



23 July 2020

U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Attn: NRC Licensing Project Manager Xiaosong Yin / Document Control Desk
Subject: Extension of Timeframe required to Complete Biennial Emergency Exercise per
Emergency Plan for the National Bureau of Standards Reactor, Facility Operating License
No. TR-5

On January 31, 2020, the U.S. Department of Health and Human Services declared a public health emergency (PHE) for the United States to aid in the nation's healthcare community in responding to the Coronavirus Disease 2019 (COVID-19). As a result of the Coronavirus Disease 2019 (COVID-19) public health emergency (PHE), the National Institute of Standards and Technology (NIST) hereby submits an exemption request for its Facility Operating License No. TR-5 from certain biennial emergency plan exercise requirements that are specified in the NBSR Emergency Plan section 10.3. The requested exemption is for a temporary deviation from the listed frequency of required biennial emergency exercise performance; specifically, NIST is requesting a one-time deviation from the 30-month time interval between emergency exercises, as described in the NIST emergency plan, to a 35-month interval between exercises (not to exceed 1/1/2021), as allowed per Regulatory Issue Summary (RIS) 2006-003, "Guidance on Requesting an Exemption from Biennial Emergency Preparedness Exercise Requirements" dated February 24, 2005. The reason for this deviation, as discussed in the following analysis, is to ensure that NIST engages in activities that do not conflict with practices recommended by the Centers for Disease Control and Prevention to limit the spread of COVID-19.

As a result of the COVID-19 pandemic, the NBSR was shut down on March 17, 2020 and access to the NIST campus, and subsequently the NBSR, has been restricted since March 23, 2020. The reactor was functioning in a minimally staffed capacity from March 17, 2020 through July 14, 2020, at which point normal 24/7 shift coverage was re-established. The Reactor remained shut down from March 17, 2020 through July 15, 2020. Although the NBSR resumed operation as of July 15, 2020, the access to the NIST campus has remained restricted to a limited number of personnel due to the safety precautions put in place as a result of COVID-19 and the PHE. The prolonged shut down of the facility and the previous and current restriction on the number of personnel allowed to access the NIST campus, coupled with the social distancing mandate that has been established by the Center for Disease Control (CDC) and the State of Maryland, prevents the ability to conduct an emergency exercise with offsite authorities by the required date of 8/1/2020.

The specific portions of the Emergency Plan that require a deviation are as follows:

- Emergency Plan Section 10.3, "Drills and exercises shall be performed annually and biennially, respectively"
- Additionally, for clarification, section 2.0 of the Emergency Plan lists a definition for biennially that reads, "At intervals not to exceed 30 months".

The last annual emergency drill was conducted on October 23, 2019. The scenario for this emergency drill was a simulated fire in the building. There were no significant gaps or areas for improvement identified during this drill.

The last emergency exercise was conducted on February 1st, 2018. The scenario for this exercise was response to a contaminated, injured individual who required transport to Shady Grove Medical Center. The personnel involved in this exercise included: NIST police, NIST Fire Protection Personnel, NIST Emergency Services personnel, NCNR Health Physics personnel, NIST Health Physics personnel, and NCNR Operations personnel. There were no significant deficiencies identified.

By submitting this exemption request, the NCNR is proactively taking steps to implement interim actions during the deviation period that supports the health and safety of both worker and medical personnel to limit the spread of the COVID-19 virus. The interim actions (in accordance with the May 14, 2020 COVID EP NRC Letter sent from H. Nieh to NEI, "U.S. NUCLEAR REGULATORY COMMISSION PLANNED ACTIONS RELATED TO EMERGENCY PREPAREDNESS BIENNIAL EXERCISE REQUIREMENTS FOR ALL LICENSEES DURING THE CORONAVIRUS DISEASE 2019 PUBLIC HEALTH EMERGENCY" are as follows:

1. Follow the recommendation of scheduling an exercise within the 35-month window as described in the Regulatory Issue Summary (RIS) 2006-003, "guidance on Requesting an Exemption from Biennial Emergency Preparedness Exercise Requirements" dated February 24, 2005. This exercise will be coordinated with offsite response organizations, as appropriate. Future exercises will be held as scheduled.
2. Conduct a tabletop emergency exercise with internal NBSR personnel via a videoconference platform prior to 8/1/2020

This request is being made to support the NCNR efforts to maintain Centers for Disease Control and Prevention (CDC) recommendations related to social distancing, worker screening, and limiting close-proximity work. NIST and the NBSR understand that if this proposed exemption request is approved, the biennial emergency exercise must be performed as soon as practical and within the 35-month window from the last performed exercise, as specified in RIS 006-003 (the next exercise is to be performed prior to 1/1/2021).

Sincerely,



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Enclosure: NBSR Emergency Plan section 2.0 "Definitions", page 4, and section 10.3 "DRILLS AND EXERCISES", pages 16-17.