



Florida Power & Light Company, 6501 S. Ocean Drive, Jensen Beach, FL 34957

April 20, 2009

L-2009-088
10 CFR 73.21

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

Re: St. Lucie Unit 1 and 2
Docket No. 50-335 and 50-389
Reportable Event: 2009-002
Date of Event: February 18, 2009

Use of Unprotected Network to Transmit Safeguards Information

The attached Licensee Event Report 2009-002 is being submitted pursuant to the requirements of 10CFR 73.21, to provide notification of the subject event.

Respectively,


Gordon L. Johnston
Site Vice President
St. Lucie Plant

GLJ/dlc

Attachment

NRC FORM 366 (9-2007)		U.S. NUCLEAR REGULATORY COMMISSION			APPROVED BY OMB: NO. 3150-0104		EXPIRES: 08/31/2010												
LICENSEE EVENT REPORT (LER)										Estimated burden per response to comply with this mandatory collection request: 50 hours. Reported lessons learned are incorporated into the licensing process and fed back to industry. Send comments regarding burden estimate to the Records and FOIA/Privacy Service Branch (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0104), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.									
1. FACILITY NAME St. Lucie Unit 1					2. DOCKET NUMBER 05000335			3. PAGE 1 OF 3											
4. TITLE Use of Unprotected Network to Transmit Safeguards Information																			
5. EVENT DATE			6. LER NUMBER			7. REPORT DATE			8. OTHER FACILITIES INVOLVED										
MONTH	DAY	YEAR	YEAR	SEQUENTIAL NUMBER	REV NO.	MONTH	DAY	YEAR	FACILITY NAME St. Lucie Unit 2		DOCKET NUMBER 05000389								
02	18	2009	2009 - 002			04	20	2009	FACILITY NAME		DOCKET NUMBER								
9. OPERATING MODE 1			11. THIS REPORT IS SUBMITTED PURSUANT TO THE REQUIREMENTS OF 10 CFR§: (Check all that apply)																
10. POWER LEVEL 100%			<input type="checkbox"/> 20.2201(b) <input type="checkbox"/> 20.2203(a)(3)(i) <input type="checkbox"/> 50.73(a)(2)(i)(C) <input type="checkbox"/> 50.73(a)(2)(vii) <input type="checkbox"/> 20.2201(d) <input type="checkbox"/> 20.2203(a)(3)(ii) <input type="checkbox"/> 50.73(a)(2)(ii)(A) <input type="checkbox"/> 50.73(a)(2)(viii)(A) <input type="checkbox"/> 20.2203(a)(1) <input type="checkbox"/> 20.2203(a)(4) <input type="checkbox"/> 50.73(a)(2)(ii)(B) <input type="checkbox"/> 50.73(a)(2)(viii)(B) <input type="checkbox"/> 20.2203(a)(2)(i) <input type="checkbox"/> 50.36(c)(1)(i)(A) <input type="checkbox"/> 50.73(a)(2)(iii) <input type="checkbox"/> 50.73(a)(2)(ix)(A) <input type="checkbox"/> 20.2203(a)(2)(ii) <input type="checkbox"/> 50.36(c)(1)(ii)(A) <input type="checkbox"/> 50.73(a)(2)(iv)(A) <input type="checkbox"/> 50.73(a)(2)(x) <input type="checkbox"/> 20.2203(a)(2)(iii) <input type="checkbox"/> 50.36(c)(2) <input type="checkbox"/> 50.73(a)(2)(v)(A) <input type="checkbox"/> 73.71(a)(4) <input type="checkbox"/> 20.2203(a)(2)(iv) <input type="checkbox"/> 50.46(a)(3)(ii) <input type="checkbox"/> 50.73(a)(2)(v)(B) <input type="checkbox"/> 73.71(a)(5) <input type="checkbox"/> 20.2203(a)(2)(v) <input type="checkbox"/> 50.73(a)(2)(i)(A) <input type="checkbox"/> 50.73(a)(2)(v)(C) <input checked="" type="checkbox"/> OTHER <input type="checkbox"/> 20.2203(a)(2)(vi) <input type="checkbox"/> 50.73(a)(2)(i)(B) <input type="checkbox"/> 50.73(a)(2)(v)(D)																
12. LICENSEE CONTACT FOR THIS LER																			
NAME Donald L. Cecchett - Licensing Engineer									TELEPHONE NUMBER (Include Area Code) 772-467-7155										
13. COMPLETE ONE LINE FOR EACH COMPONENT FAILURE DESCRIBED IN THIS REPORT																			
CAUSE	SYSTEM	COMPONENT	MANU-FACTURER	REPORTABLE TO EPIX	CAUSE	SYSTEM	COMPONENT	MANU-FACTURER	REPORTABLE TO EPIX										
X	NA	NA	NA	YES															
14. SUPPLEMENTAL REPORT EXPECTED									15. EXPECTED SUBMISSION DATE		MONTH	DAY	YEAR						
<input type="checkbox"/> YES (If yes, complete 15. EXPECTED SUBMISSION DATE) <input checked="" type="checkbox"/> NO																			
ABSTRACT (Limit to 1400 spaces, i.e., approximately 15 single-spaced typewritten lines) On February 18, 2009, St. Lucie Unit 1 was operating in Mode 1 at 100% power when it was discovered that electronic information, designated as Safeguards Information (SGI), was transferred from a St. Lucie SGI computer (protected) to a non-SGI device (unprotected). The SGI was then emailed from the acting PSL Security Manager to a Security Director at another utility and then entered into a public folder on the Site local area network (LAN). The root cause of the event was determined to be a lack of formal guidance for declassifying electronic SGI prior to transferring from a protected environment to a non-protected environment. Contributing factors included formatting of information being transmitted, time pressure issues and human performance. Corrective actions included deletion of the SGI files from the unprotected Local Area Network (LAN), affected workstation computers were removed from service and re-imaged, and back-up systems purged. Similar actions were also taken at the other utility.																			

