



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

October 14, 2021

MEMORANDUM TO: Mike King, Deputy Director for Reactor Safety  
Programs and Mission Support  
Office of Nuclear Reactor Regulation

FROM: Bo M. Pham, Director */RA/*  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

SUBJECT: NRR CORONAVIRUS DISEASE 2019 (COVID-19) PUBLIC  
HEALTH EMERGENCY RESPONSE – OPERATING REACTOR  
LICENSING AND OFFICE OF NUCLEAR REACTOR  
REGULATION COVID-19 COORDINATION TEAM INITIAL  
LESSONS LEARNED REPORT

The Office of Nuclear Reactor Regulation (NRR) COVID-19 Coordination Team (NCCT) has completed the initial Lessons Learned Report related to Operating Reactor Licensing activities during the COVID-19 public health emergency response. The enclosed report will be made available to the public via the U.S. Nuclear Regulatory Commission (NRC) Agencywide Documents Access and Management System and will also be posted on the agency's NRC COVID-19 Regulatory Activities for Nuclear Reactors public web page.

Enclosure:  
NRR Coronavirus Disease 2019 (COVID-19)  
Public Health Emergency Response (PHE) –  
Operating Reactor Licensing and NCCT Initial  
Lessons Learned Report

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NRR CORONAVIRUS DISEASE 2019  
(COVID-19) PUBLIC HEALTH EMERGENCY  
(PHE) RESPONSE – OPERATING  
REACTOR LICENSING AND OFFICE OF  
NUCLEAR REACTOR REGULATION (NRR)  
COVID-19 COORDINATION TEAM (NCCT)  
INITIAL LESSONS LEARNED REPORT

DATED: OCTOBER 2021

## 1.0 INTRODUCTION

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 Coronavirus Disease 2019 (COVID-19). On March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization. This was an unprecedented time for our country, the U.S. Nuclear Regulatory Commission (NRC), and its regulated entities. NRC responded and maintained its commitment to ensuring public health and safety of employees, plant workers, and local communities – resulting in continued focus on safety while providing temporary flexibilities to address the challenges brought by the pandemic.

In response to the COVID-19 PHE, the volume of licensing actions increased substantially in a short period of time, challenging the licensing program to relook at existing business practices. NRR assessed and implemented several process efficiencies that have the potential for further implementation to streamline operating reactor licensing. The NCCT staff has identified new ideas, lessons learned, and best practices that can be utilized as the agency moves forward to becoming a modern, risk-informed, effective, and efficient regulator.

This report summarizes the operating reactor licensing lessons learned from the Office of Nuclear Reactor Regulation's (NRR) response to the COVID-19 PHE. The lessons learned contained in this report highlight actions that contributed to the effectiveness of program implementation and enhancements for future activities, consistent with the NRC's Principles of Good Regulation (Independence, Openness, Efficiency, Clarity, and Reliability). This report groups the lessons learned into the areas of: (1) communications, (2) development of infrastructure to support review of submittals related to COVID-19, and (3) processing licensee's COVID-19-related requests. Specific lessons learned, best practices, and recommendations range from improvements to existing processes to the development and use of first-of-its-kind concepts such as web-based exemption submittals.

For lessons learned in the operating reactor oversight area, please see the report, "Initial Report on Challenges, Lessons Learned and Best Practices from the 2020 COVID-19 Public Health Emergency," dated January 2021 (ADAMS Accession No. ML20308A389).

## 2.0 BACKGROUND

In response to the COVID-19 PHE, on March 17, 2020, NRR stood up the NRR COVID-19 Coordination Team (NCCT), comprised of management and staff. Its establishment demonstrated the agency's ability to quickly assemble an integrated team, and pivot to prioritize its response to address the surge in COVID-19 licensing activities effectively. Additional details of the NCCT can be found in Section 4.1 of this report.

The NCCT identified regulatory requirements that could be challenging for licensees to meet under the PHE and where temporary flexibilities, such as exemptions, could be utilized without compromising the ability of licensees to maintain the safe and secure operation of NRC-licensed facilities. The NRC staff communicated the processes available to licensees for requesting these flexibilities in a transparent way through public meetings, teleconferences, and letters. In addition, these processes and the approved flexibilities were posted and updated on the NRC public Web page (<https://www.nrc.gov/about-nrc/covid-19/>).

