



R.E. Schuetz
Site Vice President
P.O. Box 968, Mail Drop PE23
Richland, WA 99352-0968
Ph. 509-377-2425 F. 509-377-4674
reschuetz@energy-northwest.com

October 29, 2020
G02-20-139

10 CFR 73.5

ATTN: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Subject: **COLUMBIA GENERATING STATION, DOCKET NO. 50-397
REQUEST FOR A ONE-TIME EXEMPTION FROM 10 CFR 73, APPENDIX
B, SECTION VI, SUBSECTION C.3.(I)(1) REGARDING ANNUAL FORCE-
ON-FORCE EXERCISES, DUE TO COVID-19 PANDEMIC**

Dear Sir or Madam:

On January 31, 2020, the U.S. Department of Health and Human Services declared a public health emergency (PHE) for the United States to aid the nation's healthcare community in responding to the Coronavirus Disease 2019 (COVID-19). On March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization and, on March 13, 2020, President Donald Trump declared the COVID-19 outbreak a national emergency. In addition, Washington State Governor Jay Inslee declared a state of emergency on February 29, 2020.

In response to National declarations many Licensees filed for and received a temporary exemption from; 10 CFR 73, Appendix B, Section VI, Subsection C.3.(I)(1), regarding annual force-on-force (FOF) exercises. The exemptions were deemed necessary because isolation protocols (e.g., social distancing, group size limitations, self-quarantining, etc.) restrict activities associated with conducting annual FOF exercises, and were necessary to maintain a healthy workforce during the pandemic. The approved temporary exemptions expire no later than December 31, 2020.

At the time of submittal for the exemption request (made by other Licensees) the duration of the PHE was discussed as "not currently known," and therefore a commitment was added to complete the exercises 90 days after the PHE is ended, or December 31, 2020, whichever occurred first. Energy Northwest's FOF was not scheduled until October 2020, and the duration of the PHE was unknown, therefore a decision was made not to pursue the temporary exemption at the time.

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The PHE has not ended. Energy Northwest's ability to safely conduct annual FOF exercises within the perimeters of the isolation protocols still in place nationally and in the State of Washington, in particular are challenged. The original temporary exemption (requested by many Licensees) expires no later than December 31, 2020 and as stated above Energy Northwest did not request that exemption.

Energy Northwest now requests a one-time exemption from conducting 2020 annual FOF exercises as required by 10 CFR 73, Appendix B, Section VI, Subsection C.3.(I)(1). This one-time exemption differs from other stations' earlier submittals wherein the commitment was made by other Licensees that the annual FOF exercise would be completed within 90 days of the end of the PHE or December 31, 2020, whichever occurs first. Energy Northwest requests approval of this exemption to continue to support the isolation protocols necessary to protect essential site personnel. These restrictions are needed to ensure personnel are isolated from the COVID-19 disease and remain capable of maintaining plant security and protecting the health and safety of the public.

The proposed one-time exemption will apply specifically to security personnel.

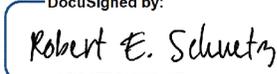
Energy Northwest requests approval of this exemption on an expedited timeframe, on or before December 31, 2020.

There are no new commitments being made in this submittal.

Should you have any questions or desire additional information regarding this matter, please contact Mr. Trevor W. Phelps, Security Operations Manager, at (509) 377-2187.

Executed this 29 day of October, 2020.

Respectfully,

DocuSigned by:

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R.E. Schuetz
Site Vice President

Enclosure: Security 2020 Annual Force-On-Force Exercise One-Time Exemption Request

cc: NRC Region IV Administrator
NRC NRR Project Manager
NRC Sr. Resident Inspector
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SECURITY 2020 ANNUAL FORCE-ON-FORCE EXERCISE ONE-TIME EXEMPTION REQUEST

1.0 SUMMARY DESCRIPTION

Energy Northwest requests a one-time exemption from conducting its 2020 annual force-on-force (FOF) exercises as required by 10 CFR 73, Appendix B, Section VI, Subsection C.3.(I)(1). Approval of this exemption supports the isolation protocols necessary to protect essential site personnel. These restrictions are needed to ensure personnel are isolated from the Coronavirus Disease 2019 (COVID-19) disease and remain capable of maintaining plant security.

