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Subject: FW: RE: PRM-73-18
Date: Friday, November 15, 2019 3:31:16 PM

Mr. Doug True:

I am contacting you to provide a status update on the petition for rulemaking submitted by the Nuclear Energy Institute (NEI) to the U.S. Nuclear Regulatory Commission (NRC), dated June 12, 2014 (ADAMS Accession No. [ML14184B120](#)). NEI requested that the NRC amend the regulations in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 73.54, "Protection of Digital Computer and Communication Systems and Networks." Specifically, NEI requested, in pertinent part, that the NRC amend the scoping language contained in 10 CFR 73.54(a)(1) to focus on protection of digital computer and communication systems and networks associated with those structures, systems, and components that are necessary to prevent significant core damage and spent fuel sabotage or whose failure would cause a reactor scram.

The NRC docketed your letter as a petition for rulemaking (PRM)-73-18, and the NRC published a notice of receipt in the Federal Register on September 22, 2014 ([79 FR 56525](#)). Further, as indicated in NRC's letter dated September 13, 2017 (ADAMS Accession No. [ML17179A002](#)), the staff began conducting inspections once power reactor licensees completed full implementation of the cyber security rule. After completing a third of these full implementation inspections, the staff performed an assessment of the cyber security rule and its implementation. The staff completed these efforts and issued an assessment report, "Power Reactor Cyber Security Program Assessment," dated July 12, 2019 (ADAMS Accession No. [ML19175A211](#)). Following completion of the assessment report, the staff developed an action plan to address the areas for improvement identified in the report. The action plan includes four efforts to evaluate the processes used for critical digital asset determination. The staff and industry are working on addressing these efforts. The Staff believes it would be beneficial to inform the disposition of the petition with the results of these action plan initiatives, and has decided to defer the decision on the PRM for 12 months.

Once the petition has been resolved, the NRC will publish a notice in the Federal Register explaining the NRC's finding. At that time, you will also receive a letter notifying you of the action the NRC has taken.

The status of PRM-73-18 can be found at the NRC Rules and Petition page at <https://www.nrc.gov/reading-rm/doc-collections/rulemaking-ruleforum/active/PetitionIndex.html>. At this website, there is a link to a listing of all active NRC PRMs. You can monitor this site for status updates as they become available. You can also continue to monitor the docket for PRM-73-18 at <https://www.regulations.gov>. The Federal rulemaking Web site allows you to receive alerts when changes or additions occur in a docket folder. To subscribe: 1) navigate to the docket folder (NRC-2014-0165); 2) click the "Sign up for E-mail Alerts" link; and 3) enter your e-mail address and select how frequently you would like to receive e-mails (daily, weekly, or monthly).

Please contact me at Ilka.Berrios@nrc.gov or (301) 415-2404 if you have any questions.

Sincerely,
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