PMLevyCOLPEm Resource

From: Habib, Donald
Sent: Wednesday, May 28, 2014 3:31 PM
To: Kitchen, Robert (Robert.Kitchen@duke-energy.com); Waters, David (David.Waters2@duke-energy.com); larry.taylor@duke-energy.com; Wilkins, Tillie (Tillie.Wilkins@duke-energy.com)
Subject: Draft RAI 7541 for Levy COL Related to Safety-Security Interface
Attachments: RAI_7541.docx

To All,

Attached is draft RAI 7541 related to the Safety-Security Interface for the Levy Nuclear Plant Units 1 and 2 Combined License Application. If you would like to schedule a conference call to discuss this RAI, please let me know before 4:00 PM on Monday, June 2, 2014. If no request for a conference call is received, the RAI will be issued as final.

Thank you,

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From: svck2serv@nrc.gov [mailto:svck2serv@nrc.gov]
Sent: Wednesday, May 28, 2014 3:25 PM
To: Habib, Donald
Subject: RAI Document

Attached please find generated RAI document.

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Email Number: 1241

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Subject: Draft RAI 7541 for Levy COL Related to Safety-Security Interface
Sent Date: 5/28/2014 3:30:39 PM
Received Date: 5/28/2014 3:30:41 PM
From: Habib, Donald

Created By: Donald.Habib@nrc.gov

Recipients:
"Kitchen, Robert (Robert.Kitchen@duke-energy.com)" <Robert.Kitchen@duke-energy.com>
Tracking Status: None
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Tracking Status: None

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MESSAGE	950	5/28/2014 3:30:41 PM
RAI_7541.docx	77543	

Options
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Recipients Received:

Request for Additional Information

Issue Date:
Application Title: Levy County, Units 1 and 2 - Dockets 52-029 and 52-030
Operating Company: Duke Energy Florida
Docket No. 52-029 and 52-030
Review Section: 13.06.01 - Physical Security - Combined License
Application Section: 13.6

QUESTIONS

13.06.01-XX

Background Data:

In Section 13.6, Final Safety Analysis Report (FSAR), the applicant incorporated by reference the AP1000 Design Control Document (DCD).

AP1000 Design Control Document, Section 13.6 Security states:

"The Security Plan consists of the "AP1000 Physical Security Plan," Training and Qualification Plan, and Safeguards Contingency Plan. The Security Plan will be submitted to the Nuclear Regulatory Commission as a separate licensing document in order to fulfill the requirements for 10 CFR 52.79(a)(35) and 10 CFR 52.79(a)(36). The Security Plan will meet the requirements of 10 CFR 52.98(c). The plan is classified as Security Safeguards Information and is withheld from public disclosure pursuant to 10 CFR 73.21. Additionally, the "AP1000 Interim Compensatory Measures Report" (Reference 2), the "AP1000 Enhancement Report" (Reference 3), and the "AP1000 Safeguards Assessment Report" (Reference 4) are submitted to the Nuclear Regulatory Commission as separate licensing documents to establish the design of the AP1000 Security Systems. Each document is classified as Security Safeguards information and is withheld from public disclosure pursuant to 10 CFR 73.21."

In a letter dated June 3, 2011, Progress Energy Florida, Inc. (PEF) submitted their Security Plans revision 4 to the Nuclear Regulatory Commission as a separate licensing document in order to fulfill the requirements for 10 CFR 52.79(a)(35) and 10 CFR 52.79(a)(36).

Section 8 of the Safeguards Contingency Plan, provides a description that the Levy County Nuclear Power Plant, Units 1 and 2, protective strategy and response scenarios are based on those as described and evaluated in the "AP1000 Safeguards Assessment Report" (Westinghouse Technical Report APP-GW-GLR-066).

