



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 3, 2016

Mr. Joseph W. Shea
Vice President, Nuclear Licensing
Tennessee Valley Authority
1101 Market Street, LP 3R-C
Chattanooga, TN 37402-2801

SUBJECT: SEQUOYAH NUCLEAR PLANT, UNITS 1 AND 2 - ISSUANCE OF
AMENDMENTS TO CHANGE THE COMPLETION DATE OF CYBER
SECURITY PLAN IMPLEMENTATION MILESTONE 8 (CAC NOS. MF7764
AND MF7765)

Dear Mr. Shea:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 337 to Renewed Facility Operating License (RFOL) No. DPR-77, and Amendment No. 330, to RFOL No. DPR-79, for the Sequoyah Nuclear Plant, Units 1 and 2, respectively, in response to your application dated May 16, 2016.

The amendments approve the revised schedule for full implementation of the cyber security plan (CSP) from October 31, 2016, to December 31, 2017, and revise Paragraph 2. E.(2) of both RFOL No. DPR-77 and RFOL DPR-79 to incorporate the revised CSP implementation schedule.

J. Shea

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A copy of the staff's related Safety Evaluation is enclosed. Notice of Issuance will be included in the Commission's Biweekly *Federal Register* Notice.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Hon', written in a cursive style.

Andrew Hon, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-327 and 50-328

Enclosures:

1. Amendment No. 337 to RFOL No. DPR-77
2. Amendment No. 330 to RFOL No. DPR-79
3. Safety Evaluation

cc w/enclosures: Distribution via Listserv



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

TENNESSEE VALLEY AUTHORITY

DOCKET NO. 50-327

SEQUOYAH NUCLEAR PLANT, UNIT 1

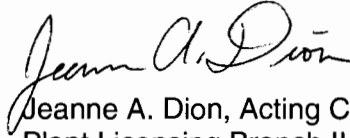
AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 337
Renewed License No. DPR-77

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by the Tennessee Valley Authority (the licensee), dated May 16, 2016, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, as amended; the provisions of the Act; and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the Renewed Facility Operating License No. DPR-77 is hereby amended as indicated in the attachment to this license amendment.
3. This license amendment is effective as of the date of its issuance, and shall be implemented no later than 30 days from the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Jeanne A. Dion, Acting Chief
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Renewed Facility
Operating License

Date of Issuance: October 3, 2016

ATTACHMENT TO LICENSE AMENDMENT NO. 337
SEQUOYAH NUCLEAR PLANT, UNIT 1
RENEWED FACILITY OPERATING LICENSE NO. DPR-77
DOCKET NO. 50-327

Replace the following page of the Renewed Facility Operating License with the attached revised page. The revised page is identified by amendment number and contains a marginal line indicating the area of change.

Remove
14a

Insert
14a

- (d) For SRs that existed prior to this amendment that have modified acceptance criteria, the first performance subject to the modified acceptance criteria is due at the end of the first Surveillance interval that began on the date the Surveillance was last performed prior to the implementation of this amendment.
- D. Exemptions from certain requirements of Appendices G and J to 10 CFR Part 50 are described in the Office of Nuclear Reactor Regulation's Safety Evaluation Report, Supplement No. 1. 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. The exemptions are, therefore, hereby granted. The granting of these exemptions are authorized with the issuance of the License for Fuel Loading and Low Power Testing, dated February 29, 1980. The facility will operate, to the extent authorized herein, Act, and the regulations of the Commission.
- E. Physical Protection
 - (1) 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 combined set of plans, which contain Safeguards Information protected under 10 CFR 73.21, is entitled: "Sequoyah Nuclear Plant Security Plan, Training And Qualification Plan, And Safeguards Contingency Plan" submitted by letter dated May 8, 2006.
 - (2) 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 CSP was approved by License Amendment No. 329, as amended by changes approved by License Amendment Nos. 333 and 337.



