



~~SECURITY-RELATED INFORMATION~~  
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June 13, 2012

REDACTED NG-12-0207  
10 CFR 50.90  
10 CFR 50.4

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

Duane Arnold Energy Center  
Docket No. 50-331  
Renewed Op. License No. DPR-49

REDACTION BY  
KARL FEINTUCH *Karl Feintuch*  
PROJECT MANAGER  
USNRC  
AUGUST 14, 2012

License Amendment Request TSCR-136 - Cyber Security Plan Implementation  
Schedule Milestone Change

- References:
- (1) Letter from K. Feintuch, NRC, to C. Constanzo, NextEra Energy Duane Arnold, "Issuance of Amendment Pertaining to Cyber Security Plan (TAC NO. ME4287)," dated July 29, 2011. (ML111940224)
  - (2) Letter from C. Costanzo, NextEra Energy Duane Arnold to NRC, "Response to Request for Additional Information and Submittal of TSCR-121C Supplement to License Amendment Request for Approval of the Duane Arnold Energy Center/NextEra Energy Duane Arnold, LLC Cyber Plan," dated April 5, 2011. (ML110950546)

In Reference 1, the NRC issued license Amendment No. 278 to the Renewed Facility Operating License for NextEra Energy Duane Arnold, LLC (hereafter NextEra Energy Duane Arnold) that approved the DAEC (Duane Arnold Energy Center) Cyber Security Plan and associated implementation milestone schedule. The Cyber Security Plan

~~This letter contains security-related information. Attachments 1 (Sections 1.0, 2.0, and 3.0) and 4 are withheld from public disclosure per 10 CFR 2.390~~

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Implementation Schedule contained in Reference 2 was utilized as a portion of the basis for the NRC's safety evaluation report provided by Reference 1. NextEra Energy Duane Arnold is planning to implement the requirements of implementation schedule milestone 6 in a slightly different manner than described in the approved implementation schedule. Although no change to the implementation schedule date is proposed, the change to the description of the milestone activity is conservatively considered to be a change to the implementation schedule, and in accordance with the provisions of 10 CFR 50.4 and 10 CFR 50.90, NextEra Energy Duane Arnold is submitting this request for an amendment to the Facility Operating License (FOL) for DAEC. The DAEC Cyber Security Plan was previously provided in Reference 2.

Attachment 1 provides an evaluation of the proposed change. Attachment 2 contains proposed marked-up operating license pages for the Physical Protection license condition for DAEC to reference the change provided in this submittal. Attachment 3 contains the proposed revised operating license pages. Attachment 4 contains a change to the scope of implementation milestone 6. NextEra Energy Duane Arnold requests that Attachments 1 (Sections 1.0, 2.0 and 3.0) and 4, which contain security-related information (SRI), be withheld from public disclosure in accordance with 10 CFR 2.390.

The proposed changes have been evaluated in accordance with 10 CFR 50.91(a)(1) using criteria in 10 CFR 50.92(c), and it has been determined that the changes involve no significant hazards consideration. The bases for these determinations are included in Attachment 1.

NextEra Energy Duane Arnold requests this license amendment be effective as of its date of issuance. Although this request is neither exigent nor emergency, your review and approval is requested prior to December 31, 2012.

These changes have been reviewed by the NextEra Energy Duane Arnold Onsite Review Group. A copy of this submittal is also being sent to our appointed state official pursuant to 10 CFR 50.91.

The revised obligation contained in this submittal is summarized in Attachment 5. Should you have any questions concerning this letter, or require additional information, please contact Steve Catron, Licensing Manager, at (319) 851-7234.

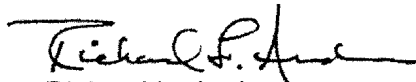
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I declare under penalty of perjury that the foregoing is true and correct.  
Executed on June 13, 2012.



Richard L. Anderson  
Vice President, Duane Arnold Energy Center  
NextEra Energy Duane Arnold, LLC

Attachments: 1 - Evaluation of Proposed Change (contains SRI)  
2 - Proposed DAEC Operating License Changes (Mark-up)  
3 - Proposed DAEC Operating License Changes (Re-typed)  
4 - Revised Milestone 6 of the Cyber Security Plan Implementation  
Schedule (contains SRI)  
5 - Revised Obligation

cc: Regional Administrator, USNRC, Region III  
Project Manager, USNRC, Duane Arnold Energy Center  
Resident Inspector, Duane Arnold Energy Center, USNRC  
M. Rasmusson (State of Iowa)

~~This letter contains security-related information. Attachments 1 (Sections 1.0,~~  
~~2.0, and 3.0) and 4 are withheld from public disclosure per 10 CFR 2.390~~

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ATTACHMENT 1

NG-12-0207 REDACTED

EVALUATION OF PROPOSED CHANGE

SUBJECT: License Amendment Request TSCR-136 - Cyber Security Plan  
Implementation Schedule Milestone Change

- 1.0 SUMMARY DESCRIPTION
  - 2.0 DETAILED DESCRIPTION
  - 3.0 TECHNICAL EVALUATION
  - 4.0 REGULATORY EVALUATION
    - 4.1 APPLICABLE REGULATORY REQUIREMENTS/CRITERIA
    - 4.2 PRECEDENT
    - 4.3 SIGNIFICANT SAFETY HAZARDS CONSIDERATION
    - 4.4 CONCLUSION
  - 5.0 ENVIRONMENTAL CONSIDERATION
  - 6.0 REFERENCES
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1.0 SUMMARY DESCRIPTION

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2.0 DETAILED DESCRIPTION

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3.0 TECHNICAL EVALUATION

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~~This attachment contains security-related information - Sections 1.0, 2.0 and 3.0~~  
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#### 4.0 REGULATORY EVALUATION

##### 4.1 APPLICABLE REGULATORY REQUIREMENTS/CRITERIA

10 CFR 73.54 requires licensees to maintain and implement a cyber security plan. DAEC Facility Operating License No. DPR-49 includes a Physical Protection license condition that requires NextEra Energy Duane Arnold 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 NextEra Energy Duane Arnold in this amendment request are similar to those approved in the Callaway Plant Amendment No. 203.

