

Southern Nuclear
Operating Company, Inc.
40 Inverness Center Parkway
Birmingham, Alabama 35242

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ND-09-1167

Docket Nos.: 52-025
52-026

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

Southern Nuclear Operating Company
Vogtle Electric Generating Plant Units 3 and 4 Combined License Application
Proposed Cyber Security Plan and Proposed Implementation Schedule

Ladies and Gentlemen:

This letter identifies changes that will be made to a future revision of the Vogtle Electric Generating Plant (VEGP) Units 3 and 4 combined license application (COLA) to address Nuclear Regulatory Commission (NRC) requirements in 10 CFR (§) 52.79 (a)(36)(iii – iv) and § 73.54. These requirements are related to providing a cyber security plan and a proposed implementation schedule. The proposed VEGP Units 3 and 4 Cyber Security Plan is provided in Attachment A to the enclosure of this letter; the proposed implementation schedule is currently provided in Revision 1 to COLA Parts 2 and 10, FSAR Table 13.4-201 and proposed License Condition 3.G.10, respectively.

We understand from talking with members of the Office of the General Counsel (OGC) and Office of Nuclear Security and Incident Response (NSIR) that cyber security plans do not need to be categorically treated as Safeguards Information (SGI) but instead should be screened to determine whether any information in the plans constitutes SGI in accordance with 10 CFR 73.21. We have reviewed the attached proposed Cyber Security Plan, and have determined that none of the information in the plan constitutes SGI.

Attachment A to the enclosure of this letter provides the VEGP Units 3 and 4 proposed Cyber Security Plan, which contains Security-Related Information, and accordingly is requested to be withheld from public disclosure under 10 CFR 2.390(d).

Pursuant to the letter from NuStart Energy Development, dated April 28, 2009, the AP1000 reference COLA (R-COLA) is in the process of transitioning from Bellefonte Units 3 and 4 to VEGP Units 3 and 4. This document should be treated by the NRC Staff as the "R-COLA submittal" for the AP1000 Cyber Security Plan, because this submittal is intended to address an anticipated open item associated with the security

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reviews and FSAR Chapter 13 of the AP1000 R-COLA. (Other AP1000 COLAs are expected to make similar submittals in the future.)

If you have any questions regarding this letter, please contact Mr. Wes Sparkman at (205) 992-5061.

Mr. Charles R. Pierce states he is the AP1000 Licensing Manager of Southern Nuclear Operating Company, is authorized to execute this oath on behalf of Southern Nuclear Operating Company and to the best of his knowledge and belief, the facts set forth in this letter are true.

Respectfully submitted,

SOUTHERN NUCLEAR OPERATING COMPANY

Charles R. Pierce

Charles R. Pierce

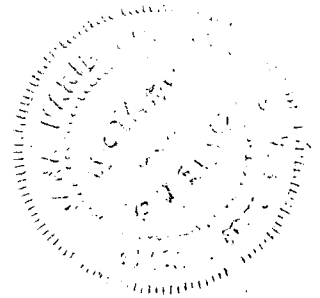
Sworn to and subscribed before me this 24th day of July, 2009

Notary Public: Dana M. Williams

My commission expires: 12/29/2010

CRP/BJS/dmw

Enclosure: Vogtle Electric Generating Plant Units 3 and 4 – Proposed Cyber Security Plan



cc: Southern Nuclear Operating Company

Mr. J. H. Miller, III, President and CEO (w/o enclosure)
Mr. J. T. Gasser, Executive Vice President, Nuclear Operations (w/o enclosure)
Mr. J.A. Miller, Executive Vice President, Nuclear Development (w/o enclosure)
Mr. D. H. Jones, Site Vice President – Vogtle 3 and 4 (w/o enclosure)
Mr. T. E. Tynan, Vice President - Vogtle (w/o enclosure)
Mr. M. K. Smith, Technical Support Director
Mr. D. M. Lloyd, Vogtle 3 and 4 Project Support Director
Mr. M. J. Ajluni, Nuclear Licensing Manager
Mr. W. A. Sparkman, COL Project Engineer
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Nuclear Regulatory Commission

Mr. L. A. Reyes, Region II Administrator (w/o enclosure)
Mr. F.M. Akstulewicz, Deputy Director Div. of Safety Systems & Risk Assess. (w/o enclosure)
Ms. S. M. Coffin, AP1000 Manager of New Reactors (w/o enclosure)
Mr. R. G. Joshi, Lead Project Manager of New Reactors
Mr. B. Hughes, Project Manager of New Reactors
Ms. T. E. Simms, Project Manager of New Reactors
Mr. B. C. Anderson, Project Manager of New Reactors
Mr. M. M. Comar, Project Manager of New Reactors
Mr. M. D. Notich, Environmental Project Manager
Mr. L. M. Cain, Senior Resident Inspector of VEGP

Georgia Power Company

Mr. O. C. Harper, IV, Vice President, Resource Planning and Nuclear Development
(w/o enclosure)

Oglethorpe Power Corporation

Mr. M. W. Price, Chief Operating Officer (w/o enclosure)

Municipal Electric Authority of Georgia

Mr. S.M. Jackson, Vice President, Supply (w/o enclosure)

Dalton Utilities

Mr. D. Cope, President and Chief Executive Officer (w/o enclosure)

Bechtel Power Corporation

Mr. J. S. Prebula, Project Engineer (w/o enclosure)
Mr. R. W. Prunty, Licensing Engineer

Tetra Tech NUS, Inc.

