

November 9, 2015

MEMORANDUM TO: Brian Smith, Branch Chief  
Cyber Security Team  
Division of Fuel Cycle Safety, Safeguards,  
and Environmental Review  
Office of Nuclear Material Safety  
and Safeguards

FROM: Matthew Bartlett, Project Manager /RA/  
Enrichment and Conversion Branch  
Division of Fuel Cycle Safety, Safeguards,  
and Environmental Review  
Office of Nuclear Material Safety  
and Safeguards

SUBJECT: SEPTEMBER 23, 2015, PUBLIC MEETING SUMMARY FOR  
DISCUSSION ON THE DRAFT REGULATORY BASIS FOR THE FUEL  
CYCLE CYBER SECURITY PROPOSED RULEMAKING

On September 23, 2015, the U.S. Nuclear Regulatory Commission (NRC) staff held a public meeting to receive feedback on the draft regulatory basis for the proposed cyber security rulemaking for fuel cycle facilities (Agencywide Documents Access and Management System No. ML15198A021). The meeting was attended by fuel cycle industry representatives, the Nuclear Energy Institute and several members of the public. The purpose of the meeting was to ensure stakeholders had a clear understanding of the draft regulatory basis and the NRC understood potential comments or concerns from stakeholders. The list of attendees is provided as Enclosure 1.

The NRC staff kicked off the meeting with a brief slide presentation (Enclosure 2). The draft regulatory basis, which was published in the *Federal Register* (80 Fed. Reg. 53478) for public comment on September 4, 2015, was also discussed.

A list of items raised by participants during the meeting are provided below.

1. The cyber security requirements should focus on protecting the function of an item needed to prevent a consequence of concern, rather than protect the item itself. Under this approach, if a digital asset were compromised, the function could be maintained through an alternate means.

CONTACT: Matthew Bartlett, NMSS/FCSE/ECB  
(301) 415-7154

2. The goal for the cyber security rulemaking should focus on protection against consequences of concern rather than preventing cyber attacks. Licensees may not be able to prevent malicious cyber security attacks, but they should prevent or mitigate the consequences of concern.
3. The cyber security requirements should not focus on regulatory compliance. For example, failure of an item relied on for safety does not necessarily result in a consequence of concern.
4. The definition for a cyber attack should be modified to include the concept of consequence of concern.
5. The NRC should provide an explanation of direct versus indirect consequences.
6. The NRC should provide a clear definition of the terms used in the draft regulatory basis, terms such as digital assets, cyber attacks, consequences of concerns, and function.
7. The NRC should consider keeping cyber security for physical security requirements separate in Part 95.
8. A cyber security analysis may require significant effort and cost for licensees to implement. The NRC should provide guidance on a methodology for conducting the analysis, e.g., a hazard analysis. Guidance should also be provided on how to identify and evaluate cyber security vulnerabilities that were not evaluated in the integrated safety analysis, e.g., consequences of concern instigated by a malicious actor.
9. Industry requested to view the February 25, 2012, "Cyber Security for Fuel Cycle Facilities Working Group Final Report," which is non-public.
10. The NRC was requested to clarify whether the proposed regulatory guide would be similar to Regulatory Guide 5.71, "Cyber Security Programs for Nuclear Facilities" developed for reactors.
11. The NRC was asked if the cyber security regulations would involve modifying Part 70 to include cyber attack.
12. The scope of the proposed rulemaking should be better defined.
13. Industry expressed doubt that the cyber security requirements would result in a substantial increase in safety and security.

The comment period for the draft regulatory basis closed October 5, 2015. Two additional public meetings are scheduled on October 22, 2015, and December 10, 2015. These meetings will be to discuss technical aspects of the proposed rulemaking.

Enclosures:

1. Attendees List
2. Slide Presentation

B. Smith

4

The comment period for the draft regulatory basis closed October 5, 2015. Two additional public meetings are scheduled on October 22, 2015, and December 10, 2015. These meetings will be to discuss technical aspects of the proposed rulemaking.

Enclosures:

1. Attendees List
2. Slide Presentation

**DISTRIBUTION:**

FCSE r/f	JDowns, NMSS	CMaupin, NMSS	BBergemann, NSIR
SAni, NMSS	PStartz, RII	JGilliam, RII	MNBaker, NMSS
JMaltese, OGC	NStAmour, OGC	CMaupin, MSTR	CPantalo, NSIR
FCPriester, NRC Contractor			

**ML15306A267**

<b>OFFICE</b>	FCSE/ECB	FCSE/ECB	FCSE/ECB	FCSE/ECB
<b>NAME</b>	MBartlett	DMiller	BSmith	MBartlett
<b>DATE</b>	11/4/2015	11/4/2015	11/9/2015	11/9/2015

**OFFICIAL RECORD COPY**

**Attendees Sheet for Public Meeting on Cyber Security  
Rulemaking for Fuel Cycle Facilities  
September 23, 2015**

<b>First Name</b>	<b>Last Name</b>	<b>Organization</b>
Bob	Link	Areva (Richland)
Dave	Spanngler	BWXT NOG-L
Chris	Harper	Centrus Energy
Kelly	Coriell	Centrus Energy Corp
Joe	Brown	Centrust Energy
Jennifer	Hawley	CWX Technologies
Gary	Workman	Energy Corp
Scott	Murray	GEH
Mark	Wolf	Honeywell
Marvin	Lewis	Member of the Public
Gary	Clark	MOX Services
Dealis	Gwyn	MOX Services
Aaron	Kent	MOX Services
Doug	Yates	MOX Services
Nima	Ashneboussi	NEI
William	Gross	NEI
Janet	Schlueter	NEI
Derek	Mann	NFS
Ashley	Morris	NFS
Andrew	Sabisch	NFS
Brad	Bergemann	NMSS/CSD
Frederick	Priester	NRC Contractor/CSD
Charity	Pantalo	NRC/CSD
Barry	Westreich	NRC/CSD
Suzanne	Ani	NRC/NMSS
Craig	Erlanger	NRC/NMSS
Cardelia	Maupin	NRC/NMSS
Brian	Smith	NRC/NMSS
Jim	Anderson	NRC/NSIR
Jim	Maltese	NRC/OGC
Jack	Roe	Talisman
Daniel	Cronin	University of Florida
Rick	Medina	Urenco USA
Nancy	Parr	Westinghouse
Camile	Zozula	Westinghouse Electric Company