On March 20, 2020, the first public meeting hosted by the NCCT was held to discuss COVID-19 regulatory impacts with industry (meeting summary available at Agencywide Documents Access

and Management System (ADAMS) Accession No. ML20093F120). In total, the NCCT hosted ten public meetings to discuss various regulatory impacts due to the COVID-19 PHE. NRR continues to communicate regularly with operating reactor facilities to discuss current activities and future plans.

In addition, on March 28, 2020, the NRC issued a letter to industry describing the criteria and conditions under which it would expedite review of licensee requests for exemption or relief from certain regulatory requirements (ADAMS Accession No. ML20087P237, supplemented by letter dated April 8, 2020, ADAMS Accession No. ML20098B333). Details of this letter, and others, can be found in Section 4.2 of this report.

On April 10, 2020, NRC's COVID-19 Regulatory Activities for Nuclear Reactors Web page was published and available to the public. On September 15, 2020, a Commission meeting was held to update the Commission on the agency's response to the COVID-19 PHE. Slides and transcript of the meeting can be found at ADAMS Accession No. ML20253A200. Additionally, an archive of the webcast of this meeting can be found on the NRC public website at <https://nrc.rev.vbrick.com/#/videos/a0555d81-c219-4b7a-92e0-74e6a00bc0c1>.

On November 10, 2020, the NRC issued a letter to industry (ADAMS Accession No. ML20261H515) to provide guidance on the continued use of NRC's expedited review processes for COVID-19 related requests in seven topical areas beyond December 31, 2020. Enclosures to the letter addressed informational needs to facilitate licensees' continued use of the expedited review processes, such as providing justifications for the hardships that have resulted from the COVID-19 PHE and information related to the potential cumulative effects of these exemptions.

To support review of the expected influx of COVID-19-related requests from its operating reactor licensees, the Division of Operating Reactor Licensing (DORL) stood up the COVID-19 Tiger Team. The DORL COVID-19 Tiger Team developed the guidance letters that were issued to industry, temporary staff guidance for review of COVID-19 exemption requests, and example approval letters.

### 3.0 LESSONS LEARNED SCOPE AND METHODOLOGY

The NCCT met with various staff to discuss the NRR COVID-19 PHE response to develop lessons learned. Feedback from these discussions identified best practices that could be retained and disseminated in a manner that would maximize their benefits and usefulness to operating reactor licensing processes and procedures. In doing so, the staff identified three main areas into which the lessons were categorized:

- Communications and information sharing
- Development of infrastructure to support review of submittals related to COVID-19
- Processing licensee's COVID-19-related requests

Key lessons learned and notable recommendations are listed in Section 4.0 of this report.

### 4.0 LESSONS LEARNED, BEST PRACTICES AND RECOMMENDATIONS

#### 4.1 Communications and Information Sharing

Given the uncertainty and rapid evolution of the conditions associated with the COVID-19 PHE, NRR was faced with the challenge of understanding impacts to commercial nuclear power reactor licensees, and non-power (research and test) reactor licensees (hereafter referred to as industry or licensees), and quickly developing and disseminating information in a manner that would be easily accessible to licensees and members of the public. The volume of requests and inquiries was significantly higher than normal, requiring NRR to re-evaluate traditional methods of communication. Specific areas of focus during NRR’s COVID-19 response include:

*Standing up the NCCT – Organizational Agility*

For uncommon situations, like the COVID-19 PHE, organizational agility is a key attribute required for success. For example, standing up an ad hoc organization like the NCCT to handle the demands of an atypical situation such as the COVID-19 PHE was vital to accomplishing NRR’s mission. The NCCT was a centralized conduit for coordination and communicating regarding licensing activities. Specifically, the NCCT was responsible for:

- Maintaining awareness of the status of licensing and inspection activities related to or impacted by the PHE;
- Identifying challenges to completing our mission-related work, changes in priorities, or reallocation of resource;
- Serving as the point of contact for matters raised by the industry and members of the public;
- Facilitating meetings with industry representatives on pandemic-related matters; and
- Identifying possible efficiencies for addressing COVID-19 PHE-related work.