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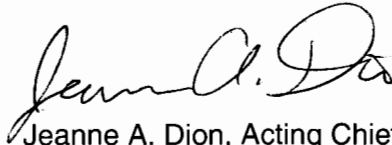
TENNESSEE VALLEY AUTHORITY
DOCKET NO. 50-328
SEQUOYAH NUCLEAR PLANT, UNIT 2
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 330
Renewed License No. DPR-79

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by the Tennessee Valley Authority (the licensee), dated May 16, 2016, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, as amended; the provisions of the Act; and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the Renewed Facility Operating License No. DPR-79 is hereby amended as indicated in the attachment to this license amendment.
3. This license amendment is effective as of the date of its issuance, and shall be implemented no later than 30 days from the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Jeanne A. Dion, Acting Chief
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Renewed Facility
Operating License

Date of Issuance: October 3, 2016

ATTACHMENT TO LICENSE AMENDMENT NO. 330

SEQUOYAH NUCLEAR PLANT, UNIT 2

RENEWED FACILITY OPERATING LICENSE NO. DPR-79

DOCKET NO. 50-328

Replace the following page of the Renewed Facility Operating License with the attached revised page. The revised page is identified by amendment number and contains a marginal line indicating the area of change.

Remove
14

Insert
14

- D. Exemptions from certain requirements of Appendices G and J to 10 CFR Part 50 are described in the Office of Nuclear Reactor Regulation's Safety Evaluation Report, Supplements No. 1 and No. 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. 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.

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 6.2.4. 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 6.2.4 of Supplement 5 to the Safety Evaluation Report. The granting of the exemption is authorized with the issuance of the renewed Facility Operating License. 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. Physical Protection

- (1) 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 combined set of plans, which contain Safeguards Information protected under 10 CFR 73.21, is entitled: "Sequoyah Nuclear Plant Security Plan, Training And Qualification Plan, And Safeguards Contingency Plan" submitted by letter dated May 8, 2006.
- (2) 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 CSP was approved by License Amendment No. 322, as amended by changes approved by License Amendment Nos. 326 and 330.

F. Reactor Safety Methodology Applications Programs (Section 24.0)

TVA will provide a report prepared by the Kaman Sciences Corporation (KSC) on a full scale nuclear safety and availability analysis within six months from the date of the KSC report.



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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NOS. 337 AND 330 TO

RENEWED FACILITY OPERATING LICENSE NOS. DPR-77 AND DPR-79

TENNESSEE VALLEY AUTHORITY

SEQUOYAH NUCLEAR PLANT, UNITS 1 AND 2

DOCKET NOS. 50-327 AND 50-328

1.0 INTRODUCTION

By letter dated May 16, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16138A247), Tennessee Valley Authority (TVA, the licensee) requested a change to the facility operating licenses for the Sequoyah Nuclear Plant (SQN) Unit 1 and Unit 2.

The U.S. Nuclear Regulatory Commission (NRC or the Commission) staff initially reviewed and approved the licensee's Cyber Security Plan (CSP) implementation schedule by SQN Unit 1 License Amendment No. 329 and SQN Unit 2 License Amendment No. 322 (ADAMS Accession No. ML11195A117) dated July 29, 2011. Subsequently, NRC staff reviewed and approved SQN Unit 1 Amendment No. 333, and SQN Unit 2 Amendment No. 326 dated September 29, 2014, which extended the CSP implementation schedule (ADAMS Accession No. ML14245A179). This schedule required SQN to fully implement and maintain all provisions of the CSP no later than October 31, 2016.

The proposed change would revise the date of CSP Implementation Schedule Milestone 8 and Paragraph 2.E.(2) in the renewed facilities' operating licenses from October 31, 2016, to December 31, 2017. Milestone 8 of the CSP implementation schedule concerns the full implementation of the CSP. Portions of the letter dated May 16, 2016, contain sensitive unclassified non-safeguards (security-related) information and, accordingly, those portions are withheld from public disclosure. The NRC issued a proposed finding that the amendment involves no significant hazards consideration in the *Federal Register* on July 8, 2016 (81 FR 44665). The NRC has not received any public comments on this determination.

