



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001**

April 10, 2020

**MEMORANDUM TO:** Christian B. Cowdrey, Chief  
Operator Licensing and Human Factors Branch  
Division of Reactor Oversight  
Office of Nuclear Reactor Regulation

**FROM:** Brian W. Tindell, Reactor Engineer (Examiner Qualified) **/RA/**  
Operator Licensing and Human Factors Branch  
Division of Reactor Oversight  
Office of Nuclear Reactor Regulation

**SUBJECT:** SUMMARY OF MARCH 27, 2020, PUBLIC MEETING WITH  
INDUSTRY OPERATOR LICENSING REPRESENTATIVES

On March 27, 2020, the U.S. Nuclear Regulatory Commission (NRC) staff held a public meeting with representatives of the Nuclear Energy Institute's Licensed Operator Focus Group and operator licensing representatives from Entergy Inc. and NextEra Energy Inc.

The purpose of the meeting was to discuss with the industry the existing methods to request temporary regulatory changes to operator licensing programs due to COVID-19, also known as the novel coronavirus disease of 2019. The discussions addressed initial operator licensing, requalification testing and medical qualifications of currently licensed operators, and re-licensing industry employees who recently terminated their licenses.

**Enclosures:**

1. List of Attendees
2. Agenda
3. Discussion Summary

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SUBJECT: SUMMARY OF MARCH 27, 2020, PUBLIC MEETING WITH INDUSTRY  
OPERATOR LICENSING REPRESENTATIVES Dated: April 10, 2020

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NAME	BTindell*	CCowdrey */TBuchanan for/
DATE	4/10/2020	4/10/2020

**\*concurrence via e-mail**

**OFFICIAL RECORD COPY**

List of Attendees – Public Meeting with Industry Operator Licensing Representatives  
March 27, 2020

Name	Organization
Chris Miller	NRC (via telephone)
Christian Cowdrey	NRC (via telephone)
Theresa Buchanan	NRC (via telephone)
Lauren Nist	NRC (via telephone)
Brian Tindell	NRC (via telephone)
Maurin Scheetz	NRC (via telephone)
Donald Jackson	NRC (via telephone)
Eugene Guthrie	NRC (via telephone)
Gerald McCoy	NRC (via telephone)
Patricia Pelke	NRC (via telephone)
Greg Werner	NRC (via telephone)
Travis Tate	NRC (via telephone)
Scott Burnell	NRC (via telephone)
Juan Peralta	NRC (via telephone)
David Jones	NRC (via telephone)
Thomas Basso	Nuclear Energy Institute (via telephone)
Tim Riti	Nuclear Energy Institute (via telephone)
Kostas Dovas	Exelon (via telephone)
Gregg Ludlam	Entergy (via telephone)
Richard Baird	NextEra (via telephone)
Jerry Humphreys	New Jersey Department of Environmental Protection (via telephone)
Alyse Peterson	New York State Energy Research and Development Authority (via telephone)
Robert E. Sweeney	IBEX Engineering Services, Inc. (via telephone)
Larry Parker	STARS Alliance (via telephone)
Mohamed Mory Diané	Arizona Public Service (via telephone)
Daniel J. Cronin	University of Florida (via telephone)

List of Attendees – Public Meeting with Industry Operator Licensing Representatives  
February 13, 2019

Name	Organization
Steven Sewell	Luminant Power (via telephone)
Janise Stolarova	Federal Emergency Management Agency (via telephone)
James Slider	Nuclear Energy Institute (via telephone)

AGENDA FOR THE U.S. NUCLEAR REGULATORY COMMISSION CATEGORY 2  
PUBLIC MEETING WITH INDUSTRY OPERATOR LICENSING REPRESENTATIVES

Friday, March 27, 2020  
9:30 a.m. to 11:00 a.m. Eastern Daylight Time

Via Telephone

<u>TOPIC</u>	<u>PRESENTER</u>
Introduction	NRC
Methods to Request Temporary Regulatory Changes to Operator Licensing Programs	NRC
Industry Input	NEI, Entergy, NextEra
Public Comments	All
Closing	NRC

## **DISCUSSION SUMMARY**

### **Introduction**

This teleconference meeting between NRC staff and industry was called to discuss the existing methods to request temporary regulatory changes to operator licensing programs due to COVID-19, also known as the novel coronavirus disease of 2019. The NRC staff introduced the meeting by stating that the agency has been preparing to respond to the virus, which is an unprecedented challenge for the country, and looked forward to hearing from the industry and public.

