



June 18, 2012

NRC 2012-0040  
10 CFR 50.90

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

Point Beach Nuclear Plant, Units 1 and 2  
Dockets 50-266 and 50-301  
Renewed License Nos. DPR-24 and DPR-27

License Amendment Request 269  
Cyber Security Plan Implementation Schedule Milestone Change

- References:
- (1) NRC letter to NextEra Energy Point Beach, LLC, Point Beach Nuclear Plant, Units 1 and 2 - Issuance of Amendments Re: Revised Cyber Security Plan, dated July 21, 2011 (ML111740077)
  - (2) NextEra Energy Point Beach, LLC letter to NRC, Supplement to License Amendment Request 263, Response to Request for Additional Information, dated March 31, 2011 (ML110950164)

In Reference 1, the NRC issued License Amendment Nos. 243 and 247 to the Renewed Facility Operating Licenses for Point Beach Nuclear Plant (PBNP) Units 1 and 2, respectively, which approved the PBNP Cyber Security Plan and associated implementation milestone schedule. The Cyber Security Plan Implementation Schedule contained in Reference 2 was utilized as a portion of the basis for the NRC's safety evaluation provided by Reference 1. NextEra Energy Point Beach, LLC (NextEra) is planning to implement the requirements of implementation schedule milestone 6 in a slightly different manner than described in the approved implementation schedule. Although no change to the implementation schedule date is proposed, the change to the description of the milestone activity is conservatively considered to be a change to the implementation schedule, and in accordance with the provisions of 10 CFR 50.4 and 10 CFR 50.90, NextEra is submitting this request for an amendment to the Renewed Facility Operating Licenses (FOLs) for PBNP. The PBNP Cyber Security Plan was previously provided in Reference 2.

Enclosure 1 provides a description and an evaluation of the proposed change. Enclosure 2 contains proposed marked-up operating license pages for the Physical Protection license condition for PBNP to reference the change requested in this submittal. Enclosure 3 contains the proposed revised operating license pages. Enclosure 4 contains a change to the scope of implementation milestone 6. NextEra requests that Enclosures 1, (Sections 1.0, 2.0, and 3.0), and 4 which contain security-related information (SRI) be withheld from public disclosure in accordance with 10 CFR 2.390.

This letter contains security-related information – Enclosures 1 (Sections 1.0, 2.0, and 3.0), and 4, are withheld from public disclosure per 10 CFR 2.390

NextEra Energy Point Beach, LLC, 6610 Nuclear Road, Two Rivers, WI 54241

SODIA  
NRR

This letter contains security-related information – Enclosures 1 (Sections 1.0, 2.0, and 3.0), and 4, are withheld from public disclosure per 10 CFR 2.390

The proposed changes have been evaluated in accordance with 10 CFR 50.91(a)(1) using criteria in 10 CFR 50.92(c), and it has been determined that the changes involve no significant hazards consideration. The bases for these determinations are included in Enclosure 1.

NextEra requests this license amendment be effective as of its date of issuance. Although this request is neither exigent nor emergency, your review and approval is requested prior to December 31, 2012.

These changes have been reviewed by the NextEra Onsite Review Group. A copy of this submittal is also being sent to our appointed state official pursuant to 10 CFR 50.91.

The revised obligation contained in this submittal is summarized in Enclosure 5.

If you have any questions or require additional information, please contact Mr. William Hennessy, Acting Licensing Manager, at 920/755-7656.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on June 18, 2012.

Very truly yours,

NextEra Energy Point Beach, LLC

A handwritten signature in black ink that reads "R. U. Light for Larry Meyer". The signature is written in a cursive style.

Larry Meyer  
Site Vice President

Enclosures

cc: Administrator, Region III, USNRC  
Project Manager, Point Beach Nuclear Plant, USNRC  
Resident Inspector, Point Beach Nuclear Plant, USNRC  
PSCW

Sections 1.0, 2.0, and 3.0 of this enclosure contain security-related information and are withheld from public disclosure per 10 CFR 2.390

#### **4.0 REGULATORY EVALUATION**

##### **4.1 Applicable Regulatory Requirements/Criteria**

10 CFR 73.54 requires licensees to maintain and implement a cyber security plan. Point Beach Nuclear Plant (PBNP) Renewed Facility Operating Licenses DPR 24 and DPR 27 include a Physical Protection license condition that requires NextEra Energy Point Beach, LLC (NextEra) to fully implement and maintain in effect all provisions of the Commission-approved cyber security plan, including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p).

