

444 South 16<sup>th</sup> Street Mall  
Omaha, NE 68102-2247

LIC-14-0103  
August 14, 2014

10 CFR 95.19

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk,  
Director, Division of Security Operations,  
Office of Nuclear Security and Incident Response  
Washington, DC 20555-0001

Fort Calhoun Station, Unit No. 1  
Renewed Facility Operating License No. DPR-40  
NRC Docket No. 50-285

Subject: Revision of Standard Practice Procedures Plan for Fort Calhoun Station, Unit No. 1

Reference: 10 CFR 95.19

Pursuant to 10 CFR 95.19(b), the purpose of this letter is to provide a copy of a revised Standard Practice Procedures Plan for the Fort Calhoun Station (FCS) Unit No. 1 and governing procedure. A new procedure has been issued as part of the FCS transition to the Exelon Nuclear Management Model.

This letter contains no regulatory commitments.

If you should have any questions regarding this submittal or require additional information, please contact Mr. Dennis A. Bakalar, Manager Site Security, at 402-533-7640.

Respectfully,

Louis P. Cortopassi  
Site Vice President and CNO

LPC/BRH/brh

- Attachments: 1. Standard Practice Procedures Plan  
2. Procedure SY-FC-101-136, *Use of Classified Information*

U.S. Nuclear Regulatory Commission  
LIC-14-0103

Attachment 1  
Standard Practice Procedures Plan

**ATTACHMENT 1****Standard Practice Procedures Plan  
Omaha Public Power District Policy for Use of Classified Information**

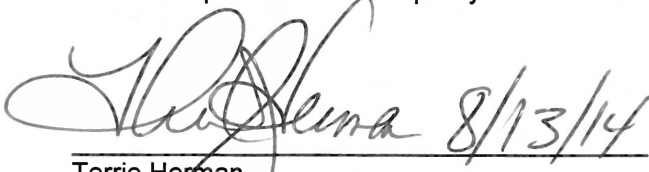
This policy outlines the security responsibilities of Omaha Public Power District with its principal office at 444 S. 16<sup>th</sup> St. Mall, Omaha, NE, 68102-2247, doing business at Fort Calhoun Nuclear Station.

OPPD will not receive, store, transmit, or originate Classified Information within our facilities. OPPD personnel granted a security clearance by the NRC will have authorized access to Classified Information at approved NRC facilities.

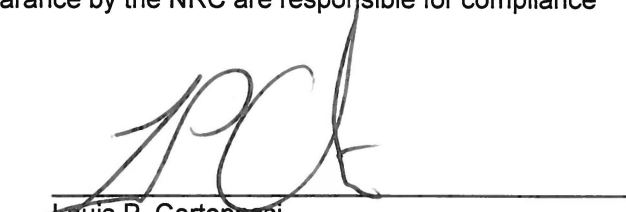
The Facility Security Officer (FSO) will be responsible for ensuring that the following security requirements are met:

- Initial and refresher briefings (every 3 years) are conducted and documented as required by 10 CFR 95, "Facility Security Clearance and Safeguarding of National Security Information and Restricted Data," and that Form SF 312, "Classified Information Nondisclosure Agreement Form," is signed and processed prior to any access to Classified Information.
- Termination briefings are conducted and documented in accordance with 10 CFR 25, "Access Authorization for Licensee Personnel," and 10 CFR 95 for all cleared personnel leaving our employment, losing their clearance, or no longer requiring a clearance. The termination statements will be forwarded to NRC Headquarters.
- Provisions of the Privacy Act are met when handling and mailing/delivering completed personnel security clearance request documents.
- Cleared OPPD personnel are apprised of and comply with the personnel clearance reporting requirements.
- Foreign national employees are not placed in a position to exercise control or influence over properly cleared U.S. citizens who have been granted access to NRC Classified Information.
- Reporting requirements involving foreign ownership, control, or influence conditions are complied with.
- A procedure is developed describing the internal processes for performing functions to accomplish each of the items above. Applicable OPPD employees will be familiar with and comply with security procedures at sites where classified work is being performed and be informed of their individual responsibilities in executing and supporting these procedures.
- Designated representatives of the NRC are required periodically to inspect the procedures, methods, and facilities utilized by OPPD in complying with the requirements of the terms and conditions of 10 CFR 25 and 10 CFR 95. OPPD shall assist by providing necessary documentation for review.

All personnel at OPPD who have been granted a security clearance by the NRC are responsible for compliance with the requirements of this policy.



