

~~Security-Related Information - Withhold Under 10 CFR 2.390~~



10 CFR 50.90
10 CFR 50.4

LR-N12-0200
LAR H12-03
LAR S12-03
July 26, 2012

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

Salem Nuclear Generating Station - Unit 1 and Unit 2
Renewed Facility Operating License Nos. DPR-70 and DPR-75
NRC Docket Nos. 50-272 and 50-311

Hope Creek Generating Station
Renewed Facility Operating License No. NPF-57
NRC Docket No. 50-354

SUBJECT: License Amendment Request – Salem-Hope Creek Cyber Security Plan
Implementation Schedule Milestones

- References:
1. NRC letter to PSEG Nuclear, LLC, *Issuance of Amendments Re: Approval of Cyber Security Plan*, dated July 28, 2011.
 2. PSEG Nuclear letter to NRC (LR-N11-0159), *Request for Approval of the Salem – Hope Creek Cyber Security Plan*, dated June 06, 2011.

Dear Sir or Madam:

In Reference 1, the NRC issued license Amendment No. 189 to the Renewed Facility Operating License for the Hope Creek Generating Station and Amendments Nos. 300 and 283 respectively to the Renewed Facility Operating Licenses for the Salem Nuclear Generating Station Unit Nos. 1 and 2 that approved the Salem – Hope Creek *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 report provided by Reference 1. PSEG Nuclear, LLC (PSEG) is planning to implement the requirements of Implementation Schedule Milestone 6 in a slightly different

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Upon removal of Attachments 1 (Sections 1, 2 and 3) and 4, this letter is uncontrolled.

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, PSEG is submitting this request for an amendment to the Renewed Facility Operating Licenses (FOL) for Hope Creek and Salem. The Salem – Hope Creek *Cyber Security Plan* was previously provided in Reference 2.

Attachment 1 provides an evaluation of the proposed changes. Attachment 2 contains proposed marked-up operating license pages for the Physical Protection license condition for Hope Creek, Salem Unit 1 and Unit 2 to reference the commitment change provided in this submittal. Attachment 3 contains the proposed revised operating license pages. Attachment 4 contains a change to the scope of Implementation Milestone 6. PSEG requests that Attachments 1 (Sections 1, 2, and 3) and 4 which contain security-related information (SRI) be withheld from public disclosure in accordance with 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 Attachment 1.

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

A new commitment contained in this submittal is summarized in Attachment 5. These proposed changes have been reviewed by the Plant Operations Review Committee.

We are notifying the State of New Jersey of this application for changes to the Renewed Operating Licenses by transmitting a copy of this letter and its attachments to the designated State official. Should you have any questions concerning this letter, or require additional information, please contact Lee Marabella at (856) 339-1208.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 26, 2012.

Sincerely,



Robert C. Braun
Senior Vice President, Nuclear Operations

- Attachments:
1. Analysis of Proposed Operating License Change (contains SRI)
 2. Proposed Hope Creek and Salem Unit 1 and Unit 2 Operating License Changes (mark-up)
 3. Revised Hope Creek and Salem Unit 1 and Unit 2 Operating License Pages
 4. Revised Cyber Security Plan Implementation Schedule (contains SRI)
 5. List of Regulatory Commitments

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cc:

Mr. W. Dean, Administrator, Region I, NRC
Mr. J. Hughey, Project Manager, NRC
NRC Senior Resident Inspector, Salem
NRC Senior Resident Inspector, Hope Creek
Mr. P. Mulligan, Manager IV, NJBNE
Mr. L. Marabella, Corporate Commitment Tracking Coordinator
Hope Creek Commitment Tracking Coordinator
Mr. T. Cachaza, Salem Commitment Tracking Coordinator

Attachment 1

LR-N12-0200

Analysis of Proposed Operating License Change

4.0 REGULATORY EVALUATION

4.1 Applicable Regulatory Requirements/Criteria

10 CFR 73.54 requires licensees to maintain and implement a cyber security plan. Hope Creek and Salem Unit 1 and Unit 2 Renewed Facility Operating License Nos. NPF-57, DPR-70 and DPR-75 respectively include a Physical Protection license condition that requires PSEG 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 Nuclear Energy Institute (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 PSEG in this amendment request are similar to those approved in the Callaway Plant Amendment No. 203.

