

**From:** Purnell, Blake  
**Sent:** Tuesday, November 24, 2020 11:27 AM  
**To:** Lashley, Phil H (EH)  
**Cc:** Nesser, Kathryn M (EH)  
**Subject:** Davis Besse Nuclear Power Station, Unit No. 1 - Request for an Exemption from the 2020 Force-on-Force Exercises  
**Attachments:** RAI DB 2020 FOF Exemption.pdf

Phil,

By letter dated October 29, 2020 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20304A046), Energy Harbor Nuclear Corp. (EHNC) requested an exemption from conducting the annual force-on-force (FOF) exercises at Davis Besse Nuclear Power Station, Unit No. 1 (Davis-Besse), for calendar year 2020.

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing the application and has determined that a response to the attached request for additional information is needed to complete its review. The staff requests that you provide a response to this request by December 8, 2020.

Sincerely,

Blake Purnell, Project Manager  
Plant Licensing Branch III  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
ph: 301-415-1380

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**Recipients:**  
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REQUEST FOR ADDITIONAL INFORMATION  
REQUEST FOR EXEMPTION FROM  
ANNUAL FORCE-ON-FORCE EXERCISES FOR 2020  
ENERGY HARBOR NUCLEAR CORP.  
DAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1  
DOCKET NO. 50-346

By letter dated October 29, 2020 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20304A046), Energy Harbor Nuclear Corp. (EHNC) requested an exemption from conducting the annual force-on-force (FOF) exercises at Davis-Besse Nuclear Power Station, Unit No. 1 (Davis-Besse), for calendar year (CY) 2020. Specifically, EHNC requested a one-time exemption from Subsection C.3.(I)(1) of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 73, Appendix B, Section VI, which states, in part, 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) force-on-force exercise on an annual basis. Force-on-force exercises conducted to satisfy the NRC triennial evaluation requirement can be used to satisfy the annual force-on-force requirement for the personnel that participate in the capacity of the security response organization.

Background

On January 31, 2020, the U.S. Department of Health and Human Services declared a Coronavirus Disease 2019 (COVID-19) public health emergency (PHE) for the United States. On April 23, 2020 (ADAMS Accession No. ML20114E221), EHNC requested a temporary exemption to support personnel isolation activities at Davis-Besse to help protect required site personnel from COVID-19 and ensure personnel remain capable of maintaining plant security. On May 8, 2020, (ADAMS Package Accession No. ML20119B076), the NRC granted EHNC's April 23, 2020, request for a temporary exemption from 10 CFR Part 73, Appendix B, Section VI, subsection C.3.(I)(1), for Davis-Besse.

In its October 29, 2020, letter, EHNC noted that the COVID-19 PHE has not ended and continues to impact the ability of EHNC to conduct annual FOF exercises at Davis-Besse. The letter states, in part, that: "Approval of this exemption 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."

On October 13, 2020, the NRC issued updated guidance for licensees to consider when requesting exemptions from the annual FOF exercises for CY 2020 during the COVID-19 PHE (ADAMS Package 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 states that licensees should submit, in part, the following information to receive an expedited review of an exemption request from the annual FOF exercise requirement for CY 2020:

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[.]

#### Request for Additional Information

Describe the site-specific conditions, including site-specific impacts related to COVID-19, that will prevent EHNC from completing the annual FOF exercises for CY 2020 at Davis-Besse prior to December 31, 2020.