Terrie Herman  
Fort Calhoun Nuclear Station Facility Security Officer

  
Louis P. Cortopassi  
Fort Calhoun Nuclear Station Site VP

U.S. Nuclear Regulatory Commission  
LIC-14-0103

Attachment 2  
Procedure SY-FC-101-136, *Use of Classified Information*



## **USE OF CLASSIFIED INFORMATION**

### **PURPOSE**

- 1.1. Describe the process for performing the functions necessary to ensure continued facility authorization to use but not process Classified Information.
- 1.2. Ensure applicable Omaha Public Power District (OPPD) Nuclear employees will be familiar with and comply with the security requirements regarding Classified Information usage.
- 1.3. Ensure applicable OPPD Nuclear employees understand their Classified Information usage responsibilities.

### **TERMS AND DEFINITIONS**

- 1.4. **Approved NRC Facilities** – Either the on-site Resident Inspector's office or NRC Regional or NRC Headquarters' offices. While in these facilities, Classified Information may be shared with OPPD authorized personnel either verbally, or by viewing hard copy, or via discussions on an NRC approved secure phone.
- 1.5. **Access Authorization** – An administrative determination that an individual employed by or an applicant for employment with the NRC, NRC contractors, agents, licensees and certificate holders, or other persons designated by the NRC Executive Director for Operations, is eligible for a security clearance for access to Classified Information.
- 1.6. **Classified Information** – Classified National Security Information, Restricted Data, or Formerly Restricted Data. The generic term for information requiring protection in the interest of National Security whether classified under an Executive Order or the Atomic Energy Act.
- 1.7. **Facility Security Officer (FSO)** – The individual delegated by the facility as having responsibility for ensuring the NRC's Standard Practice Procedures Plan requirements outlining the provisions of our license with the NRC for maintaining access to Classified Information are complied with by OPPD. For Fort Calhoun Nuclear Station (FCS), the Supervisor, Security Training is the Facility Security Officer as noted in LIC-14-0088.
- 1.8. **Foreign Ownership, Control, or Influence (FOCI)** – A foreign interest with the power (direct or indirect), whether or not exercised, and whether or not exercisable through the ownership of a U. S. company's securities, by contractual arrangements or other means, to direct or decide matters affecting the management or operations of that company in a manner which may result in unauthorized access to Classified Information or may affect adversely the performance of classified contracts.

- 1.9. **Need to Know** – A determination made by an authorized holder of Classified Information that a prospective recipient requires access to specific Classified Information to perform or assist in a lawful and authorized governmental function under the cognizance of the NRC Commission.
- 1.10. **Positive Control** – The visual cognizance or monitoring of Classified Information under review or being discussed and the surrounding area, to preclude physical, audio, or visual access by persons who do not have the prescribed access authorization. Fort Calhoun Nuclear Station personnel cannot have Classified Information in any physical sense.

## RESPONSIBILITIES

- 1.11. **Vice President, Energy Delivery (OPPD)**
- 1.11.1. Maintaining OPPD's Nuclear's Classified Information Program.
  - 1.11.2. Delegating Classified Information administrative function to the FSO, as specified in this procedure.
- 1.12. **Superintendent, Site Security Operations**
- 1.12.1. Assessing potential Classified Information compromise for reportability.
- 1.13. **Site Regulatory Assurance Managers**
- 1.13.1. Assessing potential Classified Information compromise for reportability.
  - 1.13.2. Reporting any Classified Information compromise to the NRC in accordance with 10 CFR 95.57.
  - 1.13.3. Assessing potential Classified Information compromise for reportability to the Vice President, Energy Delivery (OPPD).
  - 1.13.4. Reporting any Classified Information compromise at the Energy Plaza to the NRC in accordance with 10 CFR 95.57.
- 1.14. **Facility Security Officer**
- 1.14.1. Receiving initial training information from the NRC provided documents in accordance with 10 CFR 95.33(a) and (b). The NRC will provide security indoctrination training materials, including a video and/or the NRC Classified Information Nondisclosure Agreement (Standard Form 312) Briefing Booklet, to the Facility Security Officer.
  - 1.14.2. Initiate access to Classified Information which is based upon the NRC's determination of a requestor's need to know, submittal of a completed personnel security packet (i.e. NRC Form SF 86, two standard fingerprint cards, NRC Form 176, processing fee, etc.) to the NRC, and a completed NRC Form 237.

