

DTE Energy Company
6400 North Dixie Highway
Newport, MI 48166



December 1, 2014
NRC-14-0077

Ms. Annette L. Vietti-Cook
Secretary of the Commission
Attn: Rulemaking and Adjudications Staff
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Petition to Amend Cyber Security Requirements: Request for Comments (*Federal Register Vol. 79, 56525, dated September 22, 2014 - Docket ID NRC-2014-0165*)

Dear Ms. Vietti-Cook:

The September 22, 2014 Federal Register Notice (FRN) (*79 Fed. Reg. 56525*) docketed (Docket ID NRC-2014-0165) a petition for rulemaking (PRM-73-18) to amend the Nuclear Regulatory Commission's (NRC's) cyber security requirements in 10 CFR 73.54, "Protection of Digital Computer and Communication Systems and Networks," and requested comments by December 8, 2014.

DTE Electric Company (DTE) endorses the petition and recommends the NRC promptly initiate rulemaking to implement the changes proposed. The ongoing cyber security event notification rulemaking could provide a ready vehicle.

DTE recognizes the cyber threat, and has a long history of addressing cyber security concerns. DTE broadly implements cyber security measures consistent with prudent business practices for digital systems and equipment. Additionally, DTE was directed by the Interim Compensatory Measures (ICM) Order (EA-02-026) to consider and address cyber safety and security vulnerabilities. In April 2003, the Orders (EA-03-086) and (EA-03-087) supplemented the Design Basis Threat and also contained language concerning the cyber threat. DTE was subsequently provided with a cyber security self-assessment methodology, the results of pilot studies, and a guidance document issued by the NEI to facilitate development of site cyber security programs.

DTE has spent five years implementing the Commission's cyber security requirements and, as discussed in the Petition, has implemented key protective measures with a specific emphasis on the protection of the most risk significant digital assets. DTE continues to implement the balance of the program, and is concerned with the ongoing and unnecessary burden associated with maintaining thousands of digital assets within the scope of the cyber security program – most having no nexus to protecting the health and safety of the public. Examples of these assets include but are not limited to: Non-safety related digital paperless recorders, the Cyber Security

assessment and mitigation of non-safety related digital recorders, the Integrated Plant Computer System (IPCS), and the Cyber Security Monitoring System. The impact of keeping these assets within the scope of the Cyber Security program is the diversion of resources (budget, personnel) from other activities which maintain or increase the reliability of systems required to operate the plant and protect the health and safety of the public.

DTE believes the changes proposed in the petition would have an immediate positive impact on overall safety and security while reducing unnecessary burden. Specifically, the changes proposed in the petition would:

- Prevent radiological sabotage, consistent with the NRC's original intent, and long-standing physical protection program requirements;
- Continue to provide defense-in-depth protection for digital assets that have a nexus to radiological safety and security;
- Eliminate the unnecessary diversion of attention and resources from the protection of those assets that do have a nexus to radiological safety and security; and
- Enhance regulatory clarity and implementation efficiency.

Should you have any questions or require additional information, please contact me at (734) 586-5076.

Sincerely,



Christopher R. Robinson
Manager – Nuclear Licensing

cc: The Honorable Allison M. Macfarlane, Chairman, NRC
The Honorable Kristine L. Svinicki, Commissioner, NRC
The Honorable William C. Ostendorff, Commissioner, NRC
The Honorable Jeff Baran, Commissioner, NRC
The Honorable Stephen G. Burns, Commissioner, NRC
Mr. Mark A. Satorius, EDO, NRC
Mr. James T. Wiggins, NSIR, NRC
Mr. Barry C. Westreich, NSIR/CSD, NRC