



NUCLEAR ENERGY INSTITUTE

David R. Kline
DIRECTOR, SECURITY
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June 27, 2012

Mr. James T. Wiggins
Director
Office of Nuclear Security and Incident Response
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Endorsement of NEI 10-04, "Identifying Systems and Assets Subject to the Cyber Security Rule," Revision 2, Dated July 2012

Project Code: 689

Dear Mr. Wiggins:

On behalf of the nuclear energy industry, NEI would like to provide the attached copy of NEI 10-04, Revision 2, dated July 2012, for NRC endorsement. Pending endorsement via Regulatory Guide, NEI requests the NRC perform a technical review of the document, and the NRC staff communicate to NEI via letter that the use of NEI 10-04, Revision 2, dated July 2012, would be acceptable for use by licensees to comply with the requirements of 10 CFR 73.54.

By letter dated September 30, 2011, NEI submitted NEI 10-04, Revision 1, for NRC review and endorsement. On December 8, 2011, the NRC provided comments to the industry. The industry met with the NRC on March 28, 2012 to discuss NEI 10-04 and to discuss a specific NRC staff concern with an element of the Access Authorization Program. Subsequently, NEI submitted NEI 10-04, Revision 2, dated April 2012, for NRC endorsement. NEI received written comment from the NRC by letter dated May 31, 2012. The attached NEI 10-04, Revision 2, dated July 2012, has been developed to address the comments received on May 31.

At the March 28th meeting, the NRC staff raised a concern with an element of the Access Authorization Program. NEI agreed to explore a change to industry guidance to address the staff concern. NEI 10-04 describes the industry resolution of this issue.

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The scope of the Cyber Security Rule (10 CFR 73.54) with respect to security functions was also discussed at the March 28th meeting. The NRC staff inquired if the industry considered the Access Authorization Program (10 CFR 73.56) to be in the scope of the Cyber Security Rule. NEI 10-04 has been revised to address the staff's question, and provides additional discussion of the regulatory basis for the industry's interpretation.

Consistency in the implementation of NRC regulations supports ensuring the public health and safety, and the common defense and security. NEI has developed NEI 10-04, Revision 2, dated July 2012, to ensure consistency in the identification of systems and assets required to be protected in accordance with the requirements of 10 CFR 73.54.

NEI requests NRC review of NEI 10-04 and response by July 31, 2012. If any revisions to this document are desired, please include suggested wording and the technical data to support the proposed change.

If you have questions or require additional information, please contact me at (202) 739-8174; dk@nei.org.

Sincerely,

A handwritten signature in black ink, appearing to read "David R. Kline", with a stylized flourish at the end.

David R. Kline

c: Mr. Craig G. Erlanger, NSIR/DSP/DDRS/IS, NRC
Ms. Christiana H. Lui, NSIR/DSP, NRC
Mr. Michael C. Layton, NSIR/DSP/DDMS, NRC
NRC Document Control Desk

Attachment