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~~SECURITY RELATED INFORMATION - WITHHOLD UNDER 10 CFR 2.390~~
UPON REMOVAL OF ENCLOSURES 1 AND 3 THIS LETTER IS UNCONTROLLED

Serial: RA-13-1001
December 19, 2013

10 CFR 50.90

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

BRUNSWICK STEAM ELECTRIC PLANT, UNIT NOS. 1 AND 2
DOCKET NOS. 50-325 AND 50-324 / RENEWED LICENSE NOS. DPR-71 AND DPR-62

CRYSTAL RIVER UNIT 3 NUCLEAR GENERATING PLANT
DOCKET NO. 50-302 / LICENSE NO. DPR-72

SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1
DOCKET NO. 50-400 / RENEWED LICENSE NO. NPF-63

H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2
DOCKET NO. 50-261 / RENEWED LICENSE NO. DPR-23

**SUBJECT: LICENSE AMENDMENT REQUEST – CYBER SECURITY PLAN
IMPLEMENTATION SCHEDULE MILESTONE 8**

REFERENCES:

1. Progress Energy letter, *Response to Industry Generic Request for Additional Information on the Carolina Power and Light Company and Florida Power Corporation Cyber Security Plan, Revision 0*, dated April 7, 2011 (ADAMS Accession No. ML11108A022)
2. NRC letter, *Brunswick Steam Electric Plant, Units 1 and 2, H. B. Robinson Steam Electric Plant, Unit No.2, Shearon Harris Nuclear Power Plant, Unit 1, and Crystal River Unit 3 Nuclear Generating Plant - Issuance of License Amendments Regarding Approval of Cyber Security Plan (TAC Nos. ME4225, ME4226, ME4227, ME4228, and ME4229)*, dated July 29, 2011 (ADAMS Accession No. ML11193A028)
3. Duke Energy letter, *Carolina Power and Light Company and Florida Power Corporation's License Amendment Request – Cyber Security Plan Implementation Schedule Milestones*, dated September 12, 2012 (ADAMS Accession No. ML12268A055)

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REFERENCES (CONT'D):

4. NRC letter, *Brunswick Steam Electric Plant, Units 1 and 2, H. B. Robinson Steam Electric Plant, Unit No.2, Shearon Harris Nuclear Power Plant, Unit 1, and Crystal River Unit 3 Nuclear Generating Plant - Issuance of License Amendments Regarding Cyber Security Plan Implementation Schedule Milestones (TAC Nos. ME9545, ME9546, ME9549, ME9548, and ME9547)*, dated December 18, 2012 (ADAMS Accession No. ML12339A067)
5. NRC letter, *Crystal River Unit 3 Nuclear Generating Plant Certification of Permanent Cessation of Operation and Permanent Removal of Fuel from the Reactor*, dated March 13, 2013 (ADAMS Accession No. ML13058A380)
6. Duke Energy letter, *Crystal River Unit 3 – License Amendment Request #316, Revision 0, Revise and Remove License Conditions and Revision to Improved Technical Specifications to Establish Permanently Defueled Technical Specifications*, dated October 29, 2013

Ladies and Gentlemen:

Pursuant to 10 CFR 50.90, Duke Energy Progress, Inc., formerly known as Carolina Power & Light Company (CP&L), and Duke Energy Florida, Inc., formerly known as Florida Power Corporation (FPC), collectively referred to henceforth as “Duke Energy”, hereby request a license amendment pertaining to the Cyber Security Plan implementation schedule, including a proposed revision to the existing Physical Protection license condition for the associated facility operating licenses.

Reference 1 provided, in part, the *Carolina Power and Light Company and Florida Power Corporation Cyber Security Plan (CSP)* (Enclosure 2 of Reference 1) and the CSP implementation schedule (Enclosure 3 of Reference 1). In Reference 2, the NRC approved the CSP and associated implementation schedule and added a license condition to each of the facility operating licenses to require the licensees to fully implement and maintain in effect all provisions of the NRC-approved CSP. In Reference 3, CP&L and FPC proposed a change to the scope of Milestone 6 of the implementation schedule. No change to the completion date for Milestone 6 was proposed. This request was approved by the NRC in Reference 4, and the license condition in each facility operating license was modified accordingly.

The CSP implementation schedule provided in Reference 1 listed a completion date for Milestone 8. Milestone 8 pertains to the date that full implementation of the CSP for all Safety, Security, and Emergency Preparedness (SSEP) functions will be achieved. As stated in Reference 2 and reiterated in Reference 4, subsequent changes to the NRC-approved CSP implementation schedule require prior NRC approval pursuant to 10 CFR 50.90. Accordingly, pursuant to the provisions of 10 CFR 50.4 and 10 CFR 50.90, Duke Energy is submitting this request for an amendment to the facility operating licenses for the plants listed above to propose a change in the completion date for Milestone 8.

Enclosure 1 provides an evaluation of the proposed change. Marked-up facility operating license pages for the Physical Protection license condition for the affected plants, reflecting the commitment change proposed in this submittal, are included as Enclosure 2.