##### **4.2 Precedent**

Amendment No. 203 (Reference 5) approved an implementation schedule using the NEI template (Reference 3), with the exception of milestone 6 for the Callaway Plant. The Callaway Plant deviated from the template for milestone 6 to address only the NEI 08-09, Revision 6, Appendix D technical controls, excepting for the operational and management controls, on the basis that implementing the technical controls for the target set CDAs provides a high degree of protection against cyber related attacks that could lead to radiological sabotage.

The changes being proposed by NextEra in this amendment request are similar to those approved in the Callaway Plant Amendment No. 203.

##### **4.3 Significant Safety Hazards Consideration**

NextEra is requesting an amendment to the PBNP Renewed Facility Operating Licenses to revise the Physical Protection license condition as it relates to the cyber security plan. This change includes a proposed deviation to the scope of a Cyber Security Plan Implementation Schedule milestone and a proposed revision to the PBNP Renewed Facility Operating Licenses to include the proposed deviation. Specifically, NextEra proposes a change to the scope of implementation milestone 6 to apply to only technical cyber security controls.

NextEra 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 change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change to the Cyber Security Plan Implementation Schedule is administrative in nature. This change does not alter accident analysis assumptions, add any accident initiators, or affect the function of plant systems or the manner in which systems are operated, maintained, modified, tested, or inspected. The proposed change does not require any plant modifications that affect the performance capability of the structures, systems, and components relied upon to mitigate the consequences of postulated accidents, and has no impact on the probability or consequences of an accident previously evaluated.

Sections 1.0, 2.0, and 3.0 of this enclosure contain security-related information and are withheld from public disclosure per 10 CFR 2.390

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Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

Response: No.

The proposed change to the Cyber Security Plan Implementation Schedule is administrative in nature. This change does not alter accident analysis assumptions, add any accident initiators, or affect the function of plant systems or the manner in which systems are operated, maintained, modified, tested, or inspected. The proposed change does not require any plant modifications that affect the performance capability of the structures, systems, and components relied upon to mitigate the consequences of postulated accidents, and does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

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

Response: No.

Plant safety margins are established through limiting conditions for operation, limiting safety system settings, and safety limits specified in the technical specifications. The proposed change to the Cyber Security Plan Implementation Schedule is administrative in nature. Because there is no change to these established safety margins as result of this change, the proposed change does not involve a significant reduction in a margin of safety.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Based on the above, NextEra concludes 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 Conclusion

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.

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## **5.0 ENVIRONMENTAL CONSIDERATION**

The proposed amendment provides a change to a Cyber Security Plan Implementation Schedule Milestone. The proposed amendment meets the eligibility criterion for a categorical exclusion set forth in 10 CFR 51.22(c)(12). 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.

## **6.0 REFERENCES**

1. NRC letter to NextEra Energy Point Beach, LLC, Point Beach Nuclear Plant, Units 1 and 2 - Issuance of Amendments Re: Revised Cyber Security Plan, dated July 21, 2011 (ML111740077)
2. NextEra Energy Point Beach, LLC letter to NRC, Supplement to License Amendment Request 263, Response to Request for Additional Information, dated March 31, 2011 (ML110950164)
3. Letter from Chris Earls (NEI) to Richard P. Correia (NRC), Template for the Cyber Security Plan Implementation Schedule, dated February 28, 2011 (ADAMS Accession No. ML110600211)
4. Letter from Richard P. Correia (NRC) to Chris Earls (NEI), Template for the Cyber Security Plan Implementation Schedule, dated March 1, 2011 (ADAMS Accession No. ML110070348)
5. NRC letter from M. C. Thadani, USNRC, to A. C. Heflin, Union Electric Company, "Callaway Plant, Unit 1 – Issuance of Amendment Re: Approval of Cyber Security Plan (TAC NO. ME4536)," August 17, 2011 (ADAMS Accession No. ML112140087)