Staff at various levels and with various experience and expertise made up the NCCT. This included senior management, branch chiefs, technical reviewers and project managers in the oversight and licensing areas.

*Public and Industry Engagement Is Key to Understanding Needs and Communicating Expectations*

Public meetings were held with the nuclear industry to understand regulatory needs due to impacts of the COVID-19 PHE. To ensure employee safety was maintained with a maximum telework posture consistent with COVID-19 guidance, these meetings were conducted virtually via teleconference. The meetings provided the nuclear industry a venue to discuss regulatory challenges and needs and ask questions of the NRC staff. The public were afforded time to provide questions or comments to the NRC staff. An example of topics discussed was when staff discussed proposed draft guidance, such as the criteria under which NRC would consider expedited review of specific exemption requests, which was then subsequently finalized and sent via letter to industry. The table below provides pertinent information for the public meetings that were led by the NCCT:

<b>Date</b>	<b>Description of Meeting</b>	<b>Meeting Notice</b>	<b>Additional Meeting Information</b>	<b>Meeting Summary</b>
3/20/2021	Discuss COVID-19 Regulatory Impacts	<a href="#">ML20079D897</a>	<a href="#">ML20079L589</a>	<a href="#">ML20093F120</a>

Date	Description of Meeting	Meeting Notice	Additional Meeting Information	Meeting Summary
3/26/2021	Discuss COVID-19 Regulatory Impacts Related to Title 10 of the Code of Federal Regulations (10 CFR) 50.55a, SG Materials Inspections, and Other Material-Related Inspections	<a href="#">ML20084J283</a>	N/A	<a href="#">ML20093A741</a>
4/2/2021	Discuss COVID-19 10 CFR Part 26 Work Hour Requirement Impacts and March 28, 2020, Letter	<a href="#">ML20090E056</a>	<a href="#">ML20092J126</a>	<a href="#">ML20100F531</a>
4/15/2021	Discuss COVID-19 10 CFR Part 20 Regulatory Needs	<a href="#">ML20104C136</a>	<a href="#">ML20106E970</a>	<a href="#">ML20113E972</a>
4/29/2021	Discuss COVID-19 10 CFR 50.48 Fire Protection Licensing Needs	<a href="#">ML20108F647</a>	<a href="#">ML20120A005</a> <a href="#">ML20118C271</a>	<a href="#">ML20135H012</a>
4/30/2021	Discuss Potential Emergency Preparedness Enforcement Guidance and Exemption Requests Needs Due To The COVID-19 Public Health Emergency	<a href="#">ML20115E640</a>	N/A	<a href="#">ML20134J003</a>
5/27/2021	Discuss COVID-19 Fall 2020 Refueling Outage Regulatory Needs	<a href="#">ML20135H172</a>	N/A	<a href="#">ML20157A118</a>

Date	Description of Meeting	Meeting Notice	Additional Meeting Information	Meeting Summary
6/23/2021	Discuss Potential Emergency Preparedness Biennial Exercise Exemptions due to impacts from the COVID-19 Public Health Emergency	<a href="#">ML20161A043</a>	<a href="#">ML20174A283</a>	<a href="#">ML20198M581</a>
6/30/2021	Meeting with Stakeholders to Discuss Potential Future Licensing and Oversight Issues To Address The COVID-19 Public Health Emergency.	<a href="#">ML20171A665</a>	N/A	<a href="#">ML20196L774</a>
10/15/2021	Meeting with Stakeholders to Discuss Potential Future Licensing Issues To Address The COVID-19 Public Health Emergency Beyond 2020.	<a href="#">ML20296A175</a>	<a href="#">ML20287A290</a> <a href="#">ML20283A707</a> <a href="#">ML20287A432</a>	<a href="#">ML20293A541</a>

Frequent communication with licensees and members of the public ensured NRC maintained awareness of current PHE-related plant conditions and issues impacting industry and allowed for a more coordinated ability to address concerns in an expeditious manner, ensuring public health and safety.

