



FEDERAL ENERGY REGULATORY COMMISSION

FACT SHEET

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Docket No. RM06-22-000

MEDIA CONTACT
Mary O'Driscoll – 202.502.8680

FERC Proposes to Close Cyber Security Gap

The Federal Energy Regulatory Commission (FERC) proposed to improve cyber security and close a potential regulatory gap today by clarifying that the facilities within U.S. nuclear generating plants that are not regulated by the Nuclear Regulatory Commission (NRC) must comply with FERC mandatory reliability standards on Critical Infrastructure Protection (CIP).

Background

In January 2008, FERC approved eight CIP reliability standards that require certain users, owners and operators of the bulk power system to comply with specific requirements to safeguard critical cyber assets. The standards were developed by the FERC-certified electric reliability organization.

In an April 8, 2008 public joint meeting of FERC and the NRC, NRC staff indicated that the agency has proposed regulations to address cyber security at nuclear generating plants, but raised a concern about a potential gap in regulatory coverage because the requirements only will be directly associated with reactor safety security and emergency response, and will not extend to power continuity systems.

The Order

FERC is seeking public comment on the proposal, stressing that its intent is to eliminate a potential gap in the regulation of critical assets and critical cyber assets at nuclear plants, not to subject specific facilities to dual regulation by both FERC and NRC.

In addition to comments on the proposal, FERC also is asking for comment on two related matters:

- Whether there is a clear delineation between those facilities within a nuclear plant that pertain to reactor safety security or emergency response and the non-safety portion or, as NRC refers to it, the “balance of plant.” If the delineation is not clear, is there a need for owners and operators to identify the specific facilities that pertain to reactor safety security or emergency response and subject to NRC regulation, and the balance of plant that is subject to the eight CIP reliability standards?
- Whether the current timetables for implementation of the CIP reliability standards should apply to those facilities within a nuclear power plant that NRC does not regulate.

Comments on the proposed clarification are due 30 days from the date of issuance of the order. FERC intends to issue a further order afterward.