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NUCLEAR REGULATORY COMMISSION

Title: Public Meeting to Discuss the Proposed
Implementation Date of the Draft Cyber Security
Event Notification Final Rule

Docket Number: NRC-2014-0036

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Date: Thursday, July 31, 2014

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Pages 1-11

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
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PUBLIC MEETING TO DISCUSS THE PROPOSED IMPLEMENTATION
DATE OF THE DRAFT CYBER SECURITY
EVENT NOTIFICATION FINAL RULE (TAC NO. MF2339)

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THURSDAY,

JULY 31, 2014

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The meeting was convened at the Nuclear
Regulatory Commission, Three White Flint North, Room
1C03, 11601 Landsdown Street, Rockville, Maryland, at
9:00 a.m., Robert Beall, project manager, presiding.

PRESENT:

ROBERT H. BEALL, Project Manager, Division of
Policy and Rulemaking, NRR

BRAD BERGEMANN, Nuclear Security and Incident
Response, Cyber Security Directorate

JOE GILMAN, Office of the General Counsel

GLENN LAPPERT, Regulations Specialist

CHRISTIAN LEATHERBURY, Office of Administration

CHARITY PANTALO, Cyber Security Directorate

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P R O C E E D I N G S

MR. BEALL: Good morning, everyone. I'd like to thank you all for your interest in today's public meeting. My name is Bob Beall, and I'm Project Manager for the Cyber Security Event Notification Rulemaking here at the NRC. I'll also be acting as today's facilitator for the public meeting.

My role today is to try to make this meeting for everyone as possible. Today's meeting we will be going to focus on the proposed implementation date for the Final Cyber Security Event Notification Rule.

The goal of the Cyber Security Event Notification Rule is to develop additional requirements to strengthen the NRC's analysis of the reliability and effectiveness of licensee's cyber security programs which play an important role in the continued effort to provide high assurance that digital computers, communication systems, and networks are adequately protected against cyber attacks up to and including design-basis threat. Could I have Slide 2, please.

Before we begin I'd like to go over a few meeting logistics. For those participating via the webinar or on the bridge line there will be designated

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points during the meeting where you'll be invited to ask questions. We have a number of people participating today by phone and the webinar. I'm going to do my best to try to allow everyone to participate in this meeting fully, and by that I like to make everyone feel they can follow the discussants, as well as having the time to answer questions.

I'd like to ask everyone who's participating here in the room today to please turn off or silence your electronic devices. Also, when we get to the point that Grace had mentioned about answering a question, please do *1, and at that time we can answer your question.

I'll also ask when you have a question to please identify yourself and any group that are with when you speak so everybody knows who is talking. Next slide, please.

The purpose of today's meeting is to receive feedback on the proposed implementation date for the Cyber Security Event Notification Final Rule. This is a Category 3 public meeting, which means that the public participation is actively sought in the discussion of a regulatory issue. The meeting is not designed, nor is intended to solicit or receive

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comments on topics other than the proposed implementation date for the final rule. I'd also like to mention that no regulatory decisions will be made at today's meeting. Next slide, please.

This meeting is scheduled to last from 9:00 a.m. to 10:30 today. Once the introduction and logistics are complete, the NRC Staff will discuss the current status of the Cyber Security Event Notification Final Rulemaking, and then the Staff will also talk in length about the considerations about the proposed implementation date. We will then open the meeting to the public to provide comments on the proposed implementation date. Next slide, please.

If you are attending this meeting in person, please sign in before you leave today. The sign-in sheet is on the table in the back of the room. A list of attendees and the phone participants will become part of the meeting summary that will be prepared for today's meeting and made publicly available. Copies of the presentation can also be found in the back of the room.

Also, a transcript is being recorded of today's meeting and will be made public as part of the meeting summary. There's also copies of the meeting

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feedback -- NRC public meeting feedback form in the back of the room. We appreciate any feedback you may have that would help us improve these public meetings.

For people on the phone or participating via the webinar, if you would like to provide feedback about this meeting, you can email them directly to me at robert.beall@nrc.gov.

And, finally, I'd like to ask speakers to remember to speak loudly enough to insure that everyone can be heard. For those on the phone, if you have -- at any point you're unable to hear the meeting discussion, please let us know. Are there any questions about the logistics before we begin introductions?

Okay. With that, I'd like to start with myself, and my name is Robert Beall. I am the Project Manager in the NRR Rulemaking Branch, and I'm the PM for the Cyber Security Event Notification Rule.

MR. BERGEMANN: I am Brad Bergemann. I am the Technical Lead from the Cyber Security Directorate on Cyber Security Event Notification.

MR. BEALL: Charity, go ahead.

MS. PANTALO: I'm Charity Pantalo. I'm also technical, I'm assisting Brad Bergemann, and I work with the Cyber Security Directorate.

