
INSPECTION MANUAL CHAPTER 2515 APPENDIX E

INSPECTION PROGRAM MODIFICATIONS DURING PUBLIC HEALTH EMERGENCIES OR OTHER CONDITIONS RESTRICTING INSPECTOR ONSITE PRESENCE

Effective Date: 06/26/2023

2515E-01 PURPOSE

During public health emergencies or other conditions including local, state, or federal public emergencies (e.g., flooding, hurricane, etc.) restricting inspector onsite presence, the U.S. Nuclear Regulatory Commission's (NRC's) inspection implementing strategy should be agile and allow for flexibility in the performance of the 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 plants in accordance with their operating licenses.

The NRC will use a graded approach to meet the objectives of the oversight program. A graded approach allows for deferring or rescheduling planned inspections, changing the inspection periodicity, adjusting inspection levels (number of completed samples), or a combination of these actions, while seeking to maintain as much of the normal inspection program as possible. This would be based on the conditions being experienced and information and guidance from federal, state, and local government agencies, keeping in full view the health and safety of the personnel involved.

Additional background information for public health emergencies or other conditions can be found in the following two non-public documents: Continuity of Operations Procedure 429, "Agency Pandemic Plan," (Agencywide Documents Access and Management System (ADAMS) Accession No. ML14030A634) and "Continuity of Operations Plan" (ML14024A688).

2515E-02 OBJECTIVES

To provide direction for modifying the inspection program in the event of public health emergencies or other conditions restricting inspector onsite presence.

2515E-03 APPLICABILITY

See Inspection Manual Chapter (IMC) 2515, "Light-Water Reactor Inspection Program—Operations Phase" section 2515-03.

The Office of Nuclear Reactor Regulation (NRR) or the regional offices may supplement, alter, or suspend the provisions of this guidance by memorandum as the situation warrants. The director of the Division of Reactor Oversight (and the chief of the Reactor Inspection Branch) should be consulted when conditions requiring additional guidance are warranted.

2515E-04 DEFINITIONS

None.

2515E-05 RESPONSIBILITIES AND AUTHORITIES

See section 2515-05 of IMC 2515.

2515E-06 REQUIREMENTS

See section 2515-14 of IMC 2515.

2515E-07 GUIDANCE

In the event of **public health emergencies or other conditions restricting inspector onsite presence**, the following considerations are in effect:

- a. The regions are expected to make a reasonable effort to complete the minimum number of samples for each inspection activity. However, the Regional Administrator, with concurrence from the **director of NRR**, can suspend implementation of the baseline inspection program should conditions warrant (such as a site quarantining). 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. Regions **should** continue to adequately evaluate and respond to events at a facility. If onsite inspections by NRC personnel are not possible, then the regions **should** collect information on the event remotely.
- c. Site coverage requirements remain in effect (see IMC 2515, section 2515-11, paragraph 11.01). If site coverage requirements cannot be met, regions **should** notify NRR and the **Deputy Executive Director for Reactor and Preparedness Programs**. In this situation, regions **should** make arrangements with the licensee to monitor plant 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). Regions may need to consider using backup sites, other nearby sites, or 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 **thereafter**, the regions 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.
- e. At the onset of, and periodically thereafter, the **resident** inspectors **should** verify that the licensees have sufficient staffing levels in key positions (e.g., operations, emergency response organization, security). Additionally, evaluate deferred maintenance and other activities, use of overtime, and the need for licensing or other regional support.

Regulatory Issue Summary 2010-04, "Monitoring the Status of Regulated Activities during a Pandemic," dated May 25, 2010 (ML100539611) contains useful guidance and

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. Resident inspectors should recognize that licensees' resources may be strained. Therefore, resident inspectors should work with licensees to obtain the best information possible given the circumstances.

- f. Inspectors should be cautious when accessing licensee facilities and use conservative judgment so as not to unnecessarily risk their health and safety or the health and safety of licensee employees. A graded approach based on the current licensee response posture should be considered for determining inspector site access.

NRC staff members at or visiting sites should strive to follow any licensee plans in place. Additionally, inspectors should follow any applicable federal, state, or local guidance in effect to determine if it is appropriate to 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. Legal counsel, whether regional counsel or OGC, should be given the opportunity to review any health screening forms, statements, waivers, or acknowledgements before use and signature by inspectors. Inspectors should make their management aware of any changes to normal access to the site; if unfettered site access would be denied or restricted as a result of any such changes, inspectors should coordinate with their management, along with regional counsel or OGC, to determine an appropriate course of action.

