



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

December 17, 2020

Mr. Bradley J. Sawatzke  
Chief Executive Officer  
Energy Northwest  
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SUBJECT: COLUMBIA GENERATING STATION – EXEMPTION FROM ANNUAL  
FORCE-ON-FORCE EXERCISE REQUIREMENTS OF 10 CFR PART 73,  
APPENDIX B, “GENERAL CRITERIA FOR SECURITY PERSONNEL,”  
SUBSECTION VI.C.3(I)(1) (EPID L-2020-LLE-0172 [COVID-19])

Dear Mr. Sawatzke:

The U.S. Nuclear Regulatory Commission (NRC, the Commission) has approved the requested exemption from a specific requirement of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 73, Appendix B, Section VI, “Nuclear Power Reactor Training and Qualification Plan for Personnel Performing Security Program Duties,” for Columbia Generating Station (Columbia) for calendar year (CY) 2020. This action is in response to Energy Northwest’s (the licensee) application dated October 29, 2020 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20303A286), as supplemented by letter dated December 3, 2020 (ADAMS Accession No. ML20338A541), that requested an exemption from 10 CFR Part 73, Appendix B, Section VI, subsection C.3.(I)(1), regarding the annual force-on-force (FOF) exercises for CY 2020 at Columbia.

The requirements in 10 CFR Part 73, Appendix B, Section VI, subsection C.3.(I)(1), state, in part:

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.

The purpose of the annual licensee-conducted FOF exercise is to ensure that the site security force maintains its contingency response readiness. Participation in these exercises also supports the requalification of security force members.

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. Subsequently, the Centers for Disease Control and Prevention issued recommendations (e.g., social distancing, limiting assemblies) to limit the spread of COVID-19.

The licensee's application dated October 29, 2020, states the following, in part:

- 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 [from 10 CFR Part 73, Appendix B, Section VI, subsection C.3.(l)(1)]. The PHE has not ended. Energy Northwest's ability to safely conduct annual FOF exercises within the parameters of the isolation protocols still in place nationally and in the State of Washington, in particular are challenged.
- 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)[Revision 2, February 2020]. 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.
- 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 remaining plant security and protecting the health and safety of the public.
- 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.(l)(1). The list will include the dates of the last quarterly drill and annual FOF exercise in which the individual participated. In addition, Columbia will conduct limited scope tactical exercises and review lessons learned from past exercises with all impacted security personnel.
- 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 its response to the NRC staff's request for additional information, dated December 3, 2020, the licensee states the following, in part:

- There has been a recent rise in cases of COVID-19 in local Benton and Franklin counties where the majority of station personnel reside. The station has also seen a recent rise in COVID-19 cases of station personnel. To date, through contact tracing, Energy Northwest has determined that none of these cases have been tied to transmission at the station and have been due to home or community contact.
- Due to the increasing trend of cases in state and local counties, along with a rise in cases of station personnel, Energy Northwest management has increased nonessential employee telecommuting where possible. Additionally, all meetings, including core business meetings, are being conducted virtually to the fullest extent possible during this timeframe.
- Energy Northwest's pandemic plan has impacted the stations ability to perform the 2020 annual FOF exercises safely due to the following:
  - COVID-19 mitigation techniques of maintaining social distancing, mask use, minimizing human footprint on site, and limiting close personal contact of employees during the conduct of work activities where possible are essential elements of mitigating onsite transmission of the virus.
  - Modifications have been made in order to lower the number of individuals onsite, protect essential site personnel, and lower the probability of an outbreak at the site which could affect safe and reliable operation of the station.
  - Current site COVID-19 mitigation techniques described above would challenge the ability for multiple personnel to be located within security posts.
  - A significant number of security controllers used during FOF Exercises are nonessential employees which are telecommuting due to site COVID-19 restrictions.

This exemption is specific to CY 2020 and Columbia security personnel who have previously demonstrated proficiency and are currently qualified in accordance with the requirements of 10 CFR Part 73, Appendix B, Section VI. The licensee stated that the proposed exemption does not change the physical security plans or the defensive strategy; 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; and security personnel will continue to be monitored regularly by supervisory personnel. Therefore, granting the requested exemption will not endanger or compromise the common defense or security, or safeguarding Columbia. Additionally, the October 29, 2020, request identified site-specific actions listed above that will be implemented at Columbia to maintain contingency response readiness, consistent with the NRC staff's October 13, 2020, letter (ADAMS Accession No. ML20273A117).

