

VIRGINIA ELECTRIC AND POWER COMPANY  
RICHMOND, VIRGINIA 23261

November 10, 2020

U.S. Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, DC 20555

Serial No. 20-348  
NRA/DEA R3  
Docket Nos. 50-338  
50-339  
License Nos. NPF-4  
NPF-7

**VIRGINIA ELECTRIC AND POWER COMPANY**  
**NORTH ANNA POWER STATION UNITS 1 AND 2**  
**REQUEST FOR ONE-TIME SCHEDULAR EXEMPTION FROM OFFSITE BIENNIAL**  
**EMERGENCY PREPAREDNESS EXERCISE REQUIREMENT IN 10 CFR PART 50,**  
**APPENDIX E, SECTION IV.F.2.c**

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). Subsequently, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization on March 11, 2020. In addition, Virginia declared a state of emergency on March 12, 2020, and on March 13, 2020, President Donald Trump declared the COVID-19 pandemic a national emergency.

In response to these declarations, Virginia Electric and Power Company (Dominion Energy Virginia) and Virginia initiated pandemic planning, which included health measures such as social distancing, group size limitations, teleworking, and self-quarantine.

While the North Anna Power Station (NAPS) biennial emergency preparedness (EP) exercise was not postponed beyond the scheduled date of August 18, 2020, the Commonwealth of Virginia (State agencies and Risk Jurisdictions around NAPS) informed NAPS just before performance of the exercise that offsite response organization (ORO) participation would be delayed. The delay in ORO participation was due to concerns about in-person training, potential for disease spread in closed areas during an exercise, and emergency responder needs related to the COVID-19 outbreak. This resulted in the inability to conduct the calendar year (CY) 2020 biennial EP exercise with full ORO participation.

Conducting the NAPS biennial EP exercise in CY 2020 without full ORO participation does not meet the requirements of 10 CFR 50, Appendix E, Section IV.F.2.c. Therefore, in accordance with 10 CFR 50.12, "Specific exemptions," Dominion Energy Virginia hereby requests a one-time schedular exemption from the provisions of 10 CFR 50, Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities," Section IV.F.2.c, for NAPS Units 1 and 2. Specifically, Dominion Energy Virginia requests to postpone the NAPS offsite biennial EP exercise required to be

performed during CY 2020, which would thereby allow Dominion Energy Virginia to conduct the offsite biennial EP exercise in CY 2021. This exemption is requested to ensure that Dominion Energy Virginia and the Commonwealth of Virginia continue to engage in activities that are consistent with practices recommended by the Centers for Disease Control and Prevention in response to the COVID-19 PHE, and to protect NAPS emergency response organization (ERO) and ORO personnel who are required to participate during an exercise.

This exemption request has been reviewed and approved by the Facility Safety Review Committee. This exemption request will not result in undue risk to the public health and safety, because Dominion Energy Virginia has determined that the activities performed since the last biennial EP exercise (July 17, 2018) demonstrate that the underlying purpose of conducting a biennial EP exercise with participation from state and local authorities has been maintained.

Information provided in the attachments to this letter is summarized below:

- Attachment 1: Provides the detailed basis and justification for this exemption request and addresses the exemption requirements of 10 CFR 50.12 and the guidance contained in NRC's letter to the Nuclear Energy Institute (NEI) dated May 14, 2020, "U.S. Nuclear Regulatory Commission Planned Actions Related to Emergency Preparedness Biennial Exercise Requirements for All Licensees During the Coronavirus Disease 2019 Public Health Emergency" (Accession No. ML20120A003).
- Attachment 2: Contains communication from the Commonwealth of Virginia to Federal Emergency Management Agency (FEMA) Region 3, providing Virginia's plans and requests on how to proceed with REP exercises that have been postponed due to the pandemic, dated August 28, 2020.
- Attachment 3: Contains communication from Curtis C. Brown (Commonwealth of Virginia) to Ed Collins (Dominion Energy), concerning the August 18, 2020 biennial EP exercise at NAPS and the Commonwealth's Radiological Emergency Preparedness program, dated November 6, 2020.

Dominion Energy Virginia requests approval of the exemption by December 21, 2020, based on the requirements for biennial EP exercise participation expiring at the end of 2020. This exemption request contains no new regulatory commitments.

If you have any questions regarding this submittal, please contact Mrs. Diane Aitken at (804) 273-2694.

Sincerely,



Mark D. Sartain  
Vice President – Nuclear Engineering and Fleet Support

Commitments made in this letter: None

Attachments:

1. Request for One-time Scheduler Exemption from 10 CFR Part 50, Appendix E, Section IV.F.2.c
2. Communication from the Commonwealth of Virginia to Federal Emergency Management Agency (FEMA) Region 3, providing Virginia's plans and requests on how to proceed with REP exercises that have been postponed due to the pandemic, dated August 28, 2020
3. Communication from Curtis C. Brown (Commonwealth of Virginia) to Ed Collins (Dominion Energy), concerning the August 18, 2020 biennial EP exercise at NAPS and the Commonwealth's Radiological Emergency Preparedness program, dated November 6, 2020

cc: U.S. Nuclear Regulatory Commission - Region II  
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**ATTACHMENT 1**

