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## INSPECTION MANUAL CHAPTER 2600 APPENDIX E

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### INSPECTION PROGRAM MODIFICATIONS DURING PANDEMICS, EPIDEMICS, OR OTHER WIDESPREAD ILLNESSES OR DISEASES

Effective Date: 01/01/2021

#### 2600E-01 PURPOSE

Pandemics, epidemics, or other widespread illnesses or diseases primarily affect people and develop more gradually, spread more widely, and could persist longer than other natural phenomena. During these times, the U.S. Nuclear Regulatory Commission's (NRC's) inspection program implementation strategy should be agile and allow for flexibility in the completion of the core inspection program at affected facilities. The inspection program provides reasonable assurance that licensees are in compliance with their licenses and regulations. Licensees have the ultimate responsibility to safely operate their facilities in accordance with their operating licenses.

During a time of pandemic, epidemic, or other widespread illness or disease the NRC will use a graded approach to meet the objectives of the inspection program. A graded approach allows for deferring/rescheduling planned inspections, changing the inspection periodicity, adjusting inspection levels, conducting inspections remotely or a combination of these actions, while seeking to maintain as much of the normal inspection program as possible. This is based on evolving conditions and information and guidance from Federal, State, and local government agencies while remaining cognizant of the health and safety of the personnel involved.

Continuity of Operations Procedure 429, "Agency Pandemic Plan" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML14030A634), requires that certain aspects of the inspection program identified as mission essential functions be maintained to preserve the agency's statutory obligations during a pandemic including inspection oversight of licensed facilities and materials. Upon formal declaration that the agency is in a pandemic activation, as described in Continuity of Operations Procedure 429, inspection activities should be implemented in accordance with the Agency Pandemic Plan.

#### 2600E-02 OBJECTIVES

To provide guidance for temporarily adjusting the core inspection program in the event of a pandemic, epidemic, or other widespread illness or disease.

#### 2600E-03 APPLICABILITY

Inspection Manual Chapter (IMC) 2600, "Fuel Cycle Facility Operational Safety and Safeguards Inspection Program."

The Director of the Office of Nuclear Materials Safety and Safeguards (NMSS) and the Region II Regional Administrator may initiate, request to initiate, supplement, alter, or suspend the provisions of this guidance by memorandum as the situation warrants. The Director of the Division of Fuel Management (DFM) (and the Chief of the Inspection and Oversight Branch) should be consulted when conditions requiring additional guidance are warranted.

#### 2600E-04 DEFINITIONS

None.

#### 2600E-05 RESPONSIBILITIES AND AUTHORITIES

See Section 2600-05 of IMC 2600

#### 2600E-06 REQUIREMENTS

See IMC 2600

#### 2600E-07 GUIDANCE

In the event of a pandemic, epidemic, or other widespread illness or disease, the Region II office should use the guidance provided in “Implementation of Resident Inspector Coverage at Category I Fuel Facilities During COVID-19” ADAMS Accession No. ML20106F226) and “Inspection Guidance During Transition from COVID-19 Mandatory Telework for the Nuclear Materials and Waste Safety Programs” (ADAMS Accession No. ML20143A281) to make any necessary adjustments to the inspection activities. In addition to the guidance contained in the memorandums, the following should also be considered when adjusting the inspection program:

- a. Region II is expected to make a reasonable effort to complete each inspection activity. However, the Region II Regional Administrator and the Director of NMSS can suspend implementation of the core inspection program should conditions warrant (such as a site quarantine). If this should occur, the primary function of resident inspectors and the regional office would be to maintain situational awareness and the ability to respond to emergency situations.
- b. Region II should continue to adequately evaluate and respond to events at a facility during the pandemic, epidemic, or other widespread illness or disease. If onsite inspections by NRC personnel are not possible, then the regions should collect information on the event remotely.
- c. Resident inspector site coverage requirements remain in effect during the pandemic, epidemic, or other widespread illness or disease. If site coverage requirements cannot be met, Region II should notify NMSS and use the guidance provided in the memorandums identified above to maximize the use of telework to assess the licensees’ activities. This includes making arrangements with the licensee to monitor facility activities remotely.

