



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

Date, 2020

[Licensee POC and Address]

SUBJECT: TEMPORARY EXEMPTION FROM U.S. NUCLEAR REGULATORY COMMISSION REGULATION, TITLE 10 *CODE OF FEDERAL REGULATIONS* **[LIST SECTION(S)]**.

Dear **[Licensee POC]**:

By letter dated **[Date of Letter]** (Agencywide Documents Access and Management System [ADAMS] Accession No. **[Accession Number]**, **[licensee name]**, the licensee, requested an exemption from Title 10 of the *Code of Federal Regulations* (10 CFR) **[list specific regulation(s) and license conditions]**.

In its request, the licensee stated that due to the COVID 19 public health emergency (PHE) **[insert the licensee's description of its unique circumstances. If the licensee had to suspend licensed activities due to the PHE, then state the specifics of those circumstances here.]**.

The exemption provision in 10 CFR 30.11(a) states:

The Commission may, upon application of any interested person or upon its own initiative, grant exemptions from the requirements of the regulations in this part and parts 31 through 36 and 39 of this chapter as it determines are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest.

[Include the following paragraph if the licensee requests exemptions from license conditions.] The license conditions from which the licensee requested exemption were imposed upon the licensee by the U.S. Nuclear Regulatory Commission (NRC) per 10 CFR 30.34(e). The regulation in 10 CFR 30.34(c) requires that the licensee confine its use of the byproduct material to the locations and purposes authorized in the license. Therefore, exemptions to the requirement in 10 CFR 30.34(c) to comply with the terms of a license may be granted pursuant to 10 CFR 30.11.

The NRC staff reviewed the request in accordance with 10 CFR 30.11(a) and finds that the criteria contained therein are met. The regulation[s] from which the licensee is requesting exemption **[is/are]** **[Input description of exemption requested from spreadsheet. Note to reviewer - may make bulleted list if there are several requests.]**

[Include the following paragraph if the licensee requests exemptions from license conditions.] The license conditions from which the licensee is requesting exemption **[is/are]** **[Input description of exemption request from spreadsheet. Note to reviewer – may make bulleted list if there are several requests.]**

The regulation in 10 CFR 30.11(a) authorizes granting of exemptions specific to Part **[list appropriate part, e.g., 30 or 34]**. The NRC staff has determined that the granting of the requested exemption will not result in a violation of the Atomic Energy Act of 1954, as amended, or the Commission's regulations. The NRC staff, therefore, finds that the granting of the requested exemption is authorized by law.

The NRC staff has also determined that **[input appropriate safety basis/bases from table. If there is more than one request, insert each safety basis as a bulleted list. If the licensee's situation does not match that contained in the table, evaluate the acceptability of the licensee's request and adjust the safety basis accordingly.]**

The NRC also notes that, absent the requested exemption, the licensee may be required to take actions that may be contrary to guidance on preventing the spread of the virus that causes COVID-19. Therefore, the NRC staff finds that the requested exemption will not endanger life or property or the common defense and security and is otherwise in the public interest.

Based on the above findings, the NRC grants the following exemption for the specified period of time:

[include template language for each exemption to be granted]

[Include the following paragraph if the licensee requests additional exemptions currently not listed on the spreadsheet, more time is needed to review them, or any of the requested exemptions should be denied.] The request for exemption from **[list specific exemptions requested that couldn't be approved in this letter]** is still under NRC review. The NRC will make a determination on that request at a later time.

An environmental assessment for this action is not required, because this action is categorically excluded under 10 CFR 51.22(c)(25)(vi)(**[insert applicable subparagraph(s)]**). In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's ADAMS, accessible from the NRC Web site at <https://www.nrc.gov/reading-rm/adams.html>.

If you have questions, please contact **[license reviewer name]** at **[license reviewer email]** or **[license reviewer phone number]**.

Sincerely,

[Insert Name]
[Insert Title]
[Insert Organization]

cc: **[licensee specific]**

SUBJECT: TEMPORARY EXEMPTION FROM U.S. NUCLEAR REGULATORY COMMISSION REGULATION, TITLE 10 *CODE OF FEDERAL REGULATIONS* (10 CFR) [LIST SECTION(S)].

DATE: April 17, 2020

ADAMS Accession No.: ML20108E940

***via e-mail**

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