**REQUEST FOR ONE-TIME SCHEDULAR EXEMPTION FROM**  
**10 CFR 50, APPENDIX E, SECTION IV.F.2.c**

**Virginia Electric and Power Company  
(Dominion Energy Virginia)  
North Anna Power Station Units 1 and 2**

**Request for One-time Scheduler Exemption from**  
**10 CFR Part 50, Appendix E**  
**“Emergency Planning and Preparedness for Production and Utilization Facilities”**  
**Section IV.F.2.c**

## **1.0 Exemption Summary Description**

In accordance with 10 CFR 50.12, “Specific exemptions,” Dominion Energy Virginia requests a one-time scheduler exemption for North Anna Power Station Units 1 and 2 from the requirement to conduct an offsite biennial emergency preparedness (EP) exercise, as specified in 10 CFR 50, Appendix E, “Emergency Planning and Preparedness for Production and Utilization Facilities,” Section IV.F.2.c, during calendar year (CY) 2020. This one-time scheduler exemption would allow Dominion Energy Virginia to conduct the offsite biennial EP exercise in CY 2021. The proposed exemption is needed to support continued implementation of the isolation activities (e.g., social distancing, group size limitations, self-quarantining, etc.) for North Anna Power Station (NAPS) emergency response organization (ERO) and offsite response organization (ORO) personnel who are required to participate during an exercise.

This request for exemption addresses the guidance contained in the letter from the Nuclear Regulatory Commission (NRC) to the Nuclear Energy Institute (NEI), dated May 14, 2020, “U.S. Nuclear Regulatory Commission Planned Actions Related to Emergency Preparedness Biennial Exercise Requirements for All Licensees During the Coronavirus Disease 2019 Public Health Emergency,” (Reference 1).

## **2.0 Background**

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). Subsequently, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization on March 11, 2020. In addition, Virginia declared a state of emergency on March 12, 2020 and on March 13, 2020, President Donald Trump declared the COVID-19 pandemic a national emergency.

This exemption is requested to ensure that Dominion Energy Virginia and the Commonwealth of Virginia continue to engage in activities that do not conflict with practices recommended by the Centers for Disease Control and Prevention (CDC) to limit the spread of COVID-19. The offsite biennial EP exercise requires significant resources to schedule, perform, and evaluate including State authorities and the Risk Jurisdictions around NAPS (each specified as an ORO or herein collectively defined as the Commonwealth of Virginia), and Federal Emergency Management Agency (FEMA) evaluators. Due to the need to protect the health and safety of NAPS ERO personnel and the Commonwealth of Virginia emergency responders, and limitations on the availability of these resources due to the COVID-19 PHE, it is requested that this exercise, required to be conducted in CY 2020, be postponed until CY 2021.

### 3.0 Detailed Description of the Proposed Exemption

10 CFR 50, Appendix E, Section IV.F.2.c states:

*2. The plan shall describe provisions for the conduct of emergency preparedness exercises as follows: Exercises shall test the adequacy of timing and content of implementing procedures and methods, test emergency equipment and communications networks, test the public alert and notification system, and ensure that emergency organization personnel are familiar with their duties.*

*c. Offsite plans for each site shall be exercised biennially with full participation by each offsite authority having a role under the radiological response plan. Where the offsite authority has a role under a radiological response plan for more than one site, it shall fully participate in one exercise every two years and shall, at least, partially participate in other offsite plan exercises in this period. If two different licensees each have licensed facilities located either on the same site or on adjacent, contiguous sites, and share most of the elements defining co-located licensees, then each licensee shall:*

- (1) Conduct an exercise biennially of its onsite emergency plan;*
- (2) Participate quadrennially in an offsite biennial full or partial participation exercise;*
- (3) Conduct emergency preparedness activities and interactions in the years between its participation in the offsite full or partial participation exercise with offsite authorities, to test and maintain interface among the affected State and local authorities and the licensee. Co-located licensees shall also participate in emergency preparedness activities and interaction with offsite authorities for the period between exercises;*
- (4) Conduct a hostile action exercise of its onsite emergency plan in each exercise cycle; and*
- (5) Participate in an offsite biennial full or partial participation hostile action exercise in alternating exercise cycles.*

The last biennial EP exercise date for NAPS was July 17, 2018. The 2020 biennial EP exercise was conducted on August 18, 2020 without full ORO participation, which does not meet the requirements of 10 CFR 50, Appendix E, Section IV.F.2.c.

This proposed one-time schedular exemption would allow Dominion Energy Virginia to conduct the offsite biennial EP exercise in CY 2021. The proposed exemption supports continued implementation of the isolation activities (e.g., social distancing, group size limitations, self-quarantining, etc.) in response to the ongoing COVID-19 pandemic. Postponing the offsite EP biennial exercise would afford protection to the NAPS ERO personnel as well as the Commonwealth of Virginia emergency responders who are required to participate in the exercise. It is understood by Dominion Energy Virginia and the Commonwealth of Virginia that if this exemption is granted allowing NAPS to

conduct the CY 2020 offsite biennial EP exercise in CY 2021, subsequent biennial exercises will continue to be held in even numbered years (i.e., 2022, 2024, etc.).

