

WILLIAM R. GROSS
Director, Incident Preparedness

1201 F Street, NW, Suite 1100
Washington, DC 20004
P: 202.739.8123
wrg@nei.org
nei.org



November 26, 2019

Ms. Maureen E. Wylie
Chief Financial Officer
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Fee Exemption Request for NEI White Paper, "Changes to NEI 10-04 and NEI 13-10 Guidance for Identifying and Protecting Digital Assets Associated with the Balance of Plant," Dated November 2019

Project Number: 689

Dear Ms. Wylie:

The Nuclear Energy Institute (NEI)¹, on behalf of its members, will be submitting for the Nuclear Regulatory Commission's (NRC) review and endorsement a White Paper revising two currently endorsed NEI technical reports. The submittal will contain proposed changes to NEI 10-04, "Identifying Systems and Assets Subject to the Cyber Security Rule," Revision 2, dated July 2012; and to NEI 13-10, "Cyber Security Control Assessments," Revision 6, dated August 2017. This submittal improves the screening of digital computer and communication systems and networks associated with the balance of plant (BOP) at nuclear power reactors. The BOP will remain within scope of the NRC's cyber security rule and other related NRC requirements. Lessons learned through the implementation of cyber security programs indicate that the specified clarifications are necessary to enhance clarity, support efficient and consistent implementation, and to support NRC oversight activities.

NEI requests that the NRC's review of the document and any future submissions of the guidance documents be granted a fee waiver pursuant to the provisions of 10 CFR 170.11. The document meets the exemption requirement in 10 CFR 170.11(a)(1)(ii) in that it will "assist the NRC in generic regulatory improvements or efforts (e.g., rules, regulatory guides, regulations, policy statements, generic letters, or bulletins)." In this case, NRC review and endorsement of NEI White Paper, "Changes to NEI 10-04 and NEI 13-10 Guidance for Identifying and Protecting Digital Assets Associated with the Balance of Plant," dated November 2019, by January 20, 2020, will improve the effectiveness and efficiency of licensee cyber security programs and the

¹ The Nuclear Energy Institute (NEI) is the organization responsible for establishing unified industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations and entities involved in the nuclear energy industry.

Ms. Maureen E. Wylie

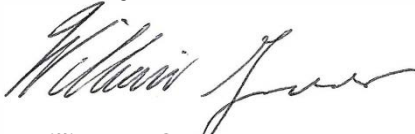
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NRC oversight function. In addition, the NRC staff can use the information as it develops and implements its Cyber Security Action Plan as described in its Power Reactor Cyber Security Program Assessment (ADAMS ML19175A210), dated July 12, 2019.

If you have any questions or require additional information, please contact Richard Mogavero, at (202) 739-8174 or rm@nei.org, or me.

Sincerely,

A handwritten signature in black ink, appearing to read "William R. Gross". The signature is fluid and cursive, with the first name "William" being the most prominent.

William R. Gross

c: Mr. James D. Beardsley, NSIR/CSD, NRC
Mr. Doug Huyck, NSIR/DSO, NRC
NRC Document Control Desk