Ms. K. K. Patterson, Project Manager

Shaw Stone & Webster, Inc.

Mr. K. B. Allison, Project Manager (w/o enclosure)

Mr. J. M. Oddo, Licensing Manager

Mr. D. C. Shutt, Licensing Engineer

Westinghouse Electric Company, LLC

Mr. W. E. Cummins, Vice President of Regulatory Affairs and Standardization (w/o enclosure)

Mr. N. C. Boyter, Vice President, AP1000 Vogtle 3 & 4 Project (w/o enclosure)

Mr. S. A. Bradley, Vogtle Project Licensing Manager

Mr. R. B. Sisk, Manager, AP1000 Licensing and Customer Interface

Mr. J. L. Whiteman, Principal Engineer, Licensing & Customer Interface

Mr. D. A. Lindgren, Principal Engineer, AP1000 Licensing and Customer Interface

NuStart Energy

Mr. R. J. Grumbir

Mr. E. R. Grant

Mr. N. Haggerty

Mr. B. Hirmanpour

Ms. K. N. Slays

Other NuStart Energy Associates

Ms. M. C. Kray, NuStart

Mr. S. P. Frantz, Morgan Lewis

Mr. P. S. Hastings, NuStart & Duke Energy

Mr. J. A. Bailey, TVA

Ms. A. L. Sterdis, TVA

Mr. J. P. Berger, EDF

Mr. M. W. Gettler, FP&L

Mr. P. Hinnenkamp, Entergy

Mr. G. D. Miller, PG&N

Mr. M. C. Nolan, Duke Energy

Mr. N. T. Simms, Duke Energy

Mr. G. A. Zinke, NuStart & Entergy

(w/o Enclosure)

Mr. R. H. Kitchen, PGN

Ms. A. M. Monroe, SGE&G

Mr. R. Reister, DOE/PM

Southern Nuclear Operating Company

ND-09-1167

Enclosure

Vogtle Electric Generating Plant Units 3 and 4

Proposed

Cyber Security Plan

ND-09-1167
Enclosure
Proposed Cyber Security Plan

NRC Review of Combined License Application

DISCUSSION OF VOGTLE ELECTRIC GENERATING PLANT UNITS 3 & 4 PROPOSED CYBER SECURITY PLAN:

On March 27, 2009, the NRC published the Final Rule related to Power Reactor Security Requirements (RIN 3150-AG63) in the Federal Register (73 *FR* 13926). 10 CFR 52.79(a)(36)(iii) of the Final Rule requires the final safety analysis report (FSAR) for a combined license (COL) application to include a cyber security plan, in accordance with the criteria set forth in § 73.54. 10 CFR 52.79(a)(36)(iv) requires a description of the implementation of this cyber security plan. This enclosure provides proposed changes to the Vogtle Electric Generating Plant (VEGP) Units 3 and 4 combined license application (COLA) related to the cyber security plan, in response to the new requirements discussed above. This information will be included in a future revision to the VEGP Units 3 and 4 COLA. Southern Nuclear Operating Company (SNC) developed the attached site-specific proposed Cyber Security Plan based on the COL Cyber Security Plan template that was developed from the NRC draft template.

The Nuclear Energy Institute (NEI) has been working with the industry to develop a template (NEI 08-09) for a cyber security plan that would satisfy the requirements of § 73.54 for both the operating reactor fleet and new reactor applicants. To date, efforts by the NEI cyber security plan template writing team have been unsuccessful in developing a template that satisfies the NRC Staff's interpretation of the requirements for high assurance that digital computer and communication systems and networks will be adequately protected against cyber attacks, as required by § 73.54. Accordingly, in recognition of the schedule constraints faced by many Combined License (COL) applicants, the Staff developed a draft generic Cyber Security Plan template that provides an acceptable method for compliance with the high assurance requirements set forth in § 73.54. The Staff issued this draft template to the COL applicants on July 8, 2009, encouraging COL applicants to use this template as the basis for their Cyber Security Plans.

