



September 28, 2010

NRC 2010-0149
10 CFR 73.54

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Point Beach Nuclear Plant, Units 1 and 2
Dockets 50-266 and 50-301
Renewed License Nos. DPR-24 and DPR-27

Notification Letter Designating Point Beach Nuclear Plant
Balance of Plant Systems within the Cyber Security Rule Scope

- References:
- (1) Mandatory Reliability Standards for Critical Infrastructure Protection, order on clarification, Order No. 706-B, 126 FERC ¶ 61,229 (2009)
 - (2) Letters from Jim Hughes (NERC) to Point Beach Nuclear Plant, Units 1 and 2, "Request for Data or Information: Nuclear Power Plant 'Bright-Line' Survey," dated June 15, 2010
 - (3) Letter from Michael Moon (NERC) to Point Beach Nuclear Plant, "NERC's Response to the Completed Bright Line Survey," dated August 27, 2010

By Order dated March 19, 2009, (Reference 1) 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 2) 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.

In the Reference (3) letter, NERC required NextEra Energy Point Beach, LLC (NextEra) to provide the NRC with a letter identifying all balance of 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 will be implemented in accordance with the schedule submitted to the NRC by letter dated July 8, 2010, with the Point Beach Nuclear Plant Cyber Security Plan. This identification of SSCs will be available for inspection upon completion and will include those SSCs as identified in Attachment 1 of the Bright-Line Survey. Providing the requested information in this alternate manner satisfies the intent of the NERC letter.

In Reference (3), NERC is also requiring that each nuclear power plant submit a revised cyber security plan to the NRC for its review and approval. On or before November 30, 2010, NextEra will supplement the Cyber Security Plan submittal to clarify the scope of systems described in Section 2.1, "Scope and Purpose." 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.

Summary of Regulatory Commitments

On or before November 30, 2010, NextEra Energy Point Beach, LLC will supplement the Cyber Security Plan submittal to clarify the scope of systems described in Section 2.1, "Scope and Purpose." 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.

Should you have any questions concerning this letter, or require additional information, please contact Mr. James Costedio at 920/755-7427.

Very truly yours,

NextEra Energy Point Beach, LLC

A handwritten signature in black ink, appearing to read "Larry Meyer".

Larry Meyer
Site Vice President

cc: Michael Moon, Director of Compliance Operations, NERC
Jim Hughes, NERC
Administrator, Region III, USNRC
Project Manager, Point Beach Nuclear Plant, USNRC
Director, Office of Nuclear Security and Incident Response
Director, Office of Nuclear Reactor Regulation
Resident Inspector, Point Beach Nuclear Plant, USNRC