



INDIAN POINT NUCLEAR GENERATING UNIT NOS. 2 AND 3 (IPEC)

**Request for One-Time Exemption from
10 CFR 50, Appendix E Biennial Emergency
Preparedness Evaluated Onsite Exercise
Requirements due to COVID-19 Pandemic**

September 30, 2020

Introductions

- Bob Walpole – Regulatory Assurance and Performance Improvement Director - IPEC
- Frank Mitchell – Manager Emergency Planning - IPEC
- Mahvash Mirzai - Regulatory Assurance Manager - IPEC
- Ron Gaston – Director of Licensing – Entergy Corporate

Background

- 10 CFR 50, Appendix E, Section IV.F.2.b states:

Each licensee at each site shall conduct a subsequent exercise of its onsite emergency plan every 2 years.

- In March 2020, the Governor of New York issued Executive Order 202, "Declaring a Disaster Emergency in the State of New York," to combat the spread of the COVID-19 virus.
- Specifically, the Governor imposed sweeping measures to protect public health and safety, including restrictions on businesses and gatherings through Executive Orders.
- These measures, together known as "New York State on PAUSE" directed all non-essential businesses to close their in-person operations and banned all non-essential gatherings of individuals of any size for any reason.

Background

- In response to the COVID-19 public health emergency, as well as the New York Executive Orders, Entergy implemented protective health measures at all of its facilities.
- These measures include social distancing, group size limitations, mandatory use of face masks, pre-entry temperature checks, and various other COVID-19 mitigation strategies.
- At the present time, these protective health measures significantly impact Entergy's ability to conduct a biennial exercise of its onsite emergency plan.

Background

- The onsite and offsite biennial emergency preparedness exercise is currently scheduled for November 17, 2020.
- Entergy will be requesting approval of an exemption from 10 CFR 50 Appendix E, Section IV.F.2.b in order to reschedule the onsite portion of the November 17, 2020 biennial exercise to 2021.
- Approval of the requested exemption request will be required by December 31, 2020 to ensure continued compliance with 10 CFR 50, Appendix E.

Background

- Entergy has discussed this proposed course of action with the following offsite agencies:
 - Orange County Emergency Response Organization
 - Putnam County Emergency Response Organization
 - Rockland County Emergency Response Organization
 - Westchester County Emergency Response Organization
 - NY State Emergency Response Organization
 - Federal Emergency Management Agency (FEMA)
- During these discussions, Entergy reaffirmed that it would support the offsite portion of the biennial exercise (i.e., the FEMA evaluated exercise for the offsite agencies).

Reference Documents

- Regulatory Issue Summary 2006-03, "Guidance on Requesting an Exemption from Biennial Emergency Preparedness Exercise Requirements," dated February 24, 2006 (ML053390039)
- NRC Letter, "Planned Actions Related to Emergency Preparedness Biennial Exercise Requirements for All Licensees During the Coronavirus Disease 2019 Public Health Emergency," (ML20120A003), dated May 14, 2020
- NRC Letter, "Addendum to U.S. Nuclear Regulatory Commission Planned Actions Related to Emergency Preparedness Biennial Exercise Requirements for Power Reactor Licensees During the Coronavirus Disease 2019 Public Health Emergency," (ML20223A152), dated September 2, 2020
- Temporary Staff Guidance TSG-NSIR-2020-01, "COVID-19 Related Exemptions From NRC Regulations – Emergency Preparedness Exercises," dated September 11, 2020 (ML20196M030)

Exception to the Reference Documents

- TSG-NSIR-2020-01, *COVID-19 Related Exemptions From NRC Regulations – Emergency Preparedness Exercises*, Enclosure 2, *Technical Review Checklist*:
 - ❑ Provides proposed biennial exercise date, if the exemption request is to reschedule the CY 2020 exercise to CY 2021.
- Entergy has not yet identified a proposed date in 2021 for the rescheduled onsite exercise; However, the new date will be within the required 35-month window (i.e., on or before August 25, 2021)

Similar Precedent

Diablo Canyon Nuclear Power Plant

Temporary Exemption from Biennial Emergency Preparedness Exercise Frequency Requirements of 10 CFR Part 50, Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities," Sections IV.F.2.b and IV.F.2.C (EPID L-2020-LLE-0111 [COVID-19]), (ML20247J651), dated September 18, 2020

Cooper Nuclear Station

Temporary Exemption from Biennial Emergency Preparedness Exercise Requirements of 10 CFR Part 50, Appendix E, Emergency Planning and Preparedness for Production and Utilization Facilities, Section IV.F (EPID L-2020-LLE-0102 [COVID-19]), (ML20203M129), dated September 3, 2020



QUESTIONS?