Based on its review of the licensee's submission, the NRC staff finds that the licensee's implementation of Milestones 1 through 7 adds additional protections that provide mitigation for significant cyber attack vectors for the most significant critical digital assets; that the licensee's explanation of the need for additional time is compelling, and that it is acceptable for TVA to complete implementation of Milestone 8, full implementation of the CSP by December 31, 2017.

The NRC staff also concludes that, upon full implementation of the licensee's cyber security program, the requirements of the licensee's CSP and Title 10 of the *Code of Federal Regulations* (10 CFR) Section 73.54 will be met. Therefore, the NRC staff finds the proposed change acceptable. The details of NRC staff review are documented below.

2.0 REGULATORY EVALUATION

The NRC staff considered the following regulatory requirements and guidance in its review of the current license amendment request to modify the existing CSP implementation schedule:

- The *Code of Federal Regulations* 10 CFR 73.54 states, in part: "Each [CSP] submittal must include a proposed implementation schedule. Implementation of the licensee's cyber security program must be consistent with the approved schedule."
- The licensee's renewed facility operating license includes a license condition that requires the licensee to fully implement and maintain in effect all provisions of the Commission-approved CSP.
- In a publicly available NRC memorandum dated October 24, 2013 (ADAMS Accession No. ML13295A467), the NRC staff listed criteria that it would consider during its evaluations of licensees' requests to postpone their cyber security program implementation date (commonly known as Milestone 8).

The NRC staff does not regard the CSP milestone implementation dates as regulatory commitments that can be changed unilaterally by the licensee, particularly in light of the regulatory requirement at 10 CFR 73.54, that "[i]mplementation of the licensee's cyber security program must be consistent with the approved schedule." As the NRC staff explained in its letter to all operating reactor licensees dated May 9, 2011 (ADAMS Accession No. ML110980538), the implementation of the plan, including the key intermediate milestone dates and the full implementation date shall be in accordance with the implementation schedule submitted by the licensee and approved by the NRC. All subsequent changes to the NRC-approved CSP implementation schedule, thus, will require prior NRC approval as required by 10 CFR 50.90

3.0 TECHNICAL EVALUATION

3.1 Licensee's Requested Change

Amendment No. 329 for SQN Unit 1 and Amendment No. 322 for SQN Unit 2 were issued on July 29, 2011. The NRC staff approved the licensee's CSP implementation schedule, as discussed in the safety evaluation issued with that amendment. The licensee's proposed implementation schedule for the Cyber Security Program identified completion dates and bases for the following eight milestones:

- 1) Establish the Cyber Security Assessment Team;
- 2) Identify Critical Systems (CSs) and Critical Digital Assets (CDAs);
- 3) Install a deterministic one-way device between lower level devices and higher level devices;

- 4) Implement the security control "Access Control For Portable And Mobile Devices";
- 5) Implement observation and identification of obvious cyber related tampering to existing insider mitigation rounds;
- 6) Identify, document, and implement cyber security controls in accordance with "Mitigation of Vulnerabilities and Application of Cyber Security Controls" for CDAs that could adversely impact the design function of physical security target set equipment;
- 7) Ongoing monitoring and assessment activities for those target set CDAs whose security controls have been implemented;
- 8) Fully implement the CSP (Milestone 8).

Currently, Milestone 8 of the licensee's CSP requires TVA to fully implement the CSP by October 31, 2016. In its May 16, 2016, application, TVA proposed to change the Milestone 8 completion date to December 31, 2017.

The licensee's application addressed the eight criteria in the NRC's October 24, 2014 guidance memorandum. The licensee provided the following information pertinent to each of the criteria identified in the NRC guidance memorandum.

1. Identification of the specific requirement or requirements of the cyber security plan that the licensee needs additional time to implement.

The licensee stated that all actions required for full compliance with the SQN CSP are scheduled to be completed prior to the current Milestone 8 implementation date with the exception of those associated with industry generic issues and possible lessons learned from planned Milestone 8 industry workshops. Implementation of these items will require additional time to assess, methodically plan, schedule, and complete remediation actions.

2. Detailed justification that describes the reason the licensee requires additional time to implement the specific requirement or requirements identified.

