

June 26, 2006

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Stephen D. Dingbaum **/RA/**
Assistant Inspector General for Audits

SUBJECT: STATUS OF RECOMMENDATIONS: REVIEW OF
NRC'S DRUG-FREE WORKPLACE PLAN
(OIG-04-A-15)

REFERENCE: DIRECTOR, OFFICE OF ADMINISTRATION,
MEMORANDUM DATED JUNE 15, 2006

Attached is the Office of the Inspector General's analysis and status of recommendations as discussed in the agency's response dated June 15, 2006. Based on this response, the three recommendations contained in the report are resolved.

Please note that these recommendations have remained resolved for more than 2 years, which leaves the NRC's Drug-Testing Program with a plan that has not been approved by the Department of Health and Human Services. I encourage you to resolve whatever impasse is causing this delay. If you are unable to make significant progress toward closing these recommendations by September 2006, we will report on each of these significant, yet unaddressed recommendations in the next OIG Semiannual Report to Congress.

By August 15, 2006, please provide an updated status that clearly describes the actions the agency is pursuing to complete the recommendations and the dates when these actions will be complete.

If you have any questions or concerns, please call me at 415-5915.

Attachment: As stated

cc: W. Dean, OEDO
M. Malloy, OEDO
P. Tressler, OEDO

Audit Report

REVIEW OF NRC'S DRUG-FREE WORKPLACE PLAN (OIG-04-A-15)

Status of Recommendations

<u>Recommendation 1:</u>	Revise the <i>NRC Drug-Free Workplace Plan (Plan)</i> to include the deferral of testing clause from the U.S. Department of Health and Human Services (HHS) Model Plan for a Comprehensive Drug-Free Workplace Program.
Response Dated June 15, 2006:	Revision 2 of the subject Plan will include the deferral of testing clause from HHS. It is anticipated that this revision will be forwarded to HHS by July 17, 2006.
OIG Analysis:	The proposed action addresses a portion of the issue discussed in the report concerning the inclusion of this specific clause. However, this response fails to specify a date by which the revised Plan will be finalized. This recommendation will be closed when OIG verifies that the final updated Plan contains the deferral of testing clause.
Status:	Resolved.

Audit Report

REVIEW OF NRC'S DRUG-FREE WORKPLACE PLAN (OIG-04-A-15)

Status of Recommendations

<u>Recommendation 2:</u>	Include in the <i>NRC Drug-Free Workplace Plan</i> (Plan) instruction that revisions must receive approval from the U.S. Department of Health and Human Services prior to implementation.
Response Dated June 15, 2006:	This instruction will be included in Revision 2 of the Plan and approved by HHS prior to implementation.
OIG Analysis:	The proposed action addresses the issue discussed in the report. However, this response fails to provide that date this action will be complete. This recommendation will be complete when OIG verifies that the final updated Plan contains the provision for HHS approval prior to revision.
Status:	Resolved.

Audit Report

REVIEW OF NRC'S DRUG-FREE WORKPLACE PLAN (OIG-04-A-15)

Status of Recommendations

<u>Recommendation 3:</u>	Obtain U.S. Department of Health and Human Services approval of the <i>NRC Drug-Free Workplace Plan</i> (Plan) prior to implementation.
Response Dated June 15, 2006:	The Office of Administration will obtain HHS approval of Revision 2 of the Plan prior to full implementation and dissemination.
OIG Analysis:	<p>The proposed action addresses the issue discussed in the report and the intent of the recommendation. However, NRC has not obtained HHS approval of Revision 2 of the Plan in a timely manner. In its initial, June 23, 2004, response to this audit report the agency proposed to submit its revision to the Plan by November 1, 2004 and complete the action to close this recommendation by March 1, 2005.</p> <p>OIG staff contacted HHS officials to determine why the proposed revisions to the NRC Plan have taken nearly two years for approval. OIG learned that NRC has not addressed the comments and concerns that HHS raised concerning the Plan during meetings and in two written analyses. NRC has not clearly tracked the changes, nor provided justification for not making HHS' suggested revisions when necessary. Multiple analyses, without addressing the issues raised, are a burden on HHS's resources.</p> <p>OIG encourages the staff to give the revision to the plan the appropriate attention to bring the <i>NRC Drug-Free Workplace Plan</i> into compliance with Federal guidance. This recommendation will be closed when OIG reviews HHS's approval of the final updated Plan.</p>
Status:	Resolved.