- 1.14.3. Providing initial security briefings to NRC approved Classified Information users before final signature of the individual on NRC Form SF 312, Classified Information Nondisclosure Agreement, in accordance with 10 CFR 95.33(e).
- 1.14.4. Signing the NRC Form SF 312 as the witness.
- 1.14.5. Forwarding the executed NRC Form SF 312 to Fort Calhoun Nuclear Station's Regulatory Assurance department for transmittal to the NRC in accordance with 10 CFR 95.33(d).
- 1.14.6. Providing initial security briefings to NRC approved Classified Information users before being granted access to Classified Information in accordance with 10 CFR 95.33(e).

1.15. Classified Information Users with Authorized Access to Classified Information

- 1.15.1. Protecting Classified Information from unauthorized disclosure.
- 1.15.2. Immediately reporting actual or suspected Classified Information violations to the Superintendent, Site Security Operations, Regulatory Assurance or designee, as required by this procedure.
- 1.15.3. Certifying the validity of authorized access information provided to the NRC on an as requested basis.
- 1.15.4. Handling completed personnel security clearance request documents in accordance with the provisions of the Privacy Act of 1974.
- 1.15.5. Designees are responsible for duties as assigned and delegated. Position titles used in this procedure include designees unless otherwise specifically stated.

MAIN BODY

1.16. General Information

- 1.16.1. As a result of the September 11, 2001, terrorist attacks, the NRC decided to process security clearances for licensees to allow access to Classified Information under more routine circumstances.
- 1.16.2. Under this program, Fort Calhoun Nuclear Station may be granted security clearances for access to Classified Information for key licensee staff. The key licensee staff at Fort Calhoun Nuclear Station includes the following individuals.
  - 1. Vice President, Energy Delivery
  - 2. Superintendent, Site Security Operations
  - 3. Manager, Operations Support & Services

4. Supervisor, Regulatory Compliance
  5. Manager, Design Engineering (Nuclear)
  6. Supervisor, Security Training
- 1.16.3. The Facility Security Officer for Fort Calhoun Nuclear Station shall be included as one of the persons cleared. In addition it is recommended that the Supervisor, Security Training **INITIATE** this process as deemed necessary by the Manager, Regulatory Assurance.
1. The FSO will begin processing by processing the following NRC forms with the individual applying for the clearance:
    - A. Instructions For Completing Security Forms
    - B. E-QIP Form For Requesting An NRC Clearance For Licensees,
    - C. Fair Credit Reporting Act Of 1970, as amended
    - D. NRC Form 237, Request For Access Authorization
    - E. NRC Form 176, Part A, Security Acknowledgement
  2. The FSO will also assist the applicant with obtaining fingerprints using 2 NRC fingerprint cards from the NRC form FD-258.
  3. The FSO will send the completed forms, and provide appropriate financial code block information to cover associated NRC processing fees to Manager, Regulatory Assurance.
  4. The FSO will contact the Manager, Regulatory Assurance to inform them that the information is forthcoming.
- 1.16.4. Upon receipt of the packet of information, Manager, Regulatory Assurance will verify information has been properly completed, appropriate fees or code block information have been included, and forward to the NRC for processing. Regulatory Assurance will communicate with the appropriate site FSO.
- 1.16.5. Upon notification from the NRC, the applicant will complete processing of NRC provided electronic documents such as e-QIP, SF-86, and associated electronic approvals. Upon completion of e-QIP processing, the applicant shall notify the FSO.
- 1.16.6. The FSO shall notify Manager, Regulatory Assurance that the applicant has completed the application process.

- 1.16.7. The NRC has **not** granted Fort Calhoun Nuclear Station the authority to receive (other than verbally), store, transmit, or originate Classified Information at the station.

1.17. Classified Information Access

- 1.17.1. Prior to final signatures on NRC Form SF 312, the Facility Security Officer shall **PROVIDE** an initial security briefing to each applicant that includes the following topics prior to granting access to Classified Information:
1. A threat awareness briefing,
  2. A defensive security briefing,
  3. An overview of the security classification system,
  4. Employee reporting obligations and requirements, and
  5. Security procedures and duties applicable to the employee's job.
- 1.17.2. Upon notification by the NRC authorizing access to Classified Information, each user shall **COMPLETE** NRC Form SF 312, "Classified Information Nondisclosure Agreement."
- 1.17.3. NRC Form SF 312 shall be signed and dated by the employee and witnessed by the Facility Security Officer and contain the same date.
- 1.17.4. The Facility Security Officer shall **FORWARD** the completed NRC Form SF 312 to Regulatory Assurance.
- 1.17.5. Regulatory Assurance shall retain a copy and **FORWARD** the completed NRC Form SF 312 to the NRC for signature in the 'Acceptance' block.
- 1.17.6. Upon return of 'Acceptance' by the NRC, **RETAIN** the completed NRC Form SF 312 in each individual's Access Authorization personal file.