### Special Circumstances

The COVID-19 PHE created special circumstances that precluded the Commonwealth of Virginia from conducting a full participation exercise in August of 2020. The Commonwealth of Virginia indicated to Dominion Energy Virginia that rescheduling later in the calendar year 2020 was not considered feasible due to the need to protect the health and safety of the Commonwealth of Virginia emergency responders who are required to participate in the offsite portion of the exercise (per 10 CFR 50, Appendix E, Sections IV.F.2.c). Additionally, due to their involvement in ongoing pandemic response activities, availability of the Commonwealth of Virginia resources to participate in an exercise is limited through the end of 2020.

The risks to OROs are also described in a letter from Conference of Radiation Control Program Directors, Inc. (CRCPD), to the NRC, dated July 24, 2020, "ORO Exemption Request for Exercises," (Reference 3).

Therefore, this exemption request seeks to reschedule the 2020 NAPS offsite biennial EP exercise to February 23, 2021 in order to protect the health and safety of NAPS ERO personnel and the Commonwealth of Virginia emergency responders.

### Exercise Rescheduling Considerations

Efforts were made in good faith to reschedule the offsite biennial EP exercise within CY 2020 but were unsuccessful. COVID-19 virus protocols and strict EP exercise protocols and controls were in place when the onsite biennial EP exercise was performed (August 18, 2020) and remain in place. These protocols and controls ensure Dominion Energy Virginia adheres to federal and state COVID-19 guidance and does not place North Anna Power Station, the Commonwealth of Virginia or federal personnel at risk of potential exposure to the virus.

Scheduling conflicts for the timeframe through December 2020 presented numerous challenges for rescheduling. The following activities precluded rescheduling in 2020:

- Fall 2020 refueling outage for North Anna Unit 2
- Government holidays
- Potential conflicts with FEMA Region 3 participation
- Conversion of the Offsite Notification System from Insta-phone to the Dominion Energy Emergency Notification System (DEENS)
- Conversion of emergency action levels (EAL) program from previous standards (NEI 99-01, Revision 4) to NEI 99-01, Revision 6

Attachments 2 and 3 contain communications from the Commonwealth of Virginia concerning postponing the August 18, 2020, biennial EP exercise. These communications reiterate that the Commonwealth of Virginia intends to remain fully capable of providing reasonable assurance of the public's safety in the unlikely event of an emergency at NAPS.



Therefore, Dominion Energy Virginia has made a reasonable effort to reschedule the exercise during CY 2020 but was unsuccessful. In coordination with the Commonwealth of Virginia, an agreement was reached that the NAPS offsite EP exercise could be supported on February 23, 2021. This date has also been coordinated with FEMA Region 3, who confirmed they would be able to support a full-participation exercise evaluation on February 23, 2021.

#### Review of Applicable NRC Guidance

As discussed in Regulatory Issue Summary (RIS) 2006-03, "Guidance on Requesting an Exemption from Biennial Emergency Preparedness Exercise Requirements," dated February 24, 2006 (Reference 2), the underlying purposes for conducting a biennial exercise is to ensure that emergency response organization personnel are familiar with their duties, to test the adequacy of emergency plans, and to identify and correct weaknesses. The NRC's letter to NEI dated May 14, 2020 (Reference 1), cites RIS 2006-03 and reiterates that in order to receive an expedited review, licensees should include a statement in their exemption requests that they will reschedule the date of the biennial exercise within 35 months from the month in which the previously evaluated exercise was conducted in CY 2018.

The previous biennial EP exercise was conducted in July of 2018. A one-time exemption would allow an increase in the interval between biennial exercises. Conducting the NAPS offsite biennial EP exercise in February of 2021 is 31 months from the last exercise, which is within the 35-month timeframe referenced in the NRC guidance.

Dominion Energy Virginia has conducted drills, exercises, and other training activities that exercised its emergency response strategies, in coordination with offsite authorities, since the previous biennial exercise.

In addition, it should be noted that FEMA is currently in the process of reviewing and evaluating certain activities, performed in 2020, that met requirements normally demonstrated during a Plume exercise and granting credit to the OROs accordingly.

The level of training, drills, and exercises conducted by both Dominion Energy Virginia and the Commonwealth of Virginia, and rescheduling the exercise within the 35-month window provided in NRC guidance assures that postponing the offsite biennial EP exercise does not pose an undue risk to public health and safety, and that a good faith effort has been made to satisfy the underlying purpose of the rule.

This exemption request conforms to the remaining guidance provided in the NRC's letter to NEI, dated May 14, 2020 (Reference 1).

### CRCPD Assessment of ORO Proficiency

In CRCPD's letter to NRC, dated July 24, 2020 (Reference 3), the Committee on Emergency Response Planning (HS/ER-5) recommended that NRC grant exemptions to OROs from the biennial exercise requirement (10 CFR 50 Appendix E, IV.F.2.c), in accordance with 10 CFR 50.12(a) for calendar years 2020 and 2021 due to the COVID-19 PHE. In this letter, CRCPD explains that:

*The [FEMA] REP [Radiological Emergency Preparedness] Program has reached a level of maturity, where the nation's nuclear plants and associated OROs have consistently demonstrated a high-level of preparedness. Licensees and OROs maintain this high level through various efforts, of which exercises are only one. In other words, this one-time exemption of the biennial exercise requirements in no way detracts from the overall state of emergency preparedness.*

The letter also states:

*Given 40 years of successfully conducting numerous emergency exercises, it is felt that this exemption is warranted considering the low risk the exemption would entail versus the current ongoing risk associated with COVID-19.*

This rationale is also considered applicable to the OROs that support NAPS, which have successfully engaged with the station over the last 40 years.

