



CHAIRMAN

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

May 18, 2020

The Vice President  
Old Executive Office Building  
Washington, DC 20501

Dear Mr. Vice President:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am providing an overview of the measures the NRC is taking during the ongoing COVID-19 public health emergency as addressed in the enclosure to this letter. 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 of inspection and oversight activities while limiting opportunities for the spread of the virus.

If you have any questions or need additional information, please contact me or have your staff contact Eugene Dacus, Director of the Office of Congressional Affairs, at (301) 415-1776.

Most Respectfully,

Kristine L. Svinicki

Enclosure:  
As stated

## Summary of Measures Taken by the U.S. Nuclear Regulatory Commission During the Ongoing COVID-19 Public Health Emergency

During the COVID-19 public health emergency, the NRC continues to perform its mission to regulate the Nation's civilian use of radioactive materials to provide reasonable assurance of adequate protection of public health and safety and to promote the common defense and security and to protect the environment. The NRC is monitoring the effects of the COVID-19 public health emergency on NRC-licensed activities as well as actions taken in response to local conditions and is poised to take appropriate regulatory steps as needed. To date, the COVID-19 public health emergency has not resulted in safety issues or events at any NRC-licensed facility. If the NRC identifies any facility where the impact of the COVID-19 public health emergency creates concerns about continued safe operation, the agency will take necessary steps to ensure public health and safety.

The steps taken by the NRC staff include the identification of regulatory requirements that could pose 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 ability of licensees to maintain the safe and secure operation of NRC-licensed facilities. The NRC staff communicated the processes available to licensees for requesting these flexibilities in a transparent way through public teleconferences. In addition, these processes and the approved flexibilities are posted and updated on the NRC public website (<https://www.nrc.gov/about-nrc/covid-19/>).

During the COVID-19 public health emergency, the NRC staff has established and communicated additional criteria describing the conditions under which it would expedite licensee requests for relaxation of or exemption from certain regulatory requirements. However, the agency's standard for granting such regulatory relief remains unchanged and each request is reviewed on a case-by-case basis: the NRC may only grant exemptions that do not present an undue risk to public health and safety, are consistent with common defense and security, and are authorized by law. All requests for COVID-19-related temporary regulatory relief 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. Additionally, 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.

Granting temporary relief from certain regulatory requirements does not relieve a licensee of its obligation to ensure the safe and secure operation of the facility. Expediently reviewing and, if warranted, approving such relief requests under the current circumstances enables licensees to take necessary measures to follow Federal, State and local public health guidelines. If the NRC identifies any facility where the impact of the COVID-19 public health emergency creates concerns about continued safe operation, the agency will take necessary steps to ensure public health and safety.

As a general practice, U.S. commercial nuclear power plants shut down every 18 to 24 months to replace some of the fuel in their reactors. These refueling outages are also opportunities to perform necessary inspections, repairs, and maintenance. Multiple facilities have safely completed their outages during this period. NRC inspection of these refueling outages continues at all facilities during the COVID-19 public health emergency. During this time, the

NRC staff has implemented a flexible strategy for NRC resident inspector site-coverage, such that each site should be visited by a resident inspector at least once every three business days to perform plant inspections. The NRC is monitoring site-specific conditions, including COVID-19-related conditions onsite and in the surrounding community, and will adjust the inspection frequency as necessary. When not onsite, NRC resident inspectors are independently monitoring licensee activities remotely using technology, where available, to access plant information necessary to conduct the agency's independent oversight role. NRC resident inspectors have also increased their communication with licensees since the onset of COVID-19. Together, these efforts have allowed the NRC to conduct its independent oversight of licensed facilities.

With regard to emergency preparedness, the NRC is responsible for evaluating the overall status of facility emergency preparedness, while FEMA is responsible for evaluating specific offsite emergency plans and preparedness and providing the results of their assessments to the NRC. The NRC expects that nuclear power plant licensees and offsite response organizations (OROs) will maintain effective radiological emergency response capabilities during the public health emergency while limiting staff exposure to COVID-19. However, it may be necessary for licensees and OROs to temporarily develop compensatory measures or contingency plans to meet guidelines for limiting the spread of COVID-19. NRC regulations prohibit licensees from making changes to their emergency plans that may reduce the plan's effectiveness without obtaining prior NRC approval. The NRC expects licensees to conduct analyses of any temporary compensatory actions to their emergency plans to ensure that the effectiveness of their emergency response readiness is continuously maintained, up to and including ORO response actions.