- g. Consider modification to the baseline inspection program in consultation with NRR as follows:
 - 1. Heightened awareness
 - (a) Resident inspectors: conduct onsite activities as normal.
 - (1) Utilize Plant Status activities and inspection sample opportunities to monitor licensee plans and preparation for conditions that could impact plant operations or restrict onsite access for licensee and NRC personnel.
 - (b) Region-based inspections: conduct activities as normal.
 - (1) Maintain awareness of local conditions for changes. Consider modifying the inspection plan if conditions are projected to deteriorate and health and safety of NRC or licensee staff becomes a concern.
 - 2. Local implementation of restrictions (e.g., canceling after-school activities, limiting public gatherings, advising nonessential workers to remain home, social distancing, or sheltering recommendations)
 - (a) Resident inspectors: Reduced onsite activities in affected areas. Assess the use of resident inspector in-office staggering (i.e., a single resident inspector on site at a time, only coming on site for risk-significant in-plant operations—including for those sites undergoing refueling outages—applying flexibility with the 3-day rule) to reduce face-to-face interaction for affected personnel. Identify opportunities to leverage technology to work remotely for portions of time to perform preparation,

documentation, and inspection activities that do not require in-plant observations or walkdowns per the inspection procedure (IP).

- (1) Identify opportunities to leverage technology to inspect remotely. Potential inspection candidates include, but are not limited to, problem identification and resolution samples, licensee event report closeouts, heat sink, maintenance effectiveness, operability assessments, plant modifications, and performance indicators.
 - (2) Remote access to licensee information can broaden the spectrum of activities that can be inspected.
- (b) Region-based inspections: Assess the potential to postpone or reschedule onsite inspections. Assess the potential to perform inspection activities through remote or virtual means (e.g., performing hybrid inspections where a portion of the team is remote while the rest of the team is onsite, etc.).
 - (1) Identify opportunities to leverage technology to inspect remotely. Potential candidates include, but are not limited to, problem identification and resolution samples, licensee event report closeouts, and heat sink, etc.
3. Local, state, or federal state of emergency (e.g., recommended or mandatory evacuation of non-essential or non-emergency personnel; mandatory sheltering; closure of schools, public parks, and nonessential businesses; requiring nonessential workers to remain home; widespread implementation of aggressive social distancing).
 - (a) Resident inspectors: May limit day-to-day site coverage; however, resident inspector site coverage should be maintained in accordance with the provisions of IMC 2515.
 - (1) Monitor plant status and activities remotely to the maximum extent practicable.
 - (2) Monitor uncomplicated events and transients remotely. Obtain management approval for an onsite response to an event or transient.
 - (3) Coordinate site access with the licensee.
 - (b) Region-based inspections: Consider deferring or postponing all onsite inspection activities.
 - (1) Assess IP objectives and licensee personnel support to determine whether procedures can be performed remotely.
 - (c) 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 plant status and coordinate NRC activities.

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.

h. **Regional** offices should also consider the following:

1. Plant 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 plant status activities cannot be performed on site, remote means should be considered. The regions 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, 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.
2. For control room access **during public health emergencies or other conditions**, inspectors should minimize visits to the extent practicable in accordance with licensee health-protective measures. Resident inspectors should make efforts not to loiter in the control room or other public areas longer than necessary to obtain the plant status. Inspectors should communicate by telephone rather than face-to-face and use remote monitoring and technology to the maximum extent practicable.
3. For event response, the regions should consider the threshold at which onsite response is needed for an event. For example, the NRC may be able to perform remote monitoring of unplanned down powers or uncomplicated reactor trips, depending on the accessibility of the licensee's network. If onsite response is appropriate, the regions could consider limiting the response, such as having the senior resident inspector respond to the emergency response facility or technical support center only.
4. For inservice inspections, inspectors should maximize the use of record reviews, remote video or recorded inservice inspections where possible.
5. Resident inspectors should reduce, as appropriate, the selected baseline inspections they perform.
6. The NRC should postpone scheduled supplemental inspections, temporary instructions, and special and infrequently performed inspections (see IMC 2515 **Appendix C**, "Special and Infrequently Performed Inspections").
7. For annual assessment meetings, the NRC should evaluate use of virtual meetings or the deferral of such meetings, within program requirements.
8. The NRC should reduce, as appropriate, management site visits required in accordance IMC 0102, "Oversight and Objectivity of Inspectors and Examiners at Reactor Facilities." In addition, the requirement for regional management to tour containment during outages may be waived.