The licensee said that during the performance of NRC Milestones 1 through 7 cyber security inspections, a number of issues were identified that were generic in nature. Resolution paths have been determined. The current Milestone 8 implementation date does not allow for sufficient time to adequately plan, schedule, and implement remediation actions. The requested date bounds the completion of all individual asset security control design remediation actions.

3. A proposed completion date for Milestone 8 consistent with the remaining scope of work to be conducted and the resources available.

The licensee proposed a Milestone 8 completion date of December 31, 2017. As discussed in the licensee's response to criterion (2) above, the licensee stated that the proposed completion date for Milestone 8 bounds the completion of all individual asset security control design remediation actions.

4. An evaluation of the impact that the additional time to implement the requirements will have on the effectiveness of the licensee's overall cyber security program in the context of milestones already completed.

The licensee indicated completion of activities associated with the CSP, as described in Milestones 1 through 7 and completed prior to December 31, 2012, provides a high degree of protection to ensure that digital computer and communication systems and networks associated with safety, security and emergency preparedness systems (SSEP) are sufficiently protected against cyber attacks. The licensee detailed activities completed for each milestone and noted several elements of Milestone 8 have already been implemented.

5. A description of the licensee's methodology for prioritizing completion of work for critical digital assets associated with significant safety consequences and with reactivity effects in the balance of plant.

The licensee stated its methodology for prioritizing completion of cyber security activities associated with significant safety, security, or emergency preparedness consequences and with reactivity effects in the balance of plant focused on competing Milestones 1 through 7 by December 31, 2012, and implementation of remediation actions for Milestone 8 during the available refueling outages consistent with TVA outage planning and design change processes. Work that can be done with the units online is implemented consistent with work management processes and available resources. Prioritization of work was performed pursuant to TVA's work scheduling processes and was based on safety significance, required availability of significant systems, and consideration for all aspects and elements of risk management.

6. A discussion of the licensee's cyber security program performance up to the date of the license amendment request.

The licensee stated that implementation of the requirements of Milestones 1 through 7 has been completed and provides a high degree of protection against cyber attacks, including radiological sabotage, during full program implementation. Cyber security assessments for all SQN CDAs have been completed and remediation actions have been determined for deficient controls. Many of the controls which do not require a design change have already been implemented. A Quality Assurance (QA) audit for cyber security was completed and found no significant deficiencies. The most recent self-assessment of the cyber security program was completed in May 2014 with no significant deficiencies noted. Issues to address program improvements that were identified during the audit and assessment activities have been entered into the Corrective Action Program (CAP). QA audits will continue to monitor the performance of the cyber security program pursuant to the current QA biennial audit schedule. The licensee provided a discussion about ongoing monitoring, logging, and assessment activities and performance monitoring. The NRC performed a Milestones 1 through 7 inspection of SQN in September 2015. All performance deficiencies were determined to be of very low safety significance. These deficiencies have been entered into the TVA CAP. Performance deficiencies and unresolved Items noted were determined to be generic in nature.

7. A discussion of cyber security issues pending in the licensee's CAP.

The licensee listed actions pending in the CAP and include performance deficiencies, remediation actions, procedures revisions and lessons learned." They are consistent with the information provided in other sections of the license amendment request.

8. A discussion of modifications completed to support the cyber security program and a discussion of pending cyber security modifications.

The licensee provided a discussion of completed modifications and noted that any additional modifications would be the result of guidance on generic issues or industry workshops.

3.2 NRC Staff Evaluation

The NRC staff has evaluated the licensee's application using the regulatory requirements and the guidance set forth above. The NRC staff's evaluation is below. The staff finds that the actions the licensee noted as being required to implement CSP, Section 3, "Analyzing Digital Computer Systems and Networks" and Section 4, "Establishing, Implementing and Maintaining the Cyber Security Program" are reasonable as discussed below.

