



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

October 25, 2021

Ms. Sharon Block
Acting Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Ms. Block:

Pursuant to Office of Management and Budget (OMB) procedures established in Title 5 of the *Code of Federal Regulations* (CFR), Part 1320, Controlling Paperwork Burdens on the Public, I request that the proposed U.S. Nuclear Regulatory Commission (NRC) information collection covered by NRC Form 798, "Request for a Medical Exception to the to the COVID-19 Vaccination Requirement," (enclosed) be processed as an emergency clearance request in accordance with 5 C.F.R. § 1320.13, Emergency Processing.

I have determined that this information must be collected prior to the time periods established under Part 1320 of the regulations and that this information collection is essential to implement health and safety measures requiring all Federal employees be vaccinated against COVID-19 as mandated by Executive Order 14043 of September 9, 2021, "Requiring Coronavirus Disease 2019 Vaccination for Federal Employees" and included within Safer Federal Workforce Task Force Guidance which mandated all Federal employees be vaccinated by November 22, 2021.¹ The only exception is for individuals who receive a legally required exception approved under established Agency processes. NRC informed its employees about the vaccination mandate on September 16, 2021, and has requested that all employees notify the Agency of their intent to request an exception to the mandate by November 1, 2021. Employees will be expected to submit a completed NRC Form 798 to support their request for exception. The NRC is requesting an expedited approval of the medical exception form to allow the Agency to collect the information needed to make an informed determination of requested medical exceptions. Applying regular Paperwork Reduction Act clearance procedures is likely to cause harm because of the threat of COVID-19 exposure and transmission.

Because of the nature of the public health emergency and the urgent need for the NRC to

¹ See *generally* Executive Order 13991, "Protecting the Federal Workforce and Requiring Mask-Wearing," (January 20, 2021); Executive Order 13994, "Ensuring a Data-Driven Response to COVID-19 and Future High-Consequence Public Health Threats," (January 21, 2021). See *also* Executive Order 12196, "Occupational Safety and Health Programs for Federal Employees", as amended (February 26, 1980) ("The head of each agency shall . . . [f]urnish to employees places and conditions of employment that are free from recognized hazards that are causing or are likely to cause death or serious physical harm").

meet the November 22, 2021 deadline that all Federal employees be vaccinated except those approved under a medical or religious exception, it is impracticable for the Agency to consult in advance with interested agencies and members of the public in order to minimize the burden of the collection of information pursuant to 5 C.F.R. § 1320.13(c). Therefore, the NRC requests a 180-day emergency clearance to obtain the information required in NRC Form 798, "Request for a Medical Exception to the COVID-19 Vaccination Requirement." During the 180-day emergency clearance period, the NRC will work to establish a regular clearance submission. As this request for approval concerns an urgent safety need, the NRC is also seeking OMB's approval to waive the need for the Federal Register Notices otherwise required by 5 C.F.R. § 1320.5(a)(1)(iv) and § 1320.8(d)(1) prior to publication and implementation of this disclosure.

We would appreciate if you could please provide an approval/disapproval determination of this request to collect information under an emergency clearance by close of business on Thursday, October 28, 2021.

Sincerely,

Mary A. Lamary
Chief Human Capital Officer



Signed by Lamary, Mary
on 10/25/21