Industry representatives said that they appreciated the opportunity to talk about protecting industry staff and operating safely through COVID-19. The industry representatives stated that they have been following their pandemic plans, including using social distancing and focusing on essential activities. The industry plans to continue meeting all regulations and training accreditation requirements, and the representatives appreciated the opportunity to talk about existing methods to help them protect staff and operate safely through temporary regulatory changes.

This call was not a formal request by the industry, and no regulatory decisions were made on the call.

### **Methods to Request Temporary Regulatory Changes to Operator Licensing Programs**

In response to COVID-19, the staff identified existing waiver processes already allowed by Part 55 regulations and communicated them to industry. Additionally, NRC staff considered options for temporary regulatory adjustments that could help ensure an acceptable number of licensed operators remain available to facility licensees in all modes of operation and avoid excessive licensed operator fatigue.

The staff asked industry representatives for input as to which provisions within 10 CFR 55 and NUREG-1021 or other guidance documents are most relevant to provide a safer option to prevent spreading the virus or limiting the impact of a temporary loss of operators due to illness. Further, the staff asked for input on a basis, priority, and compensatory actions.

The staff intended to use this call to plan for a timely and thorough review of any submitted waivers, exemptions, or relief requests using our current processes. Further, the staff's evaluation of requests and compensatory actions would occur when a specific request is received. If the agency provides temporary relief from requirements, then compliance should be restored in an expeditious manner.

In order to limit exposure to facility personnel and NRC examiners, the NRC postponed the administration of the initial operator license examination at three facilities that had scheduled examinations through April. The temporary suspension of initial operator licensing examinations may potentially increase the need for relief of existing regulatory requirements to ensure that the availability of existing licensed operators continues to remain acceptable. The staff also intends to utilize all available resources within the National Examination Schedule, include headquarters examiners and cross regional support, to administer any postponed initial license exams as soon as practicable. The staff asked industry which exams would meet the most pressing need.

## **Draft Performance Deficiency Guidance for Rev. 12 of NUREG-1021**

### **Industry Input**

The industry has implemented pandemic plans to limit risk to industry staff. Facilities have also ensured that training programs continue to meet regulation and accreditation requirements. Industry representatives had three areas that they wanted to discuss: initial operator licensing examination delays, schedules for licensed operator requalification examinations and medical examinations, and reinstating operator licenses to employees with recently terminated licenses.

The industry representatives noted that several initial license examinations had been delayed and asked whether the agency had considered how to schedule and prioritize the examinations. The NRC staff responded that guidance allowed operator applicants to take the written examination at the scheduled date while the operating tests have been delayed. Further, the agency needs to hear from the industry which operating tests should be prioritized. Once initial licensing tests restart, the staff plans to use the national examination schedule and available examiners to reschedule applicable operating tests.

The industry representatives noted that some facilities have requalification examinations and medical examinations for licensed operators scheduled soon. Currently, both of these important activities can be a risk to the operators, either due to risk of infection or reducing the availability of operators during examinations. The industry representatives asked the agency whether they had considered any temporary regulatory changes to allow these activities to be delayed until after the emergency. The NRC staff responded that they would consider these requests for temporary changes and needed to understand the details, including which sites were impacted and when the delayed examinations would be completed, and details about medical examinations for operators. In addition, the NRC staff needed to understand what compensatory measures that the industry would propose during the time of the temporary regulatory changes.

The industry representatives asked if the agency was prepared to reactivate operator licenses for employees who had recently had their licenses terminated. These employees had their licenses terminated because they moved into different jobs at the facility, and the operator license wasn't needed at that time. The industry representatives stated that they wanted to reactivate the licenses to ensure that sufficient operators were available during the response to the virus. The NRC staff responded that the process described in 10 CFR 55.47 was available and would fill the need. The NRC staff was ready to reinstate operator licenses as requested and justified.

### **Public Comments**

A member of the public asked how we would publicly document compensatory actions, relief, and exemption requests. The NRC staff responded that they expected all of this information to be available except for individual operator medical information, which is Privacy Act information.

A member of the public asked how long the agency assumed that the COVID-19 emergency would last. The NRC staff responded any relief would have a specific end date, and it would be granted on a site-specific basis.

A member of the industry asked if the NRC staff anticipates delaying additional initial operator license examinations. The NRC staff replied that additional delays are possible, depending on when the COVID-19 emergency ends.

## **Draft Performance Deficiency Guidance for Rev. 12 of NUREG-1021**

A member of the public asked if the NRC would be notified if a plant employee becomes infected with COVID-19, and if the NRC would notify the public. The NRC staff replied that it is illegal to share personal medical information, and that other agencies will track and provide information on COVID-19 infections. It is not within the NRC's regulatory authority to track or report specific illnesses in individuals.