

Maria Korsnick
Chief Nuclear Officer,
SVP- Chief Operations Officer

Constellation Energy Nuclear Group, LLC
100 Constellation Way
Suite 200C
Baltimore, MD 21202
Office 410-470-5133
Fax 443-213-6739
E-mail: Maria.Korsnick@cengllc.com



July 16, 2010

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

ATTENTION: Document Control Desk

SUBJECT: **Calvert Cliffs Nuclear Power Plant**
Unit Nos. 1 & 2; Docket Nos. 50-317 & 50-318
Nine Mile Point Nuclear Station
Unit Nos. 1 & 2; Docket Nos. 50-220 & 50-410
R. E. Ginna Nuclear Power Plant
Docket No. 50-244

Request for Approval of the Constellation Energy Nuclear Group Cyber Security Plan

- REFERENCES:**
- (a) Letter from M. G. Korsnick (CENG) to Document Control Desk (NRC), dated November 23, 2009, Request for Approval of the Constellation Energy Nuclear Group Cyber Security Plan
 - (b) Letter from D. V. Pickett (NRC) to M. G. Korsnick (CENG), dated May 17, 2010, Constellation Nuclear Energy Group Cyber Security Plan - Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, R. E. Ginna Nuclear Power Plant and Nine Mile Point Nuclear Station, Unit Nos. 1 and 2

Reference (a) submitted a request for a license amendment to the Renewed Facility Operating Licenses for Calvert Cliffs Nuclear Power Plant, LLC, Units 1 and 2, Nine Mile Point Nuclear Station, LLC, Units 1 and 2, and R. E. Ginna Nuclear Power Plant, LLC. Included in that license amendment request was a request for approval of a Constellation Energy Nuclear Group Cyber Security Plan that was based on Nuclear Energy Institute (NEI) 08-09, Cyber Security Plan for Nuclear Power Reactors, Revision 3.

Reference (b) informed us that the Nuclear Regulatory Commission (NRC) had completed its initial review of Reference (a) and expressed concern about using NEI 08-09 revisions prior to Revision 6. The NRC requested us to provide a revised application or withdraw Reference (a) and resubmit a cyber security plan consistent with NEI 08-09, Cyber Security Plan for Nuclear Power Reactors, Revision 6.

SOOIA

This letter withdraws Reference (a). We agree that, in the time since submittal of Reference (a), there have been several revisions to NEI 08-09, the latest of which is Revision 6. Because of the substantive changes from Revision 3 to Revision 6, we feel it is best to withdraw our original request and make a submittal that includes a cyber security plan that is based on Revision 6.

In accordance with the provisions of 10 CFR 50.4 and 50.90, Constellation Energy Nuclear Group, LLC is submitting a new request for an amendment to the Renewed Facility Operating Licenses for Calvert Cliffs Nuclear Power Plant, LLC, Units 1 and 2, Nine Mile Point Nuclear Station, LLC, Units 1 and 2, and R. E. Ginna Nuclear Power Plant, LLC. This request for amendment to the licenses supersedes, in entirety, Reference (a). As required by 10 CFR 73.54, this letter requests Nuclear Regulatory Commission approval of the Constellation Energy Nuclear Group, LLC Cyber Security Plan and requests approval of the addition of a sentence to the existing physical protection license conditions to require these licensees to fully implement and maintain in effect all provisions of the approved Cyber Security Plan. As required, a proposed implementation schedule is also provided.

Enclosed is the evaluation of the proposed change to the licenses.

Attachment 1 is a copy of the proposed Cyber Security Plan, which is a stand-alone document that will be incorporated by reference into the physical security plan for each licensee upon approval.

Attachments 2 through 4 are the markups of the licenses for the three licensees.

Attachment 5 is the required implementation schedule with the basis for the proposed dates. The dates in this schedule are considered to be Regulatory Commitments.

We have determined that there are no significant hazards associated with this request, as demonstrated in Section 4.2 of the Enclosure.