2.0 BACKGROUND

In the Spring 2020, many Licensees applied for and received a temporary exemption from 10 CFR 73, Appendix B, Section VI, Subsection C.3.(I)(1) regarding annual FOF exercises. These exemptions were in response to the COVID-19 public health emergency (PHE) and were necessary because isolation protocols (e.g., social distancing, group size limitations, self-quarantining, etc.) restrict activities associated with conducting annual FOF exercises and were necessary to maintain a healthy workforce during the pandemic. The temporary exemptions expire 90 days after the PHE ends or December 31, 2020, whichever is sooner.

EXEMPTION DETAILS

At the time of submittal for the earlier exemption requests (made by other Licensees) the duration of the PHE was discussed as “not currently known”. Energy Northwest’s FOF was not scheduled until October 2020, and the duration of the PHE was unknown, therefore a decision was made not to pursue the temporary exemption. The PHE has not ended. Energy Northwest’s ability to safely conduct annual FOF exercises within the perimeters of the isolation protocols still in place nationally and in the State of Washington, in particular are challenged.

As discussed previously, earlier Licensee exemption requests committed to complete the annual FOF exercise by December 31, 2020, or within 90 days after the termination of the PHE. Again, Energy Northwest did not pursue the initial exemption.

Energy Northwest requests a one-time exemption for Columbia Generating Station (Columbia) from conducting its 2020 annual FOF exercises as required by 10 CFR 73, Appendix B, Section VI, Subsection C.3.(I)(1). Approval of this exemption supports the isolation protocols necessary to protect essential site personnel. These restrictions are needed to ensure personnel are isolated from the COVID-19 disease and remain capable of maintaining plant security, and the health and safety of the public

The proposed one-time exemption will apply specifically to security personnel.

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3.0 TECHNICAL JUSTIFICATION OF ACCEPTABILITY

The U.S. Centers for Disease Control (CDC) has issued recommendations advising “social distancing” to prevent the spread of the COVID-19 disease (Reference 1). Energy Northwest has implemented isolation activities such as self-quarantining, group size limitations and social distancing to protect required site personnel in accordance with NEI 06-03, “Pandemic Threat Planning, Preparation, and Response Reference Guide” (Reference 2). Ideally this will limit the spread of the virus among the Columbia staff. Maintaining a healthy workforce is preferable to having a sick workforce that is unavailable during a pandemic. Energy Northwest is also complying with all applicable COVID-19 related proclamations issued by Washington State Governor Jay Inslee.

The proposed one-time exemption will apply specifically to security personnel. Columbia will maintain a list of the names of the individuals who will not meet the requirements of 10 CFR Part 73, Appendix B, Section VI, subsection C.3.(I)(1). The list will include the dates of the last quarterly drill and annual FOF exercise in which the individual participated.

Impacted security personnel continue to maintain proficiency with the knowledge, skills and abilities required to effectively implement the protective strategy to protect Columbia against the design basis threat as described in 10 CFR 73.1, Purpose and Scope, because Columbia has continued to conduct the following training/requalification requirements of Section VI. of Appendix B to Part 73:

- Quarterly tactical response drills (Tabletop drills, Timeline drills, Limited-scope tactical response drills)
- Annual firearms familiarization
- Annual daylight qualification course
- Annual night fire qualification course
- Annual tactical qualification course
- On-the-job training
- Annual physical examination
- Annual physical fitness test
- Weapons range activity (4-month periodicity)
- Annual written exam.

In addition, Columbia will conduct limited scope tactical exercises and review lessons learned from past exercises with all impacted security personnel. Therefore, Columbia continues to maintain a physical protection program that provides high assurance that the

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health and safety of the public will not be inimical to the common defense and security and does not constitute an unreasonable risk to the public health and safety.

4.0 JUSTIFICATION OF EXEMPTION

10 CFR 73.5, Specific exemptions, states that the U.S. Nuclear Regulatory Commission (NRC) may grant exemptions from the requirements of the regulations of this part provided three conditions are met. They are:

- (1) The exemptions are authorized by law.
- (2) The exemptions will not endanger life or property or the common defense and security, and
- (3) The exemptions are otherwise in the public interest.