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MR. BEALL: Okay. With that, we would like to get into the Cyber Security Event Notification background. Next slide, please.

The NRC published the Cyber Security Event Notification requirements as part of the Enhanced Weapons Rule back in February of 2011. The Enhanced Weapons Rule talked about personal security background checks and other activities, but because of delays in that rulemaking we decided to bifurcate the Cyber Security Event Notification requirements out of the Enhanced Weapons Rule. So, in January of this year the Commission gave approval for the requirements to be split from the Enhanced Weapons Rule to speed up the assurance of the Cyber Security Event Notification requirements.

You can find all documentation related to the Cyber Security Event Notification Rulemaking on Regulations.gov. And if you send something to the NRC docket, NRC-2014-0036, you can find documents there that are related to this rulemaking. That includes slides, and the public meeting notice, and some draft proposed final rule language. Next slide.

Where we currently stand in the rulemaking process is that the NRC receives feedback from today's

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meeting to determine if changes of the implementation date is needed. These changes to the proposed implementation date will be documented in the final rule on the Federal Register when it's made final and approved by the Commission.

The NRC Staff expects to issue the Final Cyber Security Event Notification Rule in the first quarter of 2015. We also expect any new or revised guidance documents to be issued at the same time as the final rule. Next slide, please. And I now turn it over to Brad.

MR. BERGEMANN: This is Brad Bergemann from the Cyber Security Directorate. I'm the Technical Lead on the Cyber Security Event Notification Rule language and guidance. For the implementation date, the implementation date will be 180 days to implement the final rule. This is consistent with what was in the proposed rule as far as implementation date.

The considerations we used with the 180-day implementation date was the time to develop and/or revise procedures specific to the Cyber Security Event Notification requirements, and any time to develop and conduct training specific to Cyber Security Event Notifications.

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A couple of factors also involved with the date was that the Cyber Security Event Notification process is consistent with existing notifications that you have for physical security, as well as for safety. And with the voluntary initiatives there is familiarization with Cyber Security Event Notifications currently at the reactor sites. And that's it with regards to implementation date.

MR. BEALL: Okay. Lisa, I'd like to open the line for any questions.

OPERATOR: If you would like to ask a question, please make sure your line is unmuted and press *1, record your first and last name when prompted. If you'd like to retract your question you can press *2. Once again, if you'd like to ask a question please press *1. Give us one moment please to get any questions to queue. The first question comes from Robin Ritzman. The line is now open.

MR. RITZMAN: Thank you. My name is Robin Ritzman. I'm with First O&G and also a member of the NEI Cyber Security Task Force. I guess, my -- in general we're wondering, in general, the 180-day clock seems reasonable, but we would request that -- and we know Research talked about the speedy -- the guidance

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document will be issued at the same time as the rulemaking, which should be guidance documents. We would request that the 180-day clock starts when the guidance document is issued.

MR. BEALL: Mr. Ritzman, this is Bob Beall with the NRC, and we will -- the Reg Guide will go out with this. The Commission is very -- has instructed us to try to insure that all final rules going out have any supporting document with them so licensees can see exactly what -- compare the two requirements in the federal rule language and the additional details in the supporting documents like a Reg Guide. So, we've actually held up issuing final rules, even proposed rules waiting for the Reg Guides to get ready so they can be published at the same time.

MR. RITZMAN: We appreciate that. We think that's really important, especially for this rule because of the new dimension of them, and trying to integrate it into the implementation of the cyber security program. And that leads me to my second concern, then I'll be done.

And that's, Brad, all licensees are in the midst of implementing cyber security programs with due dates ranging from sometime next year to 2017, I

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believe. There is a concern amongst myself and some other people on the Task Force that by inserting this rulemaking for cyber security reporting earlier in the process it will delay somewhat some of the implementation because there's only so many resources, so we're going to have to divert some resources from implementing to implementing the important requirements.

MR. BERGEMANN: This is Brad Bergemann from the Cyber Security Directorate. We've taken that down and we will evaluate that concern.

MR. RITZMAN: Thank you very much.

OPERATOR: There are no further questions on the auto line.

MR. BEALL: Can we go back to Slide 5, please. If there's no further questions, I'd like to remind everyone that the comment period for the proposed implementation date on the final rule ends at 11:59 p.m. East Coast Time on Friday, August 1st. Comments can be submitted by emailing them to myself, robert.beall@nrc.gov, or bradbergemann@nrc.gov. Please remember to include the Cyber Security Notification docket ID in your email, which is NRC-2011-0036, or 2014. If there are no further

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comments; Lisa, is there anybody else?

OPERATOR: None from the auto lines.

MR. BEALL: Okay, thank you. I'd like to thank everyone for their participation today, and the meeting is now adjourned.

(Whereupon, the above-entitled matter went off the record at 9:15 a.m.)

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