### Facilities Rescheduling their Participation to February 2021

Facilities scheduled to participate for the requirements 10 CFR 50 Appendix E, IV.F.2.c in the CY 2020 biennial EP exercise will participate and be evaluated in the February 2021 offsite biennial EP exercise. \*

- \* Note: FEMA is currently in the process of reviewing and evaluating certain activities, performed in 2020, that met requirements normally demonstrated during a Plume exercise, and granting credit to the OROs accordingly.

### Functions Rescheduled to February 2021

Functions scheduled to be demonstrated for meeting the requirements of 10 CFR 50 Appendix E, IV.F.2.c in the CY 2020 biennial EP exercise will be demonstrated and evaluated during the February 2021 offsite biennial EP exercise. \*

- \* Note: FEMA is currently in the process of reviewing and evaluating certain activities, performed in 2020, that met requirements normally demonstrated during a Plume exercise, and granting credit to the OROs accordingly.

### Potential 2021 Exercise Assessment Considerations

Currently, FEMA employees are not permitted to travel due to the COVID-19 PHE unless it is deemed necessary. The proposed rescheduling of the offsite EP exercise to February of 2021 has been coordinated with FEMA presupposing this restriction will be lifted or exercise travel requests will be approved, allowing for in-person exercise assessments.

However, if an in-person assessed exercise cannot be conducted due to COVID-19 restrictions, the Commonwealth of Virginia is prepared to present an online/virtual exercise to FEMA using remote online/virtual technologies available and Dominion Energy Virginia will support this effort.

Although the details regarding execution of an exercise using online/virtual technologies have not been fully developed, the use of such technologies as a communications tool has grown significantly since the onset of the COVID-19 PHE. As a result, it is anticipated that several technologies for remote participation such as WebEOC, Microsoft Teams, and conference bridges, etc. would be used to meet the exercise objectives if FEMA employees are not available in-person for the exercise.

#### 2018 NAPS Exercise

The FEMA evaluation of the offsite portion of the July 17, 2018 exercise concluded that:

- The state and local organizations demonstrated knowledge of their emergency response plans and procedures and adequately implemented them
- There were no Level 1 Findings
- There were (4) four Level 2 Findings, (1) one was successfully redemonstrated
- There were (10) ten New Plan Issues, (5) five of the Plan Issues were successfully resolved on September 21, 2018

The July 17, 2018 exercise successfully demonstrated the capability of the Commonwealth of Virginia to respond to an event at the site.

#### Exercises/Drills/Training Activities 2018-2020

Numerous activities have been conducted since the July 17, 2018 biennial exercise. Not all the activities have exercised the proposed rescheduled functions. However, these activities show the continuing level of engagement in EP activities for NAPS and the actual and/or simulated participation with the Commonwealth of Virginia. It is also noted that some activities were performed after the COVID-19 pandemic was declared in March 2020, and that future activities are scheduled to be performed in the timeframe leading up to the rescheduled NAPS biennial exercise date in February of 2021. Unlike the biennial EP exercise, the nature and scale of these activities allow them to be performed in a manner that adheres to the CDC-recommended practices, without significantly interfering with emergency responder responsibilities. These activities support the NAPS offsite organizations in maintaining proficiency in EP functions during the timeframe between biennial exercises.

Dominion Energy Virginia has conducted drills, exercises, and other training activities that exercised its emergency response strategies, and in coordination with offsite authorities, since the previous biennial exercise. The rescheduled offsite biennial EP exercise date has been coordinated with the Commonwealth of Virginia and FEMA Region 3. Quarterly Emergency Management Director meetings, which include reviews of various radiological response concepts, will also continue to be conducted.

#### **4.0 Basis for Exemption Request**

10 CFR 50.12, Specific exemptions, states that the 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 present an undue risk to the public health and safety, and
- (3) The exemptions are consistent with the common defense and security.

The three conditions to allow an exemption to the provision of 10 CFR 50, Appendix E, Section IV.F.2.c at NAPS are satisfied as described below.

1. This exemption is authorized by law

As provided by 10 CFR 50.12, the Commission may grant exemptions from the requirements in Part 50.

2. This exemption will not present an undue risk to the public health and safety

Adequate emergency response capabilities have been maintained and demonstrated, including satisfactory performance during the last NAPS biennial EP exercise in 2018 (July 17, 2018) and through the conduct of training and drill/exercise activities since the 2018 exercise. Since the last NAPS biennial EP exercise in 2018, Dominion Energy Virginia has conducted numerous training drills, exercises, and demonstrations that have involved actual and/or simulated interface with the applicable state and local authorities. While these drills and training sessions did not exercise all of the proposed rescheduled functions, they do provide reasonable assurance that NAPS personnel have maintained an adequate and continuing level of engagement and interface with the OROs, and the organizations have remained proficient in EP functions since the last NAPS biennial EP exercise.

