

J. Todd Conner
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DTE Energy



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

10 CFR 50.90

July 2, 2014
NRC-14-0025

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington D C 20555-0001

- References:
- 1) Fermi 2
NRC Docket No. 50-341
NRC License No. NPF-43
 - 2) NRC Letter to Detroit Edison Company, "Fermi 2 - Issuance of Amendment Regarding Cyber Security Plan: (TAC No. ME4366)," dated July 28, 2011
 - 3) NRC Memorandum, "Review Criteria for Title 10 of the Code of Federal Regulations Part 73.54, Cyber Security Implementation Schedule Milestone 8 License Amendment Requests," dated October 24, 2013

Subject: Proposed License Amendment to Revise Cyber Security Plan Implementation Schedule

In accordance with the provisions of 10 CFR 50.90 of the Code of Federal Regulations, DTE Electric Company (DTE) submits this request for an amendment to the Fermi 2 operating license to change the implementation schedule of the Fermi 2 Cyber Security Plan (CSP) that was approved by NRC in Reference 2.

Enclosure 1 provides an evaluation of the proposed amendment, including the criteria described in Reference 3. Enclosure 2 provides regulatory analysis including Significant Hazards Consideration and Environmental Consideration evaluations of the proposed amendment. Enclosure 3 provides a marked-up copy of the current Fermi 2 Operating License page showing the proposed change. Enclosure 4 provides the revised Operating License page with the change incorporated. Enclosure 5 provides a proposed revision to the Fermi 2 CSP Implementation Schedule for Milestone 8.

Enclosures 1 and 5 contain ~~Security Related Information - Withhold under 10 CFR 2.390~~
When separated from Enclosures 1 and 5, this document is uncontrolled.

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Enclosures 1 and 5 contain sensitive unclassified non-safeguards information (SUNSI) which is security related. DTE requests that Enclosures 1 and 5 be withheld from public disclosure pursuant to 10 CFR 2.390.

Approval of the proposed amendment is requested by May 31, 2015. Once approved, the amendment shall be implemented within 60 days.

DTE has reviewed the proposed change against the criteria of 10 CFR 51.22 and has concluded that it meets the criteria provided in 10 CFR 51.22(c)(10) for a categorical exclusion from the requirements for an Environmental Impact Statement or an Environmental Assessment. In accordance with 10 CFR 50.91(a)(1), "Notice for Public Comment," an analysis of the issue of no significant hazards consideration using the standards in 10 CFR 50.92 is being provided to the Commission in accordance with the distribution requirements in 10 CFR 50.4. In accordance with 10 CFR 50.91(b)(1), "State Consultation," a copy of this application and its analysis of no significant hazards consideration is being provided to the designated Michigan State Official.

Should you have any questions or require additional information, please contact Mr. Zackary W. Rad of my staff at (734) 586-5076.

Sincerely,



- Enclosures:
1. Evaluation of Proposed License Amendment (SUNSI - SRI)
 2. Regulatory Analysis and Environmental Consideration
 3. Markup of Existing Fermi 2 Operating License Page
 4. Revised Fermi 2 Operating License Page
 5. Revised Cyber Security Plan Implementation Schedule (SUNSI - SRI)

cc: NRC Project Manager
NRC Resident Office
Reactor Projects Chief, Branch 5, Region III
Regional Administrator, Region III
Michigan Public Service Commission,
Regulated Energy Division (kindschl@michigan.gov)

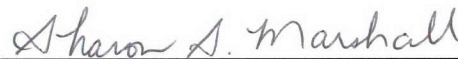
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I, J. Todd Conner, do hereby affirm that the foregoing statements are based on facts and circumstances which are true and accurate to the best of my knowledge and belief.



J. Todd Conner
Site Vice President
Nuclear Generation

On this 2 day of July, 2014 before me personally appeared J. Todd Conner, being first duly sworn and says that he executed the foregoing as his free act and deed.



Notary Public

SHARON S. MARSHALL
NOTARY PUBLIC, STATE OF MI
COUNTY OF MONROE
MY COMMISSION EXPIRES Jun 14, 2019
ACTING IN COUNTY OF *Monroe*

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Enclosure 2 to
NRC-14-0025

Fermi 2 NRC Docket No. 50-341
Operating License No. NPF-43

DTE License Amendment Request to Revise
Cyber Security Plan Implementation Schedule