1.18. Classified Information Use

**CAUTION**

Fort Calhoun Nuclear Station personnel will **not** receive, store, transmit or originate Classified Information within our facility. Omaha Public Power District personnel granted a security clearance by the NRC will have authorized access to Classified Information at approved NRC facilities.

- 1.18.1. Applicable Fort Calhoun Nuclear Station employees shall be familiar with this procedure when handling Classified Information.



- 1.18.2. Fort Calhoun Nuclear Station personnel granted a security clearance by the NRC shall **MAINTAIN** positive control of Classified Information at all times while in use.
- 1.18.3. Fort Calhoun Nuclear Station personnel granted a security clearance by the NRC shall **DISCUSS** Classified Information only with those who are authorized to receive Classified Information.
- 1.18.4. Fort Calhoun Nuclear Station personnel granted a security clearance by the NRC will have authorized access to Classified Information at approved NRC facilities.
- 1.18.5. Do **not** receive (other than verbally), store, transmit, or originate hard copy or electronic Classified Information.
- 1.18.6. While in use, Classified Information must be under the direct control of an authorized individual to preclude physical, audio, or visual access by persons who do **not** have the prescribed access authorization.

1.19. Continued Access

- 1.19.1. Each user shall **UPDATE** their clearance every 10 years in accordance with 10 CFR 25.21(c)(1) by submitting the following at least 120 days before the access authorization expiration:
  - 1. A statement from the Facility Security Officer that continued access is required.
  - 2. An updated personnel security packet (provided by the NRC) in accordance with 10 CFR 25.17(d).

1.19.2. Licensing shall:

NOTE: The following steps will not apply until the NRC issues a Facility Clearance for our station.

- 1. **CERTIFY** to the NRC every (5) five years whether significant changes occurred in the extent and nature of FOCI that would affect the company's response to NRC Form SF 328, "Certificate Pertaining to Foreign Interests,"
- 2. **SUBMIT** a new NRC Form SF 328 to the NRC every five years as part of a FOCI determination, and
- 3. **UPDATE** the NRC facility clearance every five years either by:

- A. Submitting a complete Standard Practice Procedures Plan,  
or
- B. Submitting a certification that the existing plan is fully  
current.

- 1.19.3. The Facility Security Officer shall **PROVIDE** each user a refresher briefing every three years in accordance with 10 CFR 95.33(f).
1. At a minimum, the refresher briefing shall reinforce the information provided during the initial briefing, and inform employees of appropriate changes in security regulations.
  2. This requirement may be satisfied by use of audio/video materials and/or by issuing the NRC Classified Information Nondisclosure Agreement (Standard Form 312) Briefing Booklet.
  3. **VERIFY** annually that the refresher briefing has been completed for all appropriate individuals at the affected site.
  4. **VERIFY** all individuals required to complete the refresher briefing for the upcoming year are identified and scheduled appropriately.
  5. **VERIFY** all individuals that will require a 10 year update are flagged to have the update completed and submitted to the NRC at least 120 days before the access authorization expires.
  6. **CREATE** additional PASSPORT actions as necessary to track to closure.

1.20. Classified Access Termination

- 1.20.1. Access authorization shall be terminated in accordance with 10 CFR 25.33 when:
1. Access authorization is **no** longer needed,
  2. An individual is separated from the employment or activity for which he or she obtained access authorization for a period of 90 days or more, or
  3. An individual is **no** longer eligible for access authorization in accordance with 10 CFR 10 or other NRC-approved adjudicatory standards.
- 1.20.2. The Facility Security Officer shall **DEBRIEF** cleared employees in accordance with 10 CFR 95.33(g) and 25.33(c):
1. At the time of termination of employment (discharge, resignation, or retirement),
  2. When an employee's Classified Information access authorization is terminated, suspended, or revoked, or
  3. Upon termination of the Facility Clearance.