4.3 Significant Safety Hazards Consideration

PSEG is requesting an amendment to the Hope Creek and Salem Unit 1 and Unit 2 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 Hope Creek and Salem Unit 1 and Unit 2 Renewed Facility Operating Licenses to include the proposed deviation. Specifically, PSEG proposes a change to the scope of Implementation Milestone 6 to apply to only technical cyber security controls.

PSEG 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. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes to the Cyber Security Plan Implementation Schedule are administrative in nature. The changes do not 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 proposed changes do not require any plant modifications which affect the performance capability of the structures, systems, and components relied upon to mitigate the consequences of postulated accidents and have no impact on the probability or consequences of an accident previously evaluated.

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

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

Response: No.

The proposed changes to the Cyber Security Plan Implementation Schedule are administrative in nature. The proposed changes do not 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 proposed changes do not require any plant modifications which affect the performance capability of the structures, systems, and components relied upon to mitigate the consequences of postulated accidents and do not create the possibility of a new or different kind of accident from any accident previously evaluated.

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

3. Do the proposed changes 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.

Based on the above, PSEG concludes that the proposed changes present 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.

4.4 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.

5.0 ENVIRONMENTAL CONSIDERATION

The proposed amendment provides a change to the Cyber Security Plan Implementation Schedule. 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 PSEG Nuclear, LLC, *Issuance of Amendments Re: Approval of Cyber Security Plan*, dated July 28, 2011.
2. PSEG Nuclear letter to NRC (LR-N11-0159), *Request for Approval of the Salem – Hope Creek Cyber Security Plan*, dated June 06, 2011.
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)

Attachment 2

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Proposed Operating License Changes (mark-ups)

Salem Generating Station, Unit 1
Renewed Facility Operating License
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Salem Generating Station, Unit 2
Renewed Facility Operating License
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Hope Creek Generating Station
Renewed Facility Operating License
Page 16

evaluates such changes pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.

- (19) Appendix A of NUREG-2101, "Safety Evaluation Report Related to the License Renewal of Salem Nuclear Generating Station," dated June 2011, and PSEG Nuclear LLC UFSAR supplement submitted pursuant to 10 CFR 54.21(d), as revised on May 18, 2011, describe certain future programs and activities to be completed before the period of extended operation. PSEG Nuclear LLC shall complete these activities no later than August 13, 2016, and shall notify the NRC in writing when implementation of these activities is complete.
- (20) All capsules in the reactor vessel that are removed and tested must meet the test procedures and reporting requirements of American Society for Testing and Materials (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. All capsules placed in storage must be maintained for future insertion. Any changes to storage requirements must be approved by the NRC. Changes to the withdrawal schedule or storage requirements shall be submitted to the NRC as a report in accordance with 10 CFR 50.4.
- (21) PSEG Nuclear LLC shall take one core sample in the Unit 1 spent fuel pool west wall, by the end of 2013, and one core sample in the east wall where there have been indications of borated water ingress through the concrete, by the end of 2015. The core samples (east and west walls) will expose the rebar, which will be examined for signs of corrosion. Any sample showing signs of concrete degradation and/or rebar corrosion will be entered into the licensee's corrective action program for further evaluation. PSEG Nuclear LLC shall submit a report in accordance with 10 CFR 50.4 no later than three months after each sample is taken on the results, recommendations, and any additional planned actions.

D. Paragraph 2.D. has been combined with paragraph 2.E. per Amendment No. 86, June 27, 1988.

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 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, submitted by letter dated May 19, 2006, are entitled: "Salem-Hope Creek Nuclear Generating Station Security Plan," "Salem-Hope Creek Nuclear Generating Station Security Training and Qualification Plan," and "Salem-Hope Creek Nuclear Generating Station Security Contingency Plan." The plans contain Safeguards Information protected under 10 CFR 73.21.