Columbia has evaluated the requested exemption against the criteria of 10 CFR 73.5 and determined the criteria are satisfied as described below.

1. This exemption is authorized by law

The requested exemption is allowed by 10 CFR 73.5. Granting of the request does not result in a violation of the Atomic Energy Act of 1954, as amended.

2. This exemption will not endanger life or property or the common defense and security

The requested exemption will not endanger life or property or the common defense and security. The requested exemption is a one-time exemption. Columbia had scheduled these requalification activities to comply with the regulation. However, these activities must be exempted for the year 2020 to allow continued implementation of the Energy Northwest pandemic plan mitigation strategies. These strategies serve the public interest by ensuring adequate staff isolation and maintaining staff health to perform their job functions during the COVID-19 pandemic.

The proposed exemption is related only to the conduct of 2020 annual FOF exercises and does not change physical security plans or the defensive strategy. Security personnel impacted by this request were qualified on all required tasks at the time of the PHE. Impacted security personnel continue to maintain proficiency with the knowledge, skills and abilities required to effectively implement the protective strategy to protect the station against the design basis threat because Columbia has continued to conduct other training requalification requirements as identified in Section 3.0. In addition, security personnel will continue to be monitored regularly by supervisory personnel. Therefore, granting the requested one-time exemption will not endanger or compromise the common defense or security, or safeguarding Columbia.

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3. This exemption is otherwise in the public interest

Energy Northwest pandemic response plan is based on NEI 06-03, "Pandemic Threat Planning, Preparation, and Response Reference Guide," (Reference 2) which recommends isolation strategies such as sequestering, use of super crews or minimum staffing as applicable as well as social distancing, group size limitations and self-quarantining, in an event of a pandemic, to prevent the spread of the virus to the plant. NEI 06-03 provides other mitigation strategies that serve the public interest during a pandemic by ensuring adequate staff is isolated from the pandemic and remains healthy to perform their job function.

Ensuring Columbia is in operation during the pandemic will help to support the public need for reliable electricity supply to cope with the pandemic. As the U.S. Departments of Homeland Security and Energy have stated in their guidance, the electric grid and nuclear plant operation make up the nation's critical infrastructure similar to the medical, food, communications, and other critical industries. If the plant operation is impacted because it cannot comply with the security training requalification requirements while isolation activities are in effect for essential crew members, the area electrical grid would lose this reliable source of baseload power. In addition, Columbia personnel could face the added transient challenge of shutting down the plant and possibly not restarting it until the pandemic passes. This does not serve the public interest in maintaining a safe and reliable supply of electricity.

5.0 CONCLUSION

As demonstrated above, Energy Northwest considers that this one-time exemption request to be in accordance with the criteria of 10 CFR 73.5. Specifically, the requested exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. A one-time exemption for the conduct of 2020 annual FOF exercises at Columbia Generating Station is required during and recovery from the COVID-19 Pandemic.

6.0 ENVIRONMENTAL ASSESSMENT

Energy Northwest is requesting a one-time exemption from the conduct of 2020 annual FOF exercises. Specifically, Energy Northwest is requesting a one-time exemption from the requirements of Section VI.C.3.(I)(1) of Appendix B of Part 73, regarding the conduct of annual FOF exercises. The following information is provided in support of an environmental assessment and finding of no significant impact for the proposed exemption.

Energy Northwest has determined that the exemption involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite; that there is no significant increase in individual or cumulative public or occupational radiation exposure; that there is no construction impact; and there is no significant increase in the potential for or consequences from a radiological accident. Furthermore, the requirements for which an exemption is being requested involve security

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2020 annual FOF exercise requirements. Accordingly, the proposed one-time exemption meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(25). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of this proposed exemption request.

7.0 REFERENCES

1. "Interim Guidance for Businesses and Employers", retrieved from <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>, on March 17, 2020.
2. NEI 06-03, "Pandemic Threat Planning, Preparation, and Response Reference Guide", Revision 2, February 2020.