



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

May 21, 2020

MEMORANDUM TO: Michael T. Markley, Chief
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

FROM: Michael Mahoney, Project Manager /RA/
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF APRIL 29, 2020, PUBLIC MEETING WITH
NUCLEAR INDUSTRY TO DISCUSS COVID-19 REGULATORY
IMPACTS RELATED TO 10 CFR 50.48

On April 29, 2020, the U.S. Nuclear Regulatory Commission (NRC) staff held a public teleconference with representatives from the nuclear industry, including the Nuclear Energy Institute (NEI), NextEra, and Entergy. The purpose of the meeting was to discuss Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50.48, "Fire protection," regulatory impacts due the COVID-19 public health emergency (PHE). The meeting notice can be found in Agencywide Documents Access and Management System (ADAMS) at Accession No. ML20108F647, and additional information related to the meeting can be found in ADAMS at Accession Nos. ML20118C271 and ML20120A005.

At the start of the meeting, the NRC staff stated that the meeting was an information gathering dialogue only and as with all NRC public meetings, no regulatory decisions will be made. Additionally, the NRC stated that none of the information provided in today's meeting should be taken to be a request by any licensee or a decision by the NRC.

After Andrea Veil, Deputy Director for Engineering, in the Office of Nuclear Reactor Regulation (NRR) made opening remarks, the meeting was turned over to NEI, Entergy, and NextEra to make opening remarks.

After opening remarks, Jay Robinson, a senior fire protection engineer in the Division of Risk Assessment in NRR, discussed details of a letter in development regarding potential 10 CFR 50.48 exemption requests and NRC review. Items discussed included:

The specific fire protection program requirements related to fire brigade qualification and training that have been identified as potentially requiring relief due to COVID-19 impacts are:

1. The requirement that all fire brigade members be subject to an annual physical examination to determine their ability to perform strenuous fire-fighting activities. The regulations where this requirement is found are 10 CFR 50, Appendix R, Section III.H and 10 CFR 50.48(c), (NFPA 805, Section 3.4.1(e)).

2. The requirement that practice sessions be provided on an annual basis that provide fire brigade members with experience in actual fire extinguishment, also known as live fire-fighting training. The regulations where this requirement is found are 10 CFR 50, Appendix R, Section III.I.2, and 10 CFR 50.48(c), (NFPA 805, Section 3.4.1(a)(1)), NFPA 600, Section 5-2.3, and,
3. The requirement that fire brigade drills be performed at regular intervals not to exceed 3 months (or quarterly). The regulations where this requirement is found are 10 CFR 50, Appendix R, Section III.I.3.b, and 10 CFR 50.48(c), (NFPA 805, Section 3.4.3(c)(1)).

Consistent with what the NRC has proposed for other issues impacted by the COVID-19 PHE, a letter in development regarding fire brigade exemption requests and NRC review will contain information that will enable the NRC to determine if the request can be considered on an expedited basis and will include the following criteria:

- Statement of what regulations cannot be met and the reasons why,
- A list of positions affected,
- The total number of staff affected,
- A description of site-specific controls put in place to manage the non-compliance,
- A description of any compensatory measures or alternative controls put in place,
- The date and time the licensing action would be implemented,
- The date and time when any licensee specific process and/or compensatory measures would take effect, and
- The date and time the licensing action would end.

NEI lead a discussion of industry questions to the NRC related to the following:

- Regulatory approach for alternatives for physical training requirements related to fire brigade,
- Vehicles for submittals (e.g., format letter format, online submission, email to NRC licensing project manager),
- Fire brigade NRC letter consistent with Part 55 operating licensing letter regarding medical examinations,
- Review of medical examination records (doctors vs. other medical professionals),
- Guidance to resident inspectors regarding quarterly fire drills.

No regulatory decisions were made in the meeting.

During the public question and answer session of the meeting, NRC staff addressed questions on the following topics:

- Use of enforcement guidance memorandum verse issuance of a letter, in the area of fire protection.

Enclosure:

List of Attendees

List of Attendees

April 29, 2020, Public Meeting with the Nuclear Industry

Regarding COVID-19 Regulatory Impacts Related to 10 CFR 50.48

Name	Organization
Andrea Veil	NRC/NRR
Jay Robinson	NRC/NRR
Scott Burnell	NRC/NRR
Ed Miller	NRC/NRR
Mike Mahoney	NRC/NRR
Tom Basso	NEI
Ron Gaston	Entergy
Steve Catron	NextEra
Kim Green	NRC/NRR
Jennifer Whitman	NRC/NRR
Victoria Anderson	NEI
Chuck Moulton	NRC/NRR
Jeff Quinn	EPM
Rob Sullivan	Xcel Energy
Mark Henry Salley	NRC/RES
David Stroup	NRC/RES
Steven Dolley	Platts
David Lafleur	PA DEP
Scott Maguire	Susquehanna
Steve Campbell	NRC/NRR
Mo Shams	NRC/NRR
Juan Peralta	NRC/OE
Shivani Mehta	NRC/NRR
Andrew Ratchford	Jensen Hughes
Mike O'Keefe	Certrec

Enclosure

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TO DISCUSS COVID-19 REGULATORY IMPACTS RELATED TO 10 CFR 50.48
DATED MAY 21, 2020

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ADAMS Accession Nos.:**ML20135H012 (Summary)****ML20108F647 (Meeting Notice)****ML20118C271 (Additional Meeting Information)****ML20120A005 (Additional Meeting Information)*****via e-mail**

OFFICE	NRR/DORL/LPL2-1/PM	NRR/DORL/LPL2-1/LA	NRR/DORL/LPL2-1/BC
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DATE	05/21/2020	05/15/2020	05/21/2020
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DATE	05/21/2020		

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