PSEG Nuclear LLC shall fully implement and maintain in effect all provisions of the Commission-approved Cyber Security Plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The Salem-Hope Creek CSP was approved by License Amendment No. 300.

Add
as supplemented by a change approved by
License Amendment No. xxx

Renewed License No. DPR-70
Amendment No. 300

issuance of the License for Fuel-Loading and Low-Power Testing, dated April 18, 1980. The facility will operate, to the extent authorized herein, in conformity with the application as amended, the provisions of the Act, and the regulations of the Commission.

- 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 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54 (p). The plans, submitted by letter dated May 19, 2006, are entitled: "Salem-Hope Creek Nuclear Generating Station Security Plan," "Salem-Hope Creek Nuclear Generating Station Security Training and Qualification Plan," and "Salem-Hope Creek Nuclear Generating Station Security Contingency Plan." The plans Contain Safeguards Information protected under 10 CFR 73.21.

PSEG Nuclear LLC shall fully implement and maintain in effect all provisions of the Commission-approved Cyber Security Plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The Salem-Hope Creek CSP was approved by License Amendment No. 283.

- F. A temporary exemption from General Design Criterion 57 found in Appendix A to 10 CFR Part 50 is described in the Office of Nuclear Reactor Regulation's Safety Evaluation Report, Supplement No. 5, Section 6.2.3.1. This Exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. The exemption, therefore, is hereby granted and shall remain in effect through the first refueling outage as discussed in Section 6.2.3.1 of Supplement 5 to the Safety Evaluation Report. The granting of the exemption is authorized with the issuance of the Facility Operating License, dated May 20, 1981. The facility will operate, to the extent authorized herein, in conformity with the application as amended, the provisions of the Act, and the regulations of the Commission.

- G. This renewed license is subject to the following additional condition for the protection of the environment:

Before engaging in additional construction or operational activities which may result in an environmental impact that was not evaluated by the Commission, PSEG Nuclear LLC shall prepare and record an environmental evaluation of such activity. When the evaluation indicates that such activity may result in a significant adverse environmental impact that was not evaluated, or that is significantly greater than that evaluated in the Final Environmental Statement or any addendum thereto, PSEG Nuclear LLC shall provide a written evaluation of such activities and obtain prior approval from the Director of Nuclear Reactor Regulation.

- H. If PSEG Nuclear LLC plans to remove or to make significant changes in the normal operation of equipment that controls the amount of radioactivity in effluents from the Salem Nuclear Generation Station, the NRC shall be notified in writing regardless of whether the change affects the amount of radioactivity in effluents.

- I. DELETED

as supplemented by
a change approved
by License Amendment No. XXX

Renewed License No. DPR-75
Amendment No. ~~283~~

exempting Type C testing for instrument lines and lines containing excess flow check valves (Section 6.2.6 of SSER 5); and an exemption from Appendix J, exempting Type C testing of thermal relief valves (Section 6.2.6 of SSER 5). These exemptions are authorized by law, will not present an undue risk to the 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. These exemptions 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. 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 plans, submitted by letter dated May 19, 2006 are entitled: "Salem-Hope Creek Nuclear Generating Station Security Training and Qualification Plan," and "Salem-Hope Creek Nuclear Generating Station Security Contingency Plan." The plans contain Safeguards Information protected under 10 CFR 73.21.

PSEG Nuclear LLC shall fully implement and maintain in effect all provisions of the Commission-approved Cyber Security Plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The Salem-Hope Creek CSP was approved by License Amendment No. 189.

- F. DELETED

- G. The licensees shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

as supplemented by a change approved by License Amendment No. XXX

Attachment 3

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Revised Hope Creek and Salem Unit 1 and Unit 2 Operating License Pages

Salem Generating Station, Unit 1
Renewed Facility Operating License
Page 9

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Renewed Facility Operating License
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Hope Creek Generating Station
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- (20) All capsules in the reactor vessel that are removed and tested must meet the test procedures and reporting requirements of American Society for Testing and Materials (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. All capsules placed in storage must be maintained for future insertion. Any changes to storage requirements must be approved by the NRC. Changes to the withdrawal schedule or storage requirements shall be submitted to the NRC as a report in accordance with 10 CFR 50.4.
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D. Paragraph 2.D. has been combined with paragraph 2.E. per Amendment No. 86, June 27, 1988.

