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10 CFR 50.4
10 CFR 52.79

April 2, 2010

UN#10-080

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

Subject: UniStar Nuclear Energy, NRC Docket No. 52-016
Submittal of the Cyber Security Plan for the Combined License Application for
the Calvert Cliffs Nuclear Power Plant, Unit 3

The purpose of this letter is to submit the Cyber Security Plan as Part 11L of the Calvert Cliffs Nuclear Power Plant (CCNPP) Unit 3 Combined License Application (COLA).

Enclosure 1 provides necessary changes to the COLA resulting from the addition of COLA Part 11L, Calvert Cliffs 3 Nuclear Project, LLC Cyber Security Plan. Enclosure 2 provides the Calvert Cliffs 3 Nuclear Project, LLC Cyber Security Plan, CCNPP Unit 3 COLA Part 11L. A Licensing Basis Document Change Request has been initiated to incorporate the necessary COLA changes and COLA Part 11L, Calvert Cliffs 3 Nuclear Project, LLC Cyber Security Plan, into a future revision of the COLA.

Our response does not include any new regulatory commitments. This letter does not contain any sensitive or proprietary information.

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If there are any questions regarding this transmittal, please contact me at (410) 470-4205, or Mr. Wayne Massie at (410) 470-5503.

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

Executed on April 2, 2010


for Greg Gibson

Enclosure 1: Changes to the COLA, as a result of the Addition of the COLA Part 11L, Calvert Cliffs 3 Nuclear Project, LLC Cyber Security Plan, Calvert Cliffs Nuclear Power Plant, Unit 3

Enclosure 2: Calvert Cliffs 3 Nuclear Project, LLC Cyber Security Plan, COLA Part 11L, Calvert Cliffs Nuclear Power Plant, Unit 3

cc: Surinder Arora, NRC Project Manager, U.S. EPR Projects Branch
Laura Quinn, NRC Environmental Project Manager, U.S. EPR COL Application
Getachew Tesfaye, NRC Project Manager, U.S. EPR DC Application (w/o enclosure)
Loren Plisco, Deputy Regional Administrator, NRC Region II (w/o enclosure)
Silas Kennedy, U.S. NRC Resident Inspector, CCNPP, Units 1 and 2
U.S. NRC Region I Office

GTG/JV/mdf

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Enclosure 1

**Changes to the COLA, as a result of the Addition of the
COLA Part 11L, Calvert Cliffs 3 Nuclear Project, LLC Cyber Security Plan,
Calvert Cliffs Nuclear Power Plant, Unit 3**

Cyber Security Plan Addition

COLA Impact

Part 11L, Calvert Cliffs 3 Nuclear Project, LLC Cyber Security Plan, will be added to the CCNPP Unit 3 COLA, and Part 2 (FSAR) Tables 1.8-2 and 13.4-1, Sections 13.5.2.2.9, 13.6, and 13.6.1, and Part 10 (ITAAC), Appendix A, will be updated as follows:

COLA Part 2 FSAR

Table 1.8-2—FSAR Sections that Address COL Items

Item No.	Description	Section
13.6-3	A COL applicant that references the U.S. EPR design certification will provide a security program through the PSP and supporting documents such as the vital equipment list and the vital areas list that incorporates the security features listed in the U.S. EPR FSAR Tier 2, Section 13.6.	13.6
<u>13.6-4</u>	<u>A COL applicant that references the U.S. EPR design certification will provide a cyber security plan consistent with 10 CFR 73.54.</u>	<u>13.6</u>
13.7-1	A COL applicant that references the U.S. EPR design certification will submit a physical security plan to the NRC to fulfill the fitness for duty requirements of 10 CFR Part 26.	13.7

Table 13.4-1 {Operational Programs Required by NRC Regulations and Program Implementation}

Item	Program Title	Source (Required By)	FSAR Section	Implementation	
				Milestones	Requirements
15	Training and Qualification Program	10 CFR 73, App. B	13.6	Prior to initial receipt of fuel	License Condition
	<u>Cyber Security Plan</u>	<u>10 CFR 73.54</u>	<u>13.6</u>	<u>Prior to initial receipt of fuel</u>	<u>License Condition</u>
	Fitness for Duty Program (Construction – Management and Oversight Personnel)	10 CFR Part 26 Subparts A-H, N, and O	13.7	Prior to initiating construction of safety-related or security-related SSCs	License Condition

13.5.2.2.9 Plant Security Procedures

The Physical Security Plan provided in Part 8 and the Cyber Security Plan provided in Part 11L of the COL application describes the procedures that are utilized to implement its their requirements.

13.6 SECURITY

This section of the U.S. EPR FSAR is incorporated by reference with the following supplements. The U.S. EPR FSAR includes the following COL Items in Section 13.6:

A COL applicant that references the U.S. EPR design certification will provide a security plan to the NRC to fulfill the requirements of 10 CFR 52.79(a)(35).