*Use of Public Web Pages for Transparent, One-Stop Communications Hub*

An NRR-focused public Web page (<https://nrcweb.nrc.gov/about-nrc/covid-19/reactors/>) was created to provide a centralized location for external stakeholders to obtain information regarding NRR's actions in response to the COVID-19 PHE. The public Web page included the different areas of regulatory needs, with associated highlights of NRC actions, communications, and FAQs. Also listed on the public Web page were upcoming and completed public meetings. The public Web page listed all approved COVID-19 licensing actions for power and non-power reactors, with links for the incoming requests (when publicly available) and the NRC decision documents. This public Web page was leveraged by both internal and external stakeholders to obtain real-time information on activities underway and could be sorted by plant and/or licensee for easy reference.

The public Web page also provided online forms for licensees to submit requests for exemptions from several specific regulatory requirements. These online forms are discussed in Section 4.3.

The staff developed and posted lists of frequently asked questions (FAQs) for many regulatory areas (e.g., work hour controls under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 26: <https://nrcweb.nrc.gov/about-nrc/covid-19/reactors/part-26-work-hour-control-exemption.html>). These FAQs provided vital information to licensees and the public regarding why the NRC was taking action, why the NRC was reviewing certain exemptions that met established criteria and conditions on an expedited basis, and how licensees could submit such requests. The use of FAQs also allowed NRR to respond to emerging questions and share information in a transparent and consistent manner.

#### *Use of SharePoint Tracking Lists Kept Staff at All Levels Informed of Licensing Action Status*

An internal (non-public) SharePoint list was created to track all COVID-19 licensing actions for both Power and Non-Power Reactors. This list was used to inform management of the status of licensing actions and used for resource planning considerations. This SharePoint list was an additional tool for workload planning; project managers continued to use RPS. The SharePoint list was used since RPS (at the time) did not have the ability for project managers to add planned licensing actions.

#### **Recommendations:**

- Consider modifying the current licensing workload management tool (i.e., Reactor Program System (RPS)), to create module(s) that can be used to track licensing actions during emergent or uncommon situations such as the COVID-19 PHE (instead of creating SharePoint (or similar) lists on an ad hoc basis).
- Consider establishing standard template (e.g., list of affected offices/business lines/licensees, dashboards) and process/procedure for launch of a public website to share publicly available information in the event of a future uncommon situation such as the COVID-19 PHE. Having these protocols ready in place will allow for a faster communication response for both internal and external stakeholders.

#### 4.2 Development of Infrastructure to Support Review of Submittals Related to COVID-19

##### *Creating a Framework for Expedited Reviews - Letters to Industry*

Based on industry and public engagement, NRC staff identified regulatory requirements that could pose challenges during the COVID-19, and the areas where the staff believed that temporary flexibilities, such as exemptions, would not compromise the ability of licensees to maintain the safe and secure operation of NRC-licensed operating reactor facilities. The NRC staff communicated the processes available to licensees for requesting these flexibilities in a transparent way through public meetings, teleconferences, and letters.

The NRC staff established and communicated criteria describing the conditions under which it would expedite licensee requests for relief or exemption from certain regulatory requirements. However, the agency did not alter its standard for granting such regulatory relief. The NRC may only grant exemptions that do not present an undue risk to public health and safety, are consistent with common defense and security, and are authorized by law. All requests for COVID-19-related



temporary regulatory relief (e.g., exemptions) were reviewed by the staff on a case-by-case basis and then granted only if adequate controls were in place to maintain safety and security.

The staff issued the following letters to industry describing the criteria and conditions under which it would expedite review of licensee requests for relief or exemption from certain regulatory requirements.

Requirements in 10 CFR Part 26 related to work hour controls:

- 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," (ADAMS Accession No. ML20087P237), as supplemented by letter dated April 8, 2020, "Addendum to U.S. Nuclear Regulatory Planned Actions Related to the Requirements for Work Hour Controls During the Coronavirus Disease 2019 Public Health Emergency," (ADAMS Accession No. ML20098B333).

Requirements in 10 CFR Part 55 related to (1) requalification program scheduling, (2) licensed operator active status for research and test reactors, and (3) delays in completion of biennial medical examinations of licensed operators and senior operators:

- April 14, 2020, "U.S. Nuclear Regulatory Commission Planned Actions Related to the Requirements for Operating Licensing During the Coronavirus Disease 2019 Public Health Emergency," (ADAMS Accession No. ML20104C071).