Staff who are in temporary resident inspector positions may need to be recalled due to travel limitations (e.g. access to lodging and food). Region II may need to consider using regional or NRC Headquarters personnel to help cover any gaps that may occur because the temporary resident inspector needs to leave the area to return home.

- d. At the onset of and periodically during the pandemic, epidemic, or other widespread illness or disease, the Region II state liaison officers should contact the U.S Department of Homeland Security or designated State contacts to confirm the ability of affected States to perform their associated emergency response functions for licensed fuel facilities.
- e. At the onset of the pandemic, epidemic, or other widespread illness or disease and periodically thereafter, the inspectors should verify that licensees have sufficient staffing levels in key positions (e.g., operations, emergency response organization, security) as required by their license.

The licensee's operational status may be an additional consideration when determining modifications to the core inspection program and site coverage.

- f. The resident inspectors should discuss with their licensees the need to maintain situational awareness of the licensees' ability to cope with the challenges associated with a pandemic. They should use Regulatory Issue Summary 2010-04, "Monitoring the Status of Regulated Activities during a Pandemic," dated May 25, 2010, and other appropriate guidance as a resource.

The regulatory issue summary includes several questions that the resident inspectors should consider during routine business contacts with the licensees. The information obtained will enable the NRC to effectively respond to licensees with potential challenges. Inspectors should recognize that during a pandemic, epidemic, other widespread illness or disease, licensees' resources may be strained. Therefore, inspectors should work with licensees to obtain the best information possible given the circumstances.

- g. Inspectors should be cautious when accessing licensee facilities during a pandemic, epidemic, or other widespread illness or disease using conservative good judgment so as not to unnecessarily risk their health, the health of the public, and the health of licensee employees. A graded approach based on the current licensee response posture should be considered for determining inspector site access.

In order to minimize the spread of infections, NRC staff members at or visiting sites should, to the maximum extent possible, follow any licensee plans and/or protocols in place. Additionally, inspectors should follow any applicable Federal, State, or local health screening guidance in effect to determine if it is appropriate to travel and/or enter a site and interact with licensee personnel.

If licensees are conducting health screenings to permit site access, inspectors should generally comply with those requests similar to their adherence to Occupational Safety and Health Administration or other industrial safety requirements. Inspectors should contact their management if the licensee implements changes to normal access to the site and coordinate with management if unfettered site access is denied or restricted.

- h. During the pandemic, epidemic, or other widespread illness or disease, Region II should adjust core inspection activities, as necessary, considering the following:
- Local implementation of limited social distancing (such as cancelation of after-school activities, limitations to public gatherings, or advice for nonessential workers to remain home)
    - Resident inspectors: Reduced onsite activities in affected areas. Assess the use of resident inspector in-office staggering (i.e., only coming on site for risk-significant facility operations, applying flexibility with the 6-day rule) to reduce face-to-face interaction for affected personnel. Identify opportunities to leverage technology to work remotely to perform preparation, documentation, and some inspection activities.
      - Identify opportunities to leverage technology to inspect remotely. Potential inspection candidates include, but are not limited to, procedure changes, training qualifications, audits, and quality assurance.
      - Remote access to licensee information can broaden the spectrum of activities that can be inspected.
    - Region-based inspections: Assess the potential to postpone or reschedule onsite inspections. Assess the potential to perform all or portions of inspection activities through remote/virtual means.
      - Identify opportunities to leverage technology to inspect remotely. Potential candidates include, but are not limited to procedure changes, training qualifications, audits, and quality assurance.
  - Local or national state of emergency or widespread implementation of aggressive social distancing (e.g. closure of schools, public parks, and nonessential businesses; requiring nonessential workers to remain home)
    - Resident inspectors: Daily routine onsite presence is not required; however, consistent with IMC 2600 provisions for onsite coverage, a resident inspector should visit each site at least once every 6 NRC business days.
      - Monitor facility status and activities remotely to the maximum extent practicable.
      - Monitor uncomplicated events and transients remotely. Obtain management approval for an onsite response to an event or transient.
      - Coordinate site access with the licensee.
    - Region-based inspections: Consider deferring/postponing all onsite inspection activities.
      - Assess inspection procedure objectives and licensee personnel support to determine whether procedures can be performed remotely.
    - Regional office: In consultation with the Office of Nuclear Security and Incident Response, consider the need to staff a portion of the Incident Response Center to monitor facility status and coordinate NRC activities.
  - Implementation of the NRC Continuity of Operations Plan
    - Implement site coverage, facility status monitoring, and emergency response in accordance with the NRC Continuity of Operations Plan (ADAMS Accession No. ML14024A688)