3. This exemption is consistent with the common defense and security

This exemption requests NRC approval to extend the schedule for performing the next required NAPS offsite biennial EP exercise until February of 2021 as a result of the COVID-19 PHE. The impact on the Commonwealth of Virginia resources and potential exposure risks due to COVID-19 have limited their availability and ability to participate until February of 2021.

Pursuant to 10 CFR 50.12(a)(2), the NRC will consider granting an exemption from the requirements of the Code of Federal Regulations when special circumstances are present. This exemption request meets this requirement since special circumstances involving the COVID-19 PHE are present. This exemption is requested to ensure that Dominion Energy Virginia and the Commonwealth of Virginia continue to engage in activities that do not conflict with practices recommended by the Centers for Disease Control and Prevention to limit the spread of COVID-19. The offsite biennial EP exercise requires significant resources to schedule, perform, and evaluate including State authorities and the Risk Jurisdictions around NAPS and FEMA evaluators.

Postponing the exercise would afford protection to the ERO and Commonwealth of Virginia personnel required to participate in the exercise.

Efforts were made in good faith to reschedule the offsite biennial EP exercise within CY 2020 but were unsuccessful. Additionally, the exemption would provide only temporary relief from the 10 CFR 50, Appendix E, Section IV.F.2.c requirements.

Therefore, the common defense and security are not affected by this exemption request.

## **5.0 Conclusion**

As stated above, Dominion Energy Virginia requests a one-time schedular exemption for North Anna Power Station Units 1 and 2 from the requirements to conduct an offsite biennial EP exercise, as specified in 10 CFR 50, Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities," Section IV.F.2.c, during CY 2020. This one-time schedular exemption would allow Dominion Energy Virginia to conduct the offsite biennial EP exercise in CY 2021. As demonstrated above, the exemption request meets the three conditions of 10 CFR 50.12. 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.

## **6.0 Environmental Assessment**

Dominion Energy Virginia is requesting an exemption from certain requirements of 10 CFR Part 50 for NAPS. Specifically, Dominion Energy Virginia is requesting an exemption from the requirements of 10 CFR 50, Appendix E, Section IV.F.2.c which requires offsite emergency preparedness to be tested biennially. The following information is provided in support of an environmental assessment and finding of no significant impact for the proposed exemption.

Dominion Energy Virginia 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.

If the requested exemption is approved by the NRC, certain functions scheduled for the NAPS 2020 biennial EP exercise would not have been conducted as originally scheduled on August 18, 2020. The fact that these functions were not conducted on this date and will instead be conducted on a future date has no effect on the environment.

Accordingly, the proposed 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. Letter from Ho K. Nieh and Robert Lewis, Nuclear Regulatory Commission (NRC), to Dr. Jennifer L. Uhle, Nuclear Energy Institute, "U.S. Nuclear Regulatory Commission Planned Actions Related to Emergency Preparedness Biennial Exercise Requirements for all Licensees During the Coronavirus Disease 2019 Public Health Emergency," dated May 14, 2020, NRC ADAMS Accession No. ML20120A003.
2. NRC Regulatory Issue Summary 2006-03, "Guidance on Requesting an Exemption from Biennial Emergency Preparedness Exercise Requirements," dated February 24, 2006, NRC ADAMS Accession No. ML053390039.
3. Letter from Ken Evans, Conference of Radiation Control Program Directors, Inc. (CRCPD), to Robert E. Kahler, NRC, "ORO Exemption Request for Exercises," dated July 24, 2020, NRC ADAMS Accession No. ML20206K859.
4. North Anna Power Station – Integrated Inspection Report 05000338/2018003 and 05000339/2018003; 05000338/2018502 and 05000339/2018502, dated October 30, 2018.
5. North Anna Power Station Emergency Plan, Revision 51, Effective October 2, 2020.

**ATTACHMENT 2**

**COMMUNICATION FROM THE COMMONWEALTH OF VIRGINIA  
TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) REGION 3,  
PROVIDING VIRGINIA'S PLANS AND REQUESTS ON HOW TO PROCEED WITH  
REP EXERCISES THAT HAVE BEEN POSTPONED DUE TO THE PANDEMIC,  
DATED AUGUST 28, 2020**

**Virginia Electric and Power Company  
(Dominion Energy Virginia)  
North Anna Power Station Units 1 and 2**

CURTIS C. BROWN  
State Coordinator



JOHN NORTON  
Deputy State Coordinator – Disaster Services

ANDRES ALVAREZ  
Deputy State Coordinator – Mission Support

## COMMONWEALTH of VIRGINIA

### Department of Emergency Management

9711 Farrar Court  
North Chesterfield, Virginia 23236-3713

August 28, 2020

Ms. Lillian Hutchinson  
Acting RAC Chair, FEMA Region 3  
615 Chestnut St, Sixth Floor  
Philadelphia, PA 19106

Dear Ms. Hutchinson:

The purpose of this letter is to provide Virginia's plans and requests on how to proceed with REP exercises that have been postponed due to the pandemic, as well as provide background information on Virginia's actions to ensure Reasonable Assurance during this crisis.