We request approval of this license amendment request, including the Cyber Security Plan, the proposed implementation schedule and the changes to the licenses, by July 1, 2011 and an implementation period for the license changes of 60 days from the date of issuance.

As required by 10 CFR 50.90, a copy of this request is being provided to the affected state representatives.

If there are any questions regarding this submittal, please contact Bruce Montgomery at 410-470-3777 or Bruce.Montgomery@cengllc.com.

Sincerely,

Mary G. Korsnick
Mary G. Korsnick

STATE OF MARYLAND :
: **TO WIT:**
CITY OF BALTIMORE :

I, Mary G. Korsnick, state that I am the Chief Nuclear Officer, Senior Vice President and Chief Operations Officer for Constellation Energy Nuclear Group, LLC, for Calvert Cliffs Nuclear Power Plant, LLC, Nine Mile Point Nuclear Station, LLC, and R. E. Ginna Nuclear Power Plant, LLC, and that I am duly authorized to execute and file this submittal on behalf of these companies. To the best of my knowledge and belief, the statements contained in this document with respect to these companies are true and correct. To the extent that these statements are not based on my personal knowledge, they are based upon information provided by employees and/or consultants of the companies. Such information has been reviewed in accordance with company practice, and I believe it to be reliable.

Mary G. Korsnick

Subscribed and sworn before me, a Notary Public in and for the State of Maryland and ^{city} ~~County~~ of Baltimore this 16th day of July, 2010.

WITNESS my Hand and Notarial Seal:

Lynn J. Conant
Notary Public

My Commission Expires: 7/17/11

7/16/10
Date

MGK/EMT/bjd

Enclosure: Evaluation of the Proposed Change



Document Control Desk

July 16, 2010

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cc: D. V. Pickett, NRC
R. V. Guzman, NRC
S. J. Collins, NRC
Resident Inspector, NRC (Calvert Cliffs)
Resident Inspector, NRC (Ginna)
Resident Inspector, NRC (Nine Mile Point)
S. Gray, Maryland DNR
A. L. Peterson, NYSERDA
P. D. Eddy, New York State Department of Public Service

ENCLOSURE

EVALUATION OF THE PROPOSED CHANGE

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ATTACHMENTS:

- 1. Cyber Security Plan
- 2. Calvert Cliffs Nuclear Power Plant Units 1 & 2 License Markups
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- 4. Nine Mile Point Nuclear Station Units 1 & 2 License Markups
- 5. Cyber Security Plan Implementation Schedule

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EVALUATION OF THE PROPOSED CHANGE

1.0 SUMMARY DESCRIPTION

Pursuant to 10 CFR 50.90, Calvert Cliffs Nuclear Power Plant, LLC (CCNPP), Nine Mile Point Nuclear Station, LLC (NMPNS), and R.E. Ginna Nuclear Power Plant, LLC (Ginna) are requesting a change to their respective licenses in order to implement a Cyber Security Plan. A markup of a proposed sentence to be added to each existing physical protection license condition is included in Attachments 2 through 4.

We are also requesting approval of a Cyber Security Plan (Attachment 1), which is being submitted in accordance with 10 CFR 73.54. The proposed Cyber Security Plan will be effective for CCNPP, NMPNS, and Ginna. Included in this request is a Cyber Security Plan implementation schedule (Attachment 5).

2.0 DETAILED DESCRIPTION

This license amendment request (LAR) includes a proposed sentence to be added to the existing physical protection license condition to require CCNPP, NMPNS, and Ginna to implement and maintain in effect the Commission-approved cyber security plan as required by 10 CFR 73.54, "Protection of digital computer and communication systems and networks." The regulations in 10 CFR 73.54 establish the requirements for a cyber security program. This regulation specifically requires each licensee currently licensed to operate a nuclear power plant under Part 50 of Title 10 to submit a cyber security plan. It also requires that each submittal include a proposed implementation schedule. An implementation schedule is included as Attachment 5. The background for this application is addressed by the Nuclear Regulatory Commission (NRC) Notice of Availability, 74 FR 13926, published on March 27, 2009.

