



January 7, 2014

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

Serial No. 13-226F
LIC/CDS/R0
Docket No. 50-305
License No. DPR-43

DOMINION ENERGY KEWAUNEE, INC.
KEWAUNEE POWER STATION
SUPPLEMENT 2: LICENSE AMENDMENT REQUEST 256, PERMANENTLY
DEFUELED LICENSE AND TECHNICAL SPECIFICATIONS

By application dated May 29, 2013 (Reference 1), Dominion Energy Kewaunee, Inc. (DEK), requested an amendment to Renewed Facility Operating License Number DPR-43 (Operating License) for Kewaunee Power Station (KPS). The proposed amendment would revise the KPS Operating License and Technical Specifications (TS) to Permanently Defueled Technical Specifications (PDTS), consistent with the permanently defueled status of the plant. Supplement 1 to the amendment request was submitted on October 15, 2013 (Reference 2).

The subject amendment request proposed deletion of the cyber security provisions contained in License Condition 2.C.(4). The proposed deletion of this portion of License Condition 2.C.(4) was based on DEK's conclusion that the requirements of 10 CFR 73.54, "Protection of digital computer and communications systems and networks," no longer applied to KPS. However, the NRC staff recently verbally informed DEK (Reference 3) that 10 CFR 73.54 continues to apply to facilities that were licensed to operate on November 23, 2009. November 23, 2009 was the date by which all licensees licensed to operate a nuclear power plant were required to submit a cyber security plan to the NRC for review and approval.

In response to the staff's comments, DEK is revising the originally proposed amendment request. The revised request retracts the original proposal to delete the cyber security provisions contained in License Condition 2.C.(4), which will result in this license condition remaining unchanged. Attachment 1 to this letter provides a supplement to the proposed amendment describing the revision. Attachment 2 contains the marked-up License page affected by this revision. The conclusions of the no significant hazards consideration and the environmental considerations contained in Reference 1 are not affected by, and remain applicable to, this revision.

The June 1, 2014 requested approval date for the submittal remains unchanged.

ADD
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1. Letter from Eugene S. Grecheck (DEK) to NRC Document Control Desk, "License Amendment Request 256, Permanently Defueled License and Technical Specifications," dated May 29, 2013. (ADAMS Accession No. ML13156A037)
2. Letter from Mark D. Sartain (DEK) to NRC Document Control Desk, "Supplement 1 and Response to Request for Additional Information Regarding License Amendment Request 256, Permanently Defueled License and Technical Specifications," dated October 15, 2013. (ADAMS Accession No. ML13294A091)
3. Teleconference between NRC staff and DEK representatives regarding applicability of 10 CFR 73.54, "Protection of digital computer and communication systems and networks," to Kewaunee Power Station, on November 13, 2013.

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ATTACHMENT 1

**SUPPLEMENT 2:
LICENSE AMENDMENT REQUEST 256
PERMANENTLY DEFUELED LICENSE AND TECHNICAL SPECIFICATIONS**

DISCUSSION OF CHANGE AND TECHNICAL ANALYSIS

**KEWAUNEE POWER STATION
DOMINION ENERGY KEWAUNEE, INC.**

SUPPLEMENT 2
LICENSE AMENDMENT REQUEST 256
PERMANENTLY DEFUELED LICENSE AND TECHNICAL SPECIFICATIONS

DISCUSSION OF CHANGE AND TECHNICAL ANALYSIS

1.0 DESCRIPTION

By application dated May 29, 2013 (Reference 1), Dominion Energy Kewaunee, Inc. (DEK), requested an amendment to Renewed Facility Operating License Number DPR-43 (Operating License) for Kewaunee Power Station (KPS). The proposed amendment would revise the KPS Operating License and Technical Specifications (TS) to Permanently Defueled Technical Specifications (PDTS), consistent with the permanently defueled status of the plant. Supplement 1 to the amendment request was submitted on October 15, 2013 (Reference 2).

The subject amendment request proposed deletion of the cyber security provisions contained in License Condition 2.C.(4). The proposed deletion of this portion of License Condition 2.C.(4) was based on DEK's conclusion that the requirements of 10 CFR 73.54 no longer applied to KPS. 10 CFR 73.54 specifies requirements for protection of certain types of digital computer and communication systems and networks against cyber attack. The preamble of this regulation states that by November 23, 2009, each licensee currently licensed to operate a nuclear power plant shall submit a cyber security plan for Commission review and approval. DEK fulfilled this requirement prior to November 23, 2009, as required by the regulation. Subsequently, DEK submitted a certification of permanent removal of fuel from the reactor vessel (Reference 3) pursuant to 10 CFR 50.82(a)(1)(ii) by letter dated May 14, 2013. As a result, the 10 CFR Part 50 license for KPS no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel, as specified in 10 CFR 50.82(a)(2).

