

- 1. The NRC staff noted that the “gathering” restrictions of the Commonwealth of Virginia’s Second Amended Executive Order 53, Directive Item 1, expired on June 10, 2020. In addition, the Commonwealth of Virginia’s Amended Executive Order 65, dated June 9, 2020, provides for expiration of the Third Amended Executive Order 61 on June 12, 2020. Based on the expiration of the executive orders referenced in the BWXT NOG-L letter, please provide any needed modifications to the relief request, its basis, and the applicable requirements or guidance. This information is necessary to determine that compliance is maintained with the requirements of 10 CFR 70.22(i)(3)(x) and (xii).**

BWXT acknowledges that the 10-person limit to gatherings expired on June 10, 2020 and the expiration of Order Fifty-Five occurred on June 12, 2020. Both of these orders expired following BWXT’s May 27, 2020 letter. BWXT continues to implement a number of protective measures to prevent the introduction of the Coronavirus into the NOG-L facility and continues to follow guidelines of governor Northam’s executive orders with respect to minimizing the spread of the Coronavirus. Executive Order Sixty-One and subsequent amendments provide recommendations for Best Practices for businesses to utilize to keep employees safe. This includes limiting the number of in-person gatherings, continued social distancing between co-workers, and keeping meetings as short as possible. Due to the restricted size of our Emergency Operations Center and the time required to conduct an adequate quarterly drill, NOG-L would not be able to comply with recommendations outlined in order Sixty-One.

On June 6, 2020, BWXT resumed the monthly training sessions for the Emergency Team and will complete twelve training sessions as required in Chapter 4, Section 4.2.1.1 of SNM-42. The training sessions have been structured to provide adequate social distancing.

BWXT respectfully requests regulatory relief for its quarterly drills and emergency team training through December 31, 2020. As mentioned above, Emergency Team training has recently resumed, therefore the requested regulatory relief from Emergency Team training would only be utilized if another Executive Order was issued restricting gathering size.

- 2. The NRC staff was not able to identify, within BWXT NOG-L’s letter, the specific criteria from the referenced Commonwealth of Virginia’s Executive Orders and the corresponding impacts from the implementation of those orders that would prevent performance of the monthly training or the quarterly drills at the BWXT NOG-L facility. Please clarify the criteria from the applicable requirements or guidance and the corresponding site-specific impacts that would prevent performance of the monthly training and quarterly drills. This information is necessary to determine that compliance is maintained with the requirements of 10 CFR 70.22(i)(3)(x) and (xii).**

The Second Amended Executive Order 53 dated May 4, 2020 mandated that all public and private in person gatherings of more than 10 individuals was prohibited as further clarified in Executive Order 55. BWXT took actions to comply with the Virginia Governor's executive order to limit meeting sizes and implement and adhere to social distancing guidelines to minimize the potential for spread of the Coronavirus within the BWXT facility. Quarterly emergency drills require the involvement of the entire emergency organization. Actual EOC activations that include both the Emergency Management Organization and the Emergency Response Organizations can be substituted for the quarterly drill requirement. The Emergency Management Organization response has a total of 14 personnel/primary positions who are required to respond to our Emergency Operations Center (EOC). Our training plan incorporates a requirement for other trained positions holders to observe the drill to meet qualification requirements. The number of personnel required to staff the EOC would have exceeded the 10-person limitation mandated by the Second Amended Executive Order 53. Our Emergency Team training is a two weekend training cycle with 42 members receiving 8 hours of training each day, plus 5 additional instructors / training officers. The total number of team members per session would exceed the 10 person mandated limit. In addition, the classroom training is held at our emergency team training facility, which would not accommodate appropriate social distancing. The hands-on training evolutions require that team members be in close proximity during training. All of our state agency state certified instructors have been required to follow the governor's executive orders and would not participate in training that would violate these orders.

3. What specific compensatory measures and/or contingency plans will be implemented to ensure that the BWXT NOG-L emergency response readiness will be effectively maintained during the potential suspension of the monthly training and quarterly drills? This information is necessary to determine that compliance is maintained with the requirements of 10 CFR 70.22(i)(3)(x) and (xii).

BWXT has used the Emergency Organization to manage our response to the many contingencies that have arisen as a result of the COVID-19 pandemic. BWXT believes these previous and ongoing actions provide adequate compensatory measures to ensure the readiness of the Emergency Organization. The following paragraphs provides examples of how previous and ongoing Emergency Organizations actions have maintained BWXTs emergency response readiness.

The Emergency Organization is customarily activated according to the protocols listed in Section 7.1 (Activation of the Emergency Organization) through the use of the normal protocols (e.g. howlers, alarms, and cellular telephones). However, due to the Presidential and Commonwealth of Virginia Emergency Declarations, evolving scientific, and ongoing medical discoveries related to this pandemic (COVID-19), the NOG-L Emergency Organization was activated in a phased approach to implement the NOG response plan. Through constant monitoring of multiple information sources (e.g. internet, television, governmental source email alerts, etc.) the NOG response plan was

an ongoing adaptive response. As the varied information sources yielded actionable intelligence, the Emergency Organization activation was completed utilizing scheduled meetings, personal communications, radio systems, and emails (e.g. Management Notification of future full activation of the Emergency Response Organization). A total of nineteen Emergency Management Organization members participated in this ongoing response. A phased approach was utilized to ensure our resources were properly alerted as needed for execution while minimizing the potential for panic in our site population. Our response plan began with Emergency Management Organization Planning Team Meetings on March 9, 2020 and with the Emergency Response Organization implementing personnel temperature screenings of employees on March 25, 2020. A total of thirty-five team members participated in this process. These response efforts are ongoing and will be in effect until the Emergency Declarations are rescinded.

Many of our Emergency Team members are active with outside Emergency Organizations and continue to respond within the community to various emergency situations. In addition, our team is periodically activated for response to various issues within the facility (i.e. medical emergencies, alarm notifications, hazmat, fire, etc.). To date, the Emergency Team has been called to respond to various situations within the facility 96 times for a total of 215 individual responder actions.

BWXT requires Emergency Team personnel to obtain Commonwealth of Virginia State Certifications (i.e. Virginia Department of Fire Programs Firefighter I, Emergency Medical Technician EMT-Basic, OSHA Office of Emergency Medical Services (OEMS), Hazardous Waste Operations – 40-hour certification, Virginia Association of Volunteer Rescue Squads – Emergency Vehicle Operation Course). This regulatory certified based program ensures a minimum foundation that far exceeds the basic requirement of the Occupational Safety and Health Administration guidance for fire brigades. The Virginia OEMS certifications require ongoing continuing education units (CEUs). BWXT is supporting the Emergency Team members to obtain CEUs via OEMS approved computer based opportunities.

The Emergency Response Organization's June training was designed to incorporate a Permit Required Confined Space scenario/drill as part of the month's training curriculum. The fire training cycle has been designed to incorporate emergency vehicle driving scenarios to drill the Emergency Response Organization's ability to operate our emergency vehicles. These types of hands on training will continue to be implemented to ensure our readiness to respond to site emergencies.

In June, BWXT released the annual Emergency Organization training to the entire Emergency Organization. This general Emergency Organization training is combined with all EMO/EOC positions, who are also going through position specific training.

On a go forward basis, through the end of the year and until the governor's executive orders are lifted, we are evaluating the development of tabletop drills and computer based trainings to compensate for the quarterly drill requirements. In the event the

governor's executive orders change to limit gathers to ten individuals or less and we are no longer able to conduct our monthly Emergency Team trainings, we will evaluate the implementation of additional online training to compensate for the monthly training requirements.