The previous few months have brought unprecedented challenges to emergency management, and to REP in particular. As you are aware, concerns about in-person training, potential for disease spread in closed areas during an exercise, and "real-world" response needs relative to the COVID outbreak, have forced the postponement of not only the scheduled plume exercise at North Anna NPS in August 2020, but also the 8-year ingestion pathway exercise scheduled concurrently. This decision was not taken lightly. In both the State Coordinators' and FEMA's judgement, the risks of executing an exercise of this breadth, particularly in the midst of a pandemic, were extreme. By delaying REP exercises we were able to keep our ORO responders, EM professionals, and NPS personnel safe and on duty for actual incidents. This decision knowingly forced a training compression which all components of the Virginia REP community, in coordination with FEMA Region 3, are diligently attempting to rectify.

1. Assuming FEMA travel is allowed and in person drill assessment is permissible, Virginia respectfully requests an exercise exemption to push forward exercises scheduled for 2020 into 2021 (within the 35 month exercise window from the previously evaluated exercise) as outlined in the "Relief from the REP Frequency Requirement" memo dated 23 July 2020 on the following dates:

- Plume exercise at North Anna NPS on February 23, 2021
- Ingestion exercise (State entities only) on May 5, 2021

These dates have been coordinated with all OROs, Dominion Energy, the Virginia Department of Health, and all other State and Local entities which have a role in REP response and exercise, both plume and ingestion. In the event that circumstances warrant not conducting an in-person/assessed drill, Virginia is prepared to present an online/virtual drill using all means

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"A Ready Virginia is a Resilient Virginia."*



available. As a precaution, we will be making parallel preparations to effect such a drill in the event it is needed.

Key data points:

a. Affected site and OROs:

- North Anna Nuclear Power Station
- Hanover County
- Louisa County
- Orange County
- Caroline County
- Spotsylvania County

b. Date of last biennial exercise at this location: 17 July 2018

There has been a fair amount of discussion on the capacity of the State and the OROs to effectively respond to an actual event if they are so resource poor as to request to postpone scheduled REP exercises. Please allow me to respond to this directly. Virginia has been aggressive in ensuring our REP posture is robust, well exercised and well monitored in spite of any restrictions arising from the pandemic. We have employed ingenious, creative methods to ensure responder engagement, have increased our normal high vigilance on issues that precipitate a REP issue, and in practice are at a higher level of alert simply due to an increased emergency management posture. To wit:

**-Virtual drills:** Virginia normally holds a number of drills throughout the year concurrent with Surry and North Anna EP drills, which we call VOPEX-lite. These drills bring to the EOC all state agencies and ESFs that would normally be involved in an actual event or a graded VOPEX and engage locality ORO's on a rotating basis for equipment and communication training. Due to COVID restrictions, the REP team in Virginia conceived and executed a fully virtual radiological drill using MS teams, conference bridges, WebEOC and other platforms. While there were unique challenges to this method, it was wholly positive and achieved every goal we set out for the team. The virtual VOPEX demonstrates the Commonwealths' ability to both prosecute a radiological incident in the midst of primary disaster, while doing so fully in a COOP'd posture.

**-EOC posture:** Since the onset of the pandemic in late February, the Virginia EOC and ORO EOCs have been activated either physically or virtually. This has increased the awareness and reaction time not only to radiological events, but to all hazards.

**-Weekly status check with the utility:** The VDEM REP program and Dominion Energy have been conducting weekly capabilities checks to ascertain impacts due to personnel loss, forecast any known response issues, and grade overall readiness posture. While the relationship between the utility and VDEM has always been close and transparent, these weekly calls have increased up to the minute visibility on strengths and challenges to REP response.

**-Virtual First Responder training:** VDEM – TEED has partnered with Dominion to create e learning alternatives to ensure that annual training for Law Enforcement, Emergency Medical Services and Fire Departments is completed. The Local Law

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Enforcement Agency training and is in the review stage of development. The Medical Services Annual training is in the initial development stage and Fire is slated to start development soon. All trainings will be uploaded and housed on the COV- VLC for first responders to access in lieu of in person annual training that is on hold due to COVID-19.

**-Virtual HAZMAT training:** The VDEM Hazardous Materials Program is poised to begin producing classes and providing instruction via computer. This will also extend to all REP jurisdictions for up to the minute radiological equipment and procedural instruction. This adaptive environment will be tested during the next virtual VOPEX-lite in October to simulate monitoring team deployment from deployment area to the field using technology for imagery, tracking and results.

**-Dominion/State training:** After a short suspension due to COVID, Dominion Energy has resumed the full schedule of training and evaluated drills that support State and local participation to maintain proficiency and satisfy demonstration requirements. Careful and informed planning to evaluate some or all of these activities could reduce the scope of large FEMA evaluations.

2. The Commonwealth respectfully requests consideration for exercise credit in reference to the following evaluation criteria for the reasons stated.

**-Medical Services Drill – Mary Washington Hospital**

***Criterion 1.e.1: Equipment, maps, displays, dosimetry, potassium iodide (KI), and other supplies are sufficient to support emergency operations. (NUREG0654/FEMA-REP-1, H.7, 10; I.7, 8, 9; J.10.a.b.e; J.11, 12; K.3.a; K.5.b)***

**Justification:** The Commonwealth of Virginia will provide FEMA Region III with an inventory list for Mary Washington Hospital for equipment on hand to respond to and treat an injured radiological contaminated patient.