##### 4.3 SIGNIFICANT HAZARDS CONSIDERATION

NextEra Energy Duane Arnold is requesting an amendment to the DAEC Facility Operating License 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 and a proposed revision to the DAEC Facility Operating License to include the proposed deviation. Specifically, NextEra Energy Duane Arnold proposes a change to the scope of implementation milestone 6 to apply to only technical cyber security controls.

NextEra Energy Duane Arnold 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 amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change to the Cyber Security Plan Implementation Schedule 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 change to the Cyber Security Plan Implementation Schedule 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 amendment 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 change to the Cyber Security Plan Implementation Schedule is administrative in nature. Because there is no change to these established safety margins as 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, NextEra Energy Duane Arnold 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 change to the Cyber Security Plan Implementation Schedule. 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. Letter from K. Feintuch, NRC, to C. Costanzo, NextEra Energy Duane Arnold, "Issuance of Amendment Pertaining to Cyber Security Plan (TAC NO. ME4287)," dated July 29, 2011. (ML111940224)
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3. Letter from Chris Earls (NEI) to Richard P. Correia (NRC), "Template for the Cyber Security Plan Implementation Schedule," dated February 28, 2011. (ML110600211)
4. Letter from Richard P. Correia (NRC) to Chris Earls (NEI), "Template for the Cyber Security Plan Implementation Schedule," dated March 1, 2011. (ML110070348)
5. Letter from M.C. Thadani, NRC, to A. C. Heflin, Union Electric Company, "Callaway Plant, Unit 1 – Issuance of Amendment Re: Approval of Cyber Security Plan (TAC NO. ME4536)," dated August 17, 2011. (ML112140087)

ATTACHMENT 2  
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PROPOSED DAEC OPERATING LICENSE CHANGES  
(MARK-UP)

1 Page Follows

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 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Duane Arnold Energy Center Physical Security Plan," submitted by letter dated May 16, 2006.

NextEra Energy Duane Arnold, LLC shall fully implement and maintain in effect all provisions of the Commission-approved Duane Arnold Energy Center/NextEra Energy Duane Arnold, LLC Cyber Security Plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The Duane Arnold Energy Center/NextEra Energy Duane Arnold, LLC CSP was approved by License Amendment No. 278, as supplemented by a change approved by License Amendment No. XXX.

(6) Deleted

(7) Additional Conditions

The Additional Conditions contained in Appendix B, as revised through Amendment No. 260, are hereby incorporated into this license. NextEra Energy Duane Arnold, LLC shall operate the facility in accordance with the Additional Conditions.

(8) The licensee is authorized to revise the Updated Final Safety Analysis Report by deleting the footnote for Section 9.1.4.4.5 which states: "The NRC has not endorsed the reactor building crane as single-failure proof (Reference 9)," and by deleting Reference 9 of the references for Section 9.1.

(9) Mitigation Strategy License Condition

Develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

(a) Fire fighting response strategy with the following elements:

1. Pre-defined coordinated fire response strategy and guidance
2. Assessment of mutual aid fire fighting assets
3. Designated staging areas for equipment and materials
4. Command and control
5. Training of response personnel

(b) Operations to mitigate fuel damage considering the following:

1. Protection and use of personnel assets
2. Communications
3. Minimizing fire spread
4. Procedures for implementing integrated fire response strategy
5. Identification of readily-available pre-staged equipment
6. Training on integrated fire response strategy
7. Spent fuel pool mitigation measures

(c) Actions to minimize release to include consideration of:

1. Water spray scrubbing
2. Dose to onsite responders

(10) The licensee shall implement and maintain all Actions required by Attachment 2 to NRC Order EA-06-137, issued June 20, 2006, except the last action that requires incorporation of the strategies into the site security plan, contingency plan, emergency plan and/or guard training and qualification plan, as appropriate.

ATTACHMENT 3

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PROPOSED DAEC OPERATING LICENSE CHANGES  
(RE-TYPED)

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 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Duane Arnold Energy Center Physical Security Plan," submitted by letter dated May 16, 2006.

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ATTACHMENT 4

NG-12-0207 REDACTED

Revised Milestone 6 of the Cyber Security Plan Implementation Schedule

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Attachment 5

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Regulatory Obligation

### Regulatory Obligation

The following table identifies the actions committed to by NextEra Energy Duane Arnold in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments or obligations.

OBLIGATION	TYPE		SCHEDULED COMPLETION DATE
	ONE- TIME ACTION	CONTINUING COMPLIANCE	
NextEra Energy Duane Arnold will implement milestones 1, 2, 3, 4, 5, and 7 described in Enclosure 4 of letter dated April 5, 2011, and the revised Milestone 6 in Attachment 4 of this submittal.	X		December 31, 2012