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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 proposed changes involve no significant hazards consideration. The bases for these determinations are included in Enclosure 1.


NRC approval of this license amendment application is requested within one year of the date of this submittal. Once approved, the license amendments will be implemented within 30 days.

Note that although Crystal River Unit 3 (CR-3) is currently included in the scope of this license amendment request, CR-3 has permanently ceased power operation (Reference 5). Duke Energy has submitted a separate license amendment application (Reference 6) which, in part, requests elimination of the CR-3 Cyber Security license condition. NRC approval of Reference 6 would allow later removal of CR-3 from the scope of this license amendment request.

This submittal contains a revised regulatory commitment as identified in Enclosure 3. Enclosures 1 and 3 contain security sensitive information to be withheld from public disclosure in accordance with 10 CFR 2.390. In accordance with 10 CFR 50.91, Duke Energy is notifying the States of North Carolina, South Carolina, and Florida of this license amendment request by transmitting a copy of this letter and enclosures to the designated State Officials. Should you have any questions concerning this letter, or require additional information, please contact Julie Olivier at 980-373-4045.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
12/19/13.

Sincerely,



Benjamin C. Waldrep

MKL

Enclosures:

1. Evaluation of the Proposed Change
2. Proposed Facility Operating License Changes (Mark-up)
3. Revised Cyber Security Plan Implementation Schedule (Milestone 8)

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cc: USNRC Region I
USNRC Region II
USNRC Resident Inspector – BSEP, Unit Nos. 1 and 2
USNRC Resident Inspector – SHNPP, Unit 1
USNRC Resident Inspector – HBRSEP, Unit No. 2
F. Saba, NRR Project Manager – BSEP, Unit Nos. 1 and 2
C. Gratton, NRR Project Manager – CR3
S. Lingam, NRR Project Manager – HBRSEP, Unit No. 2
A. Hon, NRR Project Manager – SHNPP, Unit 1
State of Florida Contact (without Enclosures 1 and 3)
W. L. Cox, III, Section Chief N.C. DHSR (without Enclosures 1 and 3)
S. E. Jenkins, Manager, Radioactive and Infectious Waste Management
Section (SC) (without Enclosures 1 and 3)
A. Gantt, Chief, Bureau of Radiological Health (SC) (without Enclosures 1 and 3)
Attorney General (SC) (without Enclosures 1 and 3)
Chair – North Carolina Utilities Commission (without Enclosures 1 and 3)

Enclosure 2 to
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Enclosure 2

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Proposed Facility Operating License Changes (Mark-up)

Brunswick Steam Electric Plant, Unit No. 1,
Docket No. 50-325 / Renewed License No. DPR-71

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changes
approved by
License
Amendment Nos.
261 and zzz.

dated May 17, 2006, and "Guard Training and Qualification Plan, Revision 0," submitted by letter dated September 30, 2004.

The licensee 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 licensee's CSP was approved by License Amendment No. 258, as supplemented by a change approved by License Amendment No. 261.

- E. This license is subject to the following additional conditions for the protection of the environment:
 - a. Deleted per Amendment 54, 3-11-83
 - b. Deleted per Amendment 54, 3-11-83
 - c. The licensee shall comply with the effluent limitations contained in National Pollutant Discharge Elimination System Permit No. NC0007064 issued pursuant to Section 402 of the Federal Water Pollution Control Act, as amended.
- F. In accordance with the requirement imposed by the October 8, 1976, order of the United States Court of Appeals for the District of Columbia Circuit in Natural Resources Defense Council v. Nuclear Regulatory Commission, No. 74-1385 and 74-1586, that the Nuclear Regulatory Commission "shall make any licenses granted between July 21, 1976 and such time when the mandate is issued subject to the outcome of the proceedings herein," the license issued herein shall be subject to the outcome of such proceedings.
- G. Deleted by Amendment No. 206.
- H. This license is effective as of the date of issuance and shall expire at midnight on September 8, 2036.
- I. Deleted per Amendment No. 70 dated 5-25-84.
- J. Deleted per Amendment No. 70 dated 5-25-84.
- K. Deleted by Amendment No. 206.
- L. Power Uprate License Amendment Implementation
The licensee shall complete the following actions as a condition of the approval of the power uprate license amendment (Amendment No. 183):
 - (1) Deleted by Amendment No. 206.
 - (2) Deleted by Amendment No. 206.

Renewed License No. DPR-71
Amendment No. ~~263~~

Brunswick Steam Electric Plant, Unit No. 2
Docket No. 50-324 / Renewed License No. DPR-62

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next 12 hours and in COLD SHUTDOWN within the following 24 hours.

(3) Deleted by Amendment No. 236.

(4) Equalizer Valve Restriction

The valves in the equalizer piping between the recirculation loops shall be closed at all times during reactor operation, except for one bypass valve which is left open to prevent pressure build-up due to ambient and conduction heating of the water between the equalizer valves.

(5) Deleted by Amendment No. 233.