9. In consultation with program office, the regions should determine whether the suspension of site coverage metrics would be acceptable during the period of increased health concerns.

i. To promote consistency, NRR, in consultation with the regions, may consider providing more detailed guidance on inspection program implementation at the start of, and periodically throughout, national events such as public health emergencies. Examples of such guidance provided via memorandums can be found in the following documents:

1. Memorandum titled, "Updated Implementation of Resident Inspector Site Coverage During COVID-19," April 6, 2020 (ML20097E538).
2. Memorandum titled, "Inspection Guidance During Transition From COVID-19 Mandatory Telework," dated May 28, 2020 (ML20141L766).
3. Memorandum titled, "Calendar Year 2021 Inspection Guidance During COVID-19 Telework Restrictions," dated February 1, 2021 (ML21027A274).
4. Memorandum titled, "Implementation Of Inspection Programs Following Re-Entry From The Public Health Emergency For The Reactor Safety Program," dated November 2, 2021 (ML21295A302).

j. Some best practices and lessons learned from the COVID-19 public health emergency can be found in the following documents:

1. "Comprehensive Baseline Inspection Program Review - Calendar Year 2021," (ML21252A154).
2. "Initial Report On Challenges, Lessons Learned And Best Practices From The 2020 COVID-19 Public Health Emergency," (ML20308A389)
3. "Final Report for the Follow-On Review of the Lessons Learned, Best Practices, and Challenges During the COVID-19 Public Health Emergency," (ML22172A159)

2515E-08 REFERENCES

Comprehensive Baseline Inspection Program Review - Calendar Year 2021 (ML21252A154)

Continuity of Operations Procedure 429, "Agency Pandemic Plan" (ML14030A634) (Non-public)

Continuity of Operations Plan (ML14024A688) (Non-public)

"Final Report for the Follow-On Review of the Lessons Learned, Best Practices, and Challenges During the COVID-19 PHE," (ML22172A159)

IMC 0102, "Oversight and Objectivity of Inspectors and Examiners at Reactor Facilities"

IMC 2515, "Light-Water Reactor Inspection Program—Operations Phase"

IMC 2515, Appendix C, "Special and Infrequently Performed Inspections"

IMC 2515, Appendix D, "Plant Status"

“Initial Report On Challenges, Lessons Learned And Best Practices From The 2020 Covid-19 Public Health Emergency,” (ML20308A389)

Memorandum titled, “Updated Implementation of Resident Inspector Site Coverage During COVID-19,” April 6, 2020 (ML20097E538).

Memorandum titled, “Inspection Guidance During Transition From COVID-19 Mandatory Telework,” dated May 28, 2020 (ML20141L766).

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Memorandum titled, “Implementation Of Inspection Programs Following Re-Entry From The Public Health Emergency For The Reactor Safety Program,” dated November 2, 2021 (ML21295A302).

Regulatory Issue Summary 2010-04, “Monitoring the Status of Regulated Activities during a Pandemic” (ML100539611)

Memorandum titled, “Cancellation Of Inspection Programs Memoranda Regarding The Public Health Emergency For The Reactor Safety Program,” dated April 21, 2023 (ML23082A106).

END

Attachment 1: Revision History for IMC 2515 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	ML062640337 01/26/07 CN 07-004	Initial issuance of Appendix E	n/a	n/a
N/A	ML20079E700 03/27/20 CN 20-018	Revisions were made to update guidance regarding reactor oversight process inspection program modifications, resident inspector site staffing, the expanded use of technology and other considerations to perform inspections remotely. The format of the appendix was revised to adopt the formatting required by IMC 0040, "Preparing, Revising and Issuing Documents for the NRC Inspection Manual."	n/a	n/a
N/A	ML23055B053 06/26/23 CN 23-018	Revisions were made to: 1) incorporate recommendations from the Comprehensive Baseline Inspection Program Review - Calendar Year 2021, 2) reference memorandums issued during the COVID-19 pandemic, 3) incorporate revisions made to the Continuity of Operations Procedure 429 and the Continuity of Operations Plan, and 4) adopt formatting required by IMC 0040, "Preparation, Revision, Issuance, and Ongoing Oversight of NRC Inspection Manual Documents."	n/a	ML23073A395