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

FACILITY NAME (1)	DOCKET NUMBER (2)	LER NUMBER (6)			PAGE (3)
St. Lucie Unit 1	05000335	YEAR	SEQUENTIAL NUMBER	REVISION NUMBER	Page 2 of 3
		2009	- 002		

NARRATIVE**Description of the Event**

On February 10 and 18, 2009, an email with an attached file, that was thought to be a non-Safeguards Excel spreadsheet matrix for an EP Hostile Action Based drill, was transmitted to a Security Director at another nuclear plant. The Excel attachment actually contained a two-tab file; Tab 1, a Force on Force Matrix (designated as SGI), and Tab 2, an EP Hostile Action drill event matrix, (non-SGI). The Security Director opened the email on his Blackberry and Tab 1 opened first, revealing a Force on Force Event Matrix which was designated as SGI. PSL Security was immediately notified and notifications and reportability determinations were made. It was also determined that the file was also placed into a public folder on the Site's local area network (LAN).

Cause of the Event

An evaluation concluded the cause of the event was a lack of guidance for declassifying electronic SGI files prior to transferring files from a protected environment to a non-protected environment. Inadequate peer-checks and pre-job briefs, and lack of understanding of Excel spreadsheet features, also contributed to the event.

Analysis of the Event

On February 18, 2009, it was determined that information designated as Safeguards Information (SGI) was improperly transmitted via an unprotected network system to an off-site recipient. Failure to properly protect and control SGI by transmitting information via an unprotected network is a violation of 10CFR 73.21, Requirements for the Protection of Safeguards Information.

Analysis of Safety Significance

Although the information was marked as SGI, no basis for the SGI determination was provided or otherwise identified in the document. A subsequent assessment concluded that, although designated as SGI, the subject information would provide no significant assistance to an adversary in committing an act of radiological sabotage or theft of special nuclear material (SNM). Additionally, given that the information is similar in format and content to information provided in NEI 03-11; and cannot be associated with a particular plant; reflects a drill scenario with incomplete and perhaps outdated information, the information is not deemed exploitable. Upon further evaluation, FPL has determined that the subject SGI information would not substantially assist in the circumvention of security systems or would not significantly assist an individual in an act of radiological sabotage or theft of SNM. Accordingly, this event did not require a one-hour

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TEXT CONTINUATION

FACILITY NAME (1)	DOCKET NUMBER (2)	LER NUMBER (6)			PAGE (3)
St. Lucie Unit 1	05000335	YEAR	SEQUENTIAL NUMBER	REVISION NUMBER	Page 3 of 3
		2009	-	002	

NARRATIVE

phone call pursuant to 10 CFR 73.71, and, therefore, FPL makes this voluntary report.

Based on the reviews taken and evaluation performed, the potential safety consequences of the event are judged to be low and would not have been a significant impact on the health and safety of the public.

Corrective Actions

The corrective actions and supporting actions were entered into the Site corrective action program. Any changes to the proposed actions will be managed under the corrective action program.

Immediate Corrective Actions

1. FPL Information Management (IM) deleted/erased the Excel file from the Local Area Network (LAN).
2. Affected Workstation computers were removed from service and re-imaged in order to erase any temporary files that may have remained; back-up systems purged.
3. Information Technology group at the receiving Site was notified and the documents removed from their email.

Near Term Corrective Actions

1. Revise Procedure NAP-600 to prohibit the declassification and transfer of electronic SGI files from an SGI computer to a non-SGI device without written approval from the St. Lucie Security Manager (or Security Safeguards Coordinator as a designee).
2. Implement physical barriers (blank device) to control the use of USB ports.

Similar Events

A three year historical search of SITRIS was performed for PSL. The search resulted in two instances; one relative to an audit finding regarding the destruction of electronic media classified as SGI; and one related to a concern that the SGI stand alone computers were not receiving virus scanning updates. No instances of inappropriate electronic transmission (via condition reporting system or e-mail) from PSL were identified.

Failed Components

NA