



**Steven K. Sewell**  
Senior Director,  
Engineering & Regulatory Affairs

**Comanche Peak  
Nuclear Power Plant  
(Vistra Operations  
Company LLC)**  
P.O. Box 1002  
6322 North FM 56  
Glen Rose, TX 76043

T 254.897.6113

CP-202100201  
TXN-21071  
April 16, 2021

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

Ref 10 CFR 73.5

Subject: Comanche Peak Nuclear Power Plant (CPNPP)  
Docket Nos. 50-445 and 50-446  
Request for a Temporary Exemption from 10 CFR 73, Appendix B, Section VI, Subsection A.7 and Subsection C.3.(L)(1) Regarding Annual Force-on-Force (FOF) Exercises, Due to COVID-19 PHE

Reference:

- 1) NRC letter 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:

Vistra Operations Company LLC (Vistra OpCo) submits the enclosed request for a temporary exemption from conducting 2021 annual force-on-force (FOF) exercises in the timeframe required in 10CFR73, Appendix B, Section VI, Subsection A.7. Specifically, Vistra OpCo requests the temporary exemption to allow for completion of the annual force-on-force exercise by September 30, 2021 due to the Coronavirus Disease 2019 (COVID-19) pandemic.

On January 31, 2020, the U.S. Department of Health and Human Services declared a public health emergency (PHE) for the United States to aid the nation's healthcare community in responding to the COVID-19 pandemic. On March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization and, on March 13, 2020, President Donald Trump declared the COVID-19 pandemic a national emergency. Vistra OpCo, in order to maintain a healthy work force, continues to implement strict isolation protocols (e.g., social distancing, group size limitations, self-quarantining, etc.) and work-from-home requirements at Comanche Peak Nuclear Power Plant (CPNPP) in response to the declarations.

The additional time afforded by the requested temporary exemption will also serve to allow CPNPP to implement specific enhancements and upgrades to the site protective strategy that have been planned since 2018 and delayed by the COVID-19 PHE. The enhancements to the protective strategy will be significant enough such that Vistra OpCo chose to use the annual FOF exercises to validate the planned protective strategy changes. Conducting the FOF exercises during the 3<sup>rd</sup> quarter of 2021 instead of during the 2<sup>nd</sup> quarter of 2021 provides for the best possibility to conduct the exercises with minimal

Enclosure transmitted herewith ~~contains~~ ~~SUNSI~~. When separated from enclosure, this transmittal document is decontrolled.

artificialities as COVID-19-related company isolation protocols are anticipated to be relaxed in late summer of 2021; additionally, the company anticipates that conducting the security exercises in August/September will be acceptable based on pandemic trends in Texas and the environs of the facility.

The proposed temporary exemption will apply to security personnel who have previously demonstrated proficiency and are currently qualified in accordance with 10 CFR 73, Appendix B, Section VI, "Nuclear Power Reactor Training and Qualification Plan for Personnel Performing Security Program Duties."

The enclosed request provides justification for the temporary exemption. The enclosure is designated as security related information (SRI) and should be withheld in accordance with 10 CFR 2.390.

Vistra OpCo requests approval by May 17, 2021.

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](mailto:James.barnette@luminant.com).

Sincerely,

  
Steven K. Sewell

Enclosure: CPNPP 2021 Annual Security Force-on-Force Exercise Exemption Request

c (email) - Scott Morris, Region IV [Scott.Morris@nrc.gov]  
Dennis Galvin, NRR [Dennis.Galvin@nrc.gov]  
John Ellegood, Senior Resident Inspector, CPNPP [John.Ellegood@nrc.gov]  
Neil Day, Resident Inspector, CPNPP [Neil.Day@nrc.gov]