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November 16, 2022

Mr. James Corbett
Chief Financial Officer
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Fee Exemption Request for NEI 08-09 Revision 7, "Changes to NEI 08-09 Cyber Security Plan for Nuclear Power Reactors"

Project Number: 689

Dear Mr. Corbett:

The Nuclear Energy Institute (NEI)¹, on behalf of its members, will be submitting for Nuclear Regulatory Commission's (NRC) review and endorsement NEI 08-09, Revision 7, "Cyber Security Plan for Nuclear Power Reactors." The submittal will align with approved changes² in NEI 10-04, "Identifying Systems and Assets Subject to the Cyber Security Rule," Revision 3; and to NEI 13-10, "Cyber Security Control Assessments," Revision 7, as well as capture and consolidate past approved guidance through letters, correspondence, addendums and Security Frequently Asked Questions (SFAQs). This revision will also include a number of conforming and clarifying updates associated with cybersecurity fundamentals in Threat and Vulnerability Management, Wireless Communication Technologies, Critical Group scoping criteria, Ongoing Monitoring and Assessment, and Implementing Alternative Methodologies. 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. The changes are intended to improve the effectiveness and efficiency of licensee cyber security programs while maintaining adequate protection against the radiological sabotage cyber-attack.

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.

² NRC approval for NEI 10-04 Revision 3 and NEI 13-10 Revision 7 was completed in October 2021 and December 2021 respectively. NEI 08-09 Revision 6 was endorsed in April 2011.

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NEI requests that the NRC's review of the document and any future submissions of associated 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 publicly available NEI 08-09 Revision 7, "Cyber Security Plan for Nuclear Power Reactors," will improve the effectiveness and efficiency of licensee and future applicant cyber security programs, and the NRC's licensing and oversight functions.

If you have any questions or require additional information, please contact David Feitl at (202) 739-8115 or dff@nei.org, or me.

Sincerely,



Richard Mogavero

c: Mr. Brian Yip, NSIR/CSD, NRC
NRC Document Control Desk