



**Luminant**

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Ref. # 10 CFR 52

December 12, 2011

U. S. Nuclear Regulatory Commission  
Document Control Desk  
Washington, DC 20555  
ATTN: David B. Matthews, Director  
Division of New Reactor Licensing

**SUBJECT:** COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 3 AND 4  
DOCKET NUMBERS 52-034 AND 52-035  
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION NO. 6123  
(SECTION 13.6.6)

Dear Sir:

Luminant Generation Company LLC (Luminant) submits herein the response to Request for Additional Information (RAI) No. 6123 (CP RAI #238) for the Combined License Application for Comanche Peak Nuclear Power Plant Units 3 and 4. The RAI response addresses implementation of the cyber security program.

Should you have any questions regarding this response, please contact Don Woodlan (254-897-6887, Donald.Woodlan@luminant.com) or me.

As a result of the response to this RAI, Luminant is withdrawing Regulatory Commitment #6591 made in letter TXNB-09058 on November 26, 2009 (ML093010366) and it will be shown as "deleted" in the Commitment Tracking System. There are no new commitments in this letter.

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

Executed on December 12, 2011.

Sincerely,

Luminant Generation Company LLC

  
Rafael Flores *for*

Attachment: Response to Request for Additional Information No. 6123 (CP RAI #238)

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DO90  
N1R0

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**RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION**

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**Comanche Peak, Units 3 and 4**

**Luminant Generation Company LLC**

**Docket Nos. 52-034 and 52-035**

**RAI NO.: 6123 (CP RAI #238)**

**SRP SECTION: 13.06.06 - Cyber Security (Future SRP Section)**

**QUESTIONS for Reactor Security Rulemaking and Licensing Branch (NSIR/DSP/RSRLB)**

**DATE OF RAI ISSUE: 11/8/2011**

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**QUESTION NO.: 13.06.06-2**

In its combined license application (COLA), Revision 2, FSAR, Table 13.4-201, "Operational Programs Required by NRC Regulation and Program Implementation," Luminant proposed a license condition to implement the cyber security program prior to receipt of fuel on-site in the protected area.

As discussed in SECY-05-0197, "Review of Operational Programs in a Combined License Application and Generic Emergency Planning Inspections, Tests, Analyses, and Acceptance Criteria," a COL applicant should provide schedules for implementation milestones for operational programs. The staff plans to inspect operational programs and their implementation as they are developed to ensure these programs are being implemented consistent with the COLA FSAR. As stated in SECY-05-0197, "recognizing that maintaining NRC inspection schedules will be critical to ensuring that the Commission has timely information on operational readiness," and pursuant to the requirements of 10 CFR 52.79(d)(3), the staff requests that Luminant implement the following license condition below:

No later than 12 months after issuance of the COL, the licensee shall submit to the Director of NRO a schedule that supports planning for, and the conducting of, the NRC inspection of the cyber security program implementation. The schedule shall be updated every 6 months until 12 months before scheduled fuel loading, and every month thereafter until the cyber security program has been fully implemented.

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**ANSWER:**

Luminant has received several questions requesting similar license conditions for other operational programs. The following proposed license conditions have been added to Part 10 of the COLA to satisfy these requests.

The Licensee shall submit to the Director of NRO, a schedule, no later than 12 months after issuance of the COL or at the start of construction as defined in 10 CFR 50.10(a), whichever is later, that supports planning for and conduct of NRC inspections of operational programs listed in FSAR Table 13.4-201 with the exception of the Fitness for

Duty program. The schedule shall be updated every 6 months until 12 months before scheduled fuel loading, and every month thereafter for each applicable operational program until either the operational program has been fully implemented or the plant has been placed in commercial service, whichever comes first.

The Licensee shall submit to the Director of NRO, a schedule, no later than 12 months after issuance of the COL, that supports planning for and conduct of NRC inspections of the Fitness for Duty program listed in FSAR Table 13.4-201. The schedule shall be updated every 6 months until 12 months before scheduled fuel loading, and every month thereafter until either the Fitness for Duty program has been fully implemented or the plant has been placed in commercial service, whichever comes first.

