

# PUBLIC SUBMISSION

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Cyber Security Programs for Nuclear Power Reactors

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## General Comment

See attached file(s)

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## Attachments

RG 5.71\_DG-5061 Comments

## DG-5061 Comments

- **Agency** Nuclear Regulatory Commission
- **Posted** Mar 3, 2022
- **ID** NRC-2021-0143-0001

DG-5061 (RG 5.71) Comments:

### **General:**

The use of the term's 'safety' and 'safety-related' does not reflect a consistent scope. For example on pg 7, second paragraph, 2<sup>nd</sup> last sentence, the sentence contains '...maintenance equipment for safety and safety-related systems...'. Since it is referring to 73.54, it can only mean safety-related and important-to-safety. But in the last parag on pg 7, 1<sup>st</sup> sentence, it reads '....loss of degradation of safety, security, and emergency preparedness (SSEP) functions...'. In this sentence it must mean safety-related and important-to-safety.

The document needs to reflect a consistent use of terms to avoid user confusion. The industry has expended significant cost implementing 73.54 cyber security requirements due to inconsistent use of terms and using terms without providing a clear understanding of their meaning and scope.

The term 'adverse impact' has a similar inconsistent use. The term as used in 3.1.3 1<sup>st</sup> parag, clearly indicates that adverse impact is related to radiological sabotage, i.e. significant core damage and therefore has the potential to adverse impact public health and safety. However, in the Definition section, 'adverse impact' makes no mention of radiological sabotage or core damage or impact public health and safety. The document text should be corrected to assure that use of the term 'adverse impact' is clearly and consistently connected with protecting the health and safety of the public.

Important-to-Safety – While the term is used throughout the RG no guidance is provided that reflects the Important-to-Safety NRC accepted NEI Whitepaper guidance. Recommend including in this RG CDA scoping discussion.

### **Specific:**

#### Section C.3.1

The 2<sup>nd</sup> sentence of this section should provide the overall guidance, scope and concern of this RG. As the document is written, a safety-related DA would be required to be a CDA even though a compromise would NOT adverse impact the SSEP function. This position is included in the 'adverse impact' definition for 'support items', but is not allowed for non-support DA. This creates an unnecessary inconsistency.

#### Section C.3.1.3

The following leads into the identification of critical systems, i.e. 'However, it may be difficult for a licensee to identify CDAs without first conducting a wider assessment of all the systems within the facility.

This 'assumption' is unwarranted given that existing plants have historically identified their safety-related systems and equipment items. Also, because the NRR has an important-to-safety QA inspection program that identifies 'important-to-safety' systems and equipment items. New plant designs also identify regulatory related equipment items as part of their classification and categorization process.

This 'critical system' guidance placed an unnecessary burden on utilities, without providing any value. In many cases it has added additional burden to maintain a CS list. Such a list has no related regulatory requirements, nor is it needed for an effective CSP, i.e. without having a CS list does not adversely impact the CSP. Example: a single CDA in a non-safety-related system, due to interfaces with a safety-related system/function, may cause the non-safety-related system on the critical system list.

Strongly recommend removing 'critical systems' from this document discussion. If the system starting point guidance remains, recommend that it should be clearly stated that this is a method to grossly identify potential plant systems that may contain CDAs and may be useful for identifying CDA's. Recommend not providing a term to describe these plant systems, i.e., Critical System, after that paragraph but focus on the remainder of the CSP apart from systems reference. This is consistent with the need to focus on performing and protecting SSEP functions. Additionally, many areas of 73.54 are NOT plant systems, e.g., ATWS, SBO, EP, BOP, and DAs included strictly due to interfaces, etc.

Recommend deleting Figures 3 & 4 and related discussion and change some labels on Figure 5, e.g. upper left box becomes 'Licensee's Systems'.

## Glossary

Adverse Impact – See previous discussion on Use of Adverse Impact.

Critical digital asset (CDA) - 'A component of a critical system that consists of or contains a digital device....' The definition is inconsistent since it implies that a DA in a critical system, (see other discussion on 'Critical System), makes it a CDA. This definition adds confusion to the use of 'Critical Systems and is reflected in how the industry's addresses 'Critical Systems'.

Recommend a different definition that includes the DA function and potential adverse impact. See Section C.3.1, 1<sup>st</sup> paragraph, 2<sup>nd</sup> sentence for CDA recommended text.

Defense-in-Depth – Only applies to components. Doesn't it also apply to the function(s) to be performed?

Balance of Plant – Does not agree with the BOP scope added to the original cyber rule via the SECY letter under the 'affects reactivity' umbrella, and addressed in the NEI BOP NRC accepted White paper. Recommend including in this RG scoping section.