Requirements in 10 CFR Part 73, Appendix B, Section VI, related to security training:

- April 20, 2020, "U.S. Nuclear Regulatory Commission Planned Actions Related to the Requirements for Part 73, Appendix B, Section VI During the Coronavirus Disease 2019 Public Health Emergency," (ADAMS Accession No. ML20105A483). This letter was supplemented by letter dated October 13, 2020, "Updated Guidance for Licensees That Request Exemptions From the Calendar Year 2020 Annual Licensee-Conducted Force on Force Requirement in Part 73, Appendix B, Section VI During the Coronavirus Disease 2019 Public Health Emergency," (ADAMS Accession No. ML20273A117).

Requirements in 10 CFR Part 20 related to medical evaluation frequency and fit-testing frequency requirements:

- April 27, 2020, "U.S. Nuclear Regulatory Commission Planned Actions Related to the Respiratory Protection Requirements for all Licensees During the Coronavirus Disease 2019 Public Health Emergency," (ADAMS Accession No. ML20099G757).

Requirements in 10 CFR Part 50.48 related to fire protection program requirements pertaining to the fire brigade training and qualification requirements in 10 CFR 50.48:

- May 14, 2020, "U.S. Nuclear Regulatory Commission Planned Actions Related to Certain Fire Protection Requirements for Operating and Decommissioning

Reactor Licensees During the Coronavirus Disease 2019 Public Health Emergency,” (ADAMS Accession No. ML20122A022).

Requirements in 10 CFR 30.32(i)(3)(xii), 10 CFR 40.31(j)(3)(xii), 10 CFR Part 50, Appendix E.IV.F, 10 CFR 70.22(i)(3)(xii), and 10 CFR 72.32(a)(12)(i) and (ii) related to biennial emergency plan exercise requirements:

- May 14, 2020, “U.S. Nuclear Regulatory Commission Planned Actions Related to Emergency Preparedness Biennial Exercise Requirements for All Licensees During the Coronavirus Disease 2019 Public Health Emergency,” (ADAMS Accession No. ML20120A003). This letter was supplemented by letter dated September 2, 2020, “Addendum to U.S. Nuclear Regulatory Commission Planned Actions Related to Emergency Preparedness Biennial Exercise Requirements for Power Reactor Licensees During the Coronavirus Disease 2019 Public Health Emergency,” (ADAMS Accession No. ML20223A152).

Additionally, on November 10, 2020, the NRC issued a letter (ADAMS Accession No. ML20261H515) to provide guidance on the continued use of expedited processes beyond December 31, 2020, for COVID-19 related requests in seven topical areas. Enclosures to the letter address informational needs for each of the seven topical areas to facilitate the continued licensee’s use of the NRC’s expedited review process, such as providing justifications for the hardships that have resulted from the COVID-19 PHE and information related to the potential cumulative effects of these exemptions.

When developing all the letters, the staff gave specific consideration to provisions of the Paperwork Reduction Act, Congressional Review Act (CRA), and Office of Management and Budget (OMB) clearance requirements.

#### *Timely Temporary Staff Guidance (TSG) Set Expectations and Expedited Review Process for Staff*

Staff developed TSG-DORL-2020-01, “COVID-19 Related Exemptions from NRC Part 26 Regulations,” dated April 6, 2020 (ADAMS Accession No. ML20091L276). 10 CFR Part 26, “Fitness for Duty Programs,” prescribes requirements and standards for the establishment, implementation, and maintenance of fitness-for-duty programs. Under 10 CFR 26.9, licensees may request exemptions from the requirements of NRC regulations in 10 CFR Part 26. If the NRC grants the exemption, then the licensee is relieved from compliance with the specified regulations, subject to any requirements included in the NRC’s approval of the exemption. The NRC applied the expedited review process described in TSG-DORL-2020-01 to only those exemption requests that met the criteria in the March 28, 2020, letter.

