RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: Commissioner Apostolakis

SUBJECT: COMWCO-10-0001 – REGULATION OF CYBER SECURITY AT NUCLEAR POWER PLANTS

Approved XX **Disapproved** _____ **Abstain** _____

Not Participating _____

COMMENTS: **Below** XX **Attached** ___ **None** ___

I support the policy decision proposed in the COM and agree with Commissioner Ostendorff's assessment that the Commission has the requisite information to make a policy decision with regard to the regulation of structures, systems, and components in the Balance of Plant at NRC-licensed nuclear power plants. To maintain consistency with our statutory authority, however, we should make clear that this decision refers to the scope of the cyber security rule and extends to the Balance of Plant only to the extent that the function of the equipment has a nexus to radiological health and safety. I support Commissioner Svinicki's proposal regarding the staff's communications with NERC and the associated deadlines. Finally, I approve the proposal for an information paper to be delivered to the Commission from the staff by October 30, 2010.

SIGNATURE

9/23/10

DATE

Entered on "STARS" **Yes** X **No** ___