4. **SIGN** the 'Witness' section of the Security Debriefing Acknowledgement portion of the NRC Form SF 312.
- 1.20.3. The security termination briefing of the individual involved shall ensure:
    1. NRC Form 136, "Security Termination Statement," is explained, and
    2. The individual completes NRC Form 136.
    3. The individual completes the Security Debriefing Acknowledgement portion of the NRC Form SF 312.
  - 1.20.4. Regulatory Assurance shall **SUBMIT** the original copy of the completed NRC Form 136 to the NRC.
  - 1.20.5. In accordance with 10 CFR 95.23, Facility Clearance shall be terminated when:
    1. There is **no** longer a need to use Classified Information at the facility, or
    2. The NRC makes a determination that continued Facility Clearance is **not** in the interest of national security.
  - 1.20.6. Licensing shall **SUBMIT** a certification of non-possession of Classified Information to the NRC within 30 days of the termination of the facility clearance in accordance with 10 CFR 95.53(a).
- 1.21. Reporting Requirements
- 1.21.1. Each Classified Information user shall promptly notify the NRC of developments affecting continued eligibility for Classified Information access authorization (e.g., change in marital status after clearance approval) in accordance with 10 CFR 25.21(b)
    1. Licensing shall **SUBMIT** any completed NRC Form 354, "Data Report on Spouse," or equivalent NRC form to the NRC.
  - 1.21.2. Within 30 days of the change, Licensing shall **REPORT** to the NRC any significant changes that may affect Fort Calhoun Nuclear Station's status concerning FOCI (e.g., changes in ownership, changes that affect the company's answers to original FOCI questions, indebtedness, and changes in the required form that identifies owners, officers, directors, and executive personnel) in accordance with 10 CFR 95.17(a)(1).
  - 1.21.3. Licensing shall **NOTIFY** the NRC immediately by telephone when a request for an individual's Classified Information access authorization or renewal of a Classified Information access authorization is withdrawn or cancelled in accordance with 10 CFR 25.25.

1. This notification shall identify the individual's full name and date of birth, the date of the request, and the type of access authorization or access authorization renewal requested.
  2. Licensing shall confirm the telephone notification promptly in writing to the NRC.
- 1.21.4. In accordance with 10 CFR 25.33(b), Licensing shall perform the following:
1. Immediately **NOTIFY** the NRC when an employee's Classified Information access authorization should be terminated,
  2. **INFORM** the individual that Classified Information access authorization is being terminated and the reason for the termination, and
  3. **INFORM** the individual that consideration will be given for reinstatement of Classified Information access authorization if and when necessary.
- 1.21.5. Licensing shall **REPORT** the following to NRR and the Regional Administrator within one hour of the event, followed by written confirmation within 30 days of the incident, in accordance with 10 CFR 95.57:
1. Any alleged or suspected violation of the Atomic Energy Act, Espionage Act, or other Federal statutes related to Classified Information (e.g., deliberate disclosure of Classified Information to persons **not** authorized to receive it, theft of Classified Information), or
  2. Any infractions, losses, compromises, or possible compromise of Classified Information or classified documents **not** falling within the above step of this section.
- 1.21.6. The Superintendent, Site Security Operations shall **ENTER** such incidents in the Safeguards Event Log.
- 1.21.7. The Superintendent, Site Security Operations shall **PROVIDE** details of Classified Information handling security infractions, including corrective actions taken, to the NRC upon request.

## DOCUMENTATION

All Classified Information records described in this procedure shall be maintained either electronically or hard copy by Regulatory Assurance for three years after termination of an individual's classified clearance.



## REFERENCES

- 1.22. Regulatory Requirements
  - 1.22.1. 10 CFR 25, "Access Authorization for Licensee Personnel"
  - 1.22.2. 10 CFR 95, "Facility Security Clearance and Safeguarding of National Security Information and Restricted Data"
- 1.23. NRC Forms
  - 1.23.1. NRC Form 176, Part A, Security Acknowledgement
  - 1.23.2. NRC Form 237, Request For Access Authorization
  - 1.23.3. NRC Form SF 312, "Classified Information Nondisclosure Agreement"
  - 1.23.4. NRC Form SF 328, "Certificate Pertaining to Foreign Interests"
  - 1.23.5. NRC Form 136, "Security Termination Statement"
  - 1.23.6. NRC Form 354, "Data Report on Spouse"
  - 1.23.7. (NRC Form) e-QIP Form For Requesting An NRC Clearance For Licensees
  - 1.23.8. Privacy Act of 1974
  - 1.23.9. Fair Credit Reporting Act Of 1970, as amended

## ATTACHMENTS

- 1.24. Attachment 1 – Standard Practice Procedures Plan, Omaha Public Power District Policy for Use of Classified Information.

**ATTACHMENT 1****Standard Practice Procedures Plan  
Omaha Public Power District Policy for Use of Classified Information**

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All personnel at OPPD who have been granted a security clearance by the NRC are responsible for compliance with the requirements of this policy.

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[typed name]  
[Fort Calhoun Nuclear Station] Facility Security Officer

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[typed name]  
[Fort Calhoun Nuclear Station] Site VP