

REQUEST FOR ADDITIONAL INFORMATION

TENNESSEE VALLEY AUTHORITY

WATTS BAR NUCLEAR PLANT, UNITS 1 AND 2

DOCKET NOS. 50-390 AND 50-391

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

Background

By letter dated October 14, 2020 (Agencywide Documents and Access Management System (ADAMS) Accession No. ML20288A432), Tennessee Valley Authority (TVA) requested a temporary exemption from the annual force-on-force (FOF) requirement of Title 10 of the *Code of Federal Regulations* (CFR) Part 73, Appendix B, Section VI, paragraph C.3.(I)(1) for the Watts Bar Nuclear Plant (WBN), Units 1 and 2. This regulation requires that:

Each member of each shift who is assigned duties and responsibilities required to implement the safeguards contingency plan and licensee protective strategy participates in at least one (1) tactical response drill on a quarterly basis and one (1) force-on-force exercise on an annual basis.

TVA stated that it expects that WBN will no longer be able to comply with the requirements of the specified regulation, and will implement site-specific coronavirus 2019 (COVID-19) public health emergency (PHE) training requalification controls consistent with those conditions outlined in the NRC Letter from H. Nieh and J. Lubinski to NEI, "U.S. Nuclear Regulatory Commission Planned Actions Related to the Requirements for Part 73, Appendix B, Section VI During the Coronavirus Disease 2019 Public Health Emergency," dated April 20, 2020 (ADAMS Accession No. ML20105A483).

In the request, TVA stated that the grace period for conducting the calendar year (CY) 2020 FOF exercise at WBN expires on November 5, 2020. TVA also stated that because of company guidelines regarding the postponement of telework/reintegration Phase 1 posture until at least January 1, 2021, and social distancing expectations, WBN will not be able to complete the 2020 FOF annual exercises.

TVA stated that the period during which the exemption is necessary will be in effect until the end of the CY 2020.

Issue

On October 13, 2020, the NRC issued updated guidance for licensees that require exemptions from CY 2020 annual FOF exercises during the COVID-19 PHE. The guidance states, in part:

... the impacts of COVID-19 are still ongoing for some licensees and will likely extend beyond December 31, 2020. These circumstances may prevent licensees from completing their missed CY 2020 FOF exercises by December 31, 2020. They may also prevent licensees that did not previously request an exemption from the annual FOF exercise requirements and, therefore, are still required to complete an FOF exercise before the end of the CY, from being able to complete that exercise by December 31, 2020. To address this situation, the NRC is prepared to expedite consideration of requests for an exemption that would relieve licensees from making up any missed CY 2020 annual FOF exercises. The NRC is also prepared to expedite consideration of exemption requests from the requirement to conduct an annual FOF exercise in CY 2020 for those licensees who were not previously granted such an exemption.

This updated guidance also requests that licensees that have not previously been granted a temporary exemption from the annual FOF exercise requirement should submit the following information:

- "...a discussion as to why the licensee is unable to perform a CY 2020 FOF exercise before December 31, 2020, due to continuing COVID-19 PHE impacts. In support of the new exemption request, these licensees should include the information requested in Enclosure C to the April 20, 2020, letter; and"
- "In addition to the information above, ...a description of how they intend to maintain contingency response readiness."

Requests

1. TVA's submittal appears to be requesting an exemption from the requirement to conduct an annual FOF exercise in CY 2020 by following the NRC's April 20, 2020, guidance. The April 20th guidance provides licensees with additional flexibility to complete security training requirements, including the annual FOF exercise, during CY 2020. Since the TVA submittal indicates WBN will not be able to complete the 2020 FOF annual exercise, the NRC needs additional information as requested in its October 13, 2020, updated guidance letter for consideration in granting relief from the requirement to conduct an annual FOF exercise in CY 2020. Clarify whether TVA's intent is to request relief from the requirement to conduct an annual FOF exercise in CY 2020.
2. If TVA intends to request an exemption from the requirement to conduct an annual FOF exercise in CY 2020, provide the following information as requested in the October 13, 2020, updated guidance:
 - a. the site-specific condition(s), including site-specific COVID-19-related impacts, that will prevent WBN from completing its CY 2020 annual FOF exercise prior to December 31, 2020; and
 - b. other than continuing to conduct quarterly tactical response drills and tabletop exercises, describe the security training activities that WBN will conduct that

reinforce the skills or activities associated with annual FOF exercises and contribute to WBN's ability to maintain contingency response readiness. Attachment 1 to EGM 20-002, "Enforcement Guidance Memorandum 20-002 – Attachment 1, Dispositioning Violations of NRC Requirements for Completion Periodicities Associated with Security Training and Requalification Requirements During the COVID-19 Public Health Emergency" (ADAMS Accession No. ML20091L385), and Regulatory Guide 5.75, "Training and Qualification of Security Personnel at Nuclear Power Reactor Facilities" (ADAMS Accession No. ML091690037), provide the following examples of such activities: timeline and limited-scope drills, virtual-based communication exercises, firearms qualifications and range activities, and individual walkdowns of response routes and contingency positions.