

In a letter to NRC dated March 24, 2020 BWXT NOG-L requested Regulatory Relief from certain regulatory requirements in response to the COVID-19 Pandemic. Upon further review, BWXT NOG-L is requesting additional regulatory relief from certain regulatory requirements. The additional relief relates to specific requirements of 10 CFR Part 26 as outlined below. BWXT NOG-L will notify the NRC HOO should circumstances require implementation of regulatory relief. BWXT NOG-L will also notify the NRC HOO once the need for regulatory relief has ended and NOG-L has implemented a plan to restore full compliance.

A. BWXT NOG-L Security requests relief from the following requirements in the event that NOG-L enters a shuttered state.

Item 1: 10 CFR Part 26.119(a) When a donor has not provided a specimen of at least 30 mL within the 3 hours permitted for urine collection, FFD program personnel shall direct the donor to obtain, within 5 business days, an evaluation from a licensed physician who is acceptable to the MRO and has expertise in the medical issues raised by the donor's failure to provide a sufficient specimen. The MRO may perform this evaluation if the MRO has the appropriate expertise.

Relief Request: NOG-L request relief from the requirements of providing a specimen within the three (3) hour timeframe that requires the individual to obtain a medical evaluation within five (5) business days. At the point when this relief would be necessary, NOG-L would be limited to essential, sequestered personnel, that may not be able to leave the property to get the medical evaluation.

B. BWXT NOG-L Security requests relief from the following requirements in the event that NOG-L remains in a shuttered state for 30 or more consecutive days:

Item 1: 10 CFR Part 26.29(C)(2)
Individuals shall complete refresher training on a nominal 12-month frequency, or more frequently where the need is indicated. Indications of the need for more frequent training include, but are not limited to, an individual's failure to properly implement FFD program procedures and the frequency, nature, or severity of problems discovered through audits or the administration of the program. Individuals who pass a comprehensive annual examination that meets the requirements in paragraph (b) of this section may forgo the refresher training

Relief Request: NOG-L request relief from the requirement of completing refresher training on a nominal 12-month frequency. The nominal 12-month period for NOG-L personnel will expire on May 31, 2020. BWXT NOG-L will initiate and attempt to complete annual refresher training within the nominal 12-month period.

Item 2:

10 CFR Part 26.71(a) (2-4) & 26.71(b)

(a) Individuals may maintain authorization under the following conditions: (2) The individual remains subject to a drug and alcohol testing program that meets the requirements of § 26.31, including random testing; (3) The individual remains subject to a behavioral observation program that meets the requirements of § 26.33; and (4) The individual successfully completes required FFD training on the schedule specified in § 26.29(c).

(b) If an authorized individual is not subject to an FFD program that meets the requirements of this section for more than 30 continuous days, then the licensee or other entity shall terminate the individual's authorization and the individual shall meet the requirements in this subpart, as applicable, to regain authorization.

Relief Request:

NOG-L request relief from the requirements of 10 CFR Part 26.71(a) (2-4) & 26.71(b) to reduce the associated burden when recovering from a shuttered state. NOG-L personnel enrolled in the FFD program hold a DOE clearance and are enrolled in the BWXT Human Reliability Program. NOG-L believes these additional requirements provide an increased assurance of trustworthiness and reliability.