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SUBJECT: Provides comments & addl supporting info re NRC Integrated  
Insp Repts 50-315/96-05 & 50-316/96-05.

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September 27, 1996

AEP:NRC:1238B  
10 CFR 50.4

Docket Nos.: 50-315  
50-316

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D. C. 20555

Gentlemen:

Donald C. Cook Nuclear Plant Units 1 and 2  
NRC INSPECTION REPORTS NO. 50-315/96005 (DRP)  
AND 50-316/96005 (DRP)

This letter is in response to a letter from W. L. Axelson dated July 23, 1996, that forwarded NRC Integrated Inspection Report 50-315/316-96005 (DRP), covering the period from April 9 - May 25, 1996.

During discussions with the NRC Region III staff following our systematic assessment of licensee performance (SALP) board 13 report, we were strongly encouraged to respond to our inspection reports to provide additional information that we believe to be pertinent.

We generally agree with the information presented in the inspection report and find it to be a reasonable representation of the inspection period. However, with regard to certain areas of the report, we would like to provide comments and additional supporting information. These comments reflect areas where we believe insufficient credit was given for positive performance at the plant, or issues that we believe could have been more appropriately characterized. Our comments are provided in the attachment to this letter.

Sincerely,

A handwritten signature in cursive script, appearing to read 'E. E. Fitzpatrick'.

E. E. Fitzpatrick  
Vice President

jen

Attachment

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PDR ADOCK 05000315  
Q PDR

U. S. Nuclear Regulatory Commission  
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AEP:NRC:1238B

cc: A. A. Blind  
A. B. Beach  
MDEQ - DW & RPD  
NRC Resident Inspector  
J. R. Padgett



ATTACHMENT TO AEP:NRC:1238B

REPLY TO NRC INSPECTION REPORT  
NOS. 50-315/96005 (DRP) AND 50-316/96005 (DRP)

We generally agree with the information presented in the inspection report and find it to be a reasonable representation of the inspection period. However, there are areas in the report for which we wish to provide comments. These comments reflect areas where we believe insufficient credit was given for positive performance at the plant, or issues that we believe could have been more appropriately characterized. There are two issues in this inspection report for which we would like you to consider additional information.

#### 1996 Unit 2 Refueling Outage

The period of time covered by this routine inspection encompassed a major portion of the seven week outage; however, there is only one sentence in the report which sheds any light on the scope of this very successful outage. As we stated in our formal response to the SALP board 13 report, we believe this outage should be recognized as an indicator of improvement in our work control process and standards, internal teamwork and communications, maintenance performance, and commitment to excellence in operations.

#### Pre-Planned Entry into a Notification of Unusual Event (Unit 2)

On Sunday, April 14, 1996, after appropriate safety and management reviews and after removing all fuel from the reactor vessel, both emergency diesel generators were removed from service. In strict compliance with our emergency plan, a notification of unusual event (NOUE) was made. Because this was a voluntary entry into conditions requiring off-site and NRC notifications, rather than an unplanned event-driven situation, efforts were made to clearly communicate to all involved agencies, the non-safety significance of the required notifications. To emphasize the need for accuracy and timeliness of all emergency plan notifications, regardless of the safety significance, it has been a long standing practice at Cook Nuclear Plant to conservatively classify events in strict compliance with our existing emergency plan even though the reactor is void of all fuel and clearly the safety intent of the emergency plan does not apply.

We had originally scheduled the performance of maintenance on the two diesel generators at separate times in the outage schedule. However, delays were encountered during work on the 2CD engine, encroaching on the original schedule for work on the 2AB engine. It was decided to remove the 2AB engine from service and perform work on it simultaneously. This decision was made, and the subsequent action taken on very short notice.

Prior to this, it had been planned to remove both trains of essential service water (ESW), and both trains of component cooling water (CCW). This would have had the effect of removing both diesels, and would have required an intentional entry into a NOUE. While this plan was later changed such that the dual service water train outage did not occur, the extensive up front planning and safety reviews had been conducted, and were determined to adequately cover the action of removing and working on both diesels simultaneously.

Because the final decision to work on both engines simultaneously was made on short notice, a plant nuclear safety review committee (PNSRC) meeting was called on Sunday morning to review the safety and shutdown risk reviews covering this new work, prior to implementing the decision. The major emphasis of this review was to ensure a suitable and reliable heat sink for the spent fuel pool. The resident received an information call at the conclusion of the meeting prior to taking action to remove the diesel generators and the entry into the NOUE.

In the inspection report, the resident inspector drew the following conclusions about the event;

"The inspectors determined that this evolution had minimal safety consequence given the plant conditions. The licensee made effective use of the extensive preparations for the dual train ESW/CCW outage..."

We agree with these conclusions drawn by the resident inspector.

However, the inspection report qualifies these conclusions with related concerns, several of which we wish to comment on.

The inspector's conclusion statement goes on to say;

"...However, the need for the licensee to intentionally enter a NOUE for seven days was not demonstrated."

We have acknowledged that in light of the plant condition and minimal safety consequences, this decision was made in support of our outage schedule. However, we do not believe that the decision was inappropriately influenced by the desire to remain on schedule. In the past, in strict accordance with the emergency plan, we have entered similar conditions while the reactor is void of fuel which, however, still require classification as an NOUE.

Senior management requires that all planned maintenance activities have a safety benefit. If this benefit is not demonstrated, the maintenance is not authorized. In this case the benefit of removing the diesel generators was to determine quickly the root cause of the failure of the CAM follower springs. Considering the inconsequential effect it had on shutdown safety, we believe the





benefit of quickly identifying the root cause of the failure was significant. This prompt action had the concurrent benefit of avoiding outage delay. We are not aware of methodologies or standards for demonstrating a balance between improving the material condition of plant equipment versus the need to enter a condition meeting classification requirements per our emergency plan.

This particular requirement for entering an unusual event has long been considered of minimal safety consequence for public safety by the NRC. This is evidenced by the fact that it is being removed from the requirements for utilities pursuing changes to their emergency action levels (EALs) using guidance developed under the auspices of NUMARC and endorsed by the NRC and FEMA.

Another concern expressed in the inspection report reads:

"The licensee had made no effort to pursue a prompt revision of the emergency classification criteria in an effort to avoid the NOUE. Unrelated to this event the licensee had previously submitted a request to the NRC to change the criteria, but this change was not yet final. The licensee made no effort to have the NRC increase the priority of their change request."

Our formal submittal for a wholesale conversion of Cook Nuclear Plant's EALs from the old NUREG-0654 Appendix 1 guidance to the new NUMARC/NESP-007 guidance has been on the docket in some form or another since 1994. We are currently expecting approval in mid to late October of this year. A minimum implementation schedule, once the NRC approves the change, is fourteen weeks long. This includes procedure modification, training and verification, prior to making the change official.

Even if NRR had been willing to increase the priority being afforded our EAL submittal, it would not have constituted a practical solution to the problem. This issue represents one item in a substantial submittal package, and would have required a separate effort for onsite implementation if approved. None of this could have been accomplished in the time frame in which this situation arose, and subsequent scheduling decisions were made. Moreover, we believe it is unreasonable to hold a licensee accountable for NRC priorities which are not within a licensee's control.