Pursuant to 10 CFR 73.5, "Specific exemptions," the Commission may, upon application by any interested person or on its own initiative, grant exemptions from the requirements of 10 CFR Part 73 when the exemptions are authorized by law, will not endanger life or property or the common defense and security, and are otherwise in the public interest.

In accordance with 10 CFR 73.5, the Commission may grant an exemption from the regulations in 10 CFR Part 73 that is authorized by law. The NRC staff has reviewed the exemption request and finds that granting the proposed exemption will not result in a violation of the Atomic Energy Act of 1954, as amended, or other laws. Therefore, the NRC staff finds that the exemption is authorized by law.

In accordance with 10 CFR 73.5, the Commission may grant an exemption from the regulations in 10 CFR Part 73 when the exemption will not endanger life or property or the common defense and security. This exemption will only apply to licensee security personnel who are already satisfactorily qualified in accordance with the security requirements outlined in 10 CFR Part 73, Appendix B, Section VI. Based on this fact, and its review of the controls that the licensee will continue to implement for the duration of the exemption, including continuing to conduct quarterly tactical response drills and other security requalification requirements, the NRC staff has reasonable assurance that the security force at Columbia will maintain its proficiency and readiness to implement the licensee's protective strategy and adequately protect the site. Therefore, the NRC staff concludes that the proposed exemption would not endanger life or property or the common defense and security.

In accordance with 10 CFR 73.5, the Commission may grant an exemption from the regulations in 10 CFR Part 73 when the exemption is in the public interest. The NRC staff finds that the exemption from the annual FOF requirement in 10 CFR Part 73, Appendix B, Section VI, subsection C.3.(I)(1), for CY 2020 would facilitate the licensee's efforts to maintain a healthy workforce capable of operating the plant safely and implementing the site's protective strategy by isolating security personnel from potential exposure to the COVID-19 virus. The NRC staff concludes that granting the exemption for CY 2020 is in the public interest because it allows the licensee to maintain the required security posture at Columbia, while enabling the facility to continue to provide electrical power to the Nation.

## **Environmental Considerations**

NRC approval of this exemption request is categorically excluded under 10 CFR 51.22(c)(25), and there are no special circumstances present that would preclude reliance on this exclusion. The NRC staff determined, per 10 CFR 51.22(c)(25)(vi)(E), that the requirements from which this exemption is sought involve education, training, experience, qualification, requalification, or other employment suitability requirements. The NRC staff also determined that approval of this exemption request involves no significant hazards consideration because it does not authorize any physical changes to the facility or any of its safety systems, nor does it change any of the assumptions or limits used in the facility licensee's safety analyses or introduce any new failure modes. There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite because this exemption does not affect any effluent release limits as provided in the facility licensee's technical specifications or by the regulations in 10 CFR Part 20, "Standards for Protection Against Radiation." There is no significant increase in individual or cumulative public or occupational radiation exposure because this exemption does not affect limits on the release of any radioactive material, or the limits provided in 10 CFR Part 20 for radiation exposure to workers or members of the public. There is no significant construction impact because this exemption does not involve any changes to a

construction permit; and no significant increase in the potential for or consequences from radiological accidents because this exemption does not alter any of the assumptions or limits in the facility licensee's safety analysis. In addition, the NRC staff determined that there would be no significant impacts to biota, water resources, historic properties, cultural resources, or socioeconomic conditions in the region. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the approval of this exemption request.

## **Conclusions**

Accordingly, the NRC has determined that pursuant to 10 CFR 73.5, the exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the NRC hereby grants the licensee's request to exempt Columbia from the annual FOF exercise requalification requirement of security personnel in subsection C.3.(l)(1) of 10 CFR Part 73, Appendix B, Section VI. This exemption applies only to those FOF exercises required during CY 2020.

If you have any questions, please contact the Columbia project manager, Mahesh Chawla, at 301-415-8371 or [Mahesh.Chawla@nrc.gov](mailto:Mahesh.Chawla@nrc.gov).

Sincerely,

Philip J. McKenna, Acting Deputy Director  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-397

cc: Listserv

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**ADAMS Accession No.: ML20342A211**

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