(6) 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, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Physical Security Plan, Revision 2," and "Safeguards Contingency Plan, Revision 2," submitted by letter dated May 17, 2006, and "Guard Training and Qualification Plan, Revision 0," submitted by letter dated September 30, 2004.

changes approved
by License
Amendment Nos.
289 and zzz.

The licensee 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 licensee's CSP was approved by License Amendment No. 286, as supplemented by a change approved by License Amendment No. 289.

- D. This license is subject to the following additional conditions for the protection of the environment:
- a. Deleted per Amendment 79, 3-11-83
 - b. Deleted per Amendment 79, 3-11-83
 - c. Deleted per Amendment 79, 3-11-83
 - d. The licensee shall comply with the effluent limitations contained in National Pollutant Discharge Elimination System Permit No. NC0007064 issued pursuant to Section 402 of the Federal Water Pollution Control Act, as amended.
- E. This license is effective as of the date of issuance and shall expire at midnight on December 27, 2034.
- F. Deleted per Amendment No. 98 dated 5-25-84.
- G. Deleted per Amendment No. 98 dated 5-25-84.

Renewed License No. DPR-62
Amendment No. 294

Crystal River Unit 3 Nuclear Generating Plant
Docket No. 50-302 / License No. DPR-72

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2.D Physical and Cyber Security

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 2781.7 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Physical Security Plan, Revision 5," and "Safeguards Contingency Plan, Revision 4," submitted by letter dated May 16, 2006, and "Guard Training and Qualification Plan, Revision 0," submitted by letter dated September 30, 2004, as supplemented by letters dated October 20, 2004, and September 29, 2005.

The licensee 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 licensee's CSP was approved by License Amendment No. 238, as supplemented by a change approved by License Amendment No. 242.

changes approved by
License Amendment
Nos. 242 and zzz.

Facility Operating License No. DPR-72
Amendment No. 242

Shearon Harris Nuclear Power Plant, Unit 1
Docket No. 50-400 / Renewed License No. NPF-63

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E. Physical and Cyber Security (Section 13.6.2.10)

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 plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Guard Training and Qualification Plan" submitted by letter dated October 19, 2004, "Physical Security Plan" and "Safeguards Contingency Plan" submitted by letter dated October 19, 2004 as supplemented by letter dated May 16, 2006.

changes
approved by
License
Amendment Nos.
140 and zzz.

The licensee 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 licensee's CSP was approved by License Amendment No. 136, as supplemented by a change approved by License Amendment No. 140

F. Fire Protection Program

Duke Energy Progress, Inc. shall implement and maintain in effect all provisions of the approved fire protection program that comply with 10 CFR 50.48(a) and 10 CFR 50.48(c), as specified in the revised license amendment request dated October 9, 2009, supplemented by letters dated February 4, 2010, and April 5, 2010, and approved in the associated safety evaluation dated June 28, 2010. Except where NRC approval for changes or deviations is required by 10 CFR 50.48(c) and NFPA 805, and provided no other regulation, technical specification, license condition or requirement would require prior NRC approval, the licensee may make changes to the fire protection program without prior approval of the Commission if those changes satisfy the provisions set forth in 10 CFR 50.48(a) and 10 CFR 50.48(c), the change does not require a change to a technical specification or a license condition, and the criteria listed below are satisfied.

(1) Risk-Informed Changes that May Be Made Without Prior NRC Approval

A risk assessment of the change must demonstrate that the acceptance criteria below are met. The risk assessment approach, methods, and data shall be acceptable to the NRC and shall be appropriate for the nature and scope of the change being evaluated; be based on the as-built, as-operated and maintained plant; and reflect the operating experience at the plant. Acceptable methods to assess the risk of the proposed change may include methods that have been used in the peer-reviewed Fire PRA model, methods that have been approved by the NRC via a plant-specific license amendment or through NRC approval of generic methods specifically for use in NFPA 805 risk assessments, or methods that have been demonstrated to bound the risk impact.

H. B. Robinson Steam Electric Plant, Unit No. 2
Docket No. 50-261 / Renewed License No. DPR-23

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C. Reports

Duke Energy Progress, Inc. shall make certain reports in accordance with the requirements of the Technical Specifications.

D. Records

Duke Energy Progress, Inc. shall keep facility operating records in accordance with the requirements of the Technical Specifications.

E. Fire Protection Program

Duke Energy Progress, Inc. 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 Fire Protection Safety Evaluation Report dated February 28, 1978, and supplements thereto. Duke Energy Progress, Inc. 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. Physical Protection and Cyber Security

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 contains Safeguards Information protected under 10 CFR 73.21, is entitled: "H. B. Robinson Steam Electric Plant Security, Training and Qualification, and Safeguards Contingency Plan, Revision 0" submitted by letter dated October 1, 2004, as supplemented by letter dated October 20, 2004.

changes
approved by
License
Amendment Nos.
230 and zzz.

The licensee 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 licensee's CSP was approved by License Amendment No. 226, as supplemented by a change approved by License Amendment No. 230.

G. The following programs shall be implemented and maintained by the licensee:

- (1) DELETED