

Attachment 1

L-2012-248

Evaluation of Proposed Change

1.0 SUMMARY DESCRIPTION

2.0 DETAILED DESCRIPTION

3.0 TECHNICAL EVALUATION

4.0 REGULATORY EVALUATION

4.1 Applicable Regulatory Requirements/Criteria

10 CFR 73.54 requires licensees to maintain and implement a cyber security plan. Turkey Point Nuclear Generating Station Renewed Facility Operating License Nos. DPR-31 and DPR-41 include a Physical Protection license condition that requires FPL to fully implement and maintain in effect all provisions of the Commission-approved cyber security plan, including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p).

4.2 Precedent

Amendment No. 203 (Reference 5) approved an implementation schedule using the NEI template (Reference 3), with the exception of milestone 6 for the Callaway Plant. The Callaway Plant deviated from the template for milestone 6 to address only the NEI 08-09, Revision 6, Appendix D technical controls, excepting for the operational and management controls, on the basis that implementing the technical controls for the target set CDAs provides a high degree of protection against cyber related attacks that could lead to radiological sabotage.

The changes being proposed by FPL in this LAR are similar to those approved in the Callaway Plant Amendment No. 203.

4.3 Significant Safety Hazards Consideration

FPL is requesting an amendment to the Turkey Point Nuclear Generating Station Renewed Facility Operating Licenses to revise the Physical Protection license condition as it relates to the cyber security plan. This change includes a proposed deviation to the scope of a Cyber Security Plan Implementation Schedule milestone 6 and a proposed revision to the Turkey Point Nuclear Generating Station Renewed Facility Operating Licenses to include the proposed deviation. Specifically, FPL proposes a change to the scope of implementation milestone 6 to apply to only technical cyber security controls.

FPL has evaluated whether or not a significant hazards consideration is involved with the proposed amendment by focusing on the three standards set forth in 10 CFR 50.92, "Issuance of Amendment," as discussed below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed scope change to Cyber Security Plan Implementation Schedule milestone 6 is administrative in nature. This change does not alter accident analysis assumptions, add any accident initiators, or affect the function of plant systems or the manner in which systems are operated, maintained, modified, tested, or inspected. The proposed change does not require any plant modifications that affect the performance capability of the structures, systems, and components relied upon to mitigate the consequences of postulated accidents and has no impact on the probability or consequences of an accident previously evaluated.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed scope change to Cyber Security Plan Implementation Schedule milestone 6 is administrative in nature. This proposed change does not alter accident analysis assumptions, add any accident initiators, or affect the function of plant systems or the manner in which systems are operated, maintained, modified, tested, or inspected. The proposed change does not require any plant modifications that affect the performance capability of the structures, systems, and components relied upon to mitigate the consequences of postulated accidents and does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

Plant safety margins are established through limiting conditions for operation, limiting safety system settings, and safety limits specified in the technical specifications. The proposed scope change to Cyber Security Plan Implementation Schedule milestone 6 is administrative in nature. Because there is no change to these established safety margins as a result of this change, the proposed change does not involve a significant reduction in a margin of safety.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Based on the above, FPL concludes that the proposed change presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and accordingly, a finding of “no significant hazards consideration” is justified.

4.4 Conclusion

In conclusion, based on the considerations discussed above: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner; (2) such activities will be conducted in compliance with the Commission's regulations; and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

5.0 ENVIRONMENTAL CONSIDERATION

The proposed amendment provides a scope change to Cyber Security Plan Implementation Schedule milestone 6. The proposed amendment meets the eligibility criterion for a categorical exclusion set forth in 10 CFR 51.22(c)(12). Therefore, pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 REFERENCES

1. NRC letter to Florida Power & Light Company, Turkey Point Units 3 and 4 –Issuance of Amendments Regarding Cyber Security Program, dated July 29, 2011
2. Florida Power & Light Company letter L-2011-121 to the NRC, Supplement to Request for Approval of the Turkey Point Nuclear Generating Station Cyber Security Plan: Response to Request for Additional Information, dated April 5, 2011
3. Letter from Chris Earls (NEI) to Richard P. Correia (NRC), Template for the Cyber Security Plan Implementation Schedule, dated February 28, 2011 (ADAMS Accession No. ML110600211)
4. Letter from Richard P. Correia (NRC) to Chris Earls (NEI), Template for the Cyber Security Plan Implementation Schedule, dated March 1, 2011 (ADAMS Accession No. ML110070348)
5. NRC letter from M. C. Thadani, USNRC, to A. C. Heflin, Union Electric Company, “Callaway Plant, Unit 1 – Issuance of Amendment Re: Approval of Cyber Security Plan (TAC NO. ME4536),” August 17, 2011 (ADAMS Accession No. ML112140087)