These proposed license conditions are similar to the approach for the ITAAC schedule required in 10 CFR 52.99(a), the Model COL discussed with the NRC and DCWGs on February 26, 2011, and RG 1.206, Page C.IV.4-.3. The FFD program has been singled out because parts of the program are implemented prior to commencement of construction activities.

In previous submittals Luminant created or edited Regulatory Commitment #6591 quoted below:

Luminant commits to submit a schedule to the NRC that supports the planning and conduct of NRC inspections of operational programs, including the IST program, the PSI program, the ISI program and the reactor vessel surveillance program, no later than 12 months after issuance of the COL or at the start of construction as defined in 10 CFR 50.10a, whichever is later. This is similar to the approach for the ITAAC schedule required in 10 CFR 52.99(a).

In light of this new proposed license condition, Luminant withdraws Regulatory Commitment #6591. The previous submittals were responses to RAI No. 2772 (CP RAI #57) (ML093010366), RAI No. 3193 (CP RAI #62) (ML093090163), and RAI No. 5677 (CP RAI #214) (ML1111A101).

#### Impact on R-COLA

See attached marked-up COLA Part 10 Revision 2 page 6.

#### Impact on S-COLA

None; this response is site-specific.

#### Impact on DCD

None.

**Comanche Peak Nuclear Power Plant, Units 3 & 4  
COL Application  
Part 10 - ITAAC and Proposed License Conditions**

Proposed License Condition	Source
<p><u>2.D(12) Operational Program Implementation Schedules</u></p> <p><u>The Licensee shall submit to the Director of NRC, a schedule, no later than 12 months after issuance of the COL or at the start of construction as defined in 10 CFR 50.10(a), whichever is later, that supports planning for and conduct of NRC inspections of operational programs listed in FSAR Table 13.4-201 with the exception of the Fitness for Duty program. The schedule shall be updated every 6 months until 12 months before scheduled fuel loading, and every month thereafter for each applicable operational program until either the operational program has been fully implemented or the plant has been placed in commercial service, whichever comes first.</u></p> <p><u>The Licensee shall submit to the Director of NRC, a schedule, no later than 12 months after issuance of the COL, that supports planning for and conduct of NRC inspections of the Fitness for Duty program listed in FSAR Table 13.4-201. The schedule shall be updated every 6 months until 12 months before scheduled fuel loading, and every month thereafter until either the Fitness for Duty program has been fully implemented or the plant has been placed in commercial service, whichever comes first.</u></p>	<p><u>COLA FSAR Table 13.4-201</u></p> <p><u>Based on Model COL discussed with NRC and DCWGs on 2/26/2011 and RG 1.206. RAI 238 response issued 12/13/11.</u></p> <p><u>FFD program separated out because of partial implementation of the program prior to construction activities commencing.</u></p>
<p><u>2.D(14) Site-specific or License-specific Conditions</u></p> <p><u>(i) The plant-specific PTS evaluation of the as-procured reactor vessel material properties will be submitted to the NRC within 12 months following acceptance of the reactor vessel.</u></p> <p><u>(ii) Prior to the full-participation exercise to be conducted in accordance with the requirements of Appendix E to 10 CFR Part 50, Luminant shall establish Letters of Agreement with the following entities:</u></p> <p><u>a. Governors Division of Emergency Management (GDEM), Texas Department of Public Safety</u></p> <p><u>b. Texas Department of State Health Services</u></p> <p><u>c. Hood County Judge</u></p> <p><u>d. Somervell County Judge</u></p> <p><u>These Letters of Agreement will identify the specific nature of arrangements in support of emergency preparedness for operation of the proposed new nuclear units and certify the agency's concurrence with the emergency action levels described in Comanche Peak Units 3 &amp; 4 Combined License Application Emergency Plan Procedure, "Assessment of Emergency Action Levels, Emergency Classification and Plan Activation."</u></p>	<p><u>Answer to RAI 2353 (CP RAI #8) question 05.03.02-3 as provided in TXNB-09028 dated August 7, 2009.</u></p> <p><u>Answer to RAI 3295 (CP RAI #70) question 13.03-1 and RAI 3327 (CP RAI #78) questions 13.03-2 and 13.03-8.</u></p>

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