***Criterion 3.a.1: The OROs issue appropriate dosimetry, KI, and procedures, and manage radiological exposure to emergency workers in accordance with the plans/procedures. Emergency workers periodically and at the end of each mission read their dosimeters and record the readings on the appropriate exposure record or chart. OROs maintain appropriate record-keeping of the administration of KI to emergency workers. (NUREG-0654/FEMA-REP-1, K.3.a, b; K.4)***

**Justification:** The Commonwealth of Virginia will set up a Radiological Briefing with Mary Washington Hospital during the scheduled Medical Services out of sequence demonstration or a virtual briefing if travel restrictions are still in place.

***Criterion 6.d.1: The facility/ORO has the appropriate space, adequate resources, and trained personnel to provide transport, monitoring, decontamination, and medical services to contaminated injured individuals. (NUREG-0654/FEMA-REP-1, F.2; H.10; K.5.a, b; L.1, 4)***

**Justification:** Mary Washington Hospital met this criterion during their response to COVID-19, serving as a COVID hospital. The facility demonstrated the capability to activate, set up an emergency area for the treatment of COVID-19 patients. Mary Washington Hospital continually demonstrated contamination control while providing medical services to COVID-19 positive patients. In addition, Mary Washington Hospital participated in Medical Services

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Drills during North Anna Power Station Biennial Exercises in 2014, 2016 and 2018 with no issues identified and no corrective action demonstration requested.

**-Emergency Operations Management:**

***Criterion 1.a.1: OROs use effective procedures to alert, notify and mobilize emergency personnel and activate facilities in a timely manner (NUREG-0654/FEMA-REP-1, A.1.a,e; A.3,4; C.1,4,6; D.4; E.1, 2; H.3, 4)***

**Justification:** The following NAPS REP jurisdiction are activated and have maintained their EOC physically or virtually manned for the duration of the pandemic, including those exact facilities and personnel that would be activated in a radiological event, demonstrating the spirit of the criterion.

- Orange County EOC (open since 03/16/2020)
- Louisa County EOC (open since 03/19/2020)
- Hanover County EOC (open since 03/17/2020)
- Caroline County EOC (open since 03/23/2020)
- Spotsylvania EOC (open since 03/18/2020)

***Criterion 1.b.1: Facilities are sufficient to support the emergency response (NUREG-0654/FEMA-REP-1, G.3.a; H.3; J.10.h, J.12; K.5.b)***

**Justification:** The Commonwealth has prosecuted three distinct Statewide declarations of emergency concurrently within the last month, while also conducting live, remote statewide VOPEX drills on our own volition. These events drew on the very facilities that would be needed during a radiological event, to wit:

- ORO response locations in the counties of Orange, Louisa, Hanover, Caroline and Spotsylvania.
- Dominion CERC
- VAEOC
- Mobile command posts for VDEM/VDH

***Criterion 1.d.1: At least two communication systems are available, at least one operates properly, and communication links are established and maintained with appropriate locations.***

***Communications capabilities are managed in support of emergency operations (NUREG-0654/FEMA-REP-1, F.1,2).***

**Justification:** With the State EOC and all ORO EOC's on physical or virtual activation since early March, communications are continuous and instant. Communications are effected primarily through phone, text, e-mail, and WebEOC. The VEOC Situational Awareness Unit (SAU) and the counties of Louisa, Spotsylvania, Orange, Hanover and Caroline conducted live PSAP communications/notifications drills on Jan 7<sup>th</sup>, Feb 18<sup>th</sup>, July 14<sup>th</sup> and Aug 18<sup>th</sup>. Instaphone remains the primary means of reporting and communication for radiological events for the near future, however it is scheduled for decommissioning OOA 12 October, 2020.

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**-Protective Action Decision-Making**

None

**-Protective Action Implementation**

None

**-Emergency Notification and Public Information**

***Criterion 5.b.1: ORO's provide accurate emergency information and instructions to the public and news media in a timely manner (NUREG-0654/FEMA-REP-1, E.5, 7; G.3.a; G.4.a, c).***

**Justification:** Over the course of the last three months, individual localities, state agencies and state government have transmitted more than 300 notifications, press releases, press conferences, and held numerous virtual town halls with their citizenry related to COVID-19 activities, 1<sup>st</sup> amendment rights and hurricane Isaias. These notifications have been by means of multiple avenues of transmission including TV, radio, ads to popular social media sites, local and statewide webinars, and even road-side signs. These same resources would be widely used in a radiological event and since they are well established and practiced, I believe they demonstrate the intent of the criterion

**-Support Operation/Facilities**

***Criterion 6.c.1: Managers of congregate care facilities demonstrate that the centers have resources to provide services and accommodations consistent with planning guidelines. Managers demonstrate the procedures to assure that evacuees have been monitored for contamination and have been decontaminated as appropriate before entering congregate care facilities (NUREG-0654/FEMA-REP-1, J.10.h; J.12).***