Utilizing the NRC's draft Cyber Security Plan template as its foundation, the AP1000 Design-Centered Working Group (DCWG) developed a generic COL Cyber Security Plan template that achieves high assurance of adequate protection from cyber attacks for new reactor facility designs. This COL Cyber Security Plan uses a phased approach to developing and validating the technology-standard and site-specific "baseline" technical, operational, and management cyber security controls, defensive strategies, and attack mitigation methods. Each project phase uses available information on cyber security controls and programmatic implementation to further refine, develop, and document the Cyber Security Program with the goal of integrating cyber security controls and strategies across the established security, design control, configuration management, and assessment/oversight programs. The COL Cyber Security Plan implements a Cyber Security Program to maintain the established cyber security controls through a comprehensive life cycle approach. Similar to the NRC's draft plan, the COL plan also addresses the ongoing management and assessment, change control, security program review, document control and records retention and handling, and reporting requirements of an effective cyber security program. (It is not expected that the COL Cyber Security Plan template will be used for the operating nuclear fleet's cyber security plans, because it is neither feasible nor practical to adapt this phased approach to the digital systems that are already installed and operating in these plants. Consequently, the COL Cyber Security Plan template should not be

considered at this time as an alternative to the operating fleet template that is currently being developed by NEI.)

Pursuant to the new requirements in 10 CFR 52.79(a)(36)(iii), Attachment A to this enclosure provides the VEGP Units 3 and 4 Proposed Cyber Security Plan. **The site-specific Proposed Cyber Security Plan in Attachment A contains Security-Related Information, and accordingly should be withheld from public disclosure under 10 CFR 2.390(d). Attachment B contains a redacted version of the VEGP Units 3 and 4 Proposed Cyber Security Plan, which consists of the cover sheet only.**

SNC will incorporate the full, non-redacted version of the Cyber Security Plan, including any applicable changes identified in response to NRC requests for additional information or other change drivers, in a future revision of COLA Part 9, Withheld Information. The redacted version of this Cyber Security Plan will be incorporated into a future revision to COLA Part 11, Enclosures. The Cyber Security Plan describes the operational Cyber Security Program required by § 73.54.

The proposed implementation schedule for the VEGP Units 3 and 4 Cyber Security Program, as currently addressed in COLA Parts 2 and 10 (FSAR Table 13.4 – 201 and proposed License Condition 3.G.10, respectively), provides for a fully implemented program prior to initial fuel load.

The COLA changes related to the submittal of the Cyber Security Plan also include FSAR changes to provide a reference to §52.79(a)(36) as a basis for incorporating the Cyber Security Plan as a licensing document and to delete the unnecessary statement regarding categorizing the Plan as Security-Related Information. This statement is unnecessary because the sensitivity of the Cyber Security Plan is determined in accordance with the requirements of 10 CFR 73.21 and there is no requirement to provide the nature of the sensitivity in the FSAR.

The attached VEGP Units 3 and 4 Proposed Cyber Security Plan includes industry generic information, standard technology-specific information, and site-specific information in accordance with the COL Cyber Security Plan template that was developed by the AP1000 DCWG. SNC plans to provide a color-coded reviewer's aid in a separate submittal to facilitate the staff's review by differentiating between generic, standard, and site-specific text.

ASSOCIATED VEGP COL APPLICATION REVISIONS:

1. Change COLA Part 2, FSAR, Section 13.6, Security, second paragraph by adding a reference to §52.79(a)(36) and deleting the unnecessary statement regarding withheld information, as follows:

From:

The Cyber Security Plan is submitted to the Nuclear Regulatory Commission as a separate licensing document in order to fulfill the requirements contained in 10 CFR 73.54 and will be maintained in accordance with the requirements of 10 CFR 52.98. The Plan is categorized as Security Related Information and is withheld from public disclosure pursuant to 10 CFR 2.390.

To read:

The Cyber Security Plan is submitted to the Nuclear Regulatory Commission as a separate licensing document to fulfill the requirements contained in 10 CFR 52.79(a)(36) and 10 CFR 73.54. The Cyber Security Plan will be maintained in accordance with the requirements of 10 CFR 52.98. The Plan is withheld from public disclosure pursuant to 10 CFR 2.390.

2. Change COLA Part 9, Withheld Information, to include the Cyber Security Plan, which contains security-related information, and therefore, should be withheld in accordance with 10 CFR 2.390(d). SNC will incorporate the full, non-redacted version of the Cyber Security Plan, including any applicable changes identified in response to NRC requests for additional information or other change drivers, in a future revision of COLA Part 9, Withheld Information.
3. Change COLA Part 11, Enclosures, by including the new Cyber Security Plan (as provided in Attachment B). Note: The actual Plan is requested to be withheld from disclosure in accordance with 10 CFR 2.390(d), because it contains security-related information. Consequently, the version of the VEGP Units 3 and 4 Cyber Security Plan in Part 11 is redacted, and the full document is provided in COLA Part 9, Withheld Information.

ASSOCIATED ATTACHMENTS/ENCLOSURES:

- Attachment A Vogtle Electric Generating Plant, Units 3 and 4; Proposed Cyber Security Plan (Non-Public Version) (87 pages, including cover page)
- Attachment B Vogtle Electric Generating Plant, Units 3 and 4; Cyber Security Plan (Public Version - Redacted) (3 pages, including cover page)

NOTE: Attachment A contains Security-Related Information - Withhold Under 10 CFR 2.390(d).