

September 27, 2010

ULNRC-05732

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555-0001

10 CFR 73.54

Ladies and Gentlemen:



**DOCKET NUMBER 50-483  
CALLAWAY PLANT UNIT 1  
UNION ELECTRIC CO.  
FACILITY OPERATING LICENSE NPF-30  
NOTIFICATION LETTER DESIGNATING CALLAWAY  
BALANCE-OF-PLANT SYSTEMS WITHIN THE CYBER  
SECURITY RULE SCOPE**

- References:
- 1) Letter from Jim Hughes (NERC) to Kirit Shah, "Request for Data or Information: Nuclear Power Plant 'Bright-Line' Survey," dated June 15, 2010
  - 2) Letter from Michael Moon (NERC) to Kirit Shah, "NERC's Response to the Completed Bright Line Survey," dated August 27, 2010

By Order dated March 19, 2009<sup>1</sup>, the Federal Energy Regulatory Commission (FERC) clarified that the "balance of plant" equipment within a nuclear power plant is subject to compliance with the FERC approved Critical Infrastructure Protection (CIP) Reliability Standards. Paragraph 50 of the Order provides for an exception from the CIP Reliability Standards for equipment in the balance of plant that is subject to the NRC cyber security regulations. Pursuant to paragraph 50 of the Order, the North American Electric Reliability Corporation (NERC) has been engaging in a "Bright-Line" determination process (Reference 1) to clarify the systems that would be subject to the NRC cyber security rule (10 CFR 73.54), and those that would be subject to the CIP Reliability Standards.

Per the Reference (2) letter, NERC is requiring AmerenUE (Union Electric Company) to provide the NRC with a letter identifying all Callaway Plant balance-of-

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<sup>1</sup> *Mandatory Reliability Standards for Critical Infrastructure Protection, order on clarification*, Order No. 706-B, 126 FERC ¶ 61,229 (2009).

plant systems, structures, and components (SSCs) considered important to safety with respect to the NRC's cyber security regulation. As documented in our response to the Bright Line survey, the balance-of-plant SSCs in Attachment 1 of the survey are important to safety, and thus, are within the scope of 10 CFR 73.54.

In accordance with the requirements of 10 CFR 73.54 (b)(1), a comprehensive identification of SSCs subject to the requirements of 10 CFR 73.54 will be developed during the implementation of the cyber security program. The program is implemented in accordance with the schedule that was submitted along with the Callaway Cyber Security Plan to the NRC by letter dated August 12, 2010.

This identification of SSCs will be available for inspection upon completion and will contain those SSCs identified in Attachment 1 of the Bright-Line Survey. Providing the requested information in this alternate manner satisfies the intent of the NERC letter.

As noted in the Reference (2) letter, NERC is also requiring each nuclear power plant licensee to submit a revised cyber security plan to the NRC for its review and approval. Accordingly, on or before November 30, 2010, AmerenUE (Union Electric) will supplement the Cyber Security Plan for Callaway Plant to clarify the scope of systems described in Section 2.1, "Scope and Purpose." Specifically, Section 2.1 will be amended to clarify the balance-of-plant SSCs that will be included in the scope of the cyber security program.

No commitments are being made to the NRC by this letter. Should you have any questions concerning this letter, or require additional information, please contact Scott Maglio at (573) 676-8719.

Sincerely,



Scott Sandbothe  
Manager, Plant Support

EMF/nls

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