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Cc: [Lashley, Phil H](#); [McCreary, Dave M](#)
Subject: Request for Additional Information - Beaver Valley Request for Exemption - Part 73 Force-on-Force Exemption (EPID: L-2020-LLE-0171)
Date: Friday, November 20, 2020 9:52:00 AM

Good morning Mr. Grabnar,

By letter dated October 28, 2020 (Agencywide Documents and Access Management System (ADAMS) Accession No. ML20303A213), Energy Harbor Nuclear Corporation requested a one-time 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, subsection C.3.(l)(1) for Beaver Valley Power Station (BVPS) Units 1 and 2.

Regulatory Analysis Basis

10 CFR 73 Appendix B, Section VI, Subsection C.3.(l)(1) 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.

In the request, Energy Harbor Nuclear Corporation indicated that the NRC approved temporary exemption dated May 19, 2020, (Accession No. ML20119B0860) for conducting the CY 2020 FOF exercise at Beaver Valley expires on December 31, 2020. The exemption was in response to the COVID-19 public health emergency (PHE) and was necessary because isolation protocols (for example, social distancing, group size limitations, self-quarantining, and so on) restrict activities associated with conducting annual FOF exercises and was necessary to maintain a healthy workforce.

Energy Harbor Nuclear Corporation indicated that the PHE has not ended and continues to impact the ability of Energy Harbor Nuclear Corp. to conduct annual FOF exercises at Beaver Valley. Energy Harbor Nuclear Corporation states that “[t]he approval of this exemption [one-time exemption of CY 2020 FOF exercise] will continue to support the isolation protocols necessary to protect essential site personnel. These restrictions are needed to ensure personnel are isolated from COVID-19 and remain capable of maintaining plant security.”

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 (ADAMS Accession No. ML20273A058). The guidance states, in part:

... Since the NRC issued the April 2020 letter, some licensees have taken measures recommended by Federal, State, and local authorities to help protect their personnel, including security personnel, from exposure to COVID-19. These measures include the implementation of COVID-19-related controls such as the widespread use of face coverings for site personnel, frequent surface sanitization and handwashing, and social

distancing (i.e., maintaining 6 feet of separation between individuals where practical). Accordingly, some of these licensees have been able to resume many routine activities with little or no disruption or with the use of other controls, to accomplish the same tasks safely. In addition, due to site-specific configurations and implementation of certain safety measures, some commercial power reactor and material licensees have successfully conducted their required annual FOF exercises during the PHE without adversely impacting the sites' security staffing or operations.

Nevertheless, 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. 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.

This updated guidance also requests that licensees that have previously been granted a temporary exemption from the annual FOF exercise requirement should submit the following information:

- For licensees that have previously been granted a temporary exemption from the annual FOF exercise requirement, a discussion as to why the licensee is unable to conduct make-up exercises due to continuing COVID-19 PHE impacts as committed to in their initial exemption request submission;

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Request for Additional Information

Describe the site-specific condition(s), including site-specific COVID-19-related impacts, that will prevent Energy Harbor Nuclear Corporation from completing its CY 2020 annual FOF exercise prior to December 31, 2020.

Please submit your response to this request for additional information by December 4, 2020. This e-mail will be added to public ADAMS. If you have questions please don't hesitate to contact me.

Thanks!
-Jenny