The AP1000 Safeguards Assessment Report, Revision 5, (APP-GW-GLR-66) (TR-94) describes the AP1000 physical protection system and analyzes the ability of the AP1000 security design to provide protection against malevolent attempts to commit radiological sabotage using elements of the Design Basis Threat (DBT) as contained in 10 CFR 73.1(a)(1). The TR-94 report is intended to support the licensing of the portion of the AP1000 security system that is within the scope of the Design Certification (DC). TR-94, Section 3, describes how the process of the target set identification for the AP1000 was established by using the standard methodology to determine those structures, systems and components (SSC) that require protection in order to meet the performance objectives of the AP1000 physical protection system.

eRAI Question

The NRC staff requests clarification pertaining to how the applicant, once licensed, will analyze and identify changes in the site-specific conditions related to the AP1000's structures, systems, and components (SSCs) (described in certain technical reports), resulting from changes made to the Levy

County Nuclear Power Plant COL between issuance of the COL and the security program implementation milestones provided in FSAR Table 13.4-201 to ensure that the security plan continues to meet 10 CFR 73.55(b)(4). Also, clarify how the applicant, once licensed, will ensure that the as-built plant continues to meet all physical protection program design and performance criteria in 10 CFR 73.55 at the time the physical protection program is implemented.

The applicant's response should:

a. Describe how all changes of SSCs and related design information are reviewed for any impact on the physical protection program.

b. Describe how the physical protection program, to include the security plans (consisting of the physical security plan, training and qualification plan, safeguards contingency plan, and cyber security plan), will be revised to address changes that affect (both beneficial and adverse) the protective strategy with the as-built configuration.

Regulatory Basis:

The provisions of 10 CFR 73.55(b)(4), require, in part, that, "(1) The licensee shall establish and maintain a physical protection program, to include a security organization, which will have as its objective to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety.
(2) To satisfy the general performance objective of paragraph (b)(1) of this section, the physical protection program must protect against the design basis threat of radiological sabotage as stated in § 73.1.
(3) The physical protection program must be designed to prevent significant core damage and spent fuel sabotage. Specifically, the program must:
(i) Ensure that the capabilities to detect, assess, interdict, and neutralize threats up to and including the design basis threat of radiological sabotage as stated in § 73.1, are maintained at all times.
(ii) Provide defense-in-depth through the integration of systems, technologies, programs, equipment, supporting processes, and implementing procedures as needed to ensure the effectiveness of the physical protection program.
(4) The licensee shall analyze and identify site-specific conditions, including target sets, that may affect the specific measures needed to implement the requirements of this section and shall account for these conditions in the design of the physical protection program.

The provisions of 10 CFR 50.54(p)(1) require, in part, that, "The licensee shall prepare and maintain safeguards contingency plan procedures in accordance with appendix C of part 73 of this chapter for affecting the actions and decisions contained in the Responsibility Matrix of the safeguards contingency plan. The licensee may not make a change which would decrease the effectiveness of a physical security plan, or guard training and qualification plan, or cyber security plan prepared under § 50.34(c) or § 52.79(a), or part 73 of this chapter, or of the first four categories of information (Background, Generic Planning Base, Licensee Planning Base, Responsibility Matrix) contained in a licensee safeguards contingency plan prepared under § 50.34(d) or § 52.79(a), or part 73 of this chapter, as applicable, without prior approval of the Commission. A licensee desiring to make such a change shall submit an application for amendment to the licensee's license under § 50.90.
(2) The licensee may make changes to the plans referenced in paragraph (p)(1) of this section, without prior Commission approval if the changes do not decrease the safeguards effectiveness of the plan. The licensee shall maintain records of changes to the plans made without prior Commission approval for a period of 3 years from the date of the change, and shall submit, as specified in § 50.4 or § 52.3 of this chapter, a report containing a description of each change within 2 months after the change is made. Prior to the safeguards contingency plan being put into effect, the licensee shall have:
(i) All safeguards capabilities specified in the safeguards contingency plan available and functional;
(ii) Detailed procedures developed according to appendix C to part 73 of this chapter available at the licensee's site; and
(iii) All appropriate personnel trained to respond to safeguards incidents as outlined in the plan and specified in the detailed procedures.