3.0 TECHNICAL EVALUATION

Federal Register Notice 74 FR 13926 issued the final rule that amended 10 CFR Part 73. Cyber security requirements are codified as 10 CFR 73.54 and are designed to provide high assurance that digital computer and communication systems and networks are adequately protected against cyber attacks up to and including the design basis threat established by 10 CFR 73.1(a)(1)(E)(v).

The proposed Cyber Security Plan (Attachment 1) conforms to the template provided in Nuclear Energy Institute (NEI) 08-09, Revision 6, except for the definition of cyber attack. That definition is taken from a NRC letter to the Nuclear Energy Institute, dated June 7, 2010. The Cyber Security Plan establishes how to achieve high assurance that nuclear power plant digital computer and communication systems and networks associated with the following are adequately protected against cyber attacks up to and including the design basis threat:

1. Safety-related and important-to-safety functions,
2. Security functions,
3. Emergency preparedness functions including offsite communications, and
4. Support systems and equipment which, if compromised, would adversely impact safety, security, or emergency preparedness functions.

The proposed cyber security plan is designed to achieve high assurance that the systems are protected from cyber attacks. The plan itself does not require any plant modifications. However, the plan does describe how plant modifications that involve digital computer systems are reviewed to provide high assurance of adequate protection against cyber attacks, up to and including the design basis threat as defined in the Rule. As required by 10 CFR 73.54, a proposed implementation schedule for the cyber security program is included in Attachment 5.

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EVALUATION OF THE PROPOSED CHANGE

This LAR includes the proposed change to the existing license condition for physical protection for CCNPP, Ginna, and NMPNS (Attachments 2, 3, and 4, respectively). This change to the license condition is consistent with the requirement in Federal Register Notice 74 FR 13927 that "the cyber security plan will become part of the licensee's licensing basis in the same manner as other security plans."

The following wording is proposed to be inserted into the physical security license condition in the licenses for CCNPP, NMPNS and Ginna:

"The licensee shall implement and maintain in effect the provisions of the Commission-approved Cyber Security Plan submitted by letter dated July 16, 2010."

4.0 REGULATORY EVALUATION

4.1 APPLICABLE REGULATORY REQUIREMENTS/CRITERIA

This LAR is submitted pursuant to 10 CFR 73.54 which requires licensees currently licensed to operate a nuclear power plant under 10 CFR Part 50 to submit a Cyber Security Plan, an implementation plan and a change to the license basis as specified in 10 CFR 50.4 and 10 CFR 50.90.

4.2 SIGNIFICANT HAZARDS CONSIDERATION

Constellation Energy Nuclear Group, LLC on behalf of CCNPP, NMPNS and Ginna, is submitting the attached Cyber Security Plan, an implementation plan and a change to the respective license bases for Nuclear Regulatory Commission review and approval. The licensees have evaluated whether or not a significant hazards consideration is involved with the proposed amendment by assessing the change using the three criteria of 10 CFR 50.92 as discussed below:

Criterion 1: The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change is required by 10 CFR 73.54. The Cyber Security Plan conforms to the template provided in NEI 08-09, Revision 6, with the exception of the definition of cyber attack, and provides a description of how the requirements of the rule will be implemented at CCNPP, NMPNS and Ginna. The plan establishes the basis for the cyber security program for the three stations.

The proposed Cyber Security Plan does not require any plant modifications, alter the plant configuration, require new plant equipment to be installed, alter accident analysis assumptions, add any initiators, or affect the function of plant systems or the manner in which systems are operated, maintained, modified, tested, or inspected. The plan establishes how to achieve high assurance that nuclear power plant digital computer and communication systems and networks associated with certain systems and functions are adequately protected against cyber attacks. This protective function has no impact on the probability or consequences of an accident previously evaluated.

The proposed change to the license condition in the licenses of CCNPP, NMPNS and Ginna adds a sentence to the existing license condition for physical protection to require implementation and maintenance of the Cyber Security Plan. This change is administrative and has no impact on the probability or consequences of an accident previously evaluated.

