



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 20, 2011

Mr. Barry S. Allen
Site Vice President
FirstEnergy Nuclear Operating Company
Davis-Besse Nuclear Power Station
Mail Stop A-DB-3080
5501 North State Route 2
Oak Harbor, OH 43449-9760

SUBJECT: DAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1 - REQUEST FOR
ADDITIONAL INFORMATION RELATED TO THE LICENSE AMENDMENT
REQUEST FOR APPROVAL OF DAVIS-BESSE CYBER SECURITY PLAN
(TAC NO. ME4341)

Dear Mr. Allen:

By letter to the Nuclear Regulatory Commission (NRC) dated July 16, 2010 (Agencywide Documents Access and Management System Accession No. ML102020202), FirstEnergy Nuclear Operating Company (FENOC or the licensee), submitted a license amendment request for approval of the Davis-Besse Nuclear Power Station, Unit 1 Cyber Security Plan.

The NRC staff is reviewing your submittal and has determined that additional information is required to complete the review. The specific information requested is addressed in the enclosure to this letter. During a discussion with your staff on January 4, 2011, it was agreed that you would provide a response within 30 days from the date of this letter.

The NRC staff considers that timely responses to requests for additional information help ensure sufficient time is available for staff review and contribute toward the NRC's goal of efficient and effective use of staff resources. If circumstances result in the need to revise the requested response date, please contact me at (301) 415-3867.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Mahoney", with a long, sweeping flourish extending to the right.

Michael Mahoney, Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-346

Enclosure:
Request for Additional Information

cc w/encl: Distribution via Listserv

REQUEST FOR ADDITIONAL INFORMATION
FIRSTENERGY NUCLEAR OPERATING COMPANY
DAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1
DOCKET NO. 50-346

The Nuclear Regulatory Commission (NRC) staff has reviewed the July 16, 2010 (Agencywide Documents Access and Management System Accession No. ML102020202), FirstEnergy Nuclear Operating Company submittal regarding the request for approval of the Davis-Besse Nuclear Power Station, Unit 1 (DBNPS) Cyber Security Plan (CSP). The NRC staff has determined that the following information is needed in order to complete its review:

CSP, Section 3: Analyzing Digital Computer Systems and Networks

Request for Additional Information (RAI) No. 1

Cyber Security Assessment Team Activities

Title 10 of the *Code of Federal Regulations* (10 CFR) Section 73.54(c)(1) indicates the "cyber security program must be designed to implement security controls to protect the assets identified by paragraph (b)(1) of this section from cyber attacks." The Nuclear Energy Institute (NEI) 08-09 Rev. 6, Section 3.1.2 states that a designated Cyber Security Assessment Team (CSAT) participate in the documentation of the required cyber security controls specified in Section 3.1.6; these include defense-in-depth strategies, technical, managerial, operational and, where necessary, alternative controls/countermeasures.

The DBNPS CSP Section 3.1.2, states the CSAT is charged with "reviewing and approving the required cyber security control application per Section 3.1.6 of this plan." The NEI 08-09 Rev. 6 guidance on Section 3.1.2 charges the CSAT with "documenting the required cyber security control application per Section 3.1.6 of this plan."

Please explain how the controls referenced in Section 3.1.6 of the CSP will be documented and which group or organization will be responsible for the documentation.

RAI No. 2

Implementation of Alternative Security Controls or Countermeasures

Section 73.54(c)(1) of 10 CFR indicates the "cyber security program must be designed to implement security controls to protect the assets identified by paragraph (b)(1) of this section from cyber attacks." The NEI 08-09 Rev. 6, Section 3.1.6, clause 2.c states that, when deploying alternative controls, the licensee will implement "alternative countermeasures that provide at least the same degree of cyber security protection as the corresponding cyber control;" clause 2.d states the licensee will implement "an alternative frequency or periodicity for the security control employed by documenting the basis for the alternate frequency or periodicity." In addition to clauses 2.a and 2.b, both clauses, 2.c and 2.d, should be executed to ensure that selected alternative countermeasures effectively mitigate the absence of an established security control.

ENCLOSURE

The DBNPS CSP states that the plant will implement clauses 2.a, 2.b, and 2.c or 2.d to ensure that selected alternative countermeasures effectively mitigate the absence of an established security control.

Please clarify how the approach to either implement alternative controls that provide the same or greater degree of cyber security protections, or implement an alternative frequency or periodicity for the security control, provides the same or greater degree of protections for Critical Digital Assets.

CSP, Section 4: Establishing, Implementing, and Maintaining the Cyber Security Program

RAI No. 3

Defense-in-Depth Protective Strategies – restrictive measures

Section 73.54(c)(2) of 10 CFR requires the licensee to apply and maintain defense-in-depth protective strategies to ensure the capability to detect, respond to, and recover from cyber attacks. Section 4.3, "Defense-in-Depth Protective Strategies," of the Davis-Besse CSP indicates that "communications initiated from lower levels to Critical Digital Assets at higher levels is (1) eliminated, or (2) severely restricted, and cyber security controls and mitigation measures are in place that are analyzed, and described to demonstrate how the communications are severely restricted."

The discussion does not elaborate how these communications will be "severely restricted." Explain how communications from lower defensive levels to higher defensive levels will be "severely restricted."

CSP Section: Appendix B Glossary

RAI No. 4

Definition of Cyber Incident

Section 73.54(e)(2) of 10 CFR requires that "the cyber security plan must include measures for incident response and recovery for cyber attacks." The definition of "cyber incident" that the NRC finds acceptable as stated in Regulatory Guide 5.71: "Occurrence, caused by either human action or natural phenomena that may cause harm and that may require action." Furthermore, the NEI 08-09 Rev. 6, Appendix B (Glossary), defines cyber incident as "a digital-related adverse condition."

Please explain why Davis-Besse's CSP does not include a definition for "cyber incident."

January 20, 2011

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Sincerely,
/RA/
Michael Mahoney, Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
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Docket No. 50-346
Enclosure:
Request for Additional Information
cc w/encl: Distribution via Listserv

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