Regulatory Analysis and Environmental Consideration

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REGULATORY ANALYSIS

No Significant Hazards Consideration

DTE has evaluated whether or not a significant hazards consideration is involved with the proposed amendment(s) by focusing on the three standards set forth in 10CFR50.92, "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 amendment proposes a change to the Fermi 2 Cyber Security Plan (CSP) M8 full implementation date as set forth in the Fermi 2 CSP Implementation Schedule. The revision of the full implementation date for the Fermi 2 CSP does not involve modifications to any safety-related structures, systems or components (SSCs). The implementation schedule provides a timetable for fully implementing the Fermi 2 CSP. The CSP describes how the requirements of 10 CFR 73.54 are to be implemented to identify, evaluate, and mitigate cyber attacks up to and including the design basis cyber attack threat, thereby achieving high assurance that the facility's digital computer and communications systems and networks are protected from cyber attacks. The revision of the Fermi 2 CSP Implementation Schedule will not alter previously evaluated design basis accident analysis assumptions, add any accident initiators, modify the function of the plant safety-related SSCs, or affect how any plant safety-related SSCs are operated, maintained, modified, tested, or inspected.

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 implementation of the Fermi 2 CSP does not introduce new equipment that could create a new or different kind of accident, and no new equipment failure modes are created. No new accident scenarios, failure mechanisms, or limiting single failures are introduced as a result of this proposed amendment.

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

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3. Do the proposed changes involve a significant reduction in a margin of safety?

Response: No

The margin of safety is associated with the confidence in the ability of the fission product barriers (i.e., fuel cladding, reactor coolant pressure boundary, and containment structure) to limit the level of radiation to the public. The proposed amendment does not alter the way any safety-related SSC functions and does not alter the way the plant is operated. The CSP provides assurance that safety-related SSCs are protected from cyber attacks. The proposed amendment does not introduce any new uncertainties or change any existing uncertainties associated with any safety limit. The proposed amendment has no effect on the structural integrity of the fuel cladding, reactor coolant pressure boundary, or containment structure. Based on the above considerations, the proposed amendment does not degrade the confidence in the ability of the fission product barriers to limit the level of radiation to the public.

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

Based on the above evaluations, DTE concludes that the proposed amendment presents no significant hazards under the standards set forth in 10CFR50.92(c) and, accordingly, a finding of “no significant hazards consideration” is justified.

Applicable Regulatory Requirements / Criteria

The CSP and associated implementation schedule for Fermi 2 was approved by the NRC on July 28, 2011 via License Amendment 185. The License Amendment revised paragraph 2.E of the license to include a condition to require Fermi 2 to fully implement and maintain in effect all provisions of the Commission-approved CSP. As required by License Amendment 185, any change to the NRC-approved CSP implementation schedule requires prior NRC approval pursuant to 10 CFR 50.90.

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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ENVIRONMENTAL CONSIDERATION

The proposed amendment revises the full implementation schedule M8 date for the Fermi 2 Cyber Security Program. This proposed amendment will not involve any significant construction impacts. Pursuant to 10 CFR 51.22(c)(12), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

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Enclosure 3 to
NRC-14-0025

Fermi 2 NRC Docket No. 50-341
Operating License No. NPF-43

DTE License Amendment Request to Revise
Cyber Security Plan Implementation Schedule

Markup of Existing Fermi 2 Operating License Page

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- D. Exemptions from certain requirements of Appendices E and J to 10 CFR Part 50, are described in supplements to the SER. These include: (a) an exemption from the requirement of Section IV.F of Appendix E that a full participation emergency planning exercise be conducted within one year before issuance of the first operating license for full power and prior to operation above five percent of rated power (Section 13.3 of SSER #6); (b) an exemption from the requirement of Paragraph III.C.2(b) of Appendix J, the testing of the main steam isolation valves at the peak calculated containment pressure associated with the design basis accident (Section 6.2.7 of SSER #5); and (c) an exemption from the requirement of Paragraph III.D.2(b)(ii) of Appendix J, the testing of containment air locks at times when containment integrity is not required (Section 6.2.7 of SSER #5). These exemptions are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest. Therefore, these exemptions are hereby granted pursuant to 10 CFR 50.12. With the granting of 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, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Fermi 2 Physical Security Plan, Security Training and Qualification Plan, and Safeguards Contingency Plan" submitted by letter dated September 9, 2004, and supplemented on October 7, 2004, and October 14, 2004, November 18, 2005, and May 18, 2006. 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 Fermi 2 CSP was approved by License Amendment No. 185.
- F. Deleted
- G. The licensee 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 License Amendment XXX

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**Enclosure 4 to
NRC-14-0025**

**Fermi 2 NRC Docket No. 50-341
Operating License No. NPF-43**

**DTE License Amendment Request to Revise
Cyber Security Plan Implementation Schedule**

Revised Fermi 2 Operating License Page

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- 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.