If the licensee implements social distancing or quarantine controls in excess of the local or national stance, consider implementing controls similar to those specified above.

- i. During the pandemic, epidemic, or other widespread illness or disease, NMSS and Region II should also consider the following:
- Facility status activities should continue to the extent possible; however, consideration should be given to all means to access information remotely using technological resources available through the licensee. This could include virtual attendance at licensee meetings (by phone or computer). If resident inspectors are not available at the site, consideration should be given towards sending region-based inspectors to the facility if possible. However, this could be challenging due to staff illness, travel restrictions, licensee quarantine actions, and other factors. If facility status activities cannot be performed on site, remote means should be considered. Region II should make arrangements with licensees to obtain information from a remote location. Resident inspectors can achieve this by accessing the licensee's computer systems and networks, where available, licensees providing key information packages and logs electronically, conducting discussions by phone or video with licensee personnel, using licensee cameras, performing physical walkdowns with video capture, and looking for other online indications, for example.
  - For event response, Region II should consider the threshold at which onsite response is needed for an event. For example, the NRC may be able to perform remote monitoring, depending on the accessibility of the licensee's network. If onsite response is appropriate, Region II could consider limiting the response, such as having the resident inspector respond to the emergency response facility or technical support center only.
  - Resident inspectors should reduce, as appropriate, the selected core inspections they perform.
  - The NRC should consider postponing scheduled supplemental inspections, such as temporary instructions, and any other infrequently performed inspections.
  - For assessment meetings, the NRC should evaluate the use of virtual meetings or the deferral of such meetings, within program requirements.
  - The NRC should consider reducing management site visits, as appropriate.

In consultation with NMSS, Region II should communicate risks and impacts to oversight metrics during the pandemic, epidemic or other widespread illness or disease.

## 2600E-08 REFERENCES

Continuity of Operations Procedure 429, "Agency Pandemic Plan," ML14030A634

IMC 2600, "Fuel Cycle Facility Operational Safety and Safeguards Inspection Program."

Regulatory Issue Summary 2010-04, "Monitoring the Status of Regulated Activities during a Pandemic," ML100539611

Memorandum to NMSS Director and RII Regional Administrator, April 17, 2020, "Implementation of Resident Inspector Coverage at Category I Fuel Facilities During COVID-19," ML20106F226.

Memorandum to Regional Administrators from NMSS Director, June 1, 2020, "Inspection Guidance During Transition from COVID-19 Mandatory Telework for the Nuclear Materials and Waste Safety Programs," ML20143A281.

END

Attachment 1  
Revision History for Inspection Manual Chapter 2600 Appendix E

Commitment Tracking Number	Accession Number Issue Date Change Notice	Description of Change	Description of Training Required and Completion Date	Comment Resolution and Closed Feedback Form Accession Number (Pre-decisional, Non-public Information)
N/A	ML20350B441 12/15/20 CN 20-072	Initial issuance. Created to address inspection program modifications during pandemics, epidemics, or other widespread illnesses or diseases.	N/A	N/A