After completing the initial temporary staff guidance document related to Part 26 work hour exemption requests, the staff determined it would be more efficient to develop more generally applicable temporary staff guidance. Staff developed TSG-DORL-2020-02, “COVID-19 Related Exemptions from NRC Regulations,” dated May 8, 2020 (non-public). This temporary staff guidance document provided NRR staff with additional information for internal considerations and a more generally applicable framework for expedited processing of COVID-19 related exemptions from NRC requirements.

The two TSG documents provided the NRR staff with expectations for reviewing and issuing COVID-19-related exemptions that supplemented NRR’s routine exemption review processes described in NRR Office Instruction LIC-103, “Exemptions from NRC Regulations” (non-public).

They were intended to enhance NRR's efficiency in responding to the needs of licensees and the public during the COVID-19 PHE. The TSGs will sunset when the COVID-19 PHE ends.

### *Tiger Teams Ensured Consistency for Staff Reviews*

The DORL COVID-19 Tiger Team was created to:

- Develop criteria and processes for expedited review specific to the individual regulatory areas where exemptions or other relief would be sought;
- Promote consistency in the processing of COVID-19 related exemptions by providing NRR staff with an improved framework for the review process;
- Improve internal and external communications;
- Increase technical consistency;
- Improve public confidence in NRC's decisions regarding these exemptions; and,
- Ensure public health and safety are maintained.

The Tiger Team reported to the NCCT. Each regulatory area was assigned a DORL Tiger Team lead, a technical and management point of contact (both projects and technical divisions). The Tiger Team lead worked with other offices, such as NSIR, to develop criteria for expedited review and to develop sample exemption letters. The Tiger Team met frequently to discuss progress, address issues and additional direction, and ensure consistency among regulatory areas, where appropriate.

### **Recommendations:**

- Consider similar approach in future for use of letters to industry/licensees to provide criteria describing the conditions under which NRC would consider and expedite licensee requests for relief or exemption from certain regulatory requirements due to uncommon situations such as the COVID-19 PHE.
- Consider continued use of Tiger Team structure established during COVID-19 PHE for future events where large volume of requests for relief or exemptions may be needed due to uncommon situations such as the COVID-19 PHE.
- Consider continued practice of developing temporary staff guidance for uncommon situations, such as the COVID-19 PHE, to provide clarity in expectations to support efficient reviews.
- Review best practices from the TSGs that may be appropriate and beneficial for permanent adoption and incorporate into future revisions of LIC-103.

## 4.3 Processing COVID-19 Related Licensee Requests

### *Processing COVID-19 Exemptions*

The routine process used by NRR, outlined in LIC-103, uses a *Federal Register* notice (FRN) to issue each individual exemption to a licensee. Because of the increased number of exemptions issued and the short timeframe needed to issue the exemptions to respond to the COVID-19 conditions at each licensee site, NRR began to use letters to issue the exemptions to the licensees. NRR then published a monthly FRN to summarize the exemptions issued in the

previous month (discussed below). For similar COVID-19-related exemptions (e.g., those discussed in the letters to Industry section above), sample decision letters were prepared to improve consistency and efficiency of reviews. Where appropriate and to the extent practicable, the DORL project manager followed a sample letter to issue an exemption.

On one occasion, when a written decision letter could not be issued in time to respond to the specific COVID-19 conditions at a licensee's site, NRR verbally informed the licensee that its exemption request was approved. This is similar to the process already in place for approving requests for relief under 10 CFR 50.55a, as documented in LIC-102, "Review of Relief Requests, Proposed Alternatives, and Requests to Use Later Code Editions and Addenda," Revision 3 (ADAMS Accession No. ML18351A218). Issuing a written decision letter on an exemption request by the date needed by the licensee is preferred over verbal authorization, in order to maintain transparency and openness. However, the staff's position was that plant risk from potential transient conditions is lower if the temporary exemption is granted verbally, rather than requiring the licensee to take action to comply with the applicable regulations while awaiting the delivery of the exemption approval letter via normal (written) communication channels. For verbal decisions of exemption requests, the agency's standard for granting such regulatory relief remained unchanged and each request was reviewed on a case-by-case basis: the NRC may only grant exemptions that do not present an undue risk to public health and safety, are consistent with common defense and security, and are authorized by law. The NRC staff then issued the final written decision letter as soon as possible after providing the verbal decision. The final decision letter referenced the verbal decision by the date of the verbal decision phone call.