The licensee stated that all actions required for full compliance with the SQN CSP are scheduled to be completed prior to the current Milestone 8 implementation date with the exception of those associated with industry generic issues and possible lessons learned from planned industry workshops. The licensee also indicated completion of activities associated with the CSP, as described in Milestones 1 through 7 and completed prior to December 31, 2012, provided a high degree of protection to ensure that digital computer and communication systems and networks associated with SSEP are sufficiently protected against cyber attacks. The licensee detailed activities completed for each milestone and noted that several elements of Milestone 8 have already been implemented or will be implemented by the original Milestone 8 date of September 30, 2014. Additionally, the licensee provided details about the completed milestones and elements. The NRC staff thus concludes that Milestones 1 through 7 activities already undertaken and completed by the Licensee result in an increase to site security because the activities the licensee completed mitigate the most significant cyber attack vectors for the most significant CDAs.

The licensee stated that during the performance of NRC Milestones 1 through 7 cyber security inspections a number of issues were identified that were generic in nature. The current Milestone 8 implementation date does not allow for sufficient time to adequately plan, schedule, and implement remediation actions necessary to resolve the generic issues identified in the cyber security inspections. The requested date bounds the completion of all individual asset security control design remediation actions.

The NRC staff has had extensive interaction with the nuclear industry since licensees first developed their CSP implementation schedules. Based on this interaction, the NRC staff recognizes that CDA security control design remediation actions are much more complex and resource intensive than originally anticipated and that the licensee has a large number of additional tasks not originally considered when developing its current CSP implementation schedule. Accordingly, the NRC staff finds that the licensee's request for additional time to

implement Milestone 8 is reasonable given the unanticipated complexity and scope of the work required to come into full compliance with its CSP.

The licensee proposed a Milestone 8 completion date of December 31, 2017. The licensee stated that changing the completion date of Milestone 8 will allow for sufficient time to assess, plan, schedule, and implement any plant or programmatic changes required resulting from the resolution of Milestones 1 through 7 industry generic issues and the completion of planned industry workshops for Milestone 8. The licensee stated its methodology for prioritizing completion of cyber security activities associated with significant safety, security, or emergency preparedness consequences and with reactivity effects in the balance of plant focused on competing Milestones 1 through 7 by December 31, 2012, and implementation of remediation actions for Milestone 8 during the available refueling outages consistent with TVA outage planning and design change processes. Work that can be done with the units online is implemented consistent with work management processes and available resources. Prioritization of work was performed pursuant to TVA's work scheduling processes and was based on safety significance, required availability of significant systems, and consideration for all aspects and elements of risk management. The NRC staff finds that, based on the description of work described above, the licensee's methodology for prioritizing work on CDAs is appropriate. The NRC staff further finds that the licensee's request to delay final implementation of the CSP until December 31, 2017, is reasonable given the complexity of the remaining unanticipated work.

3.3 Review results summary

The NRC staff finds that the licensee's request to delay full implementation of its CSP until December 31, 2017, is reasonable for the following reasons:

- (i) the licensee's implementation of Milestones 1 through 7 provides mitigation for significant cyber attack vectors for the most significant CDAs as discussed in the staff conclusion above;
- (ii) the scope of the work required to come into full compliance with the CSP implementation schedule was much more complicated than anticipated and not reasonably foreseeable; and
- (iii) the licensee has reasonably prioritized and scheduled the work required to come into full compliance with its CSP implementation schedule.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Tennessee State official was notified of the proposed issuance of the amendment. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

These amendments to 10 CFR Part 50 licenses relate solely to safeguards matters and do not involve any significant construction impacts. These amendments are of administrative nature to extend the date by which the licensee must have its cyber security plan fully implemented. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(12). Pursuant to 10 CFR 51.22(b), no environmental impact statement or

environmental assessment need be prepared in connection with the issuance of the amendments.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: John Rycyna, NSIR

Date: October 3, 2016

J. Shea

- 2 -

A copy of the staff's related Safety Evaluation is enclosed. Notice of Issuance will be included in the Commission's Biweekly *Federal Register* Notice.

Sincerely,

/RA/

Andrew Hon, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-327 and 50-328

Enclosures:

1. Amendment No. 337 to RFOL No. DPR-77
2. Amendment No. 330 to RFOL No. DPR-79
3. Safety Evaluation

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