



Tennessee Valley Authority
1101 Market Street, LP 3R
Chattanooga, Tennessee 37402-2801

R. M. Krich
Vice President
Nuclear Licensing

July 15, 2011

WBN -TS-09-23

10 CFR 50.4
10 CFR 50.90

ATTN: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Watts Bar Nuclear Plant, Units 1 and 2
Facility Operating License No. NPF-90
NRC Docket Nos. 50-390 and 50-391

Subject: Response to Requested Changes Regarding Watts Bar Nuclear Plant Cyber Security Plan License Amendment Request

- References:**
1. Letter from TVA to NRC, "Request for Approval of the Watts Bar Nuclear Plant Cyber Security Plan," dated November 23, 2009
 2. Letter from TVA to NRC, "Supplement to Request for Approval of the Watts Bar Nuclear Plant Cyber Security Plan," dated December 18, 2009
 3. Letter from TVA to NRC, "Second Supplement to Request for Approval of the Watts Bar Nuclear Plant Cyber Security Plan," dated July 23, 2010
 4. Letter from NRC (Lingam) to TVA (Krich), "Browns Ferry Nuclear Plant, Units 1, 2 and 3, Sequoyah Nuclear Plant, Units 1 and 2, and Watts Bar Nuclear Plant, Units 1 and 2 - Request for Additional Information Regarding Cyber Security Plans Based on Nuclear Energy Institute 08-09, Revision 6 (TAC Nos. ME4952, ME4953, ME4954, ME4955, ME4956, ME4951 and ME4958)," dated March 8, 2011
 5. Letter from TVA to NRC, "Response to Request for Additional Information Regarding Watts Bar Nuclear Plant Cyber Security Plan License Amendment Request," dated April 7, 2011

In Reference 1, as supplemented by References 2 and 3, the Tennessee Valley Authority (TVA), submitted a request for an amendment to the Facility Operating License (FOL) for the Watts Bar Nuclear Plant (WBN), Unit 1. The proposed amendment requests NRC approval of the Plant Cyber Security Plan for WBN and provides revisions to the existing FOL Physical Protection license condition, and also provides the Cyber Security Plan Implementation Schedule for WBN.

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NRC

By letter dated March 8, 2011 (Reference 4), the NRC requested that additional information be submitted by TVA within 30 days of receipt of the March 8 letter in order to support the NRC review of the license amendment request. Reference 5 provided the requested 30-day response information. Based on subsequent correspondence from the NRC, the submitted supplemental information was acceptable and there were no further questions. During a July 6, 2011, telephone call between NRC and TVA representatives, the NRC requested that the proposed change to the FOL Physical Protection license condition be revised slightly to incorporate the language as agreed to during internal discussions among the NRC staff, and that this revision be provided by July 15, 2011.

The Enclosure to this letter contains revised pages for the FOL Physical Protection license condition for WBN, Unit 1, which incorporates the revised language as requested by the NRC. The pages in the Enclosure to this letter replace, in their entirety, the marked-up and re-typed pages previously submitted as Enclosure 3 of Reference 5. No other changes have been made to the previous submittals regarding the Cyber Security Plan.

Additionally, in accordance with 10 CFR 50.91(b)(1), TVA is sending a copy of this letter and Enclosure to the Tennessee State Department of Environment and Conservation.

The changes discussed herein are of an editorial nature and do not impact the conclusions of the no significant hazards consideration determination previously provided in Reference 2.

There are no commitments associated with this submittal. If you have any questions regarding this submittal, please contact Clyde Mackaman at 423-751-2834.

I declare under the penalty of perjury that the foregoing is true and correct. Executed on the 15th day of July 2011.

Respectfully,



R. M. Krich

Enclosure: Proposed Facility Operating License Changes (Marked-Up and Re-Typed)

cc (Enclosure):

NRC Regional Administrator - Region II
NRC Senior Resident Inspector - Watts Bar Nuclear Plant, Unit 1
NRC Senior Resident Inspector - Watts Bar Nuclear Plant, Unit 2
Director, Division of Radiological Health - Tennessee State Department
of Environment and Conservation

Enclosure

Proposed Facility Operating License Changes (Marked-Up and Re-Typed)

Watts Bar Nuclear Plant, Unit 1

Proposed Facility Operating License Changes (Marked-up)

- (2) The facility was previously granted an exemption from the criticality monitoring requirements of 10 CFR 70.24 (see Special Nuclear Material License No. SNM-1861 dated September 5, 1979). The technical justification is contained in Section 9.1 of Supplement 5 to the Safety Evaluation Report, and the staff's environmental assessment was published on April 18, 1985 (50 FR 15516). The facility is hereby exempted from the criticality alarm system provisions of 10 CFR 70.24 so far as this section applies to the storage of fuel assemblies held under this license.
- (3) The facility requires an exemption from 10 CFR 73.55(c)(10). The justification for this exemption is contained in Section 13.6.9 of Supplement 15 and 20 to the Safety Evaluation Report. The staff's environmental assessment was published on April 25, 1995 (60 FR 20291). Pursuant to 10 CFR 73.5, the facility is exempted from the stated implementation schedule of the surface vehicle bomb rule, and may implement the same as late as February 17, 1996.
- (4) The facility was previously granted an exemption from certain requirements of 10 CFR 73.55(d)(5) relating to the returning of picture badges upon exit from the protected areas, such that individuals not employed by TVA who are authorized unescorted access into protected areas can take their badges offsite (see 59 FR 66061, December 22, 1994). The granting of this exemption is hereby affirmed.
- (5) The facility was previously granted an exemption from certain requirements of 10 CFR 50, Appendix E, such that the State of Tennessee, which is within the ingestion exposure pathway emergency planning zone, need not participate in the November 1995 full-participation exercise (see 60 FR 54526, October 24, 1995). The granting of this exemption is hereby affirmed.

E.

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(1)

TVA shall fully implement and maintain in effect all provisions of the Commission approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Watts Bar Nuclear Plant Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, Revision 3," submitted by letter dated May 16, 2006.

F.

TVA shall implement and maintain in effect all provisions of the approved fire protection program as described in the Fire Protection Report for the facility, as approved in Supplements 18 and 19 of the SER (NUREG-0847) subject to the following provision:

TVA may make changes to the approved fire protection program without prior approval of the Commission, only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

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- (2) The licensee shall fully implement and maintain in effect all provisions of the Commission-approved cyber security plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The licensee CSP was approved by License Amendment No. [###].

Watts Bar Nuclear Plant, Unit 1

Proposed Facility Operating License Changes (Re-Typed)

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TVA may make changes to the approved fire protection program without prior approval of the Commission, only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

- G. Except as otherwise provided in the Technical Specifications (Appendix A to this license) or Environmental Protection Plan (Appendix B to this license), TVA shall report any violations of the requirements contained in Section 2.C of this license in the following manner: initial notification shall be made within twenty-four (24) hours to the NRC Operations Center via the Emergency Notification System with written follow-up within 30 days in accordance with the procedures described in 10 CFR 50.73 (b), (c), and (e).
- H. The licensee shall have and maintain financial protection of such types and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.