



January 13, 2010

NG-10-0006  
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  
License No. DPR-49

Revision to No Significant Hazards Consideration for License Amendment Request (TSCR-121): Request for Approval of the Duane Arnold Energy Center/NextEra Energy Duane Arnold, LLC Cyber Security Plan

Reference: NG-09-0635, letter from C. Costanzo, NextEra Energy Duane Arnold to NRC, "License Amendment Request (TSCR-121): Request for Approval of the Duane Arnold Energy Center/NextEra Energy Duane Arnold, LLC Cyber Security Plan," dated November 19, 2009 (ML093270073)

In accordance with the provisions of 10 CFR 50.4 and 10 CFR 50.90, NextEra Energy Duane Arnold, LLC submitted a request for amendment to the Operating License (OL) for the Duane Arnold Energy Center (DAEC)/NextEra Energy Duane Arnold per the referenced letter. The proposed amendment requested NRC approval of the NextEra Energy Duane Arnold Cyber Security Plan, provided an implementation schedule, and added a sentence to the existing OL Physical Protection license condition to require NextEra Energy Duane Arnold to fully implement and maintain in effect all provisions of the Commission approved Cyber Security Plan. Per discussions with the NRC it has been determined that the No Significant Hazards Consideration (NSHC) submitted with the amendment request needs to be revised. The Enclosure to this letter contains the revised NSHC.

This revision to the NSHC has been reviewed by the NextEra Energy Duane Arnold Onsite Review Group. A copy of this submittal is being forwarded to our appointed state official pursuant to 10 CFR 50.91.

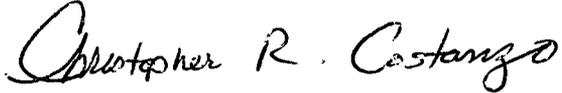
If you should have any questions or require additional information, please contact Steve Catron, Licensing Manager, at (319) 851-7234.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 13, 2010.

A handwritten signature in black ink that reads "Christopher R. Costanzo". The signature is written in a cursive style with a large initial 'C'.

Christopher R. Costanzo  
Vice President, Duane Arnold Energy Center  
NextEra Energy Duane Arnold, LLC

Enclosure

cc: Administrator, Region III, USNRC  
Project Manager, DAEC, USNRC  
Resident Inspector, DAEC, USNRC  
D. McGhee (State of Iowa)

## ENCLOSURE

### NO SIGNIFICANT HAZARDS CONSIDERATION

The proposed amendment request seeks NRC approval of the NextEra Energy Duane Arnold Cyber Security Plan, provides an implementation schedule, and adds a sentence to the existing Operating License Physical Protection license condition to require NextEra Energy Duane Arnold to fully implement and maintain in effect all provisions of the Commission approved Cyber Security Plan.

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 amendment incorporates a new requirement in the Facility Operating License to implement and maintain a Cyber Security Plan as part of the facility's overall program for physical protection. Inclusion of the Cyber Security Plan in the Facility Operating License itself does not involve any modifications to the safety-related structures, systems or components (SSCs). Rather, the Cyber Security Plan describes how the requirements of 10 CFR 73.54 are to be implemented to identify, evaluate, and mitigate cyber attacks up to and including the design basis cyber attack threat, thereby achieving high assurance that the facility's digital computer and communications systems and networks are protected from cyber attacks. The Cyber Security Plan will not alter previously evaluated Final Safety Analysis Report (FSAR) design basis accident analysis assumptions, add any accident initiators, or affect the function of the plant safety-related SSCs as to how they are operated, maintained, modified, tested, or inspected. Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

Response: No.

The proposed amendment provides assurance that safety-related SSCs are protected from cyber attacks. Implementation of 10 CFR 73.54 and the inclusion of a plan in the Facility Operating License do not result in the need for any new or different FSAR design basis accident analysis. It does not introduce new equipment that could create a

new or different kind of accident, and no new equipment failure modes are created. As a result, no new accident scenarios, failure mechanisms, or limiting single failures are introduced as a result of this proposed amendment. Therefore, the proposed amendment does not create a possibility for an accident of a new or different type than those previously evaluated.

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

Response: No.

The margin of safety is associated with the confidence in the ability of the fission product barriers (i.e., fuel cladding, reactor coolant pressure boundary, and containment structure) to limit the level of radiation to the public. The proposed amendment would not alter the way any safety-related SSC functions and would not alter the way the plant is operated. The amendment provides assurance that safety-related SSCs are protected from cyber attacks. The proposed amendment would not introduce any new uncertainties or change any existing uncertainties associated with any safety limit. The proposed amendment would have no impact on the structural integrity of the fuel cladding, reactor coolant pressure boundary, or containment structure. Based on the above considerations, the proposed amendment would not degrade the confidence in the ability of the fission product barriers to limit the level of radiation to the public. Therefore, the proposed change does not involve a significant reduction in a margin of safety.