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 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, submitted by letter dated May 19, 2006, are entitled: "Salem-Hope Creek Nuclear Generating Station Security Plan," "Salem-Hope Creek Nuclear Generating Station Security Training and Qualification Plan," and "Salem-Hope Creek Nuclear Generating Station Security Contingency Plan." The plans contain Safeguards Information protected under 10 CFR 73.21.

PSEG Nuclear LLC shall fully implement and maintain in effect all provisions of the Commission-approved Cyber Security Plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The Salem-Hope Creek CSP was approved by License Amendment No. 300 as supplemented by a change approved by License Amendment No. xxx.

Renewed License No. DPR-70
Amendment No. xxx

issuance of the License for Fuel-Loading and Low-Power Testing, dated April 18, 1980. The facility will operate, to the extent authorized herein, in conformity with the application as amended, the provisions of the Act, and the regulations of the Commission.

- 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 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54 (p). The plans, submitted by letter dated May 19, 2006, are entitled: "Salem-Hope Creek Nuclear Generating Station Security Plan," "Salem-Hope Creek Nuclear Generating Station Security Training and Qualification Plan," and "Salem-Hope Creek Nuclear Generating Station Security Contingency Plan." The plans Contain Safeguards Information protected under 10 CFR 73.21.

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- F. A temporary exemption from General Design Criterion 57 found in Appendix A to 10 CFR Part 50 is described in the Office of Nuclear Reactor Regulation's Safety Evaluation Report, Supplement No. 5, Section 6.2.3.1. This Exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. The exemption, therefore, is hereby granted and shall remain in effect through the first refueling outage as discussed in Section 6.2.3.1 of Supplement 5 to the Safety Evaluation Report. The granting of the exemption is authorized with the issuance of the Facility Operating License, dated May 20, 1981. The facility will operate, to the extent authorized herein, in conformity with the application as amended, the provisions of the Act, and the regulations of the Commission.
- G. This renewed license is subject to the following additional condition for the protection of the environment:

Before engaging in additional construction or operational activities which may result in an environmental impact that was not evaluated by the Commission, PSEG Nuclear LLC shall prepare and record an environmental evaluation of such activity. When the evaluation indicates that such activity may result in a significant adverse environmental impact that was not evaluated, or that is significantly greater than that evaluated in the Final Environmental Statement or any addendum thereto, PSEG Nuclear LLC shall provide a written evaluation of such activities and obtain prior approval from the Director of Nuclear Reactor Regulation.

- H. If PSEG Nuclear LLC plans to remove or to make significant changes in the normal operation of equipment that controls the amount of radioactivity in effluents from the Salem Nuclear Generation Station, the NRC shall be notified in writing regardless of whether the change affects the amount of radioactivity in effluents.

- I. DELETED

Renewed License No. DPR-75
Amendment No. xxx

exempting Type C testing for instrument lines and lines containing excess flow check valves (Section 6.2.6 of SSER 5); and an exemption from Appendix J, exempting Type C testing of thermal relief valves (Section 6.2.6 of SSER 5). These exemptions are authorized by law, will not present an undue risk to the 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. These exemptions 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. 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 plans, submitted by letter dated May 19, 2006 are entitled: "Salem-Hope Creek Nuclear Generating Station Security Training and Qualification Plan," and "Salem-Hope Creek Nuclear Generating Station Security Contingency Plan." The plans contain Safeguards Information protected under 10 CFR 73.21.

PSEG Nuclear LLC shall fully implement and maintain in effect all provisions of the Commission-approved Cyber Security Plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The Salem-Hope Creek CSP was approved by License Amendment No. 189 as supplemented by a change approved by License Amendment No. xxx.

- F. DELETED
- G. The licensees shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

Attachment 5

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List of Regulatory Commitments

List of Regulatory Commitments

The following table identifies those actions committed to by PSEG in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments.

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