

# **COVID-19 Related Request for Exemption from Part 26 Work Hours Requirements**

Submitted: Dec 30, 2021

**1. Submitter Name/Title:**

Robert J. Hess/ Licensing Manager Turkey Point Nuclear Plant

**2. Email Address**

Please enter the email address for which you would like to receive communications regarding this request.

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**3. Organization**

Florida Power & Light Co.

**4. Plant Name**

Turkey Point

**5. Plant Unit(s):** 3,4

**6. Need By Date**

2021-12-31

**7. Docket Number(s)**

Example: 05000313

05000250

05000251

**8. License Number(s)**

Example: DPR-51

DPR-31

DPR-41

**9. NRC Licensing Project Manager**  
M. MAHONEY

**10. Statement that the licensee above can no longer meet the work hour controls of 10 CFR 26.205(d) for certain personnel or groups of personnel specified in 10 CFR 26.4(a) because of site specific issues as a result of the COVID-19 public health emergency (PHE).**

As a result of the Coronavirus Disease 2019 (COVID-19) public health emergency (PHE), Florida Power & Light Company (FPL) is requesting NRC approval to utilize the alternative work hour controls delineated in the NRC's March 28, 2020 letter (ML20087P237) and November 10, 2020 letter (ML20261H515) for Turkey Point Nuclear Station, Units 3, and 4 (PTN) for the covered workers noted below. The alternative controls will support maintaining staffing requirements as a result of the recent increase in personnel absence due to COVID-19 positive test results or contact tracing quarantines that cannot be accommodated by the current work hour control requirements of 10 CFR 26.205(d)(1) through (d)(7) to support plant operational safety and security. The CDC has determined that the community transmission rate is now HIGH in Homestead (where Turkey Point Nuclear Plant is located), Miami Dade and surrounding counties in South Florida.

The increase in COVID-19 cases in the State of Florida and communities surrounding Turkey Point station could impact the station's ability to meet the workhour controls of 10 CFR 26.205(d) in maintaining minimum staffing and ensuring adequate qualified individuals of personnel specified in 10 CFR 26.4(a)(1) through (a)(5) are available to complete necessary operations, tests, inspections, and maintenance in a manner that supports nuclear safety and security. FPL has determined that implementing the alternative work hour controls for the covered workers noted below would allow PTN to proactively ensure added flexibility facilitating worker and community protection while ensuring safe operation during the exemption period.

Exemption from the 10 CFR 26.205(d)(1) through (d)(7) requirements is intended to prevent and limit the spread of COVID-19 and to mitigate its effect should PTN staffing be significantly impacted. PTN intends to use the alternative controls, where necessary, to efficiently perform operation, inspection, maintenance and testing activities that cannot be performed in accordance with the CDC recommendations related to social distancing, mask usage, worker screening, and limiting close proximity work.

This practice will reduce the number of people involved in specific activities to limit the potential spread of COVID-19 and supports PTN's continuing efforts to maintain CDC recommendations. In addition, the alternative controls will be used to mitigate the staffing impacts should personnel absences challenge required staffing levels. As the

US DHS and DOE have stated in their guidance, the electric grid and nuclear plant operation make up the nation's critical infrastructure similar to the medical, food, communications, and other critical industries. PTN's operation must be conducted such that the operating units can be maintained on-line safely and efficiently such that the plant is available when needed to support the critical infrastructure. In accordance with the NRC letter from H. Nieh to NEI with identical letter to D. Moul, "U.S. NRC Planned Actions Related to the Requirements for Work Hour Controls During the Coronavirus Disease 2019 Public Health Emergency," dated March 28, 2020 (ML20087P237) and NRC letter from H. Nieh to NEI with identical letter to D. Moul, "U.S. NRC Updated Planned Actions Related to Certain Requirements for Operating and Decommissioning Reactor Licensees During the Coronavirus Disease 2019 Public Health Emergency," dated November 10, 2020 (ML20261H515), the following work groups would begin phasing in on December 31, 2021 the site-specific alternative controls, as necessary, to minimize transition issues:

- 10 CFR 26.4(a)(1) Operators
- 10 CFR 26.4(a)(2) Health Physics and Chemistry
- 10 CFR 26.4(a)(3) Fire Brigade
- 10 CFR 26.4(a)(4) Maintenance
- 10 CFR 26.4(a)(5) Security

**11. List of personnel or groups of personnel specified in 10 CFR 26.4(a) for which the licensee will maintain current work hour controls under 10 CFR 26.205(d)(1)-(d)(7).**

N/A

**12. List and description of alternative controls for the management of fatigue to address site specific issues as a result of the COVID-19 PHE.**

The behavioral observation and self-declaration allowance requirements specified in NextEra Nuclear Fleet administrative procedures AD-AA-101-1004, Work Hour Controls, and SY-AA-100-1012, Behavior Observation, will remain in effect. NextEra's Nuclear Fleet administrative procedures AD-AA-101-1004 and SY-AA-100-1012, implement the requirements of 10 CFR 26.33, "Behavioral observation"; 10 CFR 26.209, "Self-declarations"; and 26.211, "Fatigue assessments". The regulations establish that procedures and processes shall be in place to address personnel impairment due to fatigue through observation by plant staff and by worker self-declaration, and to address instances of impairment by means of fatigue assessments. NextEra will continue to follow these requirements during the period of exemption to assure site-specific COVID-19 PHE fatigue-management controls at Turkey Point are consistent with the constraints

outlined in the referenced letter.

**13. Date when the licensee will begin implementing its site-specific COVID-19 PHE fatigue-management controls for personnel specified in 10 CFR 26.4(a)**

2021-12-31

**14. The time when the licensee will begin implementing its alternative controls for the management of fatigue for personnel (or group of personnel) specified in 10 CFR 26.4(a).**

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**15. Statement that the licensee's site specific alternative controls for the management of fatigue are consistent with the minimum alternative controls listed below.**

PTN site-specific COVID-19 PHE fatigue-management controls are consistent with the constraints outlined in the cited NRC letters, dated March 28, 2020 and November 10, 2020.

**16. Does Licensee continue to meet the requirements of 10 CFR 26.33, "Behavioral observation"; 10 CFR 26.209, "Self declarations"; and 26.211, "Fatigue assessments."**

Yes

**17. The alternative controls include the following, as a minimum:**

1. Individuals will not work more than 16 work-hours in any 24-hour period and not more than 86 work-hours in any 7-day period, excluding shift turnover;
2. A minimum 10-hour break is provided between successive work periods;
3. 12-hour shifts are limited to not more than 14 consecutive days;
4. A minimum of 6-days off are provided in any 30-day period; and
5. Changes in actions to meet requirements for behavioral observation for both acute and cumulative fatigue and self declaration during the period of the exemption as appropriate due to potential for increased worker fatigue.

Yes

**18. Additional Information:**

Use the area below to provide any additional information related to your exemption request.

This work hours exemption request supersedes in its entirety the request submitted on 12/29/21 at 1607 EST. In order to expedite implementation of the safety benefits of the alternate work hour controls, NextEra requests approval of this request for Turkey Point by December 31, 2021. We understand the authorization will be followed by a written confirmation and shall expire upon sixty (60) days of NRC approval.