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CP-20101290
Log # TXX-10138

September 27, 2010

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

SUBJECT: COMANCHE PEAK NUCLEAR POWER PLANT
DOCKET NOS. 50-445 AND 50-446
NOTIFICATION LETTER DESIGNATING COMANCHE PEAK NUCLEAR POWER
PLANT (CPNPP) BALANCE OF PLANT SYSTEMS WITHIN THE CYBER SECURITY
RULE SCOPE

REFERENCES: 1) Order No. 706-B, 126 FERC ¶ 61,229 (2009), "Mandatory Reliability Standards for Critical Infrastructure Protection, Order on Clarification," dated March 19, 2009
2) Phone request on July 9, 2010, from Jim Hughes (NERC) to Rick Terrill (Luminant Generation Company LLC), regarding the NERC "Request for Data or Information: Nuclear Power Plant 'Bright-Line' Survey," dated June 14, 2010
3) Letter from Michael Moon (NERC) to Henry Durrwachter (Luminant Generation Company LLC), "NERC's Response to the Completed Bright Line Survey," dated August 27, 2010
4) NERC Bright-Line Survey response email from Mr. Henry Durrwachter (Luminant Generation Company LLC), to Mr. Jim Hughes (NERC), dated July 28, 2010
5) Letter logged TXX-10097 dated July 15, 2010, from Rafael Flores to the NRC submitting License Amendment Request (LAR) 10-002, for Approval of the CPNPP Cyber Security Plan

Dear Sir or Madam:

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.

By means of the letter in Reference 3, NERC is requiring that Luminant Generation Company LLC (Luminant Power) provide the NRC with a letter identifying all Comanche Peak Nuclear Power Plant (CPNPP) 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 (Reference 4), the CPNPP 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.

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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 submitted to the NRC with the CPNPP Cyber Security Plan by the letter in Reference 5. This identification of SSCs will be available for inspection upon completion and will contain those SSCs as identified in Attachment 1 of the Bright-Line Survey. Providing the requested information in this alternate matter 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. CPNPP will provide a supplement to Reference 5 to clarify the scope of systems described in Section 2.1, "Scope and Purpose," with a target submittal date of November 30, 2010. The supplement will clarify the balance of plant SSCs that will be included in the scope of the cyber security program.

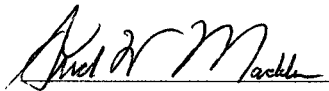
This communication contains no new licensing basis commitments regarding Comanche Peak Units 1 and 2.

Should you have any questions, please contact Mr. Jim Barnette at (254) 897-5866.

Sincerely,

Luminant Generation Company LLC

Rafael Flores

By: 
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Director, Oversight & Regulatory Affairs

c - Michael Moon
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