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EVALUATION OF THE PROPOSED CHANGE

Therefore, it is concluded that this change to the CCNPP, NMPNS and Ginna license conditions does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Criterion 2: The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed change is required by 10 CFR 73.54. The Cyber Security Plan conforms to the template provided in NEI 08-09, Revision 6, with the exception of the definition of cyber attack and provides a description of how the requirements of the rule will be implemented at CCNPP, NMPNS and Ginna. The plan establishes the basis for the cyber security program for the three stations.

The proposed Cyber Security Plan does not require any plant modifications, alter the plant configuration, require new plant equipment to be installed, alter accident analysis assumptions, add any initiators, or affect the function of plant systems or the manner in which systems are operated, maintained, modified, tested, or inspected. The plan establishes how to achieve high assurance that nuclear power plant digital computer and communication systems and networks associated with certain systems and functions are adequately protected against cyber attacks. This protective function has no impact on the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed change to the license condition in the licenses of CCNPP, NMPNS and Ginna adds a sentence to the existing license condition for physical protection to require implementation and maintenance of the Cyber Security Plan. This change is administrative and has no impact on the possibility of a new or different kind of accident from any accident previously evaluated.

Therefore, it is concluded that this change to the CCNPP, NMPNS and Ginna license conditions does not create the possibility of a new or different kind of accident from any previously evaluated.

Criterion 3: The proposed change does not involve a significant reduction in a margin of safety.

The margin of safety in this case is that the implementation of the Cyber Security Plan does not adversely affect systems or equipment important to the operation of the plant.

The proposed change is required by 10 CFR 73.54. The Cyber Security Plan conforms to the template provided in NEI 08-09, Revision 6, with the exception of the definition of cyber attack and provides a description of how the requirements of the rule will be implemented at CCNPP, NMPNS and Ginna. The plan establishes the basis for the cyber security program for the three stations.

The plan establishes the basis for the cyber security program for the three stations and does not require any plant modifications, alter the plant configuration, require new plant equipment to be installed, alter accident analysis assumptions, add any initiators, or affect the function of plant systems or the manner in which systems are operated, maintained, modified, tested, or inspected. The plan establishes how to achieve high assurance that nuclear power plant digital computer and communication systems and networks associated

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EVALUATION OF THE PROPOSED CHANGE

with certain systems and functions are adequately protected against cyber attacks. This protective function has no impact on the operation of vital systems or equipment. Therefore, the implementation of the proposed Cyber Security Plan does not involve a significant reduction in a margin of safety.

The proposed change to the license condition in the licenses of CCNPP, NMPNS and Ginna adds a sentence to the existing license condition for physical protection to require implementation and maintenance of the Cyber Security Plan. This change is administrative and does not involve a significant reduction in a margin of safety.

Therefore, the proposed change to the CCNPP, NMPNS and Ginna license conditions and implementation of the proposed Cyber Security Plan do not create a significant reduction in a margin of safety.

Based on the above, we conclude that the proposed change presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and accordingly, a finding of no significant hazards consideration is justified.

4.3 CONCLUSIONS

In conclusion, based on the considerations discussed above: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner; (2) such activities will be conducted in compliance with the Commission's regulations; and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

5.0 ENVIRONMENTAL CONSIDERATION

The proposed amendment establishes the licensing basis for a Cyber Security Program for CCNPP, NMPNS and Ginna and will be a part of each site's physical security plan. This proposed amendment will not involve (i) a significant hazards consideration, (ii) a significant change in the types or a significant increase in the amounts of any effluents that may be released offsite, or (iii) a significant increase in individual or cumulative occupational radiation exposure. Accordingly, the proposed amendment meets the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

ATTACHMENT 2

**CALVERT CLIFFS NUCLEAR POWER PLANT UNITS 1 & 2 LICENSE
MARKUPS**

- c. Identification of process sampling points;
- d. Procedure for recording and management of data;
- e. Procedures defining corrective actions for off control point chemistry conditions; and
- f. A procedure identifying the authority responsible for the interpretation of the data and the sequence and timing of administrative events required to initiate corrective action.

