

From: [Mahoney, Michael](#)
To: r_e_rutkowski@att.net
Subject: Response to Email Dated April 27, 2020
Date: Thursday, May 21, 2020 6:22:44 PM
Attachments: [image003.png](#)

Dear Mr. Rutkowski,

Thank you for your email dated April 27, 2020. My name is Mike Mahoney and I am a project manager in the Division of Operator Reactor Licensing in the Office of Nuclear Reactor Regulation at the NRC.

The NRC is taking the steps necessary to maintain the safety and security of nuclear facilities, while supporting national, state, and local efforts to reduce the spread of the COVID-19 virus. The steps taken by the NRC staff include the identification of regulatory requirements that could pose challenges during the declared public health emergency (PHE), 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 PHE, 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. 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.

As you pointed out in your email, 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 the COVID-19 PHE. NRC inspection of these refueling outages continues at all facilities during the COVID-19 PHE. 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.

Please feel free to contact Scott Burnell, Public Affairs Officer, at Scott.Burnell@nrc.gov, if you have questions or need more information.

Respectfully,

Mike Mahoney

Project Manager, Division of Operating Reactor Licensing

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