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U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Ref 10 CFR 26.9

Subject: Comanche Peak Nuclear Power Plant (CPNPP)
Docket Nos. 50-445 and 50-446
Supplement to Request for Exemption from Specific Requirements of 10 CFR Part 26,
"Fitness for Duty Programs"

References:

1. Letter TXX-20105 from Thomas P. McCool to the NRC "Request for Exemption from Specific Requirements of 10 CFR Part 26, 'Fitness for Duty Programs'" dated December 11, 2020 (ML20346A565)
2. NRC letter from H. Nieh to NEI dated March 28, 2020, "U.S. Nuclear Regulatory Commission Planned Actions Related to the Requirements for Work Hour Controls During the Coronavirus Disease 2019 Public Health Emergency" (ML20087P237)
3. NRC letter from H. Nieh to NEI dated November 10, 2020, "U.S. Nuclear Regulatory Commission Updated Planned Actions Related to Certain Requirements for Operating and Decommissioning Reactor Licensees During the Coronavirus Disease 2019 Public Health Emergency" (ML20261H515)

Dear Sir or Madam:

In Reference 1, Vistra Operations Company LLC (Vistra OpCo) requested an exemption from certain 10 CFR Part 26 requirements as a result of the Coronavirus Disease 2019 (COVID-19) public health emergency (PHE) to use alternative work hour controls described in References 1, 2, and 3 for Comanche Peak Nuclear Power Plant (CPNPP) Unit 1 and Unit 2.

The following information supplements Reference 1 based on communications between the Nuclear Regulatory Commission and Vistra OpCo on December 15, 2020.

Specifically, Vistra OpCo provides the following information related to Enclosure 1 to the Reference 3 letter:

Reference 3 / Enclosure 1 / Page 1 / 1st bullet:

- *a statement that explains how, and for which covered groups, the COVID-19 public health emergency (PHE) impacts the licensee's ability to meet the work hour control requirements of 10*

CFR 26.205(d)(1)-(d)(7);

CPNPP Response:

Identification of the covered groups is addressed by Reference 1. The CPNPP plant staff and communities surrounding CPNPP have experienced an increase in positive COVID-19 cases. CPNPP has so far been able to address these issues using the existing controls allowed by 10 CFR Part 26. The increasing trend of COVID-19 cases could impact the stations ability to meet the existing requirements of 10 CFR 20.205(d)(1) through (d)(7) in maintaining minimum staffing and ensuring adequate numbers of qualified individuals from the groups specified in 10 CFR 26.4(a)(1) through (a)(5) are available to complete the necessary operations, tests, inspections, and maintenance that support nuclear safety and security.

Reference 3 / Enclosure 1 / Page 1 / 2nd bullet:

- *a statement that describes how an exemption from the 10 CFR 26.205 (d)(1)-(d)(7) work hour control requirements would be used to manage the impact of the COVID-19 PHE on maintaining plant operational safety and security;*

CPNPP Response:

Exemption from the 10 CFR 26.205(d)(1) through (d)(7) requirements is intended to prevent and limit the spread of COVID-19 and to mitigate its effect should CPNPP staffing be significantly impacted. CPNPP intends to use the alternative controls only when necessary to efficiently perform operation, inspection, maintenance and testing activities that cannot be performed in accordance with the requirements of 10 CFR 26.205.

This communication contains no new commitments regarding CPNPP Units 1 and 2.

Should you have any questions, please contact Jim Barnette at (254) 897-5866 or James.barnette@luminant.com.

Sincerely,



Thomas P. McCool

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