A COL applicant that references the U.S. EPR design certification will provide a site-specific security assessment that adequately demonstrates how the performance requirements of 10 CFR 73.55(a) are met for the initial implementation of the security program.

A COL applicant that references the U.S. EPR design certification will provide a security program, through the PSP and supporting documents such as the vital equipment list and the vital areas list that incorporates the security features listed in the U.S. EPR FSAR Tier 2, Section 13.6.

A COL applicant that references the U.S. EPR design certification will provide a cyber security plan consistent with 10 CFR 73.54.

These COL Items are addressed as follows:

The Security Plan consists of the Physical Security Plan, the Guard Force Training and Qualification Plan, and the Safeguards Contingency Plan, and the Cyber Security Plan. The Security Plan, with the exception of the Cyber Security Plan, is submitted to the NRC as a separate licensing document in order to fulfill the requirements of 10 CFR 52.79(a)(35) (CFR, 2008b). The Security Plan meets the requirements contained in 10 CFR 26 (CFR, 2008a) and 10 CFR 73 (CFR, 2008d) and will be maintained in accordance with the requirements of 10 CFR 52.98 (CFR, 2008c). The Security Plan, with the exception of the Cyber Security Plan, is classified as Security Safeguards Information and is withheld from public disclosure pursuant to 10 CFR 73.21(CFR, 2008e).

A Security Plan is provided in COL Application Part 8. The schedule for security plan implementation is provided in Table 13.4-1.

The Cyber Security Plan is consistent with the guidance in Regulatory Guide 5.71 (NRC, 2010), and is provided in COL Application Part 11L. The schedule for Cyber Security Plan implementation is provided in Table 13.4-1.

A site specific Security Assessment is provided in COL Application Part 8. The site specific Security Assessment includes vulnerability assessments and defensive analysis. It adequately demonstrates how the performance requirements of 10 CRF 73.55(a) are met for the initial implementation of the security program.

U.S. EPR security related technical reports are provided in addition to the Security Plan and site specific Security Assessment. The U.S. EPR security related reports covers identification of vital equipment, development of target sets, design features to enhance security, portions of the NRC orders applicable to the current operating plants that impact U.S. EPR design, and the other security features of the U.S. EPR that establish the security system design. These reports are categorized as Safeguards Information in accordance with 10 CFR 73.21.

A security program is provided through the PSP and supporting documents such as the vital equipment list and the vital areas list that incorporates the security features listed in the U.S. EPR FSAR Tier 2 Section 13.6.

A comprehensive Security Assessment is provided in COL Application Part 8.

13.6.1 REFERENCES

{This section is added as a supplement to the U.S. EPR FSAR.

CFR, 2008a. Fitness for Duty Programs, Title 10, Code of Federal Regulations, Part 26, U.S. Nuclear Regulatory Commission, 2008.

CFR, 2008b. Contents of Applications; Technical Information in Final Safety Analysis Report, Title 10, Code of Federal Regulations, Part 52.79, U.S. Nuclear Regulatory Commission, 2008.

CFR, 2008c. Finality of Combined Licenses; Information Requests, Title 10, Code of Federal Regulations, Part 52.98, U.S. Nuclear Regulatory Commission, 2008.

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CFR, 2008d. Physical Protection of Plants and Materials, Title 10, Code of Federal Regulations, Part 73, U.S. Nuclear Regulatory Commission, 2008.

CFR, 2008e. Requirements for the Protection of Safeguards Information, Title 10, Code of Federal Regulations, Part 73.21, U.S. Nuclear Regulatory Commission, 2008.}

NRC, 2010. Cyber Security Programs for Nuclear Facilities, Regulatory Guide 5.71, U.S. Nuclear Regulatory Commission, January, 2010.}

COLA Part 10 ITAAC, Appendix A

5. SECURITY PLAN REVISIONS

An implementation license condition approved in the SRM regarding SECY-05-0197 applies to the security program.

PROPOSED LICENSE CONDITION:

{Calvert Cliffs 3 Nuclear Project, LLC and UniStar Nuclear Operating Services, LLC} shall fully implement and maintain in effect the provisions of the Security Plan, which consists of the physical security plan, security personnel training and qualification plan, ~~and~~ safeguards contingency plan, and the cyber security plan, and all amendments made pursuant to the authority of 10 CFR 50.90, 50.54(p), 52.97, and Section [] of Appendix [] to Part 52 when nuclear fuel is first received onsite, and continuing until all nuclear fuel is permanently removed from the site.

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Enclosure 2

**Calvert Cliffs 3 Nuclear Project, LLC Cyber Security Plan, COLA Part 11L,
Calvert Cliffs Nuclear Power Plant, Unit 3**