



September 29, 2010

PG&E Letter DCL-10-125

10 CFR 73.54

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

Docket No. 50-275, OL-DPR-80
Docket No. 50-323, OL-DPR-82
Diablo Canyon Units 1 and 2

Subject: Notification Letter Designating Diablo Canyon Balance of Plant
Systems within the Cyber Security Rule Scope

- Reference: (1) Letter from Jim Hughes (NERC) to Kenneth Wells (PG&E),
"Request for Data or Information: Nuclear Power Plant 'Bright-Line'
Survey," dated June 15, 2010
- (2) Letter from Michael Moon (NERC) to Kenneth Wells (PG&E),
"NERC's Response to the Completed Bright Line Survey: Diablo
Canyon Power Plant Unit 1 and 2," dated August 27, 2010
- (3) PG&E Letter DCL-10-087, "License Amendment Request 09-05,
Request for Approval of the Diablo Canyon Power Plant Cyber
Security Plan and Revision to the Facility Operating Licenses,"
dated July 22, 2010

Dear Commissioners and Staff:

By Order dated March 19, 2009¹, 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.

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



In the Reference (2) letter, NERC is requiring that PG&E 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 PG&E's response to the Bright Line survey, 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 22, 2010 (Reference 3). This identification of SSCs will be available for inspection upon completion and will contain, at a minimum, 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 the Reference (2) letter, 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, PG&E will supplement Reference 3 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.

PG&E makes no regulatory commitments (as defined by NEI 99-04) in this letter. This letter includes no revisions to existing regulatory commitments.

Should you have any questions concerning this letter, or require additional information, please contact Mr. Tom Baldwin at (805) 545-4720.

Respectfully,

James R. Becker
Site Vice President
Diablo Canyon Power Plant



Imp1/3386/SAPN 50340223

cc: Elmo E. Collins, NRC Regional Administrator, Region IV
Diablo Distribution
Jim Hughes, NERC
Eric Leeds, NRC Director, NRR
Michael Moon, Director of Compliance Operations, NERC
Michael S. Peck, NRC Senior Resident Inspector
Alan B. Wang, NRC Project Manager, NRR
Jim Wiggins, Director, NRC Director, NSIR