized, after consultation with the Director, Office of Enforcement, and the Regional Administrator, to exercise enforcement discretion for this violation and the NRC is not taking enforcement action for the noncompliance.

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J. Gebbie

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Sincerely,

/RA Mohammed Shuaibi Acting for/

Kenneth G. O'Brien, Director
Division of Reactor Safety

Docket Nos. 50-315; 50-316
License Nos. DPR-58; DPR-74

Nonpublic Enclosure:
Inspection Report 05000315/2016404; 05000316/2016404

cc: K. Yale, State Liaison Officer, State of Michigan

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J. Gebbie

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