

Discussion Topics for the April 29th Public Meeting Regarding Relief from Fire Protection

Requirements due to COVID-19 PHE

Requirement: Annual Physical Examination (10 CFR 50, Appendix R, Section III.H; 10 CFR 50.48(c), NFPA 805 Section 3.4.1(e); BTP CMEB 9.5.1; and Attachment A to BTP APCSB 9.5-1)

The NRC may be able to provide an expedited review for exemption requests that contain statements such as:

- information to support the staff's ability to quickly find supporting documents (e.g., ADAMS accession numbers);
- the licensee cannot meet the medical evaluation requirements of its fire protection program without workers taking actions that may be contrary to CDC's guidance for responding to the COVID-19 PHE;
- the licensee would, for the duration of any licensing action approved by NRC, apply a licensee-specific process to manage personnel with overdue medical evaluations, while ensuring the safety of its workers;
- the date and time when the licensing action would be implemented, if approved, and when the licensee-specific process would take effect;
- the licensing action would only be used by personnel having known, stable medical histories as determined and documented by a licensed physician;
- except for physical medical examinations at medical facilities, the licensee has completed, or will complete within the required frequency (plus a 90-day grace period), all medical evaluation requirements (e.g., medical history questionnaire);
- a licensed physician will review the medical history questionnaire prior to the expiration of the current medical evaluation (plus a 90-day grace period) and will determine and document that an extension of the fire brigade member's physical medical evaluation due date is acceptable such that the he/she remains qualified during the extension; and
- that the licensee specific process will ensure that affected employees are informed of the licensing action, the risks of performing strenuous fire-fighting activities, the rationale for medical evaluations, the deviation from the requirements, and the requirement that the licensee restore compliance within 90 days after the end of the PHE or December 31, 2020, whichever occurs first.

Requirement: Quarterly Fire Brigade Drills (10 CFR 50, Appendix R, Section III.I.3.b; 10 CFR 50.48(c), NFPA 805 Section 3.4.3(c)(1); BTP CMEB 9.5.1; and Attachment A to BTP APCSB 9.5-1)

The NRC may be able to provide an expedited review for exemption requests that contain statements such as:

- information to support the staff's ability to quickly find supporting documents (e.g., ADAMS accession numbers);
- the licensee cannot meet the drill requirements of their fire protection program without workers taking actions that may be contrary to CDC guidance for responding to the COVID-19 PHE;
- the licensee would, for the duration of any licensing action approved by the NRC, apply a licensee-specific process to manage personnel with overdue drill participation, while ensuring the safety of its workers;
- the date and time when the licensing action would be implemented, if approved, and when the licensee-specific process would take effect;
- compensatory measures for fire prevention will be implemented and a description of those compensatory measures;
- this licensing action is used only for personnel having prior experience with the activity to which they will be assigned; and
- the licensee specific process will ensure that affected employees are informed of the exemption/amendment, the risks of performing strenuous fire-fighting activities, the rationale for drills, the deviation from the requirements and the requirement that the licensee restore compliance in the quarter following termination of the public health emergency or December 31, 2020, whichever occurs first.

Requirement: Annual Live Fire Training (10 CFR 50, Appendix R, Section III.I.2; 10 CFR 50.48(c), NFPA 805 Section 3.4.1(a)(1) and NFPA 600 Section 5-2.3; and BTP CMEB 9.5.1; and Attachment A to BTP APCSB 9.5-1)

The NRC may be able to provide an expedited review for exemption requests that contain statements such as:

- information to support the staff's ability to quickly find supporting documents (e.g., ADAMS accession numbers);
- the licensee cannot meet the live fire training requirement of their fire protection program without workers taking actions that may be contrary to CDC guidance for responding to the COVID-19 PHE;
- the facility used to conduct live fire training is closed due to the COVID-19 PHE, a statement that the facility has been contacted and the licensee has made a request to schedule its live fire training as soon as possible after the COVID-19 PHE has ended, and a statement that includes the dates the live fire training sessions were previously scheduled for or when the annual requirement will not be met;
- the licensee would, for the duration of any licensing action approved by the NRC, apply a licensee-specific process to manage personnel with overdue live fire training participation, while ensuring the safety of its workers;
- the date and time when the licensing action would be implemented, if approved, and when the licensee-specific process would take effect;
- compensatory measures for fire prevention will be implemented and a description of those compensatory measures;
- the action is used only for personnel having prior experience with the activity to which they will be assigned; and
- the licensee-specific process will ensure that affected employees are informed of the licensing action, the risks of performing strenuous fire-fighting activities, the rationale for live fire training, the deviation from the requirements and the requirement that the licensee restore compliance within 365 days after the end of the public health emergency.