Based on the above, DEK concluded that 10 CFR 73.54 was no longer applicable to KPS since 10 CFR 73.54 states that the requirement to submit a cyber security plan is required only for "each licensee currently licensed to operate a nuclear power plant" (DEK is no longer authorized to operate the KPS reactor). However, the NRC staff recently verbally informed DEK (Reference 4) that 10 CFR 73.54 continues to apply to facilities that were licensed to operate on November 23, 2009.

In response to the staff's comments, DEK is revising the originally proposed amendment request. The revised request retracts the original proposal to delete the cyber security provisions contained in License Condition 2.C.(4). The proposed retraction will result in this license condition remaining unchanged. Attachment 2 contains the marked-up License page affected by this proposed change to the amendment request. The conclusions of the no significant hazards consideration and

the environmental considerations contained in Reference 1 are not affected by, and remain applicable to, this proposed change.

2.0 PROPOSED CHANGE

The originally proposed request to delete the second paragraph of License Condition 2.C.(4), regarding cyber security provisions, is being retracted. This paragraph will be maintained unchanged as shown below.

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved Kewaunee, Millstone, North Anna, and Surry Power Stations Cyber Security Plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The CSP was approved by License Amendment No. 210.

3.0 TECHNICAL ANALYSIS

Retraction of the originally proposed change results in no change being proposed to the currently existing second paragraph of License Condition 2.C.(4), regarding cyber security provisions. License Condition 2.C.(4), "Physical Protection," is therefore being maintained unaltered in its entirety. Maintaining this license condition unchanged has no impact on the remainder of the changes proposed in LAR 256 (Reference 1).

4.0 SUMMARY

DEK proposes that License Condition 2.C.(4), "Physical Protection," be maintained unchanged.

5.0 REGULATORY ANALYSIS

5.1 No Significant Hazards Consideration

The conclusions of the no significant hazards consideration contained in Reference 1 are not affected by, and remain applicable to, this proposed change.

5.2 Applicable Regulatory Requirements/Criteria

The applicable regulatory requirements/criteria contained in Reference 1 are not affected by, and remain applicable to, this proposed change.

6.0 ENVIRONMENTAL CONSIDERATION

The conclusions of the environmental considerations contained in Reference 1 are not affected by, and remain applicable to, this proposed change.

7.0 REFERENCES

1. Letter from Eugene S. Grecheck (DEK) to NRC Document Control Desk, "License Amendment Request 256, Permanently Defueled License and Technical Specifications," dated May 29, 2013. (ADAMS Accession No. ML13156A037)
2. Letter from Mark D. Sartain (DEK) to NRC Document Control Desk, "Supplement 1 and Response to Request for Additional Information Regarding License Amendment Request 256, Permanently Defueled License and Technical Specifications," dated October 15, 2013. (ADAMS Accession No. ML13294A091)
3. Letter from Daniel G. Stoddard (DEK) to NRC Document Control Desk, "Certification of Permanent Removal of Fuel from the Reactor Vessel," dated May 14, 2013. (ADAMS Accession No. ML13135A209)
4. Teleconference between NRC staff and DEK representatives regarding applicability of 10 CFR 73.54, "Protection of digital computer and communication systems and networks," to Kewaunee Power Station, on November 13, 2013.

ATTACHMENT 2

**SUPPLEMENT 2:
LICENSE AMENDMENT REQUEST 256
PERMANENTLY DEFUELED LICENSE AND TECHNICAL SPECIFICATIONS**

MARKED UP LICENSE PAGE 4

**KEWAUNEE POWER STATION
DOMINION ENERGY KEWAUNEE, INC.**

(4) Physical Protection

The licensee 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 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21 is entitled: "Nuclear Management Company Kewaunee Nuclear Power Plant Physical Security Plan (Revision 0)" submitted by letter dated October 18, 2004, and supplemented by letter dated October 21, 2004, July 26, 2005, and May 15, 2006.

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved Kewaunee, Millstone, North Anna, and Surry Power Stations Cyber Security Plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The CSP was approved by License Amendment No. 210.

(5) Deleted

(6) Deleted Steam Generator Upper Lateral Supports

~~The design of the steam generator upper lateral supports may be modified by reducing the number of snubbers from four (4) to one (1) per steam generator.~~

(7) Deleted

(8) Deleted

(9) Deleted

(10) Deleted 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~~