



CHAIRMAN

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

May 5, 2020

The Honorable Edward J. Markey
United States Senate
Washington, DC 20510

Dear Senator Markey:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your April 20, 2020, letter seeking information about the oversight of refueling activities at the Seabrook Nuclear Power Plant and the measures the NRC has put in place for licensees to seek regulatory relief during the ongoing COVID-19 public health emergency. I appreciate your interest in these matters. I want to assure you that the NRC is taking all necessary steps to protect public health and safety, including efforts to strike the right balance between having additional personnel and NRC inspectors on site and limiting opportunities for the spread of the virus. These steps include the identification of certain regulatory requirements that could pose potential challenges during the declared public health emergency and the areas where the staff believed that temporary flexibilities, such as approved exemptions, would not compromise the abilities of licensees to maintain the safe and secure operation of the U.S. nuclear fleet while at the same time taking measures to protect the health of onsite personnel and NRC inspectors. The NRC staff communicated the processes available to licensees in a transparent way through public teleconferences. In addition to documents describing the processes for seeking relief, approved flexibilities are posted and updated on the NRC's public website.

While the NRC staff has established temporary criteria for expediting exemption reviews during the public health emergency, the criteria used to form the basis for granting exemptions remain unchanged. All requests for COVID-19 related temporary exemptions are reviewed by the staff on a case-by-case basis and then granted only if adequate controls are in place to maintain safety and security. In addition, the NRC staff has implemented an oversight strategy that takes into consideration both plant status and local health conditions in an effort to ensure the safety and security of the plants without conflicting with Federal, State, or local guidelines for protecting the health of onsite personnel and NRC inspectors. The NRC staff is monitoring the effectiveness of its actions taken in response to COVID-19, as well as the evolution of the public health emergency and will take additional steps as needed. Finally, the NRC can rescind any exemptions or take enforcement action should circumstances warrant.

Responses to the specific questions in your letter are enclosed. I appreciate your making your staff available for a telephonic briefing from the NRC staff recently for a detailed discussion. If you have questions or need more information, please contact me or have your staff contact Eugene Dacus, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

Kristine L. Svinicki

Enclosure:
As stated

Identical letter sent to:

The Honorable Edward J. Markey
United States Senate
Washington, DC 20510

The Honorable Elizabeth Warren
United States Senate
Washington, DC 20510

The Honorable Seth Moulton
United States House of Representatives
Washington, DC 20515