The one verbal approval of a COVID-19-related exemption was for Beaver Valley Power Station, Units 1 and 2 (ADAMS Accession No. ML20109A010) and the written decision can be found at ADAMS Accession No. ML20109A000).

#### *Online Submission Forms – Exemptions*

The NRR staff experimented with options for increasing the use of technology to process exemption requests by developing several online forms for licensees to submit select COVID-19 related exemption requests (e.g., 10 CFR Part 55, Operator Licensing, etc.). Using the NRC's COVID-19 public Web page, licensees were able to submit exemptions and have them be automatically emailed to the cognizant PM and management team while also simultaneously being screened by the NRC Document Processing Center (DPC) for ADAMS publication. Through a series of auto-generated actions (MS Power Automate) and using a SharePoint repository of pre-authorized response templates, staff was able to quickly respond to licensee requests.

#### *Online Submission Portal – Relief Requests*

Development of an online portal for licensees to submit COVID-19 related alternatives in accordance with 10 CFR 50.55a(z)(1) and (z)(2) stemmed directly from the COVID-19 online submission forms. DORL's Web-Based Relief Request (WRR) initiative team launched a licensee submission option for proposed COVID-19 related alternatives under 10 CFR 50.55a(z)(1) and (z)(2). Building off that momentum, the WRR team developed a first-of-its-kind portal to provide licensees the ability to log in to a personalized Web page to build and submit COVID and non-COVID-related proposed alternatives and monitor transaction status. The WRR Portal (<https://wrr.nrc-gateway.gov/>) was launched in early 2021 and works cohesively with the internal electronic safety evaluation (eSE) template generator to incorporate key data from licensee submissions.

These external online portals establish the foundation and framework for future process enhancements such as online responses to requests for additional information. Online submissions have the potential to enable future capabilities that are likely to result in efficiencies, such as enabling streamlined document sharing, electronic tracking of review status, and standardized formatting and automation of administrative aspects of review documentation.

### *Summary Federal Register Notices for Exemptions*

During COVID-19 when the volume of exemptions increased significantly, DORL employed a “roll-up” or summary FRN on a monthly basis instead of issuing individual FRNs for each exemption granted. This batch process to periodically provide a compiled listing for exemptions each month greatly reduced the administrative burden (i.e., staff hours and publishing cost) of processing individual notices. This compiled listing provided transparency regarding the number of exemptions the NRC issued, licensee and plant information, and the regulations from which exemptions were granted.

### **Recommendations:**

- Consider continued use of summary FRNs as a standard administrative practice for all licensing actions that require noticing. This will require consultation with the Office of General Counsel (OGC), revision to NRR office instructions, and training for the NRC staff.
- Consider continued use of the exemption letter process (compared to the traditional individual FRN) as an alternative for issuing exemptions. This will require consultation with OGC, revision to NRR office instructions, and training for the NRC staff.
- Consider use of granting verbal exemptions in specific situations. This practice could facilitate timely communication of the NRC’s decision, however, out of approximately 200 COVID-related exemptions granted, only one required a verbal decision. This change would also require consultation with OGC, revision to NRR office instructions, and training for the NRC staff.
- Consider continued use and expansion of online portals for other licensing requests, not only COVID-19 related.

## **5.0 CONCLUSION**

In response to the COVID-19 PHE, the NRC was able to provide reasonable assurance for safety and security, despite challenging conditions and a surge in licensing workload related to COVID-19. Along the way, NRR implemented several process improvements to support timely reviews and adapted existing practices to streamline certain administrative processes. Some of the recommendations are intended to be invoked in future emergencies (e.g., pandemic) but others are provided for improvement to current operating reactor licensing processes as the agency moves forward to becoming a modern, risk-informed, effective, and efficient regulator.

SUBJECT: NRR CORONAVIRUS DISEASE 2019 (COVID-19) PUBLIC HEALTH EMERGENCY (PHE) RESPONSE – OPERATING REACTOR LICENSING AND OFFICE OF NUCLEAR REACTOR REGULATION (NRR) COVID-19 COORDINATION TEAM (NCCT) INITIAL LESSONS LEARNED REPORT DATED OCTOBER 14, 2021

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