Sections 1.0, 2.0, and 3.0 of this enclosure contain security-related information and are withheld from public disclosure per 10 CFR 2.390

**ENCLOSURE 2**

**NEXTERA ENERGY POINT BEACH, LLC  
POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2**

**LICENSE AMENDMENT REQUEST 269**

**PROPOSED POINT BEACH NUCLEAR PLANT RENEWED FACILITY  
OPERATING LICENSE CHANGES (MARK-UP)**

D. Physical Protection

NextEra Energy Point Beach 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: "Point Beach Nuclear Plant Physical Security Plan, (Revision 4)," submitted by letter dated May 10, 2006. NextEra Energy Point Beach, LLC shall fully implement and maintain in effect all provisions of the Commission-approved Point Beach Nuclear Plant Cyber Security Plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The NextEra Energy Point Beach CSP was approved by License Amendment No. 243 as supplemented by a change approved by License Amendment No. xxx.

E. Safety Injection Logic

The licensee is authorized to modify the safety injection actuation logic and actuation power supplies and related changes as described in licensee's application for amendment dated April 27, 1979, as supplemented May 7, 1979. In the interim period until the power supply modification has been completed, should any DC powered safety injection actuation channel be in a failed condition for greater than one hour, the unit shall thereafter be shutdown using normal procedures and placed in a block-permissive condition for safety injection actuation.

- F. NextEra Energy Point Beach shall implement and maintain in effect all provisions of the approved fire protection program as described in the FSAR for the facility and as approved in the Safety Evaluation Report dated August 2, 1979 (and Supplements dated October 21, 1980, January 22, 1981, and July 27, 1988) and the safety evaluation issued January 8, 1997, for Technical Specification Amendment No. 170, subject to the following provision:

NextEra Energy Point Beach 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.

G. Secondary Water Chemistry Monitoring Program

NextEra Energy Point Beach shall implement a secondary water chemistry monitoring program to inhibit steam generator tube degradation. This program shall include:

1. Identification of a sampling schedule for the critical parameters and control points for these parameters;
2. Identification of the procedures used to quantify parameters that are critical to control points;
3. Identification of process sampling points;
4. Procedure for the recording and management of data;

D. Physical Protection

NextEra Energy Point Beach 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: "Point Beach Nuclear Plant Physical Security Plan, (Revision 4)," submitted by letter dated May 10, 2006. NextEra Energy Point Beach, LLC shall fully implement and maintain in effect all provisions of the Commission-approved Point Beach Nuclear Plant Cyber Security Plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The NextEra Energy Point Beach CSP was approved by License Amendment No. 247 as supplemented by a change approved by License Amendment No. xxx.

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**ENCLOSURE 3**

**NEXTERA ENERGY POINT BEACH, LLC  
POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2**

**LICENSE AMENDMENT REQUEST 269**

**PROPOSED POINT BEACH NUCLEAR PLANT RENEWED FACILITY  
OPERATING LICENSE CHANGES (RE-TYPED)**

D. Physical Protection

NextEra Energy Point Beach 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: "Point Beach Nuclear Plant Physical Security Plan, (Revision 4)," submitted by letter dated May 10, 2006. NextEra Energy Point Beach, LLC shall fully implement and maintain in effect all provisions of the Commission-approved Point Beach Nuclear Plant Cyber Security Plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The NextEra Energy Point Beach CSP was approved by License Amendment No. 243 as supplemented by a change approved by License Amendment No. xxx.

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**ENCLOSURE 5**

**NEXTERA ENERGY POINT BEACH, LLC  
POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2**

**LICENSE AMENDMENT REQUEST 269**

**REGULATORY OBLIGATION**

### Regulatory Obligation

The following table identifies the action committed to by Nextera Energy Point Beach, LLC (NextEra) in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments or obligations.

<b>OBLIGATION</b>	<b>TYPE</b> (Check One)		<b>SCHEDULED COMPLETION DATE</b>  (If Required)
	<b>ONE- TIME ACTION</b>	<b>CONTINUING COMPLIANCE</b>	
NextEra will implement milestones 1, 2, 3, 4, 5, and 7 described in Enclosure 3 of letter dated March 31, 2011, and the revised Milestone 6 in Enclosure 4 of this submittal.	X		December 31, 2012