



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 23, 2020, PUBLIC MEETING WITH
NUCLEAR INDUSTRY TO DISCUSS POTENTIAL EMERGENCY
PREPAREDNESS BIENNIAL EXERCISE EXEMPTIONS DUE TO
COVID-19 IMPACTS

On June 23, 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. Also participating were representatives from the Conference of Radiation Control Program Directors, Inc. (CRCPD) and the Federal Emergency Management Agency (FEMA). The purpose of the meeting was to discuss potential emergency preparedness biennial exercise exemptions resulting from the COVID-19 public health emergency (PHE). The meeting notice can be found in Agency wide Documents Access and Management System (ADAMS) at Accession No. ML20174A468. Additional information related to the meeting can be found at ADAMS Accession No. ML20174A283.

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.

Kathryn Brock, Division Director, Division of Preparedness and Response (DPR), in the Office of Nuclear Security and Incident Response (NSIR) made opening remarks. After opening remarks, Robert Kahler, Branch Chief, Policy and Oversight Branch, Division of Preparedness and Response, in NSIR, discussed emergency preparedness biennial exercise requirements and guidance documents related to requesting an exemption from the performance of these exercises due to COVID-19 impacts, which included the following (presentation material can be found at ADAMS Accession No. ML20174A283):

- Background of emergency preparedness biennial exercises.
- 8 year emergency preparedness exercise cycle, as established in the December 2011 emergency preparedness rule.
- 8 year exercise and drill requirements.
- Emergency preparedness biennial exercise requirements.

- Emergency preparedness biennial exercise scheduling.
- The exemption process regulation and guidance documents.
- An example of a past biennial offsite response organization exercise exemption, which was granted in 2001 for the Limerick Generating Station.

Following Mr. Kahler's presentation, the meeting was turned over to NEI, Entergy, NextEra, CRCPD, and FEMA to make opening remarks. Mr. Kahler then led a discussion between the NRC, CRCPD, FEMA and industry on impacts of COVID-19 on emergency preparedness biennial exercises:

- If potential exemptions are granted from 2020 exercises, are there impacts to currently scheduled 2021 exercises?
- Are there resource constraints that the NRC should be aware of?
- Are there new technologies being considered to replace physical gathering in emergency response facilities or other areas which the NRC should review in an expedited manner to support future exercises?

Nuclear industry participants from Dominion Energy and PSEG Nuclear asked the NRC to consider use of waivers for the 2020 exercises, versus exemptions, for the following reasons:

- Use of exemptions, which would temporarily postpone exercises into 2021, would create resource impacts on licensees, as these exercises are years in the making for licensee and other participating organizations.
- Recently performed drills and other activities indicate licensee's emergency response capabilities.
- Exercises are only a piece of emergency preparedness. Other aspects performed by licensees show reasonable assurance of emergency preparedness readiness.

The FEMA participant stated support of the ongoing discussions and was acutely aware of the need to not burden offsite response organizations. FEMA supports reviewing exemptions/waivers on a case-by case basis. FEMA embraces a deliberative, collaborative effort in entertaining waivers from their exercise requirement and acknowledged their obligation to evaluate offsite response capabilities.

The CRCPD participant provided insights on how the States', and local jurisdictions', attention were focused on response to the unprecedented pandemic and that it was prudent to take a pause from the conduct of the exercises. The focus needed to be consistent with the common defense and security of the nation and real world events in order to holistically provide for public health and safety.

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

- Interstate travel of personnel participating in emergency preparedness biennial exercises and the impact of self-quarantine.
- How disaster-initiated reviews are incorporated into the conduct of the emergency preparedness biennial exercises.
- Potential for waivers, rather than postponement of emergency preparedness biennial exercises.

Additionally, multiple State response organizations, both during the meeting and in subsequent emails, requested that the NRC consider issuing a waiver for the conduct of 2020 offsite biennial exercises and provided details on the conditions, due to COVID-19 impacts, they are currently experiencing and expect these conditions to continue for a prolonged period of time. Indeed, a resurgence is occurring in a number of areas and it does not appear a return to normal would occur anytime soon. Also, it was stated that, following the termination of the health emergency, the States' emergency management effort is far from complete. Focus needed to continue on the development of adequate planning, resources, and training for future pandemics. These types of activities would benefit from utilizing the experienced radiological response planners from the mature and proven radiological response preparedness programs.

The NRC staff will conduct internal discussions, in consultation with FEMA, based on the information resulting from the meeting and remains open and flexible with the goal of minimizing undue burden or hardship on the affected communities.

No regulatory decisions were made in the meeting.

Enclosure:
List of Attendees

LIST OF ATTENDEES

JUNE 23, 2020, PUBLIC MEETING WITH THE NUCLEAR INDUSTRY
TO DISCUSS POTENTIAL EMERGENCY PREPAREDNESS BIENNIAL EXERCISE
EXEMPTIONS DUE TO COVID-19 IMPACTS

Name	Organization
Shana Helton	NRC/NSIR
Kathryn Brock	NRC/NSIR
Robert Kahler	NRC/NSIR
Charles Milt Murray	NRC/NSIR
Robert Clay Johnson	NRC/NRR
Ed Miller	NRC/NRR
Scott Burnell	NRC/OPA
Michael Mahoney	NRC/NRR
Ryan Alexander	NRC/R-IV
Steve Catron	NextEra
David Young	NEI
Aldo Capristo	STPNOC
Ed Collins	Dominion
Steve Barr	PSEG
Jack Lewis	Entergy
Ron Gaston	Entergy
Peter Polfleit	NextEra
Bruce Foreman	FEMA
Ken Evans	CRCPD
Howard Benowitz	NRC/OGC
Ray Gibson	NRC/NSIR
Jana Bergman	Sciencetech
Toni Ostrander	TNDEC
Kimberly Alahmadi	FEMA
Michael Geier	Palm Beach Emergency Management
Robyn Johnson	FEMA
George Odom	FEMA
Ji Wiley	LA DEQ
Jeffrey Skov	PGE
Rick Woods	MEMA
Fred Bower	NRC/R-IV
Paul Gunter	Beyond Nuclear
Debra Robinson	NEMA
Richard Gropp	Exelon
Tarver Haven	IEMA
Lee Cox	NCDHHS
Michael Spradlin	SCDHEC
Michael Ginn	PGE
Ozzie Vidal	Certrec

SUBJECT: SUMMARY OF JUNE 23, 2020, PUBLIC MEETING WITH NUCLEAR INDUSTRY
TO DISCUSS POTENTIAL EMERGENCY PREPAREDNESS BIENNIAL
EXERCISE EXEMPTIONS DUE TO COVID-19 IMPACTS DATED JULY 20, 2020

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ADAMS Accession Nos.:**ML20198M581 (Package)****ML20198M514 (Summary)****ML20174A283 (Meeting Notice)****ML20174A468 (Additional Information)*****via e-mail**

OFFICE	NRR/DORL/LPL2-1/PM*	NRR/DORL/LPL2-1/LA*	NSIR/DPR/POB/BC*
NAME	EMiller	KGoldstein	RKahler
DATE	07/20/2020	07/17/2020	07/16/2020
OFFICE	NRR/DORL/LPL2-1/BC*	NRR/DORL/LPL2-1/PM*	
NAME	MMarkley (VThomas for)*	EMiller	
DATE	07/20/2020	07/20/2020	

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