(5) Mitigation Strategy

The Calvert Cliffs Nuclear Power Plant, LLC, shall develop and maintain strategies for addressing large fires and explosions 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
- (b) Operations to mitigate fuel damage considering the following:
 - 1. Protection and use of personnel assets
 - 2. Communications
 - 3. Minimizing fire spread
 - 4. Procedures for implementing integrated fire response strategy
 - 5. Identification of readily available pre-staged equipment
 - 6. Training on integrated fire response strategy
 - 7. Spent fuel pool mitigation measures
- (c) Actions to minimize release to include consideration of:
 - 1. Water spray scrubbing
 - 2. Dose to onsite responders

The licensee shall implement and maintain in effect the Commission-approved Cyber Security Plan submitted by letter dated July 16, 2010.

D. 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 contain Safeguards Information protected under 10 CFR 73.21, is entitled: "Calvert Cliffs Nuclear Power Plant Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, Revision 1" submitted May 19, 2006.

The licensee shall implement and maintain in effect the Commission-approved Cyber Security Plan submitted by letter dated July 16, 2010.

4. Procedures for implementing integrated fire response strategy
 5. Identification of readily available pre-staged equipment
 6. Training on integrated fire response strategy
 7. Spent fuel pool mitigation measures
- (c) Actions to minimize release to include consideration of:
1. Water spray scrubbing
 2. Dose to onsite responders
- D. 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 the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contain Safeguards Information protected under 10 CFR 73.21, is entitled: "Calvert Cliffs Nuclear Power Plant Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, Revision 1" submitted dated May 19, 2006. ↑
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- E. The Calvert Cliffs Nuclear Power Plant, LLC, shall implement and maintain in effect all provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report for the facility and as approved in the SER dated September 14, 1979, and Supplements dated October 2, 1980; March 18, 1982; and September 27, 1982; and Exemptions dated August 16, 1982; April 21, 1983; March 15, 1984; August 22, 1990; and April 7, 1999 subject to the following provision: The Calvert Cliffs Nuclear Power Plant, LLC may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.
- F. At the time of the next scheduled update to the FSAR required pursuant to 10 CFR 50.71(e)(4) following the issuance of this renewed license, the licensee shall update the FSAR to include the FSAR supplement submitted pursuant to 10 CFR 54.21(d), as amended and supplemented by the program descriptions in Appendix E to the Safety Evaluation Report, NUREG-1705. Until that FSAR update is complete, the licensee may make changes to the programs described in Appendix E without prior Commission approval, provided that the licensee evaluates each such change pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.
- G. Any future actions listed in Appendix E to the Safety Evaluation Report, NUREG-1705, shall be included in the FSAR. The licensee shall complete these actions by August 13, 2016.

ATTACHMENT 3

R.E. GINNA NUCLEAR POWER PLANT LICENSE MARKUP

The licensee shall implement and maintain in effect the Commission-approved Cyber Security Plan submitted by letter dated July 16, 2010.

accordance with an acceptable calculational model which conforms to the provisions in Appendix K (SER dated April 18, 1978). The exemption will expire upon receipt and approval of revised ECCS calculations. The aforementioned exemption is authorized by law and will not endanger life property or the common defense and security and is otherwise in the public interest. Therefore, the exemption is hereby granted pursuant to 10 CFR 50.12.

E. 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 27827 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: "R. E. Ginna Nuclear Power Plant Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan," submitted by letter dated May 15, 2006.

F. The Updated Final Safety Analysis Report supplement, submitted pursuant to 10 CFR 54.21(d), describes certain future activities to be completed prior to the period of extended operation. Ginna LLC shall complete these activities no later than September 18, 2009, and shall notify the Commission in writing when implementation of these activities is complete and can be verified by NRC inspection.

The Updated Final Safety Analysis Report supplement, as revised, shall be included in the next scheduled update to the Updated Final Safety Analysis Report required by 10 CFR 50.71(e)(4) following issuance of this renewed license. Until that update is complete, Ginna LLC may make changes to the programs and activities described in the supplement without prior Commission approval, provided that Ginna LLC evaluates each such change pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.

G. All capsules in the reactor vessel that are removed and tested must meet the test procedures and reporting requirements of ASTM-E 185-82 to the extent practicable for the configuration of the specimens in the capsule. Any changes to the capsule withdrawal schedule, including spare capsules, must be approved by the NRC prior to implementation. Any capsules placed in storage must be maintained for future insertion, unless approved by the NRC.

ATTACHMENT 4

NINE MILE POINT NUCLEAR STATION UNITS 1 & 2 LICENSE

MARKUPS

D. This license is subject to the following additional conditions:

- (1) The licensee will complete construction of a new radwaste facility in conformance with the design defined and evaluated in the FES, to be operational no later than June 1976.
- (2) Deleted by License Amendment No. 51
- (3) Deleted by License Amendment No. 51
- (4) Security, Training and Qualification and Safeguards Contingency Plans

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 the 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 contain Safeguards Information protected under 10 CFR 73.21 is entitled "Nine Mile Point Nuclear Station, LLC Physical Security, Safeguards Contingency, and Security Training and Qualification Plan, Revision 1," and was submitted by letter dated April 26, 2006.

- (5) Paragraph 2.D(5) of the license has been combined with paragraph 2.D(4) as amended above into a single paragraph.
- (6) Recirculation System Safe-end Replacement

The recirculation system and safe-end replacement program including the cutting and welding of the replacement components and the dose mitigation program (ALARA) is approved, subject to the following conditions:

- a. The licensee shall complete the recirculation piping stress reanalysis prior to restart of Nine Mile Point Nuclear Power Station, Unit No. 1. The results of this analysis for selected representative portions of the recirculation system shall be submitted to the NRC prior to restart of the facility.
- b. All fuel and control rods shall be removed from the reactor pressure vessel and stored in the spent fuel pool during the period that work on the safe-end and recirculation system replacement program is in progress.

The licensee shall implement and maintain in effect the Commission-approved Cyber Security Plan submitted by letter dated July 16, 2010.

- vi) A schedular exemption to 10 CFR 50.55a(h) for the Neutron Monitoring System until completion of the first refueling outage to allow the operating licensee to provide qualified isolation devices for Class 1E/non-1E interfaces described in their letters of June 23, 1987 (NMP2L 1057) and June 25, 1987 (NMP2L 1058). (Section 7.2.2.10, SSER 6).

For the schedular exemptions in iv), v), and vi), above, the operating licensee, in accordance with its letter of October 31, 1986, shall certify that all systems, components, and modifications have been completed to meet the requirements of the regulations for which the exemptions have been granted and shall provide a summary description of actions taken to ensure that the regulations have been met. This certification and summary shall be provided 10 days prior to the expiration of each exemption period as described above.

The exemptions set forth in this Section 2.D are authorized by law, will not present an undue risk to public health and safety, and are consistent with the common defense and security. These exemptions are hereby granted. The special circumstances regarding each exemption are identified in the referenced section of the Safety Evaluation Report and the supplements thereto. The exemptions in ii) through vi) are granted pursuant to 10 CFR 50.12.

With these exemptions, the facility will operate to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

- E. Nine Mile Point Nuclear Station, LLC 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 contain Safeguards Information protected under 10 CFR 73.21 is entitled "Nine Mile Point Nuclear Station, LLC Physical Security, Safeguards Contingency, and Security Training and Qualification Plan, Revision 1," and was submitted by letter dated April 26, 2006. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein. [↑]

- F. Nine Mile Point Nuclear Station, LLC shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report for the facility through Amendment No. 27 and as described in submittals dated March 25, May 7 and 9, June 10 and 25, July 11 and 16, August 19 and 22, September 5, 12, and 23, October 10, 21, and 22, and December 9, 1986, and April 10 and May 20, 1987, and as approved in the SER dated February 1985 (and Supplements 1 through 6) subject to the following provision: