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Protection of Digital Computer and Communication Systems and Networks

Comment On: NRC-2014-0165-0002

Protection of Digital Computer and Communication Systems and Networks

Document: NRC-2014-0165-DRAFT-0005

Comment on FR Doc # 2014-22523

Submitter Information

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General Comment

Greetings,

The Utilities Telecom Council (UTC) hereby responds to the September 22, 2014 Federal Register Notice regarding the petition for rulemaking filed regarding Protection of Digital Computer and Communication Systems and Networks in the above-referenced proceeding.

Our detailed comments are contained in the attached document.

Attachments

UTC NEI Cyber Comment 2014-12-08 fin



December 8, 2014

Nadya Bartol
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Secretary

Attn: Rulemaking and Adjudications Staff
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Re: Protection of Digital Computer and Communication Systems and Networks, Petition for Rulemaking; Docketing, and Request for Comment (Docket No. PRM-73-18; NRC-2014-0165 ((79 Fed. Reg. 56525, Sep. 22, 2014))).

Greetings,

The Utilities Telecom Council (UTC) hereby responds to the September 22, 2014 Federal Register Notice regarding the petition for rulemaking filed regarding "Protection of Digital Computer and Communication Systems and Networks" in the above-referenced proceeding.

Founded in 1948, UTC is a global trade association dedicated to being the source and resource for information and communications technology (ICT) solutions for utilities and other critical infrastructure industries. Our response to the request for comment reflects input from UTC members who are operating nuclear facilities within the United States.

UTC endorses the petition and recommends that the Nuclear Regulatory Commission (NRC) promptly initiate a rulemaking to implement the changes proposed. The current rule allows NRC to require classifying an excessive number of components as "critical," when their functions clearly have little or no bearing on nuclear safety.

UTC would also like to encourage NRC to initiate conversations with other energy industry regulators to help reduce duplication associated with utilities having to comply with multiple regulatory regimes. To that end, the rule change should also establish clear boundaries of jurisdiction between the NRC and other regulatory agencies as discussed below.

Utilities within the United States are subject to numerous legislative and regulatory requirements with respect to cybersecurity. Specifically, in addition to compliance with the NRC regulations, many utilities also have to comply with the North American Electric Reliability Corporation (NERC) Critical Infrastructure Protection (CIP) standards.

NRC regulations and NERC CIP standards contain similar requirements in terms of the high-level security controls, the implementation of which utilities have to demonstrate as a part of both regulatory regimes. Understandably so, the level of rigor required for implementing security controls in nuclear environments is higher than that in non-nuclear environments. However, the required evidence that would demonstrate the presence of similar cybersecurity controls, processes, and outcomes is different for the two regulatory regimes. Having to demonstrate similar capabilities by providing different type

of evidence puts additional and unnecessary burdens on utility cybersecurity professionals in the environment, where resources are finite and expertise is in short supply (shortage of cybersecurity expertise nationally and globally is well documented through multiple industry surveys).

UTC observes that the implementation evidence required by NRC and NERC CIP should be brought into closer alignment to reduce the current burden on those utilities that run both nuclear and non-nuclear facilities. This should be specifically addressed via this rulemaking proceeding, and supplemented by collaborative discussions between the regulators, standards makers, and industry stakeholders in a series of meetings, working groups, workshops, or other ways to discuss, compare, and reorganize expected outcomes. UTC would be glad to engage in further discussions with the NRC on these comments and suggestions.

Thank you for your kind consideration of this response by UTC. If you have any questions or comments, please do not hesitate to contact me.

Respectfully,

Nadya Bartol
Vice President, Industry Affairs and Cybersecurity Strategist