**Justification:** Congregate care in the COVID environment has been the topic of intense planning and creative thinking consuming thousands of hours of staff time from the same state agencies that would be spearheading congregate care activities in a radiological response (VDEM, VDH, VDSS, DBHDS, etc). Ironically, REP plans were the basis of congregate care for COVID given close planning parallels including initial monitoring, segregation, decontamination, medical triage, etc. The current COVID congregate care plan calls for a reception center with initial screening, followed by isolation and transport to a variety of different facilities dependent upon the patients' status (COVID positive ambulatory, COVID positive non-ambulatory, exposure to COVID non-symptomatic, etc). The plan relies heavily on both large congregate facilities and smaller isolation facilities (hotels, university dorms, etc) which would be used following an evacuation or a disaster that requires citizen displacement, closely mirroring what would be executed in a radiological event. These updated plans apply to the following locations:

- Courtland High School (Spotsylvania County)
- Massaponax High School (Spotsylvania County)
- Caroline County Middle School
- Caroline County High School
- Liberty Middle School (Hanover County)
- Prospect Heights Middle School (Orange County)

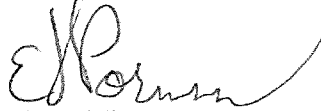
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Please note we don't include Moss-Nuckols Elementary School for exemption. Due to plan REP changes, Moss-Nuckols should be evaluated. Given the level of detail and almost identical similarities of each plan (short of dosimetry), I believe this meets the spirit of the criterion.

The Commonwealth REP team will be happy to provide any documentation deemed necessary to support these requests. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Porner', with a long, sweeping horizontal stroke extending to the right.

Edward H. Porner  
Director, Response Programs

**ATTACHMENT 3**

**COMMUNICATION FROM THE COMMONWEALTH OF VIRGINIA**  
**CONCERNING THE AUGUST 18, 2020 BIENNIAL EP EXERCISE AT NAPS**  
**AND THE COMMONWEALTH'S**  
**RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM,**  
**DATED NOVEMBER 6, 2020**

**Virginia Electric and Power Company  
(Dominion Energy Virginia)  
North Anna Power Station Units 1 and 2**



## COMMONWEALTH OF VIRGINIA

### Department of Emergency Management

9711 Farrar Court, Suite 200, North Chesterfield, Virginia 23236  
TEL 804.267.7600 TDD 804.674.2417 FAX 804.272.2046

**CURTIS C. BROWN**  
State Coordinator of  
Emergency Management

November 6, 2020

Mr. Ed Collins  
Dominion Energy Fleet EP Manager  
5000 Dominion Blvd  
Glen Allen, VA 23060

Dear Mr. Collins,

The Commonwealth of Virginia, Department of Emergency Management (VDEM) fully endorses your 2020 Nuclear Regulatory Commission (NRC) Exercise exemption request.

As you know, the Commonwealth and ORO's involvement in the North Anna Power Station (NAPS) biennial exercise scheduled for August 18, 2020, was delayed due to concerns over COVID transmission and Governor Northam's guidelines on social distancing. Consequently to maintain operational readiness throughout the current pandemic, VDEM and Dominion Energy have endeavored to maximize training and exercise opportunities, leveraging every possible option to ensure engagement, professional exchange, and training within the confines of acceptable social distancing protocols. These measures have included virtual drills held over all available communications devices, virtual quarterly meetings with OROs, upgrades to existing notification systems, and improvements in equipment posture. This has ensured the continuity and vigor of the Radiological Emergency Preparedness (REP) program in the state and has served to increase the partnership and the preparedness cohesion between the Commonwealth and Dominion Energy. Owing to the extreme level of effort, preparedness and creativity, I can assure you that in the event of an unlikely emergency at the NAPS, the Commonwealth remains fully capable of providing reasonable assurance of the public's safety.

While exercises are one tool that the NRC uses to assess reasonable assurance during a biennial period, it is not the only tool. The current state and nationwide emergency, and the expectation that it may continue for an extended period, do not allow reverting to "normal" exercise activities for some time. However, VDEM is continuing to go forward with preparations for a full NAPS exercise (with FEMA assessors) on February 23, 2021. This preparation has maintained the close coordination between the state and OROs (including weekly calls through regional staff), ensured any issues relative to impacts from COVID are addressed, and has allowed the REP program to maintain full preparedness and proficiency. As a result, these efforts allow us to maintain our operational edge for any radiological emergency preparedness related emergency. In summary, the Commonwealth has demonstrated with a high degree of confidence that our ORO's remain fully capable of protecting the environment and public health and safety.

Mr. Ed Collins  
Page 2  
November 6, 2020

The Commonwealth of Virginia stands firm with Dominion Energy and the North Anna Power Station in continuing to provide reasonable assurance of the public's safety in the interim while the pandemic runs its course and in demonstrating the necessary capabilities once again through future exercises and drill as required once the current pandemic has subsided.

Sincerely,



Curtis C. Brown  
State Coordinator of Emergency Management

CC. Erin Sutton (VDEM)  
John Northon (VDEM)  
Michelle Oblinsky (VDEM)  
Stacie Neal (VDEM)  
Ed Porner (VDEM)  
Neil Turner (DE)  
Richard Philpot (DE)  
Tyler Swearingen (DE)  
Russell Savedge (DE)  
Steve Mazzola (DE)