



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

July 20, 2020

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

FROM: G. E. Miller, Project Manager **/RA/**
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF JUNE 30, 2020, PUBLIC MEETING WITH
NUCLEAR INDUSTRY TO DISCUSS PATH FORWARD FOR
LICENSING AND OVERSIGHT WITH RESPECT TO COVID-19
IMPACTS

On June 30, 2020, the U.S. Nuclear Regulatory Commission (NRC) staff held a public teleconference¹ with representatives from the nuclear industry, including the Nuclear Energy Institute (NEI), NextEra, and Entergy. The purpose of the meeting was to discuss with NEI, nuclear power plant licensees, and identified stakeholders, potential future licensing and oversight issues related to the COVID-19 public health emergency (PHE).

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 the meeting should be taken to be a request by any licensee or a decision by the NRC.

Dr. Mirela Gavrilas, Deputy Director, Office of Nuclear Reactor Regulation (NRR) made opening remarks. The meeting was then turned over to NEI, Entergy, NextEra, and the Union of Concerned Scientists (UCS) to make opening remarks.

Following industry opening remarks, James Danna, Chief, Plant Licensing Branch I, in the Division of Operating Reactor Licensing, and Phil McKenna, Chief, Oversight and Support Branch, in the Division of Reactor Oversight, discussed NRC lessons learned² related to the COVID-19 Public Health Emergency. Tom Basso of NEI, supported by other industry representatives provided a presentation³ on industry lessons learned. Dr. Edwin Lyman of UCS provided additional stakeholder perspective including:

- NRC should consider and account for cumulative effects

¹ The Notice for the public meeting is available in the Agencywide Documents Access and Management System (ADAMS) under Accession No. ML20181A162.

² The NRC slides are available under ADAMS Accession No. ML20182A229.

³ The Industry slides are available under ADAMS Accession No. ML20178A420.

- Questioned how cyber security was considered in inspection activities conducted in a remote manner; and
- Questioned whether the licensees were sufficiently transparent with the NRC to enable effective inspection and evaluation of licensing requests.

Following the discussion on lessons learned, the NRC staff provided a response to questions that had been provided by NEI⁴ in support of the meeting. The NRC staff indicated the following:

- NRC will ensure that adequate protection of public health and safety and the common defense and security is preserved for all requests and situations.
- NRC staff will consider statutory requirements, cumulative impacts on safety and security, and site-specific conditions including regional and local circumstances in determining whether to grant requests to extend exemptions, as well as whether existing exemptions may need to be modified or withdrawn.
- The basis for the licensee hardships is not the declaration of the PHE itself, but the effects of the needed response to it.
- The NRC expects licensees to restore compliance with the regulations before the expiration of any issued exemptions. There is sufficient flexibility in the regulations to seek extensions, if needed, before such expiration.
- Licensees may propose expiration dates beyond those originally described in previous correspondence to the industry, but in all cases will need to provide adequate justification for the expiration date proposed.
- The NRC will consider all requests on a case-by-case basis and consider site-specific conditions in its review.
- Where concerns that state or local requirements may conflict with the NRC's requirements, licensees should contact their assigned Project Manager to discuss the potential conflict.

In response to the questions received from UCS, the NRC staff clarified that remote access equipment furnished to NRC staff for remote inspection fell within the existing licensee cybersecurity program and that each NRC employee is given a unique login and access controls. Further, the NRC staff identified that, even with reduced onsite presence, the NRC staff is still able to independently verify licensee actions sufficiently to ensure reasonable assurance of adequate protection.

No regulatory decisions were made in the meeting.

Questions and/or comments were received from the following members of the public:

- Steven Dolley, S&P Global
- David Kraft, Nuclear Energy Information Service
- Tim Judson, Nuclear Information and Resource Service
- Paul Gunter, Beyond Nuclear

Enclosure:
List of Attendees

⁴ The questions provided by NEI are available in ADAMS under Accession No. ML20178A428.

LIST OF ATTENDEES

JUNE 30, 2020, PUBLIC MEETING WITH THE NUCLEAR INDUSTRY

TO DISCUSS PATH FORWARD FOR LICENSING AND OVERSIGHT WITH RESPECT TO

COVID-10 IMPACTS

Name	Organization
Mirela Gavrilas	NRC/NRR
Craig Erlanger	NRC/NRR
Anna Bradford	NRC/NRR
Russ Felts	NRC/NSIR
Greg Bowman	NRC/NRR
Mohamed Shams	NRC/NRR
Ed Miller	NRC/NRR
Scott Burnell	NRC/OPA
Tom Basso	NEI
Jennifer Uhle	NEI
George Gelrich	Exelon
Shanon Refferty-Czincila	Exelon
Cheryl Gayheart	SNC
Dave Mannai	PSEG
Steve Catron	NextEra
Stephen Geier	NEI
Mike O'Keefe	Certrec
Robert Krsek	NRC
Steve Bloom	NRC/NRR
Steven Dolley	S&P Global
Tim Judson	NIRS
Ron Gaston	Entergy
Rodney Brown	Energy Compliance Consultants

Enclosure

SUBJECT: SUMMARY OF JUNE 30, 2020, PUBLIC MEETING WITH NUCLEAR INDUSTRY
TO DISCUSS PATH FORWARD FOR LICENSING AND OVERSIGHT WITH
RESPECT TO COVID-19 IMPACTS DATED JULY 20, 2020

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ADAMS Accession Nos.:**ML20196L774 (Package)****ML20196L764 (Summary)****ML20181A162 (Meeting Notice)*****via e-mail**

OFFICE	NRR/DORL/LPL2-1/PM*	NRR/DORL/LPL2-1/LA*	NRR/DORL/LPL2-1/BC*
NAME	EMiller	KGoldstein	MMarkley (VThomas for)
DATE	07/20/2020	07/17/2020	07/20/2020
OFFICE	NRR/DORL/LPL2-1/PM*		
NAME	EMiller		
DATE	07/20/2020		

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