



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

April 8, 2020

Dr. Jennifer L. Uhle  
Vice President, Generation & Suppliers  
Nuclear Energy Institute  
1201 F Street, NW, Suite 1100  
Washington, DC 20004

SUBJECT: ADDENDUM TO U.S. NUCLEAR REGULATORY COMMISSION PLANNED ACTIONS RELATED TO THE REQUIREMENTS FOR WORK HOUR CONTROLS DURING THE CORONAVIRUS DISEASE 2019 PUBLIC HEALTH EMERGENCY

Dear Dr. Uhle:

By letter dated March 28, 2020 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20087P237), the U.S. Nuclear Regulatory Commission (NRC) transmitted its planned actions related to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 26 requirements for work hour controls during the Coronavirus Disease 2019 (COVID-19) public health emergency (PHE). Namely, the NRC is prepared to grant, upon request from individual licensees, exemptions from the work hour controls specified in 10 CFR 26.205(d)(1)-(d)(7), consistent with 10 CFR 26.9, "Specific exemptions," and subject to the terms and conditions outlined in the March 28, 2020, letter and its attachment.

The purpose of this addendum to the March 28, 2020, letter is to correct a reference to fuel facilities and two citations to 10 CFR Part 26. This addendum also provides a link to a Web page that contains 10 CFR Part 26 Exemption Frequently Asked Questions (FAQs). Finally, this addendum includes a Paperwork Reduction Act statement that was inadvertently omitted from the March 28, 2020, letter.

### **Reference to Fuel Facility Applicability**

In the final paragraph of page 2, the March 28, 2020, letter incorrectly notes that the letter also applies to fuel facilities. That sentence should read:

This basis, together with the approach outlined above, would allow licensees to utilize staff resources necessary to ensure that the plant ~~or fuel facility~~ maintains a safe and secure status during the COVID-19 PHE.

### **10 CFR 26.407 Reference**

In the Basis section of the attachment, the March 28, 2020, letter incorrectly makes reference to 10 CFR 26.407, "Behavioral observation"; however, the applicability of 10 CFR 26.407 is limited to construction sites. The correct reference for operating reactors is 10 CFR 26.33, "Behavioral observation."

## **Frequently Asked Questions and Staff Guidance**

On April 2, 2020, the NRC held a public meeting (ADAMS Accession No. ML20090E056) with the nuclear industry and interested stakeholders to discuss and answer questions related to the March 28, 2020, letter. During that meeting, NRC staff provided several clarifications of its intent regarding implementation of these Part 26 exemptions. To answer FAQs related to these Part 26 exemptions, the NRC has established a Web page at <https://www.nrc.gov/reactors/operating/ops-experience/fitness-for-duty-programs/faqs/covid-19-work-hour-control-exemption.html>. The NRC plans to update this Web page on a periodic basis as we learn lessons and address questions regarding these exemptions. Questions not already addressed on this Web page may be submitted to your respective facility's NRC Project Manager.

In addition, the NRC has developed a temporary staff guidance document that provides Office of Nuclear Reactor Regulation staff members the basic framework for processing these 10 CFR Part 26 exemptions. Temporary Staff Guidance (TSG)-DORL-2020-01, "COVID-19 Related Exemptions from NRC Part 26 Requirements," can be found at ADAMS Accession No. ML20091L276.

## **Paperwork Reduction Act Statement**

### **Paperwork Reduction Act**

This letter contains voluntary guidance for implementing the voluntary information collections covered by 10 CFR Part 26 that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et. seq.). These information collections were approved by the Office of Management and Budget under control number 3150-0146. Estimated burden per response to comply with this voluntary information collection request is 24 hours. Send comments regarding this information collection to the Information Services Branch (T6-A10M), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by e-mail to [Infocollects.Resource@nrc.gov](mailto:Infocollects.Resource@nrc.gov), and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202 (3150-0146), Office of Management and Budget, Washington, DC 20503.

### **Public Protection Notification**

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If you have any further questions about the contents of this or the March 28, 2020, letter, please contact your respective facility's NRC Project Manager.

Sincerely,

*/RA/*

Ho K. Nieh, Director  
Office of Nuclear Reactor Regulation

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ACTIONS RELATED TO THE REQUIREMENTS FOR WORK HOUR  
CONTROLS DURING THE CORONAVIRUS DISEASE 2019 PUBLIC HEALTH  
EMERGENCY DATED APRIL 8, 2020

Identical letters sent to:

Dr. Jennifer L. Uhle  
Vice President, Generation & Suppliers  
Nuclear Energy Institute  
1201 F Street, NW, Suite 1100  
Washington, DC 20004

Mr. Chris Bakken  
Executive Vice President  
Nuclear Operations & Chief Nuclear Officer  
Entergy Nuclear  
1340 Echelon Parkway  
Jackson, MS 39213

Mr. Don Moul  
Executive Vice President, Nuclear  
Division and Chief Nuclear Officer  
Florida Power & Light Company  
Mail Stop: NT3/JW  
15430 Endeavor Drive  
Jupiter, FL 33478



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Mr. Don Moul  
Executive Vice President, Nuclear  
Division and Chief Nuclear Officer  
Florida Power & Light Company  
Mail Stop: NT3/JW  
15430 Endeavor Drive  
Jupiter, FL 33478

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**\*via e-mail**

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