

# **COVID-19 Related Request for Exemption from Part 26 Work Hours Requirements**

Submitted: Jan 06, 2021

**1. Submitter Name/Title:**

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**2. Email Address**

Please enter the email address for which you would like to receive communications regarding this request.

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**3. Organization**

Southern Nuclear Operating Co., Inc.

**4. Plant Name**

Hatch

**5. Plant Unit(s):** 1,2

**6. Need By Date**

2021-01-12

**7. Docket Number(s)**

Example: 05000313

05000321 and 05000366

**8. License Number(s)**

Example: DPR-51

DPR-57 and NPF-5

**9. NRC Licensing Project Manager**

J. LAMB

**10. Statement that the licensee above can no longer meet the work hour controls of 10 CFR 26.205(d) for certain personnel or groups of personnel specified in 10 CFR 26.4(a) because of site specific issues as a result of the COVID-19 public health emergency (PHE).**

As a result of the Coronavirus Disease 2019 (COVID-19) public health emergency (PHE) Southern Nuclear Operating Company (SNC) is requesting NRC approval to utilize the alternative work hour controls described in the NRC's March 28, 2020 letter (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20087P237) and November 10, 2020 letter (ADAMS Accession No. ML20261H515) for Edwin I. Hatch Nuclear Plant (HNP), Units 1 and 2, for covered workers noted in this exemption request.

The alternative controls will support maintaining staffing requirements as a result of the recent increase in personnel absence due to COVID-19 positive test results or contact tracing quarantines which impact personnel maintaining current work hour control requirements of 10 CFR 26.205(d)(1) through (d)(7) while supporting plant operational safety and security. The increase in COVID-19 cases in the communities immediately surrounding HNP could impact the station's ability to meet the work hour controls of 10 CFR 26.205(d) in maintaining minimum staffing while ensuring that adequate qualified individuals of personnel specified in 10 CFR 26.4(a)(1) through (a)(5) are available to complete necessary operations, tests, inspections, and maintenance in a manner that supports nuclear safety and security. Therefore, SNC has determined that implementing the alternative work hour controls would allow HNP to proactively take steps to ensure added flexibility is available to facilitate further worker and community protection and ensure safe operation during the period of this exemption.

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 HNP staffing be significantly impacted. HNP intends to use the alternative controls, where necessary, to efficiently perform operation, inspection, maintenance, and testing activities that cannot be performed in accordance with the Centers for Disease Control and Prevention (CDC) recommendations related to social distancing, mask usage, worker screening, and limiting close proximity work. This practice will reduce the number of people involved in specific activities to limit the potential spread of COVID 19 and supports HNP's continuing efforts to maintain CDC recommendations. In addition, the alternative controls will be used to mitigate staffing impacts should personnel absences challenge required staffing levels.

As the U.S. Departments of Homeland Security and Energy have stated in their

guidance, the electric grid and nuclear plant operation make up the nation's critical infrastructure similar to the medical, food, communications, and other critical industries. HNP's operations and refueling outages must be conducted such that the plant is available when needed, including during the critical peak winter loads.

**11. List of personnel or groups of personnel specified in 10 CFR 26.4(a) for which the licensee will maintain current work hour controls under 10 CFR 26.205(d)(1)-(d)(7).**

Positions (as described in § 26.4(a)(1) – (5)) for which either current work-hour controls will be maintained, or for which alternative controls will be required as a preventive measure are:

- 26.4(a)(1) Operators
- 26.4(a)(2) Health Physics and Chemistry
- 26.4(a)(3) Fire Brigade
- 26.4(a)(4) Maintenance
- 26.4(a)(5) Security

**12. List and description of alternative controls for the management of fatigue to address site specific issues as a result of the COVID-19 PHE.**

Plant Hatch proposes the alternative controls described below, consistent with the NRC letter from H. Nieh to NEI, "U.S. Nuclear Regulatory Commission Planned Actions Related to the Requirements for Work Hour Controls During the Coronavirus Disease 2019 Public Health Emergency," March 28, 2020 (ADAMS Accession No. ML20087P237), the NRC issued addendum on April 08, 2020 (ADAMS Accession No. ML20098B333), and the NRC letter to NEI, "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," November 10, 2020 (ADAMS Accession No. ML20261H515). These controls ensure that covered workers are subject to the following minimum controls:

- (1) Not more than 16 work hours in any 24-hour period and not more than 86 work hours in any 7-day period, excluding shift turnover;
- (2) A minimum 10-hour break is provided between successive work periods;
- (3) 12-hour shifts are limited to not more than 14 consecutive days;
- (4) A minimum of 6 days off are provided in any 30-day period;
- (5) The calculation of work hours and days off includes all work hours and days off during the applicable calculation periods, including those work hours and days off preceding initiation of the exemption period; and

(6) Requirements are established for behavioral observation and self-declaration during the period of the exemption.

**13. Date when the licensee will begin implementing its site-specific COVID-19 PHE fatigue-management controls for personnel specified in 10 CFR 26.4(a)**

2021-01-13

**14. The time when the licensee will begin implementing its alternative controls for the management of fatigue for personnel (or group of personnel) specified in 10 CFR 26.4(a).**

**HNP will begin implementing the alternative controls, where appropriate, after NRC approval of this exemption request for impacted personnel and departments.**

**15. Statement that the licensee's site specific alternative controls for the management of fatigue are consistent with the minimum alternative controls listed below.**

Plant Hatch COVID-19 PHE fatigue-management controls are consistent with the constraints outlined in the previously referenced NRC letters, ADAMS No. ML20087P237, ML20098B333, and ML20261H515. Plant Hatch continues to implement the fatigue management controls, behavioral observation requirements, and self-declaration allowances currently delineated within the SNC Fatigue Management Program.

**16. Does Licensee continue to meet the requirements of 10 CFR 26.33, "Behavioral observation"; 10 CFR 26.209, "Self declarations"; and 26.211, "Fatigue assessments."**

Yes

**17. The alternative controls include the following, as a minimum:**

- 1. Individuals will not work more than 16 work-hours in any 24-hour period and not more than 86 work-hours in any 7-day period, excluding shift turnover;**
- 2. A minimum 10-hour break is provided between successive work periods;**
- 3. 12-hour shifts are limited to not more than 14 consecutive days;**
- 4. A minimum of 6-days off are provided in any 30-day period; and**
- 5. Changes in actions to meet requirements for behavioral observation for both acute and cumulative fatigue and self declaration during the period of the exemption as appropriate due to potential for increased worker fatigue.**

Yes

**18. Additional Information:**

Use the area below to provide any additional information related to your exemption request.

Upon NRC approval, HNP would, where appropriate, implement the alternative controls described in the referenced NRC letters for the management of fatigue on January 13, 2021 for an initial period of 60 days. Near the end of the 60-day period, if COVID-19 pandemic conditions persist at the site affecting staffing requirements and the efforts to maintain CDC, state and local recommendations related to social distancing, worker screening, and limiting close-proximity work, as well as of particular concern is the COVID-19 challenge in the immediate community of HNP, an additional email supplement request may be submitted to extend the 60-day exemption implementation period.