

June 23, 2011

10 CFR 50.4 10 CFR 50.90

SBK-L-11134 Docket No. 50-443

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

### Seabrook Station

Response to Request for Information Regarding License Amendment Request for Approval of Seabrook Station Cyber Security Plan

### References:

- NextEra Energy Seabrook letter SBK-L-10119, "License Amendment Request 10-04, Amendment to the Facility Operating License and Submittal of the Seabrook Station Cyber Security Plan," July 26, 2010
- 2. NextEra Energy Seabrook letter SBK-L-10186, "Supplement to License Amendment Request 10-04, Amendment to the Facility Operating License and Submittal of the Seabrook Station Cyber Security Plan," November 16, 2010
- NextEra Energy Seabrook letter SBK-L-11059, "Response to Request for Information Regarding Approval of Seabrook Station Cyber Security Plan," March 31, 2011
- 4. NRC letter "Seabrook Unit 1 Request for Additional Information Regarding License Amendment Request for Approval of Cyber Security Plan (TAC No. ME4453)," June 8, 2011

In Reference 1 and supplemented by References 2 and 3, NextEra Energy Seabrook, LLC (NextEra) requested an amendment to the Facility Operating License for Seabrook Station, Unit No. 1. The proposed amendment requested NRC approval of the Seabrook Station Cyber Security Plan.

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In Reference 4, the NRC staff determined that additional information is required to complete its review of the submittal. This letter provides NextEra's response to the request for additional information (RAI).

This response to the RAI does not alter the conclusions in Reference 1 that the proposed change does not involve a significant hazard consideration pursuant to 10 CFR 50.92 and that the change meets the criteria of 10 CFR 51.22(b). A copy of this letter has been forwarded to the New Hampshire State Liaison Officer pursuant to 10 CFR 50.91.

Should you have any questions regarding this letter, please contact Mr. Michael O'Keefe, Licensing Manager, at (603) 773-7745.

Sincerely,

NextEra Energy Seabrook, LLC

Paul Freeman

Site Vice President

### Enclosure

cc: NRC Region I Administrator

G. E. Miller, NRC Project Manager

W. J. Raymond, NRC Resident Inspector

Mr. Christopher M. Pope, Director Homeland Security and Emergency Management New Hampshire Department of Safety Division of Homeland Security and Emergency Management Bureau of Emergency Management 33 Hazen Drive

Concord, NH 03305

John Giarrusso, Jr., Nuclear Preparedness Manager The Commonwealth of Massachusetts Emergency Management Agency 400 Worcester Road Framingham, MA 01702-5399



## **SEABROOK STATION UNIT 1**

FACILITY OPERATING LICENSE NPF-86

Docket No. 50-443

Response to Request for Information Regarding License Amendment Request for Approval of Seabrook Station Cyber Security Plan

The following information is enclosed in support of this License Amendment Request:

• Enclosure - Response to the Request for Additional Information.

I, Paul Freeman, Site Vice President of NextEra Energy Seabrook, LLC hereby affirm that the information and statements contained within this response to the request for additional information are based on facts and circumstances which are true and accurate to the best of my knowledge and belief.

Sworn and Subscribed

before me this

day of

2011

Notary Public

/

Paul Freeman

Site Vice President

#### **ENCLOSURE**

Response to Request for Information Regarding License Amendment Request for Approval of Seabrook Station Cyber Security Plan

# NRC Request for Additional Information

The requirements of 10 CFR 73.54(a) are that each licensee subject to the requirements of this section shall 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 as described in Section 73.1. Furthermore, 10 CFR 73.54(a)(1) states that the licensee shall protect digital computer and communication systems and networks associated with: (i) safety-related and important-to-safety functions; (ii) security functions; (iii) emergency preparedness functions, including offsite communications; and (iv) support systems and equipment that, if compromised, would adversely impact safety, security, or emergency preparedness functions.

Section 3.0 of Enclosure 1 to the cyber security plan, Evaluation of Proposed Change, includes clarifications to the Nuclear Energy Institute 08-09 Cyber Security Plan template with regard to Emergency Preparedness and states, "Therefore, the systems and portions of systems to be protected from cyber attack in accordance with 10 CFR 73.54(a)(1)(iii), must: (1) Perform a RSPS [Risk Significant Planning Standards]-related EP [emergency preparedness] function, and (2) Be within the licensee's complete custody and control."

The rule clearly states that digital computer and communication systems and networks associated with emergency preparedness functions, including offsite communications, shall be adequately protected against cyber attacks. For systems and networks that are not within the licensee's complete custody and control, the licensee is still required to ensure protection against cyber attacks.

Explain NextEra Energy Seabrook's deviation from the 10 CFR 73.54(a)(1).

### NextEra Energy Seabrook's Response to the RAI:

NextEra Energy Seabrook (NextEra) withdraws the clarification regarding Emergency Preparedness from further NRC review.

Prior to a conference call with the NRC staff on May 24, 2011, NextEra did not consider the clarification regarding Emergency Preparedness to be a deviation from the requirements of 10 CFR 73.54(a)(1). However, NextEra now understands how the clarification could result in a deviation from the requirements of 10 CFR 73.54(a)(1). Therefore, NextEra withdraws the clarification regarding Emergency Preparedness included